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POLITICS, PARTIES, AND PRESSURE GROUPS

POLITICS PARTIES AND PRESSURE GROUPS

by V. O. KEY, JR.

Associate Professor of Political Science
Johns Hopkins University

1946

New York: Thomas Y. Crowell Company

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Fifth Printing

MANUFACTURED IN THE UNITED STATES OF AMERICA

To

F. M. S. AND W. C. H.

PREFACE

THE CONVENTIONS of the academic profession prescribe that each new textbook shall be accompanied by an apologia which justifies its publication by making, with a decent restraint, some claim of innovation. This volume is a combination of the traditional and the novel. All the customary data of texts designed for courses in political parties are included, but there has been added an extensive treatment of pressure groups, as well as a discussion of violence, bribery, and education as political techniques, matters not usually dealt with in the texts.

A basic assumption of the book is that a student cannot gain an adequate comprehension of politics by the concentration of attention narrowly on political parties. For the purpose of broadening the field of inquiry, Part I is devoted primarily to an analysis of the more powerful pressure groups. Each chapter is concerned with an important interest or cluster of interests in our politics: geographical sections, labor, business, agriculture, nationalistic groups, and the bureaucracy. The methods and objectives of each in influencing public policy are set forth. An incidental feature of Part I is that each chapter is used to illustrate a broad characteristic or feature of political behavior. Discussions of geography and politics, the nature of political movements, traditionalism, the guild tendency, and other questions are introduced at appropriate points in these chapters. These matters could be treated separately in a more systematic fashion, but it is effective teaching practice to lay these general ideas alongside some concrete illustrative situation.

Parts II and III contain the usual material concerning parties and elections. Here are treated such stock questions as party functions, minor parties, party organization, nominations, the conduct of elections, the suffrage, and campaign methods. Two chapters not usually included have been added, one dealing with straw polls and the other attempting to summarize and synthesize the numerous quantitative studies of electoral behavior.

In Part IV a discussion of several matters peripheral to political

parties but of underlying importance in the political order is introduced. The matters dealt with in this part are force, bribery, and education. The rationale of the inclusion of these subjects is that they are methods which may affect the structure of political power. Incidentally, the conception of political science as the study of political power, its acquisition and retention, is used to lend unity to the diverse materials included in the volume. This notion is, of course, as old as Aristotle, but in recent years it has become the fashion again to discuss politics in terms of power.

As with all text authors, I have to record my principal obligation to my colleagues in the profession who have reported their detailed researches in articles and monographs. My debt to them is indicated in detail in the footnotes; I trust that I have always given credit where credit is due. I am also grateful to their publishers for permission to quote brief passages from their works. Dr. Luella Gettys has saved me from many errors of style and form. Dr. Carl Brent Swisher read the manuscript and made valuable suggestions. A grant from The Donaldson Brown Fund for Research in Political Science aided in the preparation of the manuscript. The usual prefatory absolution to all save the author for errors of all kinds applies.

V. O. Key, Jr.

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Chapter 1: POLITICS

THE ALLEGIANCE that a citizen owes to his nation possesses a unique characteristic. If an individual does not like his priest or pastor, he can generally change his ecclesiastical affiliation. If he differs with the policy of the American Federation of Labor he may be able to quit his union and join another. If he finds himself in disagreement with the program of the Farm Bureau, he is free to join the Farmers' Union. If he disagrees with the policies of the American Legion, he may resign and perhaps join another association of veterans. If he comes to dislike the Moose, he might shift to another fraternal order. If his aesthetic sensibilities are jarred by the taste of Ford in automobile design, he may choose a General Motors product.

The government, however, occupies a monopolistic position. If the citizen dislikes the services rendered by his government, disagrees with its laws and rules, or thinks the price he pays in taxes is too high, he cannot readily affiliate with another government. Although he may transfer his allegiance to another government, his lot is not likely to be fundamentally changed, since he would find that one government had merely been replaced by another with similar powers and claims. How his government reaches decisions on the policies it shall follow, on the rules it shall enforce, on the taxes and penalties it shall exact, then, becomes a matter of special interest to the citizen.

THE NATURE OF POLITICS

In the systematic examination of any area of knowledge it is well at the outset to state with some precision what is being studied. The definition of the field of politics, like the differentiation of physics from chemistry, is attended by no little difficulty. Conceptions of the scope and nature of politics are almost as numerous as are serious students of the subject; yet too often treatises on politics delimit the boundaries of the subject only by inference or not at all. Consequently it is practicable only to outline a preliminary, working con-

ception of politics without dogmatic insistence on its finality and without a closed mind to other perhaps more useful statements.

"The social sciences," says the sociologist, W. I. Thomas, "are fundamentally concerned with relationships between either individuals and individuals, individuals and groups, or groups and other groups." If politics is one of the social sciences—and there is nothing to be gained by entering into the jejune controversy whether the social sciences are really "sciences"—the problem immediately arises of determining which of these human relations are to be considered as "political." George E. G. Catlin, a leading English political theorist, defines politics "as a study of the act of control, or as the act of human or social control." [1] In a similar vein Harold D. Lasswell, an American political scientist, says, "The study of politics is the study of influence and the influential." [2] Politics is, then, concerned with relationships of control or of influence. To phrase the idea differently, politics deals with human relationships of superordination and subordination, of dominance and submission, of the governors and the governed. The study of politics is the study of these relationships of political power; the concern of practicing politicians is the acquisition and retention of political power.

To think of these human relationships in terms of political power may lead to an initial misinterpretation which should be avoided. The power relationship is not unilateral: it is a reciprocal relationship, and the subject may affect the ruler more profoundly than the governor affects the subjects. It is the observation, not of the rulers alone, but of the relationships of ruler and ruled that constitutes the essence of the study of politics.

The relationship of ruler and ruled is a universal phenomenon. Only anarchists and Communists are sufficiently endowed with imagination to envisage a society without governance, yet the sloughing off of the state is hardly perceptible under communism in Soviet Russia. Gaetano Mosca, a provocative Italian politician and political thinker, observes: [3]

In all societies—from societies that are very meagerly developed and have barely attained the dawnings of civilization, down to the most advanced and powerful societies—two classes of people appear—a class that

[1] *A Study of the Principles of Politics* (New York, 1930), pp. 68-69. Quoted by permission of The Macmillan Company, publishers.

[2] *Politics, Who Gets What, When, How* (New York: Whittlesey House, 1936), p. 1.

[3] Gaetano Mosca, *The Ruling Class* (New York: McGraw-Hill, 1939), p. 50.

rules and a class that is ruled. The first class, always the less numerous, performs all political functions, monopolizes power and enjoys the advantages that power brings, whereas the second, the more numerous class, is directed and controlled by the first, in a manner that is now more or less legal, now more or less arbitrary and violent. . . .

Mosca's notion of a ruling class falls hard on democratic ears, yet in democracies there are certainly those who rule and those who are ruled. However, the credentials of membership in a democratic "ruling class" are neither explicit nor formalized; the lines delimiting the group are not always sharply drawn; and admission to the circle of the influential is barred mainly to those without the wit or will to compel their acceptance.

THE SCOPE OF POLITICS

To say that the study of politics is the study of control, or of influence and the influential, states a characteristic of the nature of the human relationships involved, but it does not fix the outer boundaries of the subject. Does the study of politics include all relationships of influence, control, power? A manufacturer, advised by an astute advertising agency, persuades millions of people to purchase his product in fear of halitosis. Are these relationships of influence "political" in nature? A trade union leader becomes a czar of the bricklayers. Is he a politician exercising political power? Through diligent self-promotion, a clubwoman becomes a leader of clubwomen with great power in the organization. Is this relationship of control "political"? A clergyman becomes a bishop and a power in ecclesiastical matters. Are the process by which he reaches that position and the power he exercises over subordinate clergy and laity political?

A substantial body of opinion holds these and other like control relationships to be within the sphere of politics. It is not essential for the purposes of this volume to decide this issue. In order that the study may be kept within manageable limits, it may be restricted primarily to an examination of those power or control relationships having to do with the machinery of government. This working distinction has been made by A. Gordon Dewey: [4]

With the activities of the New York State Medical Society, or the Actors' Equity Association, the political scientist is not ordinarily con-

[4] "On Methods in the Study of Politics," *Political Science Quarterly*, 38 (1923), pp. 637-638.

cerned; he would speak of them as professional, not political associations; indeed, he might be quite unaware of their existence. When, however, the chiropractors seek legislation favorable to their interests, and the physicians decide to oppose them, or the actors meet with Mr. Gompers and officials of allied organizations with a view to curbing the influx of competing English artists, these organizations may be said to be engaging in "politics." And so on up the scale—from the efforts of the East Harlem Storekeepers' Association, Inc., to compel New York City by peremptory mandamus to remove pushcart peddlers from Park Avenue between 111th and 116th Streets, to slavery, secession, free silver, world democracy and Darwinism—no matter how the question may be obfuscated, whenever it tends to involve a utilization of the machinery of government, then it becomes a "political issue"; those concerned with it are involved in "political activity," and the phenomenon becomes one of those which it is the function of the political scientist to observe.

Professor Dewey's delimitation of the jurisdiction of students of politics is probably too narrow but, with a few exceptions, it will be adhered to in this volume.

Another distinction may be useful in speculation about politics: namely, the differentiation between politics as status and as process. Obviously political power is something more than an end in itself, although for many practitioners of the art of politics the deference that accompanies power may be an adequately satisfying end in itself. The examination of politics in terms of status might lead to a study of the distribution of the products of political power: "Who Gets What, When, How," as Lasswell has pungently expressed the matter in the subtitle to his *Politics*. What positions of power are held by whom? How is the distribution of income affected by political power? How does the system of taxation, for example, influence the distribution of income? What is the value of franchises, privileges, and perquisites dispensed by the government, and by whom are these privileges enjoyed? What values in the form of safety—of life, property, income—are enjoyed by whom?

A study of politics as status would furnish for a given moment a picture of the pattern of power and of the distribution of those ends or objectives that are gained through political power. An adequate textbook centered on a description of political status in the broad sense could hardly be written now. Textbook writers tend to lean on scholarship: they base their works largely on a mass of special studies already made by others. The pattern of the allocation of values through politics has not been explored enough to permit ready

collation, within textbook limits, of material that would present a comprehensive picture of politics as status in the United States.

In American writings on politics, the emphasis has been by and large on politics as process. How and what persons and groups acquire political power; how pressure groups bring their strength to bear on legislative bodies; how individuals rise to positions of ascendancy in the political organization; how parties and other groups manipulate public opinion to attain a given end; how candidates gain the support of the electorate: these and other like matters have been the primary concern of students of politics in the United States and it is from their writings that the textbook writer must draw.[5]

DEMOCRATIC THEORY AND POLITICS

The notion of politics as the relationships between governor and governed, or as the pattern of balance or equilibrium between groups of diverse interests struggling for ascendancy, runs counter to the ideas seemingly generally implanted in the mind of the American student. The doctrine of "popular self-government," the idea that government reflects only the "general will," the belief in government "of the people, by the people, and for the people," popular conceptions of "public opinion" and its functions—all these conspire to create a climate of attitudes hostile to the observation of the real nature of the relationships of the leaders and the led. The belief is engendered that the government is identical with the mass of the population and that by some mysterious process the "will of the people" is translated into governmental decision and thereby the people "rule themselves." Faith in the idea of self-government has a profound political effect in that a general belief in such a doctrine creates throughout the masses of people a sense of security, of satisfaction with the established order, and of hope of eventual improvement of their lot by the exertion of their own strength.

Yet the assertion that people "rule themselves" does not constitute a satisfactory description of the political process as it may be observed by any individual. Walter Lippmann says,[6]

> . . . if you take any particular institution, be it a legislature, a party, a trade union, a nationalist movement, a factory, or a club, the number

[5] For another analysis of the scope and nature of politics, see Roy V. Peel and J. S. Roucek, *Introduction to Politics* (New York: Crowell, 1941), chaps. 1 and 5.

[6] *Public Opinion* (New York, 1922), p. 228. Quoted by permission of The Macmillan Company, publishers.

of those who govern is a very small percentage of those who are theoretically supposed to govern.

Landslides can turn one machine out and put another in; revolutions sometimes abolish a particular machine altogether. The democratic revolution set up two alternating machines, each of which in the course of a few years reaps the advantage of the mistakes of the other. But nowhere does the machine disappear. Nowhere is the idyllic theory of democracy realized. Certainly not in trade unions, nor in socialist parties; nor in communist governments. There is an inner circle, surrounded by concentric circles which fade out gradually into the disinterested or uninterested rank and file.

If the "inner circle" thus tends to make the decisions, to govern, to hold the political power, how are we to reconcile this state of affairs with the ideas of democracy? The question is partly one of the difficulty of communication of ideas. The use of such phrases as the "ruling class" or the "relationships of the governor and governed" may convey an impression of unlimited power to issue commands that must be obeyed. And in some political situations these conditions exist, but on the American scene there has tended to be a great amount of give and take between the "inner circle" and its followers in politics. A leader must make his decisions and plan his campaign after a consideration of the effect that a proposed line of action will have on his followers. "He must consider his decision not only on 'the merits,' but also in its effect on any part of his following whose continued support he requires." [7] Furthermore, the position of the leading or ruling individuals may involve, not the imposition of will from above, but an attempt to control through persuasion. "Government," said Franklin D. Roosevelt in 1932, "includes the art of formulating a policy and using the political technique to attain to so much of that policy as will receive general support; persuading, leading, sacrificing, teaching always because the greatest duty of the statesman is to educate."

Occasionally ruling groups are overthrown. Is such an occurrence an act of the masses? Robert Michels asserts that it would be "an error to accuse the crowd of rising against its leaders, and to make the masses responsible for their fall. It is not the masses which have devoured the leaders: the chiefs have devoured one another with the aid of the masses." [8] He believes that "every great class-movement

[7] *Ibid.*, p. 239.

[8] Robert Michels, *Political Parties, A Sociological Study of the Oligarchical Tendencies of Modern Democracy* (New York: Hearst's International Library Co., 1915), p. 165.

in history has arisen upon the instigation, with the co-operation, and under the leadership of men sprung from the very class against which the movement was directed." [9] If these generalizations are correct, popular revolutions owe their origin to splits or cleavages within the dominant elements of a society; each faction of the ruling group appeals for popular support and the one most successful in this endeavor carries the day.

Another mode of viewing political phenomena in order better to understand the nature of political power is to observe politics in motion, as a struggle for power between competing groups or interests. A characteristic that differentiates democracies and dictatorships is that in a democracy antagonistic interests have the right and privilege of presenting their demands, of protesting decisions that they deem injurious to themselves, and of advancing their cause against all opposition by all means short of actual violence—and often a bit of violence is tolerated. Although a dictator may consider the possible reaction by affected groups before making a decision, he is usually prepared to suppress dissent by force if necessary; indeed, he must anticipate the effect of a decision because even in a dictatorship there are subtle means of expressing dissatisfaction, such as the withdrawal of popular applause, sabotage, and non-cooperation. The problem of the politician or the statesman in a democracy is to maintain a working balance between the demands of competing interests and values. His task is not necessarily the expression of the "general will" or the "popular will." As John Dickinson has said: [10]

> The task of government, and hence of democracy as a form of government, is not to express an imaginary popular will, but to effect adjustments among the various special wills and purposes which at any given time are pressing for realization.
>
> Almost the whole range of political problems are problems of what may be called adjustment—of devising ways and means to curb particular "wills" or "interests," and thus clear the track for the realization of other wills and interests in fuller measure. This is the task of governmental decisions ranging in importance from where to locate a new street or sewage-disposal plant to whether or not to go to war. Government, from this point of view, is primarily an arbitrator, and since practically every arbitration must result in giving to one side more of what it thinks it ought to have than the other side is willing to admit, every governmental act

[9] *Ibid.*, p. 238.

[10] "Democratic Realities and Democratic Dogma," *American Political Science Review*, 24 (1930), pp. 291-292.

can be viewed as favoring in some degree some particular and partial "will," or special interest. It is therefore meaningless to criticize government, whether democratic or not, merely because it allows special interests to attain some measure of what they think themselves entitled to. The question is rather whether it allows the "right" side, the "right" special interest, to win; and the "right" special interest means only the one whose will is most compatible with what we, as critics, conceive to be the right direction for the society's development to take.

Within limits these special interests in a democracy are free to express their demands and their disagreements. This freedom of discussion makes especially difficult the role of the politician in a democracy: he must be able to hold together enough of these special interests to retain power; he must yield here, stand firm there, delay at the next point, and again act vigorously in an extraordinarily complicated welter of competing forces and interests. Here we have a clue to the function of the politician and to the reason for his generally low repute in our culture. He cannot give everybody everything he wants; at times he cannot be forthright; he must play the part of arbitrator and mediator, subject to the criticism of all. To avoid or mitigate conflict, he compromises or, as the stern moralist would say, "straddles the issue." Yet, as Smith and White say,[11]

> . . . the politician is performing an indispensable service (the zigzag path of his compromises in the past we call civilization). He's performing a service nobody else is fully prepared to perform. He's a sort of specialist of things-in-general, who goes about trying to correct the clefts left in our social soil by an over-specialization whose fruits we cannot renounce and whose faults we cannot otherwise cure.

The presentation of these views on the nature of the political process makes occasion for the dispelling of another notion about politics that seems current among students: that is, that the process of politics operates only during political campaigns and at the time of popular elections. It is continuous, and elections are only recurring episodes in a never-ending process. The pulling and hauling between conflicting interests, the resolution of these conflicts, the maneuvering for position occur between elections as well as during campaigns. Every session of Congress, of state legislatures, of city councils, and many decisions by executives and administrators are a part of the political process. The decisions taken, the laws made, the

[11] L. D. White and T. V. Smith, *Politics and Public Service* (New York, 1939), p. 245. Quoted by permission of Harper and Brothers.

questions sidestepped and those straddled affect the relationships between special and partial interests, and these relationships make up the pattern of political power at any particular time.

POLITICS AND MORALS

A factor that often constitutes an intellectual block to the detached observation and analysis of political behavior comes from a deep-seated confusion of politics and ethics. The study of politics is often approached with the hope, not so much of seeing and understanding what occurs, but of learning what "ought to be." The observation, analysis, and description of conditions and processes are very different from the justification of values or preferences. The evaluation of the outcome of a political conflict—a decision made by law, by administrative act, or by the electorate—differs from an understanding of the contending forces, the stakes at issue, and the process of arriving at a reconciliation of conflict. Evaluation (or concluding whether a given course of action is "right" or "wrong") necessitates the possession of a standard or a yardstick for judgment; students—and professors, too—are prone to arrive at dogmatic conclusions on the "merits" of a proposition without making explicit the standard of value, or the ethical norm, against which a particular proposition is measured.

In a given political dispute the interests of labor and employer may be at issue. Employers may successfully appeal to political parties, to "public opinion," and bring adequate "pressure" to win the dispute. One observer may say that the "right" decision was made; another may assert vociferously that the decision was "wrong" or even iniquitous. Both often make their evaluations without disclosing what general standard of right or wrong they are applying to the particular situation. And those abstract standards must, in the nature of things, be subjective assumptions of value. The analysis and understanding of the course of the dispute and the matters at issue lie on a different plane from the justification of its outcome. Ultimately, science has no answer to questions of "right" and "wrong"; it may merely facilitate informed choices by predicting the probable effect of different courses of action. Once choices of public policy are made, the data of science may be mobilized to implement those choices.

The confusion of politics and ethics comes in part from the simple fact that every segment of society in seeking to advance its inter-

ests identifies its own advantage with the public good; hence, political discussion is filled with moral phraseology and intonation. And in the process of political friction, competing interests put their claims into words that give their dispute the appearance, and perhaps the reality, of a head-on collision between two sets of moral values. (And individuals tend to believe that their own interests and views coincide with the "right" or the "general welfare"; hence, the generally low prestige of politicians who must evolve a formula reconciling the irreconcilable and denying that any one of many conflicting values occupies the highest step on the ladder of moral values.) The politician's role of mediation between conflicting and divergent values, White and Smith say, requires [12]

> . . . an initial insight which goes heavily against the moral grain of the most refined people; and this insight is that in major conflicts the interests represented are equally legitimate. Equally legitimate interests espoused and pressed by equally honest and intelligent citizens—that (the daily assumption of any practicing politician) is exactly what most good men cannot admit, without a good deal of practice. That there can, indeed, be such conflicts of good men and of good causes that no genuine justice is possible—no justice, that is, to one side without involving injustice to the other side—is an admission that contradicts any deep idealistic assumption as to the nature of the world or as to the presence in human society of natural justice.

The American Association of Railroads, the Edison Electric Institute, the Congress of Industrial Organizations, the American Federation of Labor, the Anti-Saloon League, the Democratic Party, or any other group seeking power or seeking to influence the course of public action tends to rationalize its own interests with the public good; and through the necessity for this process of moral justification groups may, indeed, be brought to modify their more extreme demands. Similarly, Michels remarks, on the basis of his analysis of European parties: [13]

> Political parties, however much they may be founded upon narrow class interests and however evidently they may work against the interests of the majority, love to identify themselves with the universe, or at least to present themselves as cooperating with all the citizens of the state, and to proclaim that they are fighting in the name of all and for the good of all. It is only the socialist orators who are sometimes found to proclaim

[12] *Ibid.*, pp. 237-238. Quoted by permission of Harper and Brothers.
[13] *Op. cit.*, p. 160.

that their party is specifically a class party. But they tone down this assertion by adding that in ultimate analysis the interests of their party coincide with those of the entire people.

Issues of political power tend to be stated in terms of conflicts of values, of standards of "right" and "wrong." Political conflict is fought out within a context of moral values. F. S. Oliver, who is an acute political thinker, concludes that [14]

In a thousand ways the art of politics is directly affected by moral considerations. Nevertheless, politics cannot properly be regarded as a branch of virtuous conduct; for though the two things are often intertwined, each has its own separate root and stem. The prime motive of the politician is not to do good to humanity or even to his own country, but simply to gain power for himself. Yet he will inevitably fail if he refuses homage to the moral standards of his particular age. And moreover—though this is a different matter—the great majority of politicians are to some extent restrained and impelled by their own consciences. In taking stock of a politician, however, the first question is not whether he was a good man who used righteous means, but whether he was successful in gaining power, in keeping it, and in governing; whether, in short, he was skilful at his particular craft or a bungler.

If a politician would keep his followers loyal to him, he must be careful not to outrage their feelings of right and wrong. His course of action is therefore determined from the beginning by the morals of other people. Unless he can persuade his own party that his intentions are consistent with its standards of public conduct, he may as well go out of business.

In the same spirit is Mosca's comment that in modern societies ruling groups always try to find a "moral and legal basis" for their power,[15] and Michels' declaration that every government seeks "to support its power by a general ethical principle." [16]

Enough has been said to indicate that politics is not a branch of moral philosophy. The matter is put succinctly by Lasswell: "The study of politics is the study of influence and the influential. The science of politics states conditions; the philosophy of politics justifies preferences." In the present volume the attempt is, in the main, to state conditions. If the student will try to separate his moral evaluations of political acts from his observation and analysis of po-

[14] *Politics and Politicians* (London, 1934), p. 25. Quoted by permission of The Macmillan Company, publishers.

[15] *Op. cit.*, p. 70.

[16] *Op. cit.*, p. 15.

litical conditions, he will be able better to understand and perceive the nature of political behavior.[17]

The importance of the development and comprehension of a more or less systematic general view or theory of politics needs perhaps to be emphasized. The universal belief of undergraduates that there is no value in knowing "facts" points to the significance of a general, over-all theory of politics. Knowledge of an isolated "fact" may be quite useless erudition; the isolated "fact" must be related to a larger theory of political behavior before the significance of the "fact" may be perceived. Throughout the volume a consistent effort is made to relate the "facts" to a theory or general conception of political behavior. "Facts" and "events" are described usually not for their own importance but for their value in illustrating some general idea or proposition. The degree to which any particular "fact" or "event" may be understood depends in large measure on the comprehension of its position in a general scheme of politics. The abstract discussion in this chapter should take on more meaning as it is elaborated and illustrated with concrete material in other chapters.

To gain a complete picture of the subject of politics and pressure groups, as well as the relationship between the various subtopics, the student should read the analysis of this book appearing in the Preface.

QUESTIONS AND PROBLEMS

1. What is politics?

2. Can an adequate understanding of the nature of political power be gained from a study of the machinery of government?

3. Are there "right" solutions for all public questions?

4. What differentiates the political process in democracies and in dictatorships?

5. Is the seeking of political power and influence motivated by a desire for power and influence or by a desire for the ends that may result from the possession of power?

6. Are there any common elements in the politics of the United States, Soviet Russia, and an aboriginal tribe?

[17] See J. T. Salter, *The Pattern of Politics* (New York: Macmillan, 1940), chap. 1, "Ethics and the Voter." For another approach, see C. A. Beard, *Public Policy and the General Welfare* (New York: Farrar and Rinehart, 1941), chap. 2.

7. Could it be said that there is a "ruling class" in your community? If so, identify it.

8. Is the conception of politics presented in this chapter broad enough to include international politics?

9. Could it be contended that the study of political behavior is a branch of psychology?

10. Which deals with the more important type of question, political science or political philosophy?

Part I

THE CONTENDERS FOR POWER

Chapter 2: SECTIONALISM

IN THE PRECEDING general description of political behavior the struggle for power was suggested as the differentiating characteristic of those social relationships deemed political. From his knowledge of politics gleaned from newspapers, the student may expect that a discussion entitled "The Contenders for Power" would consist of a study of the major political parties. It is essential, however, to go behind political parties and gain an understanding of the principal interests with which political parties and politicians have to deal. Part I, therefore, is devoted to a consideration of sectionalism, labor, business, agriculture, and other interest groups important in the American political scene.

The political interests of labor, for example, may be advanced through lobbying and propaganda activities of pressure groups such as the American Federation of Labor. The cause of business may be promoted in like fashion by the Chamber of Commerce of the United States. Such pressure groups, while they may call themselves nonpolitical, are engaged in politics; theirs is a politics of policy in the main. They are concerned with what the government does either to help or to harm their membership through law and administration. In turn, political parties, in order to win elections and gain power, have to cater to many kinds and classes of people with widely varying interests. Theirs is a politics chiefly of place and position. They desire to gain office; to do so their campaigns must take into account the demands and desires of different interests. After the election, when the party becomes the government of the day, the pressure of interest groups on the government compels a continuous effort to adjust the conflicts of groups in order to maintain the maximum degree of satisfaction among the population.

Basic to an understanding of American politics, then, is a knowledge of the interests, desires, and ambitions of different classes and groups of citizens, for, in one sense, the principal function of the process of politics is the ironing out of friction that occurs when the ambitions and desires of different groups clash. The chapters that

immediately follow contain outlines of the composition of the principal interests in American society, show how the more important of these classes and groups seek their objectives through political means, and indicate the general nature of those objectives. An incidental feature of each of these chapters is the illustration of a broad characteristic of political behavior that may apply to many situations other than that in which it is discussed. The chapter on labor, for example, illustrates the tendencies toward oligarchy and toward traditionalism in political behavior. Obviously these tendencies are not limited to labor organizations. The student should attempt to relate the general tendency analyzed to situations other than those used for illustrative purposes.[1]

One of the recurrent and persistent cleavages of interest in politics has always been between people living in different territorial areas. An elementary and obvious example from municipal politics is furnished by disputes between different sections of the city over the location of public facilities such as parks, playgrounds, and schools. Similar disputes recur in state politics; often no substantial interest is at issue; a candidate from the northern section of a state, for example, may appeal to the people in his home territory to vote for him so that "we" may have one of "our" men as governor. Such appeals to territorial interest and such friction between the people of different areas are commonplace. The great conflicts between different sections of the nation in national politics are essentially of the same sort, although on a much larger scale. On the international plane politics is almost purely conflict and adjustment between territorially defined groups of people.

The phenomenon of intersectional friction and conflict needs to be examined more closely. Does the mere fact that some people live in one part of the country and others in another, generate sectional disputes for power? There may exist sectional and regional loyalties of people—to the South, to the West, to New England—that are not without strength. Even without any other differences between the people of different areas, the mere fact of geographical segregation may furnish some basis for regional rivalries. More often, however, sectionalism is but a mask for some other conflict of interest. Is the fact that manufacturing is concentrated in one area, wheat cultiva-

[1] For a broad view, somewhat different in emphasis, of the material covered in Part I, see C. E. Merriam, *Political Power* (New York: McGraw-Hill, 1934), chap. 2, "The Family of Power."

tion in another, and cotton growing in a third enough to create sectional differences?

Another factor is usually present: When there arise in the national political arena issues of governmental policy that affect different sections differently—one favorably, the other adversely—then deep-seated sectional conflict occurs. If issues arise between economic interests territorially segregated in sections of the nation, the intensity of conflict is increased by the fact that there are compounded with economic demands and interests the group strength and cohesion that come from loyalty to a particular region. In the United States the most significant basis of intersectional friction is undoubtedly to be found in the differing economic interests of the different sections; these, in turn, have grown in considerable measure from the varying geographic endowments of sections.[2] The United States has had "the problem of the clash of economic interests closely associated with regional geography on a huge scale. Over areas equal to all France or to all Germany, either the agricultural or the manufacturing types are here in decided ascendency." [3]

If sectionalism has been to a large degree an expression of the economic interests of our great geographical regions, the inquiry may well be made why one need differentiate between these sectional cleavages and other conflicts over matters economic. Is not the conflict between agricultural and manufacturing populations, both of which are interspersed in the same area, identical with the same dispute between like populations territorially segregated? The issues may be identical but the potential outcome may be far different. Moreover, the differences may be more bitter, for the way of life of a particular region may lead its citizens to look upon the "outsider" as an "alien"—a feeling not fundamentally unlike that of the people of one nation toward those of another in times of international dispute. In a nation of continental proportions in which geographic economic specialization finds expression in political sectionalism, the situation has potentialities of territorial disintegration that otherwise would not exist to the same extent. The factor of territorial differ-

[2] This is not to suggest that all intersectional conflict has an economic or geographic basis. Intersectional rivalry may be founded on noneconomic territorial differentiation. In Canada, for example, the French-speaking, Catholic population is mainly concentrated in Quebec, while the remainder of the dominion is primarily Protestant and English speaking. Issues arise between the two sections that are by no means solely economic in nature.

[3] F. J. Turner, *The Significance of Sections in American History* (New York: Henry Holt, 1932), p. 36.

entiation and conflict in extreme form poses for the politician the problem of manufacturing a formula, a compromise, for the maintenance of national unity.

THE ADVANCING FRONTIER AND SECTIONALISM

Among great nations of modern times the United States has been unique in possessing a special type of sectional conflict growing out of the gradual spread of population over a continent. Long-established nations have sectional issues, but the westward movement in the United States caused the existence, over long periods of our history, of a special type of political conflict. The areas settled first along the Atlantic seaboard furnished capital for the development of the western wilderness and thereby created a relationship of creditor and debtor between geographically differentiated groups; and, as James Madison observed, the clashes of interest between debtor and creditor have always been a "durable" source of faction. In other ways the interests of the East and the advancing frontier were in conflict. A thinly populated agricultural West had interests that often ran counter to those of the more thickly populated financial and industrial East. Moreover, the dominance of the East in all matters was threatened by the development of the West.[4]

The early rise of sectional conflict in American politics is indicated by the fact that the debate over the adoption of the Constitution took the form of a dispute between the frontier and the seaboard. It has been observed earlier that conflict described or carried on in terms of sectionalism is often but a mask for underlying differences of interest of some other kind. Charles A. Beard has shown, in his classic study, *An Economic Interpretation of the Constitution*, the importance of economic interests at stake in the movement for the adoption of the Constitution. In classifying the interests involved in the formulation and ratification of the document, Beard noted the existence of an important class of small farmers located mainly back from the seacoast, on the fringe of westward settlement, from New Hampshire to Georgia. This western inland section had interests antagonistic to those of the people of the seaboard. The small farmer was frequently in debt, often to a seaboard speculator, for his land; and he had to rely on the capital of the seaboard to develop the

[4] The spirit of the West, more hospitable to innovation than that of the East, has been also of great importance. See T. A. Bailey, "The West and Radical Legislation," *American Journal of Sociology*, 38 (1933), pp. 603-612.

newly opened country. As a consequence of the difference of interest between the West and the East, there were to be found legislative proposals disquieting to the East, such as easy-money schemes to alleviate the lot of the debtor and laws postponing the collection of debt, an early parallel to the modern "mortgage moratorium."

Quite different were the economic interests of the owners of personal property, concentrated principally along the Atlantic seaboard. Property in money was endangered by the demands for inflation and by mortgage moratoria emanating from the West. Public securities were selling at far below par, and ownership of the public debt was certainly not concentrated among the small farmers of the West. Manufacturing and shipping suffered from the tariff barriers between the individual states and from the absence of a strong central government to protect and promote their interests. Easterners owned large blocks of western lands that could not be profitably sold or developed in the absence of a strong central government.

In concluding an analysis of the vote on the ratification of the Constitution, Beard says: [5]

> Inasmuch as the movement for the ratification of the Constitution centered particularly in the regions in which mercantile, manufacturing, security, and personalty interests generally had their greatest strength, it is impossible to escape the conclusion that holders of personalty saw in the new government a strength and defence to their advantage.
>
> Inasmuch as so many leaders in the movement for ratification were large security holders, and inasmuch as securities constituted such a large proportion of personalty, this economic interest must have formed a very considerable dynamic element, if not the preponderating element, in bringing about the adoption of the new system.
>
> . . . . . .
>
> The opposition to the Constitution almost uniformly came from the agricultural regions, and from the areas in which debtors had been formulating paper money and other depreciatory schemes.

The cleavages in the battle over the adoption of the Constitution projected through into politics under the new Federal Government. Time was on the side of the growing West, which found its first great spokesman in Jefferson. The power of the Federalists depended primarily on the

[5] *An Economic Interpretation of the Constitution of the United States* (New York, 1913), pp. 290-291. Quoted by permission of The Macmillan Company, publishers.

. . . support of the wealthier classes of people and rested particularly on a combination of the commercial interests of the North Atlantic coast region, the tobacco planters of Virginia, and the rice planters of South Carolina. In 1801 Jefferson at the head of the Democratic-Republican party broke the power of this combination and obtained control of the federal government. There has been much discussion in recent years of the economic basis of Jeffersonian Republicanism. Out of the dust of controversy emerges the simple proposition that Jefferson succeeded in organizing the greater portion of the back-country grain growers from Maine to Georgia into a coherent "bloc," which formed the strongest element in his victorious combination.[6]

Under the vigorous leadership of Jackson the western forces were again united against the East, or at least against the moneyed parts of the eastern population. Jefferson and Jackson built their fences on the solid soil of unity of the sectional interest of the then West. Says Professor Woodburn: [7]

For fifty years after Jefferson's triumph the democracy which he promulgated found its support not only in the western parts of the original thirteen states but in all the oncoming new states of the West. Omit the South and think only of the states of the Northwest, Ohio, Indiana, Michigan, Iowa, Wisconsin. The party of Jefferson and of Jackson was able to carry these states, as also Pennsylvania, until close to the days of the Civil War, until the restriction of slavery had become the dominant issue in American history and the Democratic party had come largely under the control of southern slaveholders.

The simple pattern of conflict between the seaboard and the frontier, however, was soon replaced by a more complex pattern of sectional interests. The issue of slavery and the Civil War split the western following of Jefferson and Jackson into northern and southern segments; the extension of settlement to the West formed additional regions with their own distinct interests. So long as there was a frontier, there was a distinct frontier interest, but the regional or sectional interest of the frontier was only one part of a pattern of sectional division more complex than the simple cleavage of the East versus the West.

An interesting feature of the westward movement and of sectionalism was the tendency for party affiliations and attitudes of the East to be projected into the newly settled West. As the "solid

[6] A. N. Holcombe, *The Political Parties of To-Day* (New York, 1924), p. 83. Quoted by permission of Harper and Brothers.

[7] J. A. Woodburn, "Western Radicalism in American Politics," *Mississippi Valley Historical Review*, 13 (1926), pp. 143-168.

West" distintegrated, "rival societies, free and slave, were marching side by side into the unoccupied lands of the West, each attempting to dominate the back country." [8] The process of colonization, in the later years at any rate, "largely followed the advance of the railroads. The result of this was that new settlers from the older sections tended to locate in groups with the further result that whatever sectional or political division may have existed in the older sections of the country tended to be reproduced in the areas where large groups of people from these sections assembled." [9] The Democratic and Republican parties, Dr. Boothe believes, "were able to extend their influence into the frontier sections of the country and to maintain their supremacy as political parties even though they were not adequately fostering the interests of the newer sections, the interests of which were becoming increasingly divergent from those of either the North or the South." [10]

In some respects the influence of economic motivation in the friction between the frontier and the older sections often has been overestimated. To some extent the complaints of the frontier were simply a demand for a voice in the Government, a concession which the East granted only grudgingly. A lag in the adjustment of governmental institutions in accordance with the territorial redistribution of population seems to occur in the normal course of events. The great westward movement will not be duplicated but the relocation of population continues and the adaptation of governmental institutions and the distribution of political power territorially are a recurring source of friction. The movement of population from the country to the cities—a movement equal in magnitude and significance to the westward movement—has likewise been accompanied by friction and delay in institutional adjustment, a matter that will be touched at later points in this volume.

[8] Turner, *op. cit.*, p. 27.

[9] Viva Belle Boothe, *The Political Party as a Social Process* (Philadelphia, 1923), p. 45.

[10] *Ibid.*, p. 29. See also J. K. Wright, "Voting Habits in the United States," *Geographical Review*, 22 (1932), pp. 666-672. Migration continues to be of some importance in determining the party affiliations of newly settled areas. The strong Democratic orientation of Southern California, for example, has resulted in part from the settlement of migrants from habitually Democratic areas.

THE POLITICS OF SECTIONALISM

With the westward movement of the frontier bringing about the settlement of new sections with new interests, with the Civil War introducing new bases of sectionalism, and with the division of the nation into great sections, each with its own special economic interests, the form of political relationships between sections became more complex. We came to have, the late Professor Turner said, "unlike such countries as France and Germany, . . . the problem of the clash of economic interests closely associated with regional geography on a huge scale. Over areas equal to all France or to all Germany, either the agricultural or the manufacturing types are here in decided ascendency." [11] He likened the deliberations of party conventions and Congress and their outcome "to treaties between sections, suggestive of treaties between nations in diplomatic congresses."

These observations furnish an indication of the problem posed for politics by the existence of great sections with specialized economic interests. Political parties, in order to win elections, are compelled to unite sections powerful enough to elect the President and, in order to govern, to elect a majority of Congress. And the interests of those sections brought under the same party banner may not be identical; there must be, therefore, intersectional compromise within the party. Professor Holcombe of Harvard has made the most thorough analysis of American politics in terms of sectionalism. "National parties," he asserts, "as the history of national politics clearly demonstrates, can be formed only on the basis of durable combinations of sectional interests." [12] In an elaborate study, published in 1924, he attempted to trace the changing combinations of sectional interests making up both the major parties. Since American politics, up to that time at least, had been in the main agrarian politics, he sought to identify the principal sectional agricultural interests. By geography, for example, the South has been bound to cotton growing. The great corn belt stretches through Nebraska, Iowa, Illinois, Indiana, Ohio. The hay and pasture region, Wisconsin, Michigan, Pennsylvania, New York, and New England, constitutes another distinct agricultural section. The corn and winter-wheat belt includes most of Kansas, the southern half of Missouri, part of southern

[11] Op. *cit.*, p. 36.
[12] Op. *cit.*, p. 355. Quoted by permission of Harper and Brothers.

Illinois, Kentucky, part of Tennessee, western North Carolina, part of Virginia.

Professor Holcombe's argument is that each of the major parties has been formed of a combination of sectional interests, that each party has had its most reliable and most faithful support centered in certain sections. The Republican strength he found to be centered in rural and urban districts of the hay and pasture region, in the corn belt, and in the corn and winter-wheat region. The most solidly Democratic sections he found to be the cotton belt, the subtropical coast region (an area on the fringe of the southern coast from Florida to southeastern Texas), and, in part, the corn and winter-wheat belts. Each party, he shows, has had to reach out from its strongholds and annex the support of doubtful sections in order to win.[13] The frequent nomination by the Republicans of candidates from Ohio, Indiana, and Illinois he interprets as a device to make the most "effective appeal to the farmers of the corn-growing regions," a doubtful area.

The maintenance of party unity necessitates compromise within the party between sectional interests. "The leaders of the Republican farmers of the Northwest are forced to favor a high tariff on cereals and a low tariff on manufactures, especially farm implements and supplies, while the leaders of the Republican manufacturers of the Northeast are forced to favor a low tariff on foodstuffs and raw materials and a high tariff on manufactured goods. . . . Likewise, the leaders of the Democratic cotton and tobacco planters of the South are forced to favor a tariff policy which is most objectionable to the Democratic sugar growers in the South and wool growers in the Far West." [14] Although each party contains within itself sections with divergent interests, the party binds them together with bonds of great strength. The churches, for example, split into northern and southern branches earlier than the party ties broke in the friction

[13] The sectional interests that form the reliable and faithful core of each party gain a disproportionate influence in the party, and this assures that the economic interests of the section will be capably represented in the party councils. The Democratic Senators and Representatives from the Solid South, for example, are re-elected term after term and gain positions of power in congressional committees under the seniority rules. Similarly, in national conventions and in the informal party councils these persons, through continuous service in party affairs, gain positions of vantage from which to defend and promote the interests of their region. Likewise, Republican leaders from New England constituencies climb, through seniority, to positions of power in their party.

[14] Holcombe, *op. cit.*, p. 352. Quoted by permission of Harper and Brothers.

leading to the Civil War.[15] Indicative of the strength of party cohesion is Professor McLaughlin's conclusion that the party as an institution "was almost the last to yield to forces of disunion and disorganization; and, when it did yield, disunion was a fact." [16]

The politics of sectionalism is not solely a question of ironing out differences between sectional interests and uniting them to attain electoral victory. There remains the problem of relationships between the dominant sectional combination and the remainder of the country: the statesman must not carry his triumphant sectional combination too far in oppression of the interests of the losing areas. The success of our politicians in adjusting the interests of sections may be gauged by the fact that there has been only one Civil War. Prior to the war a series of compromises failed to yield a stable adjustment between sectional interests, and only military means could resolve the issue. Consideration of the Civil War illuminates the fundamental nature of all sectional dispute and highlights the importance of evolving workable balances between sectional interests. All other intersectional issues have been solved by the political technique of peaceful compromise; in all instances save the Civil War the issues were susceptible of settlement by means short of force. Professor Turner concluded: [17]

> National party, then, has been in America a flexible bond, yielding in extreme cases to sectional insurgency, yielding often, in the construction of bills, to sectional demands and to sectional threats, but always tending to draw sections together toward national adjustments by compromise and bargain. A common language, law, and institutions, absence of sectional concentration of religions and races, absence of historical hatreds, have helped to prevent America from splitting apart and falling into European conditions; but regional geography, quasi-continental parties, and a national, that is intersectional (our equivalent of international), congressional organization by which sectionalism could express itself in voting instead of by war—these are important factors in the contrast between European and American ways of settling difficulties, and are important explanations of our continued unity.

Thus is apparent the significance of the process of politics in resolving intersectional conflict to the end that national unity may be maintained.

[15] For a summarized presentation of Professor Holcombe's sectional interpretation of political behavior, see his essays in E. B. Logan (ed.), *The American Political Scene* (New York: Harper, rev. ed., 1938).

[16] A. C. McLaughlin, *The Courts, The Constitution, and Parties* (Chicago: University of Chicago Press, 1912), p. 137.

[17] *Op. cit.*, p. 205.

A factor of some relevance in tempering the intensity of sectional interest and feeling has been the nature of the federal system. With the division of each great section into a number of states, effective machinery for the consolidation and expression of sectional demands was lacking. From time to time Representatives of sections act in concert in Congress, and sectional blocs arise—the silver bloc, the cotton bloc, the western farm bloc—cutting across party lines. Nevertheless each Representative and Senator has his own local interests and his own ambitions. Unity of sectional action through cohesive action of state delegations in Congress is difficult to maintain. Occasionally sectional or regional groups of governors are formed to speak for the interests of the region, such as the Southeastern Governor's Conference, which in 1939 fought a successful action before the Interstate Commerce Commission to reduce the freight-rate differentials discriminating against southeastern manufacturing in favor of that of the Northeast.[18] Yet there is a rapid turnover in the governors' chairs, and sectional unity through this means tends to be transient. The effect of the existence of a system of states dividing sectional interests into different political units can probably be better estimated by prophecy of what would happen if there were, for example, a single cotton-belt state or state of New England, with machinery for presenting its demands in national politics. The division of sectional interests into separate states probably contributes to the maintenance of national unity by splintering and weakening the potential strength of sectional drives.

THE EXPRESSION OF SECTIONAL INTEREST

Although sectional, regional, and geographical interests are commonly supposed to be one of the more powerful and influential factors in American politics, the mechanisms for the expression of regional demands are different from those employed to ascertain, formulate, and propagate the desires of nongeographical groups. American business, or a substantial proportion of it, may speak

[18] Another illustration of the activities of governors' groups is furnished by the 1941 memorial of the Southern Governors' Conference, consisting of the governors of eleven southern states, directed to the President. It called attention to "the dangerous and unwarranted centralization of national-defense production in the older and more congested industrial areas." Of a total of "302 new plants, only 24 were located in the South." The governors declared that the "best interests of the Nation can be served only if full use is made of the South's resources by industrial plants established in this area."—*Congressional Record* (daily edition), April 14, 1941, pp. 3139-3140.

through the Chamber of Commerce of the United States. Agriculture has its spokesmen in the Farm Bureau Federation, the Farmers' Union, the Grange, and various specialized organizations. But there is no Amalgamated Society of Southerners to carry on propaganda campaigns or to lobby in behalf of the cause of that section.

Sectional interest finds expression through other types of channels, such as the national party conventions and other party machinery. Framers of platforms take into consideration sectional sensibilities and attempt to avoid jarring them. If the platform committee fails in this respect, an intersectional conflict may occur on the floor of the convention. Disputes over prohibition repeal in several Democratic national conventions tended to take the form of a sectional conflict. The debate over the farm plank in the Republican convention of 1928 arose because of the failure of the platform committee to conciliate leaders of the corn-hog areas in their recommendations. In the selection of presidential candidates, sectionalism may play a part. An important factor in the availability of an aspirant for the nomination is usually the apparent possession of capacity to draw voting support from all sections of the country—or at any rate the absence of a record that will hurt him as a candidate in any important section. Occasionally minor parties arise on a foundation of sectional interest and dissatisfaction with the policies of the major parties. The Populist Party of the 'eighties and 'nineties was primarily a party of western agrarian unrest. The later farmer-labor parties have tended to concentrate in the Middle West.

As for the post–Civil War Democratic Party, we have one of the major political parties dominating and dominated by a region, the South. Circumstances brought about a suppression of internal political conflict within the South and union under the Democratic banner. "Much as moderns may lament its present flower," observes George Fort Milton, "the South's one-party system was the fruit of the grim necessity of Reconstruction. The remnants of 'old-line' Whigs, Native Americans, Know-Nothings were compelled to disregard their feuds with pre-war Democrats, accept the latter's label, and unite to fight the foe. Otherwise Carpetbagger and Scalawag would have continued their freebooting carnival." [19]

In Congress, as questions arise that touch, either favorably or unfavorably, the status of the great geographical regions of the na-

[19] W. T. Couch (ed.), *Culture in the South* (Chapel Hill, University of North Carolina Press, 1934), pp. 116-117.

tion, regional groupings of Senators and Representatives occur. On some issues fairly durable blocs may arise that persist from session to session but these are rare. More frequently, groupings on sectional lines may form, dissolve, and reform as occasion arises, so numerous are the divisive factors within sections. Similarly, in state legislatures the members from one part of the state with a common sectional interest may band together to promote the shared cause. It is this factor of representation on a geographical basis, in both Congress and the state legislatures, that makes unnecessary the creation of private associations to lobby for sectional interests. And it is important to note that when a clear-cut intersectional issue arises, Congressmen are apt to group themselves on one side or the other without regard to their party affiliation.[20]

Private associations, because of the regional concentration of their membership, appear at times to be spokesmen for sectionalism. The New England Jobbers and Manufacturers Association, the Northwest Mining Association, the Southern Pine Association, the Southwestern Peanut Shellers Association, the Western Petroleum Refiners Association, and the Middle Atlantic Fisheries Association operate from a regional base; but they speak for only one interest in the area and not for some paramount combination of sectional objectives as against those of other regions. The mere mention of these associations suggests that the political objectives of the people of a geographical section tend to be divided and perhaps conflicting and that an interpretation of politics in terms of sectionalism is coming to have a more limited application.

IS SECTIONALISM ON THE DECLINE?

An interpretation of American politics in terms of sectionalism has definite limitations. For sectionalism to exist in its most extreme form, it is essential that an economic interest, or some other interest, dominate a geographical region. Regional homogeneity of interest, then, is a durable basis for sectionalism. When there is sectional economic specialization with, say, agriculture dominant in one area and manufacturing in another, a sectional cleavage would be expected to arise. On the other hand, when sectional homogeneity declines—when a variety of interests exists in each region—and the differences

[20] For an account of sectional cleavages in voting in Congress, see Hannah Grace Moore, "Sectionalism in Congress (1870 to 1890)," *American Political Science Review*, 19 (1925), pp. 500-526.

between the various sections of the nation decline, political cleavages are not so likely to follow a geographical line. Perhaps that is the underlying reason why Professor Holcombe's sectional interpretation of our politics becomes somewhat strained today, as, indeed, he was one of the first to see. The tendency toward diversification of economic interests within each of the great regions of the country weakens the fundamental basis of sectional unity.

The degree of regional homogeneity of interest tends to be exaggerated. Even prior to the Civil War, marked cleavages of interest existed within the South, and these differences in interest found expression in political parties. "The economic and political interests of the southern Whigs were the 'special interests' of the slavocracy. During the early forties the Whig party was frequently denounced as the aristocratic party of the slave-holders." Again: "Social distinctions served to confirm the lines which economic interests had already drawn. The Whig planting aristocracy was a natural and an exclusive one." The Democratic Party "drew upon the opposite side of the social scale—especially upon the small farmer of the back hill-country who could always be reached by the party's appeal to the agrarian spirit." [21]

Before the South, as a section, could act as a unit it was necessary that the slavocracy establish its hegemony within the South itself. That dominance was established and its effects remain today. In 1860, about 11,000 southern planters (about three-fourths of one per cent of the total free population) owned fifty or more slaves each. About 100,000 smaller planters owned from ten to fifty slaves each.[22] The small, slaveholding segment of the population with almost a monopoly of wealth, talent, and leadership was able to impose its will on the South.[23] In many of our sectional movements some such process has taken place. The less homogeneous in interest is the section, the more unlikely it is that a single interest will be able to dominate and speak for the region. In other words, sectional lines may break down as unity of sectional interest declines.

[21] A. C. Cole, *The Whig Party in the South* (Washington: American Historical Association, 1914), pp. 69-72.

[22] Clement Eaton, *Freedom of Thought in the Old South* (Durham: Duke University Press, 1940), p. 35.

[23] The strong position of the slaveholding class is vividly illustrated by the late Professor Dodd's statement that even "the negroes knew a great war was beginning and that they were the objects of contention; but long discipline and a curious pride in the prowess of their masters kept them at their lowly but important tasks. They boasted that their masters could 'whip the world in arms.' "—*Expansion and Conflict* (Boston: Houghton Mifflin, 1915), p. 277.

Speculation on the likely course of sectionalism as a factor in American politics, then, must rest on an examination of underlying trends toward a continuation or a decline of sectional homogeneity of interest, the basic factor in sectional political unity. Factors of geography and climate are constants which may condition the economic activity and, hence, the political attitudes of a region. The western silver-mining region, for example, is likely to remain a unit so far as issues concerning silver are concerned. The South, by geography and climate, seems to be fitted for the production of cotton; the corn belt, for the production of corn and hogs. So long as we were predominantly an agrarian nation it could be assumed that the great crop regions, founded on climate and geography, would act as sectional units. But the dominance of cotton in the cotton belt and of corn in the corn belt is challenged. The economic basis for sectional unity tends to become weaker.

In commenting on a detailed examination of votes in the presidential elections from 1896 to 1932, E. E. Robinson declares that[24]

> . . . It can no longer be asserted with any degree of finality that sectional interests are paramount in the minds of the voters. In 1896 and 1916 there appeared to be a sectional decision. But in New England and the Middle States there was in both elections a heavy Democratic vote; and in the west there was a Republican vote. When the search works down to the counties it is increasingly clear that all generalizations as to predominant sectional interests must give way before the fact that every section has its minority—sometimes very small, but always there.

How is the weakening of sectional solidarity to be explained? In large measure, the explanation lies in the diversification of interests within the traditional sections. In the South, for example, Professor Nixon says that as a result of the introduction of manufacturing it was "becoming rather respectable to be a Republican" in many manufacturing districts before 1928; furthermore, he attributes Hoover's southern vote in 1928 partly to "an interlocking of industrialism and Republicanism in the newer regions, where important interests sought insurance against upsetting the applecart of prosperity. That factor must be recognized with all due respect for the non-economic aspects of the religious and prohibition issues." He points out that the traditional southern attitude toward the tariff, conditioned by the dominance of the export crop of cotton, has been

[24] *The Presidential Vote, 1896-1932*, (Stanford: Stanford University Press, 1934), p. 31. For an analysis of sectional tendencies in terms of popular votes in presidential elections, see C. A. M. Ewing, *Presidential Elections*, chap. 2.

broken by the tariff attitudes of Florida and Louisiana on citrus fruits and sugar, of the Carolina manufacturers, of the Texas petroleum interests, and of the cottonseed oil and peanut industries in several southern states.[25] He also says that the South has an "urban proletariat" and a "rural peasantry" to be reckoned with, and that since 1930 a growing consciousness of group interest has arisen among southern tenant farmers, farm laborers, and industrial workers. All these factors contribute to the weakening of the unity of the sectional cotton empire.[26]

It does not necessarily follow that when manufacturing invades the South the southern manufacturer will make common cause with the northern manufacturer, or that southern industrial labor will join with northern labor. As demonstrated by congressional debates over legislation fixing minimum wages and maximum hours of labor, the interests of the southern industrialist may be directly opposed to those of the northeastern manufacturer. The Southerner seeks to retain a lower rate than that prevailing in the Northeast; the Northeasterner fights as bitterly for a uniform wage rate so as to equalize that factor of cost between North and South. Yet on many other points of national policy they would be in agreement.

These remarks suggest that, paradoxically, sectional economic specialization may be a source of national cohesion as well as of division. The so-called "colonial areas," the South and the West, may fulminate picturesquely against the machinations of the manufacturing and money interests of the Northeast, but by virtue of geographical specialization itself the different sections are bound together by relationships of trade and mutual interdependence. It is only when maladjustments occur in these relationships to give rise to a sense of discontent that sharp sectional conflict economically based is likely to take place.

It is easy to exaggerate the changes of the past forty years in the geographical distribution of industry. The movement of manufacturing away from the Northeast, for example, has been relatively slight. In 1899 the northeastern industrial area accounted for 86 per cent of the industrial jobs; in 1935, 82 per cent. Yet enough industry has developed in other sections to dilute the politics of former one-crop

[25] H. C. Nixon, "The Changing Political Philosophy of the South," *The Annals of the American Academy of Political and Social Science*, 153 (1931), pp. 246-250.

[26] H. C. Nixon, "The Changing Background of Southern Politics," *Social Forces*, 11 (1932), pp. 14-18.

sections, both agriculturally and politically. Coupled with this tendency has been the decline in the relative importance of agriculture in the national economy. A dominantly agrarian economy is a remarkably good foundation for a politics of sectionalism since a sort of geographical and climatic determinism governs, within limits, the kinds of agricultural interests that will prevail in differentiated regions. The basis for agrarian sectionalism is weakened by the introduction of industry and other nonagricultural pursuits.[27]

Industry tends to concentrate in urban areas, and it is in the cities that the great solvent of agrarian sectionalism is to be found. A great area producing a major crop may be expected to carry along with it in national politics the small cities and villages that forage on the countryside, but a great industrial city is a different matter. It consists of a variety of economic, racial, and social interests, often with little unity of purpose; different industries with different objectives politically; labor active in promoting its welfare through politics. Professor Holcombe, re-examining the problem in 1933, summarized the trend in this way: [28]

> American politics was originally rustic politics. . . . In the field of national government the struggle for power took the form of a conflict between the geographical sections into which the country was divided. The national parties were founded upon alliances between sectional interests, and the sectional interests were at first mostly agrarian interests. . . . The passing of the frontier and the growth of urban industry have shaken the foundations of the old party system in national politics. The old sectional interests are changing and the old sectional alliances are breaking down. . . . The character of the new party politics will be determined chiefly by the interests and attitudes of the urban population. It will be less rustic than the old and more urban. There will be less sectional politics and more class politics.

[27] For maps and analyses of the geographical distribution of production of different kinds—agricultural, industrial and extractive—the student is referred to National Resources Committee, *The Structure of the American Economy, Part I, Basic Characteristics* (Washington, 1939), chap. 4, "The Structure of Production—Geographic Structure." It is also suggested that the student relate materials from courses on the economic history of the United States to the politics of sectionalism.

[28] A. N. Holcombe, *The New Party Politics* (New York: Norton, 1933), p. 11. Professor Holcombe develops his ideas further in *The Middle Classes in American Politics* (Cambridge: Harvard University Press, 1940), pp. 65-123. William Diamond has shown in detail how sectionalism had been diluted by urbanism as early as 1896. See his "Urban and Rural Voting in 1896," *American Historical Review*, 46 (1941), pp. 281-305.

The effect of the trend toward the concentration of the population in urban areas on the composition of Congress is reflected in Table 1. In 1900 almost two-thirds of the membership of the House came from states with less than 50 per cent of their population urban. By 1930 well over one-half of the Representatives were elected from states with more than 50 per cent of their population dwelling in urban communities.[29] These figures, however, should not be taken as a measure of the decline of rural power in politics, for the rural areas have been able, by various means, to retain an influence beyond their numbers.[30]

TABLE 1

GROWTH OF URBAN POPULATION AND OF URBAN REPRESENTATION IN THE HOUSE OF REPRESENTATIVES

	1900		1930	
	PER CENT OF POPULATION	PER CENT OF HOUSE	PER CENT OF POPULATION	PER CENT OF HOUSE
States under 25 per cent urban	32.9	33.4	5.7	5.5
States 25 to 50 per cent urban	31.9	31.6	32.8	32.8
States 50 to 75 per cent urban	30.9	30.8	43.9	44.1
States over 75 per cent urban	4.3	4.1	17.6	17.4

SOURCE: George H. Haynes, *The Senate of the United States*, Vol. II, p. 1011.

THE GEOGRAPHICAL CONDITIONING OF POLITICAL BEHAVIOR

From the discussion of sectionalism, it may have been inferred that sectional disputes in politics often arise from divergent economic interests of different sections of a nation and that these conflicting economic interests, in turn, rest fundamentally on differences in the

[29] For a thoughtful discussion of the effects of urbanism, see William Diamond, "On the Dangers of an Urban Interpretation of History," in E. Goldman (ed.), *Historiography and Urbanization* (Baltimore: Johns Hopkins Press, 1941).

[30] Some aspects of the matter are discussed below, chap. 17.

nature of economic resources. The soil, climate, and crops of the Old South were suitable for the employment of slaves; the soil and climate of the North were not. The two cultures clashed. The association of types of geographical environment with political attitudes has stimulated speculation about the geographical basis of politics, although most of this discussion has been centered on the geographical factor in international, rather than domestic, politics.[31]

In the writings of Montesquieu we find an early example of the geographical interpretation of politics. He placed emphasis on the influence of climate, temperature, and rainfall on human character and, in turn, on the nature of government. He believed, for example, that the colder climates produced a more restless and irritable people and a greater degree of political liberty; that the warmer climates produced an indifferent and lethargic people readily susceptible to subjugation and despotism. Similarly, plains people, without natural defensive barriers, were likely to live under a despot; those of the broken and mountainous country were better able to defend themselves and to maintain a higher degree of political liberty.

Montesquieu's generalizations would not receive much credence today, but more refined correlations of the relationship between geography and politics aid in understanding political behavior. A relationship between geography and political behavior is most apparent in agrarian politics in which geographical factors condition, over large areas, the types of crops that may be produced and give the inhabitants in that area common political interests and objectives. On the western margin of the plains wheat belt, with its uncertain and irregular rainfall, the clamor for various types of farm relief is usually loudest. The conditions of temperature and rainfall in Louisiana and Florida give us the politics of sugar cane, although it might be more accurate to say that politics gives us sugar cane in Louisiana and Florida since the crop could not be produced without the indirect subsidies of the tariff and kindred measures. Conditions of rainfall, temperature, and soil delimit the boundaries of the cotton belt and likewise the boundaries of one of the more formidable sectional blocs in American politics. The seat of political activity of the extractive industries—mining and petroleum production—is determined by the geographical location of those resources. The juxta-

[31] See Samuel Van Valkenburg, *Elements of Political Geography* (New York: Prentice-Hall, 1939); Derwent Whittelsey, *The Earth and the State* (New York: Holt, 1939); Ellen C. Semple, *American History and Its Geographic Conditions* (Boston, Houghton Mifflin, 1903).

position of the raw materials for steel influences the location of the metal industries and, hence, the sectional locus of the manufacturers who have been a most important element in national politics.

At times the notion of geographical influence has been pushed to the form of an extreme geographical determinism, but more recently students have pointed out that man may affect geography as well as geography, man. The geography of the South did not predestine it to cotton culture and slavery; a complex of cultural factors—a demand for cotton, the availability of slaves, the existence of attitudes condoning slavery—brought about the utilization of southern soil by a slavocracy. Likewise, both the cotton and wheat belts have been pushed farther west by the breeding of plant strains that require less moisture and a shorter growing season; land geographically "destined" for grazing has been brought under cultivation. The textile industry, formerly concentrated in New England partially because of factors of climate and the availability of power, has moved southward with the development of new sources of power and air-conditioning techniques.

Man, however, cannot alter completely the geographical environment. "It has been said that the most foolish statement in the world is that man has harnessed nature. Equally indefensible is the statement that nature controls man." [32] Yet within the framework of a given culture and technology the geographical endowments of different regions undoubtedly determine to a considerable extent the kinds of economic enterprise in which people can engage and thereby color their interests and ambitions in national politics. When technology, industrial or agricultural, overcomes geographical factors influencing the kinds of occupations people follow, geography ceases to "condition" political behavior. The effects of climate and the geographical distribution of natural resources are not, however, easily overcome; and geographical factors may be found at the basis of many of the interests whose influence and activity have persisted in American politics over long periods of time.[33]

[32] Isaiah Bowman, *Geography in Relation to the Social Sciences* (New York: Scribner's, 1934), p. xiii.

[33] See H. M. McCarty, *The Geographic Basis of American Economic Life* (New York: Harper, 1940). For a useful, brief critique of the theories concerning the relationships of geography and society, the student is referred to R. M. MacIver, *Society* (New York: Farrar and Rinehart, 1937), chap. 5.

QUESTIONS AND PROBLEMS

1. What is meant by the term "sectionalism"?

2. It is sometimes proposed that a system of seven or eight great regions be substituted for the states. What might be the effects of such an arrangement?

3. What has been the effect, if any, of the rise of cities on the sectional pattern of American national politics?

4. What has been the chief economic basis of sectionalism in the United States?

5. Do political disputes in your state frequently assume the form of a sectional cleavage? (If so, a more exact idea of their nature may be gained by preparing maps showing the distribution over the state of "yea" and "nay" votes in the legislature on intersectional issues. In some instances a map showing the percentage of the total vote polled by the winning candidate for governor in each county is illuminating. What are the underlying reasons for the pattern shown by your maps?)

6. What kinds of issues have generated intersectional friction in national politics in recent years?

7. Is it probable that diversification of economic activity will eliminate sectional groupings in national politics?

8. Do geographical factors positively influence political behavior?

9. Determine the relation, if any, of the geography of your state to its politics.

10. Could it be contended that a general national policy calculated to minimize intersectional friction is desirable? If so, why?

Chapter 3: AGRARIANISM

IN DEMOCRATIC countries agrarian groups have arisen to promote and defend the real or presumed interest of the agricultural segments of society. Even the dictatorships are not without a "farm problem." The rural groups sometimes constitute themselves into a separate political party; at other times they operate through pressure-group techniques. In the United States, farm groups have employed both these methods in a persistent effort to promote and protect a status made precarious both by the declining relative importance of agriculture in the national economy and by the growing vulnerability of agriculture to economic injury wrought by the maladjustments within a more and more complex, interdependent society. Indeed, the key to the understanding of farmers' movements, particularly those of recent years, lies in the practical unavailability to farmers of weapons of economic defense used by industrial and financial interests. When overproduction and lower prices threaten, business groups may with some success act together to curtail production and safeguard themselves against the economic storm without the interposition of government. Millions of independent agricultural producers find concerted action impossible; hence they go into politics to seek through government a way to collective action.

Since many farmers' movements in the United States have been sectional in nature, they may be taken as illustrative of the previous general discussion of sectionalism. The rich variety of agrarian movements will also serve to illustrate graphically a recurring pattern of political behavior. The structure of political power at any given time represents an equilibrium among the elements struggling for power and influence. The balance of power within international politics has its parallel in domestic affairs. At times the structure of power has remained in a state of static equilibrium over long periods, with a stratified social structure perpetuating itself through time. In modern times, however, a highly unstable equilibrium tends to be the general rule; new groups continually rise to challenge the power of the old; far-reaching readjustments of the relative status of the component

groups in the pattern of political power occur; a new equilibrium is established only to be replaced by another.

The observer is faced by the paradox of depressed groups living quietly under conditions of the most bitter injustice for long periods and of other groups rising to demand retribution on the slightest pretext. What sets in motion these movements leading toward a new equilibrium of power? A "consciousness of need," as Lindeman calls it, must arise. If the circumstances of a particular segment of society become rapidly worse, a keen awareness of the change may be expected. Agitators come on the scene and spread the sentiment of injustice. A diagnosis explaining plausibly the origin of misfortune and generally placing responsibility somewhere—the railroads, the Jews, Wall Street, the monopolists—is propagated. A formula to remedy the situation and provide relief is devised. The movement encounters opposition from the beneficiaries of the *status quo*. The formula is modified; compromise results. The movement perhaps achieves some success; it gains a vested interest and stays to defend the new *status quo* against subsequent assaults on the citadel of power by a new generation of radicals.[1]

Although the "farm problem," with the accompanying manifestations of political discontent, has been with us almost continually since the Civil War, farmers' movements have risen and fallen during this time in something of a cyclical pattern reflecting, in part, changes in the economic status of agriculture. Consequently, from the history of agrarian protest one may draw a mass of data illustrative of the natural history of political movements.

THE GRANGER MOVEMENT

The northwestern corn- and wheat-growing region which embraces the upper Mississippi Valley from Ohio to the western rim of settlement in Kansas and Nebraska was the center of agricultural discontent that found expression in the Granger movement. Depression had been felt in the cereal-growing areas early in the 'fifties because of the increase in production with the cultivation of new lands, but the abnormal conditions of demand brought about by the Crimean War and the American Civil War raised the price of wheat and postponed the day of reckoning. In the late 'sixties and early

[1] The above analysis follows in a general way E. C. Lindeman, *The Community* (New York: Association Press, 1921), chap. 9, "The Process of Community Action."

'seventies, falling prices brought a harvest of distress among farmers. They "began to look about them for the causes of their misfortune. They fastened the blame upon the bankers, the railways, the legislatures, the tariff, and monopolies, and their grievances along these lines were legion and some of them well founded." [2]

The railroads were to bear the brunt of Granger protest. After the Civil War, railroad construction outran the immediate requirements for transportation, and the methods of construction and finance followed were not in accordance with the soundest canons of investment. Railroad construction was subsidized by state and Federal grants of land; bond issues were voted by cities, towns, and other units of local government to aid construction; and the public was induced to buy railroad stock with a hope of quick and easy profits. Often construction costs were padded and funds were drained illegitimately from the railroad companies by dummy construction corporations acting on behalf of unscrupulous railroad directors and promoters. Such mismanagement, coupled with the unexpectedly small operating income, forced railroads into receivership and reorganization to squeeze some of the water out of their capital structures. By this process farmers became disillusioned investors in railroad stocks at the same time that they had to pay taxes to retire railroad-subsidy bonds and high freight rates to ship their produce to market.[3] "When the Iowa farmer was burning corn for fuel, because at fifteen cents a bushel it was cheaper than coal, while at the same time it was selling for a dollar in the East, he felt that there was something wrong and quite naturally accused the railroads of extortion." [4]

Discrimination in transportation rates caused as much resentment as did the absolute height of rates. Discrimination existed between persons and places. At junction points and other places where competition between railroads occurred, rates were generally lower than at intermediate points where the railroads—the farmers felt—took advantage of the absence of competition arbitrarily to raise rates. Discrimination between persons consisted of giving a lower rate to one shipper than to another, often through secret rebates.

[2] S. J. Buck, *The Granger Movement* (Cambridge: Harvard University Press, 1913), p. 8. Quoted by permission of the President and Fellows of Harvard College.

[3] Buck, *The Agrarian Crusade* (New Haven: Yale University Press, 1920), pp. 23-24.

[4] Buck, *The Granger Movement*, p. 14. Quoted by permission of the President and Fellows of Harvard College.

Furthermore, the railroads quite often held the state legislatures in the palms of their hands. This control was effected, among other ways, by the judicious distribution of free passes for passenger travel —a practice not calculated to engender animosity toward the railroads by legislators and other political functionaries who received the passes.[5]

The railroads were not left with the entire blame for the plight of the farmers. Agrarian demonology reserved a prominent place for the commission man and other middlemen. "The charges of the farmer were that the commission men exacted too high rates for their services in getting the crops to market and that the products of agriculture were obliged to pass through too many toll-taking hands before they reached the consumer." [6] High rates of interest and the difficulties of meeting interest and principal payments on heavy mortgages directed antagonism toward holders of mortgages.

In the Patrons of Husbandry, or the Grange, was found a ready vehicle for the expression of farm discontent arising from the foregoing and other reasons. The Grange, founded in 1867 for the social and intellectual advancement of farmers, originated as a secret order equipped with appropriate ritual and a hierarchy of officers with sonorous titles. It had only a slow and gradual growth until the early 'seventies when the pinch of economic adversity gave it momentum. The total number of Granges, or local chapters, increased "from 11 in 1868 to 8,400 in 1873 with a total membership in 1874 of 1,500,000. The record of the month-to-month organization of Granges shows the phenomenal development of the organization during the panic year 1873 and the subsequent year." [7] By October, 1873, "there were Granges in every state in the Union but five—Maine, Connecticut, Rhode Island, Delaware, and Nevada—and also in the territories of Dakota, Colorado, and Washington. Before the end of the year, a grange was organized in Maine and one in the territory of Montana, making in all thirty-three states and four territories in which the order had gained a foothold." [8]

The Grange declared itself to be a nonpartisan organization. "No Grange," it was asserted in the Declaration of Purposes of the Na-

[5] See G. W. Berge, *The Free Pass Bribery System* (Lincoln, Neb., 1905).

[6] Buck, *The Granger Movement*, p. 17. Quoted by permission of the President and Fellows of Harvard College.

[7] Viva Belle Boothe, *The Political Party as a Social Process* (Philadelphia, 1923), p. 65.

[8] Buck, *The Granger Movement*, p. 62. Quoted by permission of the President and Fellows of Harvard College.

tional Grange, "if true to its obligations, can discuss political or religious questions, nor call political conventions, nor nominate candidates, nor even discuss their merits in its meetings." The Grange, instead of attempting to nominate and elect candidates under its own banner, employed those methods now known as lobby or pressure-group techniques. Both the state granges and the National Grange adopted resolutions concerning their stand on proposed legislation; petitions were used; delegations were sent to present to legislatures the Grange's views on pending legislation; candidates for public office were asked during campaigns to indicate their stand on proposed measures of interest to farmers. Paralleling the Grange, however, a large number of local and state independent farmers' parties arose, which were not so reticent about putting forward candidates. They succeeded in filling many state and local offices with persons favorable to the Grange's program.

Although the Grange was concerned with a variety of types of legislation to alleviate the situation of the farmer, first place in its program was occupied by the proposal to regulate the railroad corporations—at the time a radical suggestion characterized, by those who would be affected by the action, as communistic and subversive of our institutions. In several states the Grange was instrumental in inducing legislatures to enact laws regulatory of railroads. Although the immediate efficacy of these laws was not always great, many of the guiding principles of American railroad regulation ultimately established were of Granger origin. From another angle the Grangers attacked the transportation problem by seeking the improvement of inland waterways; and the resolutions and agitation of the Grange were doubtless a factor in causing Congress, in the decade from 1870 to 1880, to quadruple its appropriations for river and harbor improvements over any prior decade.

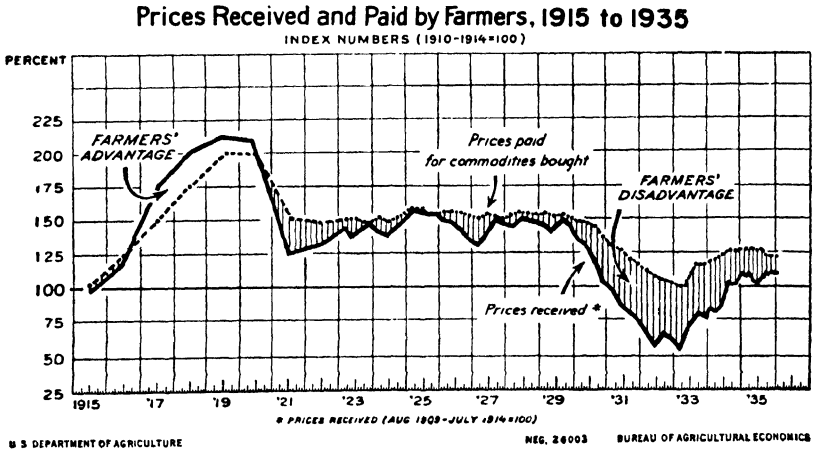
During 1875-1880 the Grange suffered a sharp decline in membership. For various reasons it came to be discredited, and other organizations took its place as the spokesman for agriculture. A major factor in its decline was the failure of cooperative enterprises undertaken by a number of state granges. In other states the failure of Granger legislation to remedy the railroad situation substantially weakened confidence in the order. Yet the Grange left behind a liberal education in pressure-group procedures for the farm population on which succeeding agricultural crusades could build; the Grange itself persists to the present as a conservative and dignified farmers' organization not without power in dealing with Congress

and the legislatures of those states (particularly in the North and East) in which its strength is concentrated.[9]

THE FARM BUREAU FEDERATION AND POSTWAR AGRICULTURE

The analysis of the Granger movement serves to illustrate something of the genesis and evolution of a political movement; further data of an illustrative character may be drawn from the political activities of farmers since the First World War. It was noted that before a "political movement" is inaugurated a "consciousness of need" is requisite. That consciousness may be brought about by a change in status for the worse or perhaps by some messiah holding out hopes for group betterment through proposed governmental action.

The political activities of farmers after the World War were in the first instance set off by a sharp drop in the prices of farm products. The nature of the precipitous decline in the economic position of agriculture can best be seen by reference to the graph below.



During the World War the economic condition of agriculture had been one of prosperity because of the great demand for farm products, but in the depression of 1920-1921 farm prices fell further and faster than the prices of goods purchased by the farmer. The agricul-

[9] The information on the Grange is drawn primarily from Buck, *The Granger Movement*.

tural producer thereby suffered a severe reduction in his real income, or purchasing power.

The collapse of farm prices in 1920-1921 was attributable partially to certain long-run tendencies and partially to the economic changes incident to the World War. Among the long-range trends operating to the disadvantage of the farmer were certain dietary changes. Notable among these was a decline in the per capita consumption of cereals, the most marked of which was the reduction in wheat flour consumption. It was estimated in 1934 that had the 1900 level of cereal consumption continued to prevail, over 20,000,000 more acres of cereals would have been needed to feed the American people.[10] Over a long period the productivity of agriculture had gradually increased, and this trend brought with it a situation in agriculture not unlike technological unemployment in industry. In 1787 the surplus food produced by nineteen farmers went to "feed one city person. In recent average years 19 people on farms have produced enough food for 56 nonfarm people, plus 10 living abroad." [11]

The full effect of these long-period trends was postponed by the tremendous stimulation of agricultural production during the World War. To meet temporary wartime needs new land was put under the plow; existing farms were cultivated more intensively. The return of foreign lands to cultivation and the general economic aftermath of the war struck the farmer with special force. When the bottom dropped from the market for agricultural products, the effect of erroneous agricultural policies long adhered to was felt with intensity. The Federal policy of encouraging, through the Homestead Act, the cultivation of lands better suited for grazing or forestry was one of the long-term factors in the background whose full effect came to fruition at this time.

The principal channel for the expression of agricultural discontent resulting from these trends was the American Farm Bureau Federation, whose formation had been closely associated with the county-agent system. The county-agent system, in turn, originated in the decade 1900 to 1910. As it developed into its present form, this system came to assume primarily the function of bringing to farmers the findings of agricultural research carried on by the land-

[10] National Resources Board, *A Report on National Planning, Part II, Report of the Land Planning Committee* (Washington, 1934), p. 114.

[11] National Resources Committee, *Technological Trends and National Policy* (Washington, 1937), Part III, Section I.

grant colleges, the state agricultural experiment stations, and the Federal Department of Agriculture. The system took on its present administrative form in 1914 through the passage of the Smith-Hughes Act providing Federal grants to state extension services, under the supervision of the land-grant colleges, which, in turn, made arrangements with county authorities to employ county agricultural agents. The costs of the system were borne, thus, by Federal, state, and local funds.

The teaching method employed by the county agents was the "demonstration method"; if it was desired to show the effect of a particular type of fertilizer, the county agent would induce a farmer to fertilize a field alongside an unfertilized one; the results were there for all the neighboring farmers to see. Hence, the work was called farmers' cooperative demonstration work.

Better to reach farmers with this practical instruction, associations of farmers were formed. The name Farm Bureau happened to be used because the first such association was formed as a bureau of the Binghamton Chamber of Commerce. The formation of such associations helped the county agent in reaching the farmers; often, also, the membership fees in the association were applied to the local share of the county agent's salary. This preliminary organization indicated that other ends could be achieved through collective action, and the local farm bureaus undertook cooperative buying and selling. In time the leaders of county farm bureaus were invited to attend conferences and short courses at the state agricultural colleges to which the state extension services and the county agents were administratively attached. These meetings suggested state-wide organizations of the bureaus. "The state extension forces were quick to realize that a state federation of the county farm bureaus would provide a powerful influence in securing liberal appropriations from the legislatures for further extension work. The more active officers of the county farm bureaus, on the other hand, saw the possibilities of united action in getting financial support from the state for the furtherance of county farm bureau work." [12] In 1917 the New York State Farm Bureau Federation was formed; in 1918 a state federation for West Virginia came into existence; and similar federations were organized in other states.

In 1919 delegates from thirty-one states met at Chicago to create a national federation of state organizations. The union of the state

[12] O. M. Kile, *The Farm Bureau Movement* (New York, 1921), p. 111. Quoted by permission of The Macmillan Company, publishers.

federations into the American Farm Bureau Federation was not accomplished without difficulty; the more conservative farm states hesitated to join with the politically energetic Midwestern farmers; but common ground was found. The national organization rested on a firm foundation of local Farm Bureaus, eventually organized in nearly all the agricultural counties, nurtured by the county agricultural agents. Presently the close collaboration between the county agent and the Farm Bureau was to prove embarrassing. Commercial interests objected to what was virtually a government subsidy to cooperatives through county-agent assistance, and formal connections between the extension services and the county agents and local Farm Bureaus came to be severed. But by that time the Farm Bureau Federation had been established on a solid footing.

The federation established a legislative office in Washington with its functions defined as follows: "First, to ascertain definitely, by referendum or otherwise, the farmers' attitude on pending legislation affecting agriculture; second, to thoroughly inform members of Congress concerning the farmers' legislative needs and requests; and third, to report to the membership fully concerning the support or lack of support of individual congressmen." One of the first measures in which the federation took an interest was a proposal to manufacture cheap fertilizer by Government operation of the Muscle Shoals plant. The relationship of the federation to Congress is indicated by the following letter addressed to each member of the House of Representatives after the defeat of the Muscle Shoals proposition: [13]

January 5, 1920.

Dear Mr. Kelly:

All competent and impartial inquirers have agreed that the Muscle Shoals project would result in greatly increased nitrate supplies and materially decreased costs. Hence the farmer as well as the consumer is intensely interested.

It is evident to the farmer that the Muscle Shoals appropriation yesterday was defeated through the influence of large corporations who have a selfish interest in maintaining fertilizer costs.

[13] *Ibid.*, p. 180. Kile says: "And why was this Muscle Shoals development so bitterly opposed in Congress? Simply because the great electrical and chemical interests, the United States Steel Corporation, the Solvay Process Companies, the American Cyanamid Company and to a lesser extent the larger fertilizer interests wanted to tie up this great development for themselves or at least have it operated in such a way that their control over this fertile field of industry would be absolute."—*Ibid.*, pp. 174-175. Quoted by permission of The Macmillan Company, publishers.

The American Farm Bureau Federation has a paid-up membership exceeding 1,500,000 active farmers. These farmers expect us to keep them informed on legislative matters.

We regret that the vote yesterday was not one of record. In order that we may do justice both to Representatives in Congress and to our membership, will you kindly notify our Washington Representative—Mr. Gray Silver, 1411 Pennsylvania Avenue—whether you voted for or against this proposition.

Thanking you for this favor, I am,

Very truly yours,
AMERICAN FARM BUREAU FEDERATION,
J. R. Howard, President.

In 1921 and 1922 control of the legislative process in Congress was virtually wrested from the regularly constituted party leaders by the agricultural bloc, a coalition of Senators and Representatives of both parties from agricultural districts, formed "as a result of a series of helpful conferences at Farm Bureau legislative headquarters." [14] In each house an agricultural bloc was formed to study measures of interest to agriculture and to promote their passage by concerted action. "In rapid succession were passed the Capper-Tincher Grain Exchange control bill, the Packer control bill, the Federal Aid Road bill, and the various Farm Financing and Crop Exporting bills. In addition the plans for a sales tax were blocked and full tariff protection on agricultural products was demanded and in most cases secured." [15]

The Farm Bureau Federation and the agricultural bloc were not the only channels through which agricultural discontent found expression. Reference again to the graph on page 43 will indicate that the disadvantageous position of the farmer in terms of the relationship between agricultural and industrial prices continued during 1922 and 1924. In 1922 in Kansas a " 'dirt farmer' with radical leanings" won the governorship; in Minnesota a Farmer-Labor candidate polled 43 per cent of the votes for governor; in Iowa Smith W. Brookhart, an agrarian "radical" of the day, won the senatorship. Dissatisfaction with the major parties came to a head in 1924 when LaFollette and Wheeler entered the lists for the Presidency and Vice-Presidency under the Progressive and Farmer-Labor banners. Though they

[14] *Ibid.*, p. 188.

[15] *Ibid.*, p. 189. Quoted by permission of The Macmillan Company, publishers. For a complete account of the activities of the agricultural block by one of its leading members, see Arthur Capper, *The Agricultural Bloc* (New York: Harcourt, Brace, 1922).

carried only Wisconsin, they made an impressive showing, especially in the farm belt.[16]

Although the measures adopted by Congress under the spur of the early activities of the agricultural bloc were helpful, the status of agriculture remained fundamentally unchanged in 1925 and 1926. The disadvantage of the farmer, in terms of the relationship between agricultural and industrial prices, continued; as an attempt to close or reduce the gap between agricultural and industrial prices, the McNary-Haugen bill was brought forward in several versions.[17] The original bill was rejected in the House in June, 1924. Another version was defeated in 1926. Although backed with most enthusiasm by the corn-belt states, it fell before the combined opposition of the Northeast and the South. "The vote was sectional, and neither party nor vocational lines held. Of the Republicans who voted, 55.6 per cent were opposed; of the Democrats, 56.7 per cent." [18] In 1927 the bill passed, in part because of "the changed position of the great southern crops," but it was vetoed by President Coolidge. It had passed by a vote in which party discipline had completely broken.[19] Again in 1928 another version of the bill was passed only to meet with Presidential rejection.

The midwestern farm states carried their battle into the 1928 Republican convention and threatened rebellion against domination of the party by "industry and finance." The sectional nature of the votes in Congress[20] and the tone of discussion in the Republican

[16] F. E. Haynes, "The Collapse of the Farmer-Labor Bloc," *Social Forces*, 4 (1925), pp. 148-156. The percentages of the total presidential vote polled by the Farmer-Labor candidates in 1924 in the following states were: Wisconsin, 53.9; North Dakota, 45.1; Minnesota, 41.2; Montana, 37.7; Iowa, 27.8; Nebraska, 23.0; Ohio, 1717; Illinois, 17.5; Michigan, 10.5.

[17] For a detailed analysis of the proposed legislation, see Isaac Lippincott, *What the Farmer Needs* (New York: Appleton, 1928).

[18] A. W. Macmahon, "First Session of the Sixty-Ninth Congress," *American Political Science Review*, 20 (1926), pp. 604-622. The difference of interest between different types of farming is indicated by the following remark during the course of debate on this bill: "The state of Mississippi last year imported into her borders nearly $3,000,000 of feed and food. Increase that on the average of 50 per cent and the Haugen bill would cost the people of Mississippi more than a million dollars. . . ."

[19] The Senate passed the bill by 47 (24 Republicans, 22 Democrats, 1 Farmer-Labor) to 39 (22 Republicans, 17 Democrats).—A. W. Macmahon, *American Political Science Review*, 21 (1927), pp. 297-317.

[20] ". . . when the McNary-Haugen bill for farm relief was put to a vote in the national House of Representatives (February, 1927), not a single congressman, Republican or Democrat, from the whole block of six New England States was recorded in favor of the measure; on the other hand, not one congressman from

convention gave color to the following observation by an agricultural economist: "The industrial groups are now numerically stronger than the agricultural and can outvote the farmer. It is within their power to decide how much agriculture we shall have and what kind, insofar as legislation can decide this. Left to their own interests they will tend to select the kind and the amount that will give them food and raw materials at the lowest possible prices." [21]

Although the agricultural groups failed to persuade the Republican convention to commit itself to the McNary-Haugen plan, Hoover, triumphant in 1928, came into office in 1929 thoroughly committed to "do something" about the farm problem. A special session of Congress in 1929 created the Federal Farm Board with a mandate to "promote the effective merchandising of agricultural commodities in interstate and foreign commerce, so that the industry of agriculture will be placed on a basis of economic equality with other industries." The object, in other words, was to close the gap between agricultural and industrial prices shown in the graph on page 43. This object was to be accomplished primarily through market operations. From an appropriation of $500,000,000 the board made loans to farmers' cooperative marketing associations on the assumption that better prices might be obtained by controlled marketing. The board itself engaged in "stabilization operations"; that is, it purchased surpluses and held them from the market to maintain a higher price level. Quite apart from the effects of the 1929 economic crash on agriculture, the efforts of the Farm Board were doomed to failure. The board itself recognized "control of excessive production as absolutely essential" to improving the status of the farmer. The act it administered had the effect of maintaining prices to a degree but contained no authorization to check agricultural production as a means of raising the prices of agricultural products.[22]

During the Presidential campaign of 1932 Franklin D. Roosevelt said, in effect, to Edward O'Neal, president of the American Farm Bureau Federation: "One of the first things I am going to do is to take steps to restore farm prices. I am going to call farmers' leaders together, lock them in a room, and tell them not to come out until

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the districts constituting the western agricultural bloc was recorded against it."—W. B. Munro, *The Invisible Government* (New York: Macmillan, 1928), p. 138.

[21] G. S. Wehrwein, "Which Does Agriculture Need—Readjustment or Legislation?" *Journal of Farm Economics*, 10 (1928), pp. 16-23.

[22] See Federal Farm Board, *First Annual Report* (1930). To gain a better understanding of these measures for agricultural relief, the student is advised to correlate with the discussion here material from his courses in economics.

they have agreed on a plan." [23] Western farmers, along with nearly everybody else, went Democratic, and immediately after his inauguration in 1933 Roosevelt called the promised meeting of leaders of farmers' organizations. Meanwhile, the plight of the farmers was becoming steadily worse, as will be shown by reference again to the graph on page 43. "Even among farmers, normally one of the most stable elements in American society, there were strikes, forcible interventions with legal processes such as mortgage sales, mob formation and violence, and even violence to constituted law officers such as sheriffs and judges." [24]

The measure agreed upon by the farm leaders and speedily enacted by Congress in 1933 came to be known as the Agricultural Adjustment Act. The act declared "the present acute economic emergency" to be "in part the consequence of a severe and increasing disparity between the prices of agricultural and other commodities, which disparity has largely destroyed the purchasing power of farmers for industrial products." It was declared to be the policy of Congress to "reestablish prices to farmers at a level that will give agricultural commodities a purchasing power with respect to articles that farmers buy, equivalent to the purchasing power of agricultural commodities in" the prewar period. In other words, the object was to eliminate, in so far as practicable, the gap in our oft-cited graph. The means of achieving this end was primarily by control of production which involved ultimately the determination by public authority of the amount of each of the major commodities that should be produced by each farmer. By this means it was hoped to adjust agricultural production and thereby raise prices. The original Agricultural Adjustment Act was held unconstitutional in 1936, but it was succeeded by other legislation with substantially the same objectives. The period 1933 to 1940 marked the enactment of a variety of other types of legislation calculated to alleviate the lot of the farmer, but space is lacking here to outline in detail that legislation.[25]

In our discussion of the course of this legislation, one phase of the agricultural problem has been overlooked. It was noted that the general feeling in connection with the McNary-Haugen bills was

[23] C. V. Gregory, "The American Farm Bureau Federation and the AAA," *The Annals of the American Academy of Political and Social Sciences*, 179 (1935), pp. 152-157.

[24] Mordecai Ezekiel and Louis H. Bean, *Economic Bases for the Agricultural Adjustment Act* (Washington: Government Printing Office, 1933), p. 6.

[25] For a useful survey of government policy relating to agriculture, see D. C. Blaisdell, *Government and Agriculture* (New York: Farrar and Rinehart, 1940).

that the urban and industrial sections were interested in maintaining as low a price as possible for foodstuffs and raw materials. The conflict of interest between the producer and consumer of agricultural products remained in 1933. If a prime function of the politician is the reconciliation of such conflicts, what was done regarding this issue? After 1933, of course, various measures calculated to aid the cause of urban labor were adopted; and these actions probably had some effect in stifling potential labor and urban opposition to the agricultural measures. With references specifically to agricultural measures, however, the Democratic leaders propagated the idea that to aid the farmer was to aid the nation as a whole. Roosevelt said in a campaign speech at Omaha in 1936:

> Back of what we did was the conviction that the agricultural problem is not a problem for the farmer alone—that it is a problem for the Nation as a whole. This is the way we attacked it.
>
> And the Nation is now going along with the farmer. Now for the first time in this industrial period of our history, the American people understand that there is a definite bond between agriculture and industry, that the money we have used for the restoration of American agriculture has been an investment in the restoration of American industry, an underwriting for the wages of American labor, a stimulus for profits in American business.[26]

Henry Wallace, then Secretary of Agriculture, attempted to show the interrelationship of agriculture and industry:[27]

> Economically there is a solid basis for community of interests between farmers and city workers. City employment depends in part on the ability of farmers to buy, while prices of farm products depend in part on the ability of city workers to buy. This interdependence appears in many ways. Cash farm income and total factory pay rolls rise and fall together. Sales of rural retail stores and mail-order houses are business barometers and go up and down with the farm income. . . .
>
> Farmers and city workers have a common interest in programs of action for full employment and balanced production, both industrial and agricultural. True, there are situations where farmers and city workers

[26] It is of interest that Wendell Willkie in his Omaha speech on the farm problem on September 26, 1940, expressed the same idea. He said: "Instead of working together, each group has found it necessary to fight for whatever advantage it can gain. The farmer, the worker, the investor and the business man have been like four horses attached to the same evener, there in the hands of a reckless driver, and all horses plunging spasmodically in different directions. Those horses must pull together. We cannot hope to save this democracy of ours any other way."

find their short-time interests opposed. . . . Both need to remember that no group can expect to sell dear and buy cheap for very long if direct farmer-labor conflicts are to be avoided.[27]

Lesser Democratic orators spread the idea and attempted to dramatize the notion that a farmer could not purchase industrial products unless he had the money, that the healthy operation of the economy as a whole depended on proper relationships among its parts. Whether the legislative program actually accomplished these ends is bitterly debated by economists; to the political scientist the argument illustrates the tendency to rationalize aid to a particular section of the population in terms of the general welfare, and that generally means simply the persuasion of antithetical particular interests to accept a course of action in the middle ground.[28] Success in working out acceptable compromise is not always marked. Wallace noted in his last report as Secretary of Agriculture: [29]

[27] *Report of the Secretary of Agriculture*, 1939, pp. 38-39. The "practical politician" usually employed less involved reasoning than the Secretary of Agriculture to reconcile interests of farmers and the urban consumer. In 1940 a representative from an urban constituency supported the appropriation for farm-tenant loans: "This program is of immediate interest to organized labor because it constitutes one of the most promising methods of halting the drift of surplus labor from the farms to the cities. I am authorized to say that the American Federation of Labor strongly favors approval. . . ."—*Congressional Record* (daily edition), May 14, 1940, p. 9304.

The American Farm Bureau Federation leaders, according to one of the bureau publications, "have recognized that attainment of economic balance between groups cannot be attained by agriculture alone, and therefore in recent years they have stepped outside their immediate field, so to speak, to try to secure the adoption of the parity principle by other groups. The big feature of our 1938 convention was a series of addresses by spokesmen for labor, industry, agriculture, and the consumer. Many conferences on this subject have been held since that time, and indications are that much progress is being made in bringing about better understanding among the groups, which eventually should lead to the attainment of economic balance among them. . . . Perhaps the most vital contribution which the Farm Bureau has made to our national life has been its work in convincing the public generally of the interdependence of rural and urban peoples and of keeping agriculture in its proper place as an integral part of a balanced economic structure."—*Twenty Years with the American Farm Bureau Federation*, p. 11.

[28] All kinds of groups attempt to rationalize their interests with those of the people as a whole. In a report of the 1939 meeting of the Chamber of Commerce of the United States it was said of a speech by W. S. Rosecrans, vice-president of Winthrop Pumps: "Business in his section has decided it must court the public, especially those elements that are either indifferent or hostile. Chambers of commerce no longer think of themselves as organizations for the benefit of business, but proclaim as their objective better living for all in their communities. 'We must sell the other fellow the truth that what helps business helps you.' "—*Nation's Business* (June, 1939), p. 37 of insert.

[29] *Report of the Secretary of Agriculture*, 1940, p. 58.

Recent legislation for the protection of farmers could not have been enacted had not congressional representatives of the city workers supported it. For example, 63 percent of the city representatives voted for the original A. A. A. legislation in 1933. Sixty-three percent of them voted for the revised A. A. A. program of 1938. Congressmen from farm areas seem less inclined to support measures for industrial workers. While 84 percent of the urban Congressmen approved the wage and hour law in 1938, only 39 percent of the rural Congressmen voted for it. Farmers and city workers should not pursue independent courses, with each group determined to get all it can for itself regardless of the effect on the other group. Rural and urban groups have far more to gain through rural-urban cooperation, which can be a means also of advancing the general welfare.

CLEAVAGES WITHIN AGRICULTURE

The discussion of agriculture as a single entity creates a false impression of likeness of interests among all farmers. In fact, divergence of interests among different groups of farmers necessitates compromise and coalition in order to present a united front; and, at times, splits among farming groups lead to the defeat of agriculture as a whole. In the work of the agricultural bloc in the early 'twenties it was necessary to promote only those matters on which most farmers could agree. Senator Capper, in recounting the operations of the agricultural bloc, said: [30]

> There are numerous subjects upon which farmers from different parts of the country do not agree, not because they differ in political faith but because of natural competition. Such questions were omitted from the bloc's program. One illustration of such a case is reclamation measures. . . . Many eastern farmers will agree with those from the west regarding the need for better rural credit, improved marketing and lower freight rates, but they disagree when it comes to a question of federal aid in the reclamation of new land which will bring products into competition with those from older farms.

O. M. Kile, a former official of the American Farm Bureau Federation, has noted the fact that these divergencies of interest among farmers create problems in the maintenance of unity in a national organization of farmers.[31]

[30] *The Agricultural Bloc* (New York: Harcourt, Brace, 1922), pp. 148-149.

[31] *Op. cit.*, p. 208. Quoted by permission of The Macmillan Company, publishers.

The South is interested in cotton; the North in corn and wheat. The New Englander wants the price of dairy feeds kept down; the Iowa producers wants them put up. The Kansas farmer wants cheap freight rates on wheat; the Virginia farmer is not so much interested, since he gets Chicago prices plus freight. The South has the negro problem; the Pacific Coast has the Japanese problem, and Texas has the Mexican problem.

The relative significance of various types of farming in the national economy and in national politics may be indicated by figures on the value of the annual production of the more important commodities. In 1939 the total cash income to farmers in the United States was slightly more than 8½ billion dollars. Fourteen commodities each brought in more than 50 million dollars, as shown in Table 2. The total value of the crop does not, of course, completely

TABLE 2

CASH INCOME FROM MAJOR FARM PRODUCTS, 1940

COMMODITY	INCOME IN $1,000's
Meat animals	$2,427,181
Dairy products	1,501,126
Poultry and eggs	727,732
Cotton and cottonseed	659,835
Wheat	447,044
Truck Crops	397,776
Corn	369,777
Tobacco	240,369
Potatoes	165,062
Citrus fruits	129,790
Wool	109,339
Apples	91,417
Hay	69,515
Sugar beets	54,749

SOURCE: Preliminary figures by the Bureau of Agricultural Economics in *Crops and Markets* (February, 1941), p. 38.

determine the political strength of its producers. The more widely production is geographically distributed, the greater is the number of

Senators who may be induced to promote the interests of the producers.[32]

It may readily be imagined that the political and economic interests of different types of farmers might vary. These differences in interest are reflected to some extent in the creation of competing organizations of farmers; nevertheless, many factors other than cool calculation of interest may be influential in conditioning a farmer's choice of organization with which to affiliate. The great general organizations of farmers, ranging from the extreme right to the left, are the National Grange, the American Farm Bureau Federation, and the Farmers' Union. Each of these organizations attempts to cover the nation, although none is entirely successful. Each is equipped with all the customary organizational paraphernalia—annual national meetings designed to be representative of membership, together with the necessary executive and administrative staffs—to determine the wishes and aspirations of the membership and to direct their strength, at the appropriate times, upon Congress and other national Governmental agencies. Although each of the organizations constantly attempts to increase its membership and to speak for "the farmer," there are differences in the interests of their memberships and their attitudes on public policy.

In its earlier days the National Grange, with its radical belligerency, aroused fear in the heart of Wall Street, but it has become the most conservative farm organization. It pictures itself as "the oldest and largest farm organization in America and the only Farm Fraternity in the World." It is a "social, educational and economic force, plus a neighborly and community building agency." It places emphasis, according to its literature, "on moral and spiritual idealism. It is a fraternity with a beautiful ritual." The latter refers to its master, overseer, steward, assistant steward, Ceres, Pomona, Flora, seventh degree initiates, and various strangely named functionaries.

[32] "The states producing sugar beets are, in the main, in the thinly settled western part of the United States. By virtue of the constitutional provisions with respect to the membership of Congress, these states, of course, have equal representation in the Senate with the heavily populated industrial states of the East. At any one time, therefore, the sugar beet bloc in the Senate can exert substantial legislative influence. In addition to this, the three industrial states which produce beets, Ohio, Michigan, and Indiana, are a pillar of strength in the Lower House although their production, as compared with that of Colorado or Utah, is of limited sectional importance."—J. E. Dalton, *Sugar, A Case Study of Government Control* (New York, 1937), p. 149. Quoted by permission of The Macmillan Company, publishers.

On the political front the Grange speaks in Washington through its able Washington representative, Fred Brenckman.

Grange membership is heavily concentrated in the states east of the Mississippi and north of the Mason and Dixon Line, with special strength in the northeastern states. The result is that the policies reflect the rural conservatism of these states and the interests of farmers advantageously situated with reference to rich domestic markets. This factor, as well as the heavy reliance in these states on products with primarily a domestic market (which removes the farmer from the more serious and mysterious effects of fluctuating prices fixed on a world market), lays the basis for a farm class that is more able to take care of itself than are the cotton growers and the corn and wheat growers.

The resolutions and literature of the Grange have a ring like Republican campaign speeches. In 1939 its Washington representative reported that the congressional session of that year "was characterized by a commendable effort . . . to restore a proper balance or equilibrium between the legislative and executive departments of the Government." He found that the administration of the Fair Labor Standards Act had "by a wholly illogical interpretation" deprived farmers "and the processors of agricultural commodities of many of the exemptions to which they were justly entitled," but the Grange was supporting amendments to exempt the processing of agricultural products from the operation of the act. In its 1939 annual session the Grange reaffirmed "its stand against over-centralization of Government, which violates the wholesome American principle of home rule in local affairs." At the same session passage of legislation making it a Federal offense to "transport stolen livestock in interstate commerce" was requested. The Grange wanted to "speed national recovery by removing unnecessary restrictions from business." The Grange is aligned with manufacturing on the tariff; it has demanded the repeal of the Reciprocal Trade Agreement Act with great vigor. In 1939 it denounced "excessive taxation," and demanded the balancing of the Federal budget "at the earliest practicable date." On labor the Grange, like business, desired an amended National Labor Relations Act. Protest was expressed against the construction of additional reclamation projects, as would be expected from an eastern organization. The Grange has been lukewarm toward New Deal programs to control agricultural production, primarily, it may be supposed, because Grange members do not have so much to gain thereby as do farmers of other sections.

Stripped of its froth and of its moral overtones—such as references in its literature to "the evils of strong drink"—the Grange, like a labor or business organization, has its eye on the main chance, although it may differ in that the demands of agricultural organizations sometimes acquire a holy status.[33] The Grange happens to be more conservative than other farm organizations partly because of the traditional rural Republicanism of the areas in which it is strongest and partly because those policies seem to be in the interest of its membership.

The circumstances surrounding the establishment and early activities of the American Farm Bureau Federation have been noted. The federation more nearly blankets the country than does the Grange, but the federation's greatest strength is to be found in the Midwest, in the area from Ohio to Kansas to Minnesota. Over half of the membership of the organization is to be found in this section, and over half of the revenue of the national headquarters comes from the same area. Membership in the southern states is less important in the national picture, but the federation is apparently the strongest farm organization in that region. Left-wing farm leaders view the federation as a reactionary body, but it is less conservative than the Grange. Although comparative measurements of political strength are hazardous, it is probably the most powerful of the farm organizations. Its national organization receives an annual income of about $250,000, and it employs able leaders and pays them well. It maintains a research staff to aid it in reaching its decisions; through its "department of information" it educates the general public as well as its own membership.

In presenting the views of the farmer to Congress the federation officials scrupulously adhere to the resolutions and instructions voted by the annual convention. In making its wishes known, the federation follows the methods of testifying before congressional committees, interviewing Congressmen, and stirring up interest in their home districts. In reporting on congressional events in 1939, the federation reported:

[33] Gaus and Wolcott note the significance in American politics of the "moral importance" of "farmers in American society as a whole, and, consequently, of their rightful claim upon that society for their fair share of its production, power, and prestige. We have used the term 'moral importance' because this assumption, while obviously related to and reflective of economic claims, has its more intangible, yet equally important, implication that the essential nature of American society at its best derives from the rural community of free, independent, landowning, God-fearing farmers."—*Public Administration and the United States Department of Agriculture*, pp. 17-18.

Legislation relating to matters of agricultural interest was particularly dominant in the affairs of the Seventy-Sixth Congress. Some of the most crucial battles in Farm Bureau history were fought and won.

The preservation of the Agricultural Adjustment program, and the host of bills introduced affecting farmers, required the presence of President O'Neal in Washington almost continuously during the session of Congress. The members of our national Board of Directors rendered able assistance by coming to the national capital and helping to carry the legislative program to the members of Congress. The Federation also appreciates the valiant aid and support given by county Farm Bureau leaders and individual members. There has probably never been a year when Farm Bureau leaders were called upon so frequently for support, and, moreover, never a time when response was so generous, and so effective in accomplishing legislative results. With this loyal support, President O'Neal was able to lead these united forces to the victories so important to agriculture and to the Federation.[34]

The matter of great importance at stake was an appropriation of 225 million dollars for parity payments under the Agricultural Adjustment Act for 1940.

With its center of gravity in the corn-hog-wheat Midwest, the federation, although in agreement with the Grange on many issues, has differed sharply with it on other important questions. Cotton also plays a part in its policies. All these are export crops which are aided only slightly, if at all, by tariff legislation. The Farm Bureau in 1940 supported the extension of the reciprocal trade agreements program.[35] It is more willing than the Grange to accept compulsory production control. Presumably this attitude arises from the different positions of the bulk of the membership of the two groups respecting the world market. The early activity of the federation relating to the McNary-Haugen bills has been noted. The federation says that it "secured passage of the first Agricultural Adjustment Act"; that it "secured passage of the second Agricultural Adjustment Act providing for production control of basic commodities."

[34] *Twenty Years with the American Farm Bureau Federation*, p. 26.

[35] The following extract from the 1938 Annual Report of the federation indicates further its attitude on the tariff. It had been proposed that pressure be brought to ascertain the advisability of seeking removal of tapioca and other starches from the free list under the Netherlands Trade Agreement. An investigation was made and the facts disclosed "indicated that little or nothing could be gained to aid the corn growers through the opening of this agreement with respect to tapioca imports and that such action might seriously jeopardize important gains in our exports of corn, wheat and many other farm products which we are now enjoying."

Although the Farm Bureau Federation has been divorced formally from the state agricultural extension services, a close informal connection continues to prevail.[36] That relationship is reflected in the policies of the federation. The latter, like the state extension services, has an upper-class farmer orientation, and both share a restrained enthusiasm for national agricultural programs calculated to benefit the lower third of the farm population. Moreover, the federation tends to ally itself with the state extension services in their jurisdictional disputes with the United States Department of Agriculture. In its 1940 convention, for example, the federation proposed to divest the existing departmental hierarchy of its authority over the more important farm programs and to place control in state committees "appointed annually . . . from nominations by the State director of extension after consulting with State-wide farm organizations." In a number of states, such a policy would constitute, in effect, a delegation of administrative authority to the Farm Bureau Federation.

The National Farmers' Union speaks for a mildly left-wing segment of American agriculture. The strength of the union is centered principally in Oklahoma, Kansas, Nebraska, Iowa, the Dakotas, and Colorado on the western margin of tillable lands. In much of this region agriculture is on a precarious footing and this perhaps accounts for the more drastic policies advocated by the union. It is often found in sharp conflict with the Farm Bureau Federation, which is said to consist, in the main, of the more prosperous farmers. The Farmers' Union places great emphasis on legislative plans to bring to the farmer a guaranteed return equal to his cost of production—a policy that suggests the hypothesis that the center of gravity of its membership lies with the marginal agricultural producers. The union advocates an economic reconstruction in which cooperative business, "owned by producers and consumers," may replace private enterprise. This, the union averred in its 1940 legislative program, "is the only means by which the potential abundance of this Nation may be made available to all its people and by which true democracy may be maintained and safeguarded." In keeping with its doctrines, the union has sponsored and promoted cooperative terminals, insur-

[36] Of interest is an item in the 1940 resolutions of the Grange: "Extension workers should be paid entirely from public funds, leaving them free to serve the people without favoritism or discrimination. Under no circumstances should any farm organization be allowed to graft itself upon the extension service, nor dominate it to serve its own ends."

ance companies, creameries, and agencies for the purchase of farm supplies and the sale of farm products.[37]

In addition to these general farm organizations, there are other groups organized along commodity lines. One of the more important of these is The National Co-operative Milk Producers' Federation which, as its name implies, is a federation of milk producers' associations and of producers' cooperative associations. The membership of the groups affiliated with the federation is concentrated mainly north of the Ohio, in the states of Wisconsin, Iowa, Nebraska, Colorado, and Wyoming, and around the metropolitan centers of the Pacific coast. The Milk Producers' Federation has a unity of interest and objective that makes it one of the most aggressive of the farm organizations. The spirit of the dairyman, in fact, is more akin to that of the manufacturer than that of the farmer; the dairyman is, after all, something of a manufacturer who processes milk and butter from cow feed. One commentator has observed that the dairymen "can get substantially what they want, within the power of the AAA to satisfy such wants." He says that the federation "is mainly made up of the most determined, aggressive dairymen of the Nation; dairymen who are now getting for their milk a price quite above the price which it would bring for any other purpose. These men have something to fight for. Moreover, they have something already in their possession—a situation which always induces a resistance more intense than a struggle for potential advantages never yet enjoyed." [38] In other words, the dairymen enjoy monopoly prices.

The federation has taken strong positions on various matters. The dairymen, producers for a domestic market, are violently opposed to reciprocal trade agreements. "We object," said the federation in 1939, "to being traded down the river for the benefit of a few large industries, such as the automotive and chemical industries, in order to enable such industries to increase their exports a little." The federation believes that "the best way to approach prosperity is to increase the farmers' purchasing power instead of the present misguided method of trying to increase the purchasing power of urban labor and reduce the possible income of agriculturists." The dairy-

[37] See Edward Wiest, "Farmers' Union" in *Encyclopedia of the Social Sciences*. For a useful brief description of farmers' organizations, see D. C. Wing, "Trends in National Farm Organizations," *1940 Yearbook of Agriculture* (Washington: Government Printing Office, 1941), pp. 941-979.

[38] B. J. Hibbard, "Legislative Pressure Groups Among Farmers," *The Annals*, 179 (1935), pp. 7-24.

men stand firmly opposed to legislation governing the wages and hours of labor employed in the processing of dairy products in creameries and other such plants. The tendency of nondairy farmers to use land taken out of cultivation under the various agricultural programs for dairying brought vigorous protests from the federation. The higher the tax on oleomargarine the happier the dairymen are; their secretary sorrowfully reports, however, that the oleomargarine manufacturers have propagandized portions of the South that "oleomargarine taxation is harmful to Southern agriculture," whose cottonseed oil is used in olco manufacture.

The Milk Producers' Federation plays for high stakes in its dealings with government. In 1938, for example, it organized the Dairy Products Marketing Association, which in turn "arranged to borrow from the Commodity Credit Corporation sufficient funds to stabilize the butter market at a reasonable level." The Federal Surplus Commodities Corporation in turn undertook to purchase butter from the Marketing Association if the butter could not be "sold in the usual channels of trade" without breaking the market. The secretary of the federation reported that this market stabilization "meant at least $60,000,000 to dairymen in the United States, by maintaining during all of the surplus production season the price level of 25½ cents for 93-score Chicago butter." [39]

Organization of agriculture has been limited mainly to farm owners and managers. Agricultural labor and farm tenants have not found their political voice through organization. The oldest organization that sought to recruit farm labor was the Industrial Workers of the World, which at its peak in the years 1916-1918 claimed a membership of 18,000 in its Agricultural Workers Organization. This membership consisted mostly of casual workers in the corn and wheat belts, but the I.W.W. has practically disappeared from the scene. Since 1930 a few agricultural workers, principally migratory workers in fruits and vegetables, have been organized. Also since 1930 the Southern Tenant Farmers' Union has made some progress in bringing together the tenant farmers of that area.[40] In the few instances in which farm laborers have effectively organized, they have been suppressed with a ferocity that would make even some reaction-

[39] The data concerning the federation have been obtained from the excellent annual reports of its secretary and from the resolutions adopted by the annual conventions.

[40] See S. C. Sufrin, "Labor Organization in Agricultural America, 1930-35," *American Journal of Sociology*, 43 (1938), pp. 544-559.

ary industrialists blush with shame. In addition, farm organizations have generally succeeded in excluding farm labor from the benefits of labor legislation such as unemployment insurance, workman's compensation, wage and hour rules, and old-age insurance. These exceptions have been partly attributable to technical problems of application, but farm organizations have generally favored the exclusions and have in some instances fought for and obtained exemptions in the application of this legislation to such operations as canning, packing, and the operation of creameries, processes that are essentially industrial in nature.[41]

In estimating the general political position of American agriculture it is important to note, in addition to the cleavages within agriculture itself, the fact that agriculture has declined in importance in the American economy and in the total American population. Agricultural output, in terms of both value and quantity, had by 1870 been exceeded by manufacturing. The tendency for the past half century has been toward a declining importance of agriculture in American life. That trend has been reflected in a loss of power and influence by agriculture to industry and labor. Yet agriculture has retained in national politics an enormous influence on those policies of interest to agriculture, an influence that might not be expected from the numerical position of farmers in the total population. The effect on farmers' organizations and farmers' political power of the public policies of subsidy and regulation prevailing since 1929 suggests an interesting topic for speculation. It seems that these policies, which give the farmer a tangible stake in national policy, have stimulated a strengthening of farmers' organizations and created a higher degree of political alertness among farmers. Under these conditions the agricultural population has apparently begun to exert its strength more effectively and with more determination. Broadly speaking, the share of the national income to be received by the farmers has come to be determined in part by governmental action.

The concomitant intensified exertion of political influence by agriculture is apparent. This intensified action incidentally points to one of the grave political problems of the semiplanned economy into which we are moving. A great virtue of the competitive order has been that it compelled producers to seek to use resources in the most economical fashion. When decisions with reference to the use of the factors of production are made by public authority, as they are to

[41] See Harry Schwartz, "Organizational Problems of Agricultural Labor Unions," *Journal of Farm Economics*, 23 (1941), pp. 456-466.

a degree in agriculture, inefficient producers try to use their political strength to influence those decisions in order that they may remain in business. Inefficient agricultural producers are not alone in seeking to remain in production through obtaining public subsidy. The history of the tariff is replete with instances of industrial producers actuated by the same motives. One of the serious problems of the politics of planning is how to bring about readjustments in the use of resources or, to state it negatively, how to avoid freezing the economic order.

THE GENESIS AND COURSE OF POLITICAL MOVEMENTS

The object of this chapter is twofold: (1) to indicate the character of the political objectives of American agriculture; (2) to show something of the nature of political movements in general, using agrarian movements as illustrations of a particular type of political movement. It may be well to recapitulate the argument covering the second point and to add certain general comments and further illustrative material.

What is it that sets off political agitation, that brings about demands for governmental action? In the examples chosen it could be demonstrated that agriculture, particularly certain segments of it,[42] had suffered keen economic injury, deprivation of income in comparison with the immediately earlier status of the farmer. This change in circumstances generated discontent among the agricultural sections of the population, and that discontent found expression in political demands.

It would be absurd to generalize from these agricultural movements and contend that all political movements are set in motion by a change in the external conditions affecting a group of people. But some new element must be introduced into a situation to stimulate resort to political action. That new element may be an economic change, as in agriculture, dislocating pre-existing relationships. The ubiquity of changed economic situations as a factor in starting

[42] Benton H. Wilcox has shown in detail how the agrarian radicalism of the northwestern states has been associated with agricultural conditions considerably different from those in surrounding states. Thus, the radical movements tended to be concentrated in those farming areas suffering special economic distress. See his "An Historical Definition of Northwestern Radicalism," *Mississippi Valley Historical Review*, 26 (1939), pp. 377-394. For a suggestive analysis of early English radical agitation, see W. W. Rostow, "Business Cycles, Harvests, and Politics: 1790-1850," *Journal of Economic History*, 1 (1941), pp. 206-221.

political movements gives rise to theorists who contend that economic factors underlie all political activity.

It seems clear, however, that other types of elements may be introduced into a situation and be influential in setting into motion movements leading to a new political equilibrium.[43] New ideas and scientific discoveries, for example, may direct attention to conditions hitherto unperceived, or point to possibilities previously unknown, and be instrumental in political action. The discovery of the possibility of immunization against certain diseases by vaccination and other methods, for example, laid the basis for political crusades for compulsory, universal vaccination in which many battles between the vaccinators and antivaccinators were fought. On the other hand, an idea, or ideal, may be a factor of great force in the reshaping of political institutions. The doctrines of human equality, of self-government, of human liberty have undoubtedly been a mighty force in swaying public sentiment and governmental action in many phases of American politics.

The student needs to be warned, however, against the acceptance of simple explanations of the origins of movements. In the example discussed at length, postwar agricultural agitation, there is no certain means of knowing whether the collapse of farm prices in 1920 and 1921 was the causal factor in the political movement. In other words, if the collapse in prices had not occurred, would agitation have taken place anyway? Probably not, but there is no means of knowing absolutely.[44]

The introduction of a new element requiring readjustment in the

[43] For an interesting analysis of the relationship between rainfall and farmers' political attitudes, see J. D. Barnhart, "Rainfall and the Populist Party in Nebraska," *American Political Science Review*, 19 (1925), pp. 527-540.

[44] Interesting analyses have been made of the factors associated with strikes which suggest the desirability of like studies of political movements. Dale Yoder concludes: "Numbers of strikes and workers involved unquestionably reflect the influence of changes in business activity. There is, however, no simple parallelism. . . . In longer periods there is evidence of a tendency for strikes to increase in periods of sharp expansion in business activity and a less clear-cut tendency for strikes to decline abruptly when business is receding. High-level years of strikes show little average change in business activity from year to year, but low-level strike periods are, on the average, years of declining business and those in which activity is below normal. The pattern of fluctuations in strikes is, therefore, different from that of the usual trade cycle. Typically, strikes increase in the early part of the recovery phase of the trade cycle. When business levels off in the prosperity phase, numbers of strikes decline. When business recession begins, they may show further declines, and they tend to remain at low levels during the depression phase."—"Economic Changes and Industrial Unrest in the United States," *Journal of Political Economy*, 48 (1940), pp. 222-237.

entire social situation does not inevitably lead to political action. A thin line separates the political and nonpolitical. In postwar American agriculture, certain leaders, such as President Coolidge, counseled the farmers to abide by the operation of beneficent economic laws. By that, they meant that farmers producing at high cost should reduce their costs, produce something else on their lands, or seek a livelihood in industry; that agriculture should adjust itself to the changed situation by the inexorable process of bankruptcy for high-cost producers. The farmers refused to or could not take that course of action, and governmental remedies were sought. Harold Lasswell says: "Although political movements begin in unrest, all social unrest does not find expression in political movements. Under some conditions, a community which is visited by plague may pray; under other conditions, the community will demand the retirement of the health commissioner." [45] To use a less remote example: fifteen years ago when unemployment increased, a citizens' committee would solicit funds for the community fund to aid those in distress; now pressure is brought on public authorities to increase the appropriation for unemployment relief. Thus, the content of the governmental sphere changes. Unrest may work itself out by expression through religious channels. The Negro, for example, kept in subordination by "white supremacy" may seek satisfaction in ecclesiastical activity.[46] Additional examples could be cited, but these suffice to indicate that social discontent finds expression, and social adjustments are made, through many channels and mechanisms other than governmental.

When conditions for a political movement are ripe, a leader may come on the scene with a remedy. It is essential that the real function of leadership, agitation, and education in political movements

[45] H. D. Lasswell, "The Measurement of Public Opinion," *American Political Science Review*, 25 (1931), pp. 311-336.

[46] "The opportunity found in the Negro church to be recognized, and to be 'somebody,' has stimulated the pride and preserved the self-respect of many Negroes who would have been entirely beaten by life, and possibly completely submerged. Everyone wants to receive recognition and feel that he is appreciated. The Negro church has supplied this need. A truck driver of average or more than ordinary qualities becomes the chairman of the Deacon Board. A hotel man of some ability is the superintendent of the Sunday church school of a rather important church. A woman who would hardly be noticed, socially or otherwise, becomes a leading woman in the missionary society. A girl of little training and less opportunity for training gets the chance to become the leading soprano in the choir of a great church. These people receive little or no recognition on their daily job."—B. E. Mays and J. W. Nicholson, *The Negro's Church* (New York, 1933), p. 281. Quoted by permission of Harper and Brothers.

be perceived. Before there can be a political movement, the persons making up the movement must be conscious of a common cause, a common injury, a common goal. How is this consciousness created? Fundamentally by the sharing of experience; and leaders, agitators, propagandists furnish the channels for the communication of a consciousness of common interest. The agitator thus serves as a medium both for cementing together those with a common concern and for externally expressing that common concern.

As a sense of common cause grows, a formula or a remedy is evolved. For the agrarian unrest after the World War the McNary-Haugen bill served as a goal. As a rallying cry for his movement, Dr. Townsend evolved the "Townsend Plan"; Henry George, the "single tax"; William Jennings Bryan, free coinage of silver at 16 to 1. As movements become more complex, a wide range of individual measures may be brought under the canopy of a single slogan: the "New Deal"; the "full dinner pail"; the "return to normalcy." For effective agitation, the most complex measures must be reducible to simple slogans. The remedy around which a political movement is rallied need not be, for effectiveness, a workable remedy. In fact, often the remedies advocated by messiahs are, as the saying goes, "snares and delusions." Yet the expression of discontent is symptomatic of need for readjustment; even if the proposed therapy is futile, the pressure may compel the politician to devise a substitute treatment. The Townsend Plan in 1935, for example, was claimed by all the experts to be unworkable, but the pressure of Dr. Townsend's movement was significant in bringing about the enactment of the Social Security Act with a different method of caring for the aged.

"It is also worth pointing out," says Lasswell,[47] "that some unrest is dissipated in the very process of becoming symbolized in political form—which is the well-known catharsis function of free expression. Some of the unrest is dissipated in symbolization and in enactment, even though no effective change is made in social practice. Those demands which die with enactment are essentially magical in their character, since they dissipate discontent by hocus-pocus rather than by modification in the social or physical environment. I have elsewhere suggested that the discrepancy between statutes, ordinances, or decrees, on the one hand, and actual enforcement and obedience, on the other hand, would serve as a rough index of the magical function of politics."

The foregoing discussion of the natural history of political move-

[47] "The Measurement of Public Opinion," *American Political Science Review*, 25 (1931), pp. 311-326.

ments suggests that one of the principal tasks of those who govern is to identify and deal with maladjustments that give rise to social discontent and political movements. The skill and insight with which a politics of prevention is followed will determine whether those who govern will continue to govern. The identification of social maladjustments generally tends to be neglected until they give rise to strong movements in demand of action; in rare instances all the techniques of social research are brought into play to observe, foresee, and plan thoroughly to meet rising problems. Those who govern may choose to wear down by delay and obstruction rather than to appease movements of discontent. They may deem it desirable to ignore, deny, or suppress. More often they do not have the wit to see that anything should be done; otherwise the personnel of governments would not change so frequently.[48]

QUESTIONS AND PROBLEMS

1. Account for the rise of the Granger movement.

2. What conditions stimulated the growth of the Farm Bureau Federation?

3. Contrast the general viewpoints of the chief national farm organizations.

4. Is there any essential difference in the motivation of agrarian, business, and labor attempts to influence the course of public policy?

5. Is the tendency toward more or less agrarian influence in national politics?

6. Examine the resolutions adopted by a recent annual convention of any state or national farmers' organization. To what extent do the resolutions represent the expression of the narrow vocational interests of farmers? To what extent do they reflect the broader interests of the farmer as a citizen?

7. What is the function of the process of rationalizing or reconciling public policies enacted for the benefit of one part of the people with the general welfare?

8. Through what stages does a typical political movement pass?

9. Observe closely some movement for legislation in your state. Are your observations in accord with your views on the preceding question?

10. What is meant by political equilibrium?

11. What sorts of factors set in motion movements that disturb the political equilibrium?

[48] For a general discussion of social change, see R. M. McIver, *Society*, chaps. 21-28. Consult also the analysis by Hadley Cantril, *The Psychology of Social Movements* (New York: Wiley, 1941).

Chapter 4: LABOR AND THE STATE

GROUPS of persons interested in improving their political status or in gaining additional influence in the state do not rise spontaneously as one man and in unison shout their demands. From time to time, to be sure, virtually spontaneous movements are generated by intolerable circumstances and make a great impression with only rudimentary group machinery; generally, however, a segment of society that seeks to improve its status must operate through relatively elaborate organization. This machinery for group action constitutes a sort of group government strikingly similar to the government of the state.

Before the wishes of a group can be expressed, they must first be ascertained. The workings of the government of private associations in reconciling internal differences and arriving at a policy reflecting the group interest are almost as complex as the machinery of the government of the state itself. It may be supposed that the interests and needs of private associations vis-à-vis the state are perfectly clear, but such is rarely the case. Conflicts of interest, of ideology, of aims prevail within the group as a general rule. These must be compromised in order that the group may go forth to fight its battles as a unit. The private group has its executive agencies and its courts, as well as its policy-determining bodies. It has its taxes and its crimes. It often has its own system of education, its heroes and patriots. It has sanctions to maintain group discipline and star chambers to purge dissentient elements, and the expulsion of the disloyal is not unlike the ancient decree of banishment.

Although the framework of the government of the private association resembles that of the state, more significant similarities exist in the more subtle characteristics of institutional behavior. Governments often are slow in adapting their institutional machinery to meet the requirements of new and changing circumstances; the same institutional lag may be observed in the governmental organization of private associations. The relative simplicity of the government of private societies provides less friction to institutional evolution than

results from the highly complex and specialized machinery of the formal government; yet, as the government of private groups becomes more highly developed, the pains of adaptation come to be more nearly equivalent to those of the state.

Moreover, within private societies an oligarchical government may also exist which is likely to reflect more faithfully the interests of the ruling bureaucracy or clique than those of the mass of its membership or "citizenry." The inevitable tendency toward oligarchy is present no less in private groups than in society as a whole. Furthermore, the professional leaders and bureaucrats of the private society, as the specialists in verbalization for the group, are apt to become so thoroughly and completely attached to a set of doctrines or ideologies that they lose their intellectual nimbleness. In such an instance, unreflecting attachment to a rigid and unyielding ideology by the leadership of private groups may be as dangerous for institutional stability and survival as constitutional fundamentalism may be for the society as a whole.[1]

A discussion in abstract terms of the problem of group government, a prerequisite to group action, probably has little meaning apart from concrete situations. An analysis of the American Federation of Labor will serve to give more specific content to the foregoing discussion, and incidentally will give a general insight into the role of labor in American politics.

THE FRAME OF GOVERNMENT OF THE AMERICAN FEDERATION OF LABOR

The American Federation of Labor, in the terms of its constitution, is an "association . . . of such trade and labor unions as shall conform to its rules and regulations." Thus its constituent parts are not individual workers but unions or associations of workers federated together, again quoting the constitution, "to aid and assist each other; to aid and encourage the sale of union label goods; and to secure legislation in the interest of the working people, and influence public opinion, by peaceful and legal methods, in favor of organized labor." The creators of the A.F.L., like the founders of other federal systems, had to overcome the jealousies of the organizations being brought together. The necessity for unity was great enough to bring existing unions together to act in concert to promote common inter-

[1] Consult Robert Michels, *Political Parties, A Sociological Study of the Oligarchical Tendencies of Modern Democracy* (New York: Hearst's International Library, 1915).

ests, but as for the internal affairs of each union the federation is "based upon a strict recognition of the autonomy of each trade."

The constituent units which enjoy "states' rights" within labor's federal system are about a hundred autonomous national and international unions, each of which is based on local unions of workers and possesses an elaborate governmental machinery of its own.[2] Among the more important of the affiliated unions are the United Brotherhood of Carpenters and Joiners; the International Association of Machinists; the Bricklayers, Masons, and Plasterers' International Union; the Brotherhood of Electrical Workers; and the Brotherhood of Teamsters and Chauffeurs, Stablemen and Helpers. Each of these national and international unions is built on a base of local trade unions, of which there are some 28,000. Each local has its president, secretary, and business agent. In the smaller locals only the business agent is a full-time employee, while in the larger locals the president or secretary may be a full-time employee, and several business agents may be employed. Most officers of the international unions are paid from $5,000 to $7,500 annually, although some professional leaders of labor receive a more liberal compensation.[3]

It is the national and international unions, each dominated chiefly by a group of specialized labor leaders,[4] that designate the majority of the delegates to the annual convention of the A.F.L. The convention, which meets for ten days or two weeks, constitutes the policy-determining or—to follow our governmental analogy—the legislative body of the federation. The convention usually must deal with more than a hundred resolutions proposing new or altered policies; it handles these in the first instance through committees, of which there are fourteen, appointed by the president of the A.F.L. Recommendations of the committees may be debated on the floor of the convention, but the most heated discussions generally take

[2] There are city centrals, state federations, and other structural features of interest to the specialist, but the centers of power within the federation are the national and international unions. See Lewis L. Lorwin, *The American Federation of Labor* (Washington: Brookings, 1933), chap. 12, "Guiding the Affiliated Unions," for a complete description of the government of the A.F.L.

[3] Lorwin, *op. cit.*, p. 308.

[4] "The technical specialization that inevitably results from all extensive organization renders necessary what is called expert leadership. Consequently the power of determination comes to be considered one of the specific attributes of leadership, and is gradually withdrawn from the masses to be concentrated in the hands of the leaders alone. Thus the leaders, who were at first no more than the executive organs of the collective will, soon emancipate themselves from the mass and become independent of its control."—Michels, *op. cit.*, pp. 31-32.

place in the closed committee sessions. Convention proceedings tend to be smoothly staged by the controlling oligarchy.[5] Said the late Charles P. Howard, president of the International Typographical Union, at the 1936 convention: "During the years I have been a delegate to conventions of the American Federation of Labor I have observed the strongest cohesion in a controlling group for the purpose of determining every question from election of officers to selection of the city in which the convention is to meet the following year." [6]

The executive council, consisting of the president, fifteen vice-presidents, and the secretary-treasurer, elected annually by the convention, has the duty of carrying out the decisions of the convention. It corresponds roughly to the cabinet of a parliamentary government, with the president in the position of prime minister. Like the cabinets of most parliamentary governments, it exercises wide discretion. It can interpret the convention resolutions in varying ways, and on many questions it is, of course, granted wide discretion by the constitution and the convention. The effectiveness of the executive council in governing the federation is reflected in the fact that changes in its membership usually follow death or resignation rather than refusal by the convention to re-elect.

While the federation is managed by a cohesive ruling clique,[7] it is only within narrow limits that the federation exercises its power. The unity and solidarity of the A.F.L. exists only so long as there

[5] "One cannot observe many of the conventions of the Federation without becoming impressed with the degree of control over policies exercised by the leaders. To the outsider these leaders appear as a coterie, set off from the rank and file of delegates, deciding major questions at issue, and supporting or opposing them as a body rather than as individuals. In spite of the democratic form of the convention procedure, therefore, the very loyalty of the lower for the higher officials, the very power exercised by these higher officials discourage real expressions of opinion on the part of the mass of delegates."—H. L. Childs, *Labor and Capital in National Politics* (Columbus: Ohio State University Press, 1930), p. 134.

[6] A.F.L., Annual Convention, 1936, *Proceedings*, p. 72. An interesting sidelight on the attitude of the controlling groups within the federation is furnished by the championship of the initiative and referendum by the federation as a means of democratic control within the state; yet in 1912 when the socialist factions of the federation attempted to bring about the adoption of the initiative and referendum for the affairs of the federation itself the proposal was successfully resisted by the controlling clique.

[7] "By reflection from the glassy walls, they [delegates to the 1939 A.F.L. Convention] saw themselves for what they were: mostly middle-aged, fattening, 'safe' gentlemen with good cigars. Any businessman would have been at home with them. For they were businessmen who had made, and proposed to preserve, careers in unionism."—*Time*, October 16, 1939, p. 28.

is no encroachment upon the jealously guarded autonomy of the constituent national and international unions. "To hold together and to lead the medley of organization which formed the A.F. of L., with their different trade interests, industrial experiences, methods of procedure, and attitudes of mind, called for shrewd and flexible leadership. Gompers supplied that leadership by following the line of least resistance. He insisted on uniformity of policy and centralized authority only where absolutely essential. He bent to the will of the strong international unions when inevitable. By assuring trade autonomy, he won the support of the majority of the union leaders, who thus were made secure in their own domains. . . ." [8]

Indicative of the weakness of the federation and of the strength of the constituent national and international unions was the consideration by the 1940 annual convention of the problem of cleaning some of the constituent unions of racketeers. David Dubinsky, of the International Ladies Garment Workers Union, proposed that the executive council of the federation be given authority to remove officials of constituent unions found guilty of racketeering. The council thus would have been authorized to deal effectively with malodorous situations in some of the unions that have given the entire labor movement a bad name. But the leadership of the A.F.L. as a whole was not prepared to go this far. So great was the power of "states' rights" in the A.F.L. that the convention limited itself to an expression of condemnation of racketeering union leaders and to a direction to the executive council to use its "influence" to bring about a house cleaning in the unions concerned.[9] The 1941 convention again called upon the affiliated unions "to take prompt action whenever racketeering, wrongdoing or other crime is engaged in by any of their officers or members, which tends to bring dishonor on the trade union movement."

THE INERTIA OF STRUCTURE AND BUREAUCRACY

Government is not the only institution that has difficulty in adjusting its machinery to the exigencies of altered circumstances, as the history of the American Federation of Labor abundantly demon-

[8] Lorwin, *op. cit.*, p. 75. For a discussion of the gradual centralization of power within the national and international unions, see the pioneer study by T. W. Glocker, *The Government of American Trade Unions* (Baltimore: The Johns Hopkins Press, 1913).

[9] *The New York Times*, November 27, 1940.

strates. The fact that the A.F.L. is a federation, composed of strong national and international unions, hampers decisive action. The fact that each of these unions possesses its own hierarchy of officers with a vested interest in the existing jurisdiction of its union checks adaptation of organization to new industrial and economic conditions. One of the major tasks of the A.F.L. is to iron out jurisdictional disputes between its constituent unions; and many of these jurisdictional disputes are generated by the development of new industrial processes or types of organization. Since the A.F.L. hierarchy is constituted as it is, its chief function in the settlement of jurisdictional disputes between unions is in the preservation of the existing form of organization, to the end that the prestige, power, and revenues of the group in control of each constituent union may not be disturbed.

The traditional form of union organization has been along craft lines, although the "dominant type of union in the Federation is the so-called compound craft union, which includes workers engaged in interrelated crafts and processes or in closely allied trades that are competitive or substitutive in character." [10] The federation has more faithfully adhered in doctrine than in practice to the craft form of union, but from time to time the doctrine of industrial unionism, that is, the combination of workers on the basis of "product made or materials used, regardless of skill or craft, and in which the plant or establishment is the unit of organization," has risen to plague the A.F.L.

Altered industrial practices have been the principal motive power behind the rise of industrial unionism. The development of mass-production industries, in which skilled craftsmen are replaced by workers engaged in repetitive processes requiring only brief training, has called for a new type of union organization. The organization of industry using assembly-line methods makes it more and more difficult to differentiate among the crafts involved, and attempts to organize along craft lines rather than plant lines are likely to become bogged down in interunion jurisdictional rows dividing and weakening the forces of labor. As early as 1901, in the Scranton Declaration, the A.F.L. recognized that in exceptional circumstances laborers of an entire industry should be organized as a unit rather than along craft lines. But the Scranton Declaration and succeeding efforts to reconcile the interests of existing unionism with the conflicting ideas of industrial unionism were not adequate to prevent the great and

[10] Lorwin, *op. cit.*, p. 305.

tragic schism in labor eventuating in the formation of the Congress of Industrial Organizations.

The rise of new industrial processes and products creates new groups of employees not falling definitely within the jurisdiction of any of the existing craft unions. Much of the energy of the A.F.L. must be absorbed in ironing out disputes for control over new groups of workers; thus attention is directed from the larger problems of labor as a whole.

Several examples will illustrate the type of conflict among craft unions that new industrial developments give rise to. The jurisdictional issue raised by the development of the neon-sign industry, while relatively unimportant in itself, is one. The executive council of the A.F.L. reported in 1936 that it had appointed a committee consisting of representatives of the Electrical Workers, the Painters, the Flint Glass Workers, and the Glass Bottle Blowers' Association to settle a jurisdictional controversy in the industry. The proposal of the executive council was not sufficiently inclusive, for when the report was acted upon by the convention, Delegate Moriarity, of the Sheet Metal Workers, succeeded in having a representative of his organization added to the group.[11]

Jurisdictional disputes in the building trades are numerous and well known, and building-trade strikes set off by disputes between union bureaucracies for control of particular operations or tasks have done much to discredit the labor movement as a whole. The laying of glass brick, for example, was claimed by both the glaziers and the bricklayers.

Jurisdictional controversy at times centers on absurd points. During 1936, for example, the executive council of the A.F.L. had before it a claim by the Hotel and Restaurant Employees' International Alliance for jurisdiction over beer-box coil cleaners, which was contested by the United Association of Plumbers and Steam Fitters of the United States and Canada. These disputes, however, are not without importance to the respective unions, since their outcome determines which group shall gain the power that comes from controlling the jobs and, in some instances, which union membership shall have the jobs.

How the jurisdictional jealousies of union bureaucracies and the inertia of the prevailing structure hamper action is well illustrated by an effort of the A.F.L. to organize the automobile industry. In

[11] A.F.L., Annual Convention, 1936, *Proceedings*, pp. 100, 432.

1925 the question of organization of this industry was raised in the Metal Trades Department of the A.F.L., a committee of which suggested organization along industrial lines. That proposal met opposition from the craft unions, but a second suggestion that the workers be organized and later divided among the international and national unions likewise met with no favorable response. In the 1926 A.F.L. convention the Metal Trades Department introduced a resolution calling for organization of the auto workers, and the convention adopted a resolution to the effect that questions of jurisdiction be dropped during the organization. In 1926 seventeen international unions with jurisdictional claims in the industry met in Washington to agree on a plan of campaign. William Green, later president of the A.F.L., presided and declared that the basic question before the conference was "the question of suspension of jurisdiction." He said that if the unions would waive their claims, the A.F.L. would undertake to organize the industry, and later a plan could be worked out for the transfer of workers to the appropriate unions.

The international unions did not receive the proposal with enthusiasm, one reason for their attitude being that there were within the industry small numbers of skilled workers belonging to existing unions. No union wants to surrender any of its membership. The 1926 conference adjourned without reaching agreement; in 1927 another conference, attended by representatives of only nine unions, met and adopted a general plan to organize the industry and later transfer the unionists to the appropriate international unions. Later in 1927 another conference was convened to determine the immediate steps to be taken. "The campaign encountered discouragements from the start. The support of the international unions was lukewarm." The campaign of organization made no headway, in part because of the attitude of existing unions.[12] This interminable series of conferences indicates the difficulties of action inherent in the federal system of government in labor; the resistance to adapting union organization to new industrial conditions illustrates the anxiety of trade union hierarchies to prevent change that might endanger their status.

In the A.F.L. conventions of 1934, 1935, and 1936 the issue of craft unionism versus industrial unionism came to a head. In 1934 the convention saw its duty as the formulation of "policies which

[12] Lorwin, op. cit., pp. 244-248.

will fully protect the jurisdictional rights of all trade unions organized upon craft lines and afford them every opportunity for development and accession of those workers engaged upon work over which these organizations exercise jurisdiction." In 1935 a heated battle in the convention culminated in the adoption of a resolution reaffirming the stand of the prior year. The resolution placed great emphasis upon the rights of existing organizations in the prevailing union structure. In terms reminiscent of the constitutional debate of the pre–Civil War era, the A.F.L. was characterized as a coalition formed by contract. "This contract called for loyalty to the purposes and policies of the American Federation of Labor. In return, the national and international unions were guaranteed two specific things; first, jurisdiction over all workmen doing the work of the specific craft or occupation covered by the organization; secondly, guaranteeing to the national or international union complete autonomy over all of their internal affairs."

The minority, led by John L. Lewis of the United Mine Workers of America, argued that "common sense" required a molding of organization policies to "meet present day needs." "In those industries where the work performed by a majority of the workers is of such nature that it might fall within the jurisdictional claim of more than one craft union, or no established craft union, it is declared that industrial organization is the only form that will be acceptable to the workers or adequately meet their needs. . . ."

In November, 1935, the unions that had supported the minority view at the 1935 A.F.L. convention established the Committee for Industrial Organization to encourage the organization of workers in mass production and other industries "upon an industrial basis" and "to bring them under the banner and in affiliation with the American Federation of Labor as industrial organizations." The committee consisted of the presidents of the United Mine Workers of America; the International Typographical Union; the Amalgamated Clothing Workers of America; the International Ladies Garment Workers' Union; the United Textile Workers of America; the Oil Field, Gas Well, and Refinery Workers of America; the Cap and Millinery Department of the United Hatters, Cap, and Millinery Workers' International Union; and the International Union of Mine, Mill, and Smelter Workers.

Thus was set in course a sequence of events leading to the split of the labor movement. Sniping back and forth among the leaders of the A.F.L. continued until the 1936 annual convention. The

C.I.O. offered the A.F.L. $500,000 to undertake an organizing campaign among the steel workers if the A.F.L. would contribute $1,000,000, organize the workers along industrial lines, and place the campaign in the hands of leadership "such as to inspire confidence of success." The executive council could not accept conditional contributions or surrender its right to exercise its best judgment and act in accordance with "the traditional organizing policies of the American Federation of Labor." Lewis urged the Amalgamated Association of Iron, Steel and Tin Workers to accept the aid of the C.I.O. in organizing steel. He argued that the policy of the executive council would immediately fill the "industry with a horde of organizers attached to craft unions, fiercely competing with each other for the new members who might be organized and for the few dollars which might be taken in as initiation fees and dues collections. . . ." The policy of the A.F.L. would, moreover, "preserve the leadership of the organizing campaign in the hands of men who through the years demonstrated their utter incapacity to establish stable organization and modern collective bargaining in the mass production industries." The C.I.O. then proceeded, by organizing steel, to demonstrate the truth of its assertions.

The executive council of the A.F.L. in August, 1936, found that twelve unions associated with the C.I.O. "had violated the constitution and laws of the American Federation of Labor by setting up a dual union called the Committee for Industrial Organization and by inaugurating a state of rebellion against the American Federation of Labor. . . ." The council ordered these unions to withdraw from the C.I.O. on pain of suspension from the A.F.L.

In the 1936 convention there was debate whether the executive council had exceeded its authority in ordering the suspension of the C.I.O. unions; it was not unlike a constitutional argument before the Supreme Court,[13] as well as argument on the merits of the industrial form of organization. Delegate Zaritsky of the United Hatters, Cap, and Millinery Workers declared that the experience with craft organization had been "unfortunate and unsatisfactory." He pleaded for a modernization of policies. "We cannot be a match for a large and powerful corporation employing labor when we have to come to face

[13] In reply to a legalistic argument by Matthew Woll that the council had not acted *ultra vires*, a delegate said: "Our friend, Mr. Woll, states that he has not practiced law. I think that is a great pity, because he might have continued along that line and he would have formed an admirable candidate for the Supreme Court as at present constituted."—*Proceedings*, *op. cit.*, p. 519.

such employers or such corporations headed by fifteen or twenty-five or thirty committees representing that many organizations, each vieing with the other, each jealous of its petty little jurisdiction rights, each trying to get customers into its own corner drug store or grocery store."

William Green, president of the federation, spoke for the old guard in defense of the "economic philosophy of the American Federation of Labor, a philosophy evolved out of a half century of varied experiences. It is not academic. It is practical. It was not the product of yesterday or today. It comes to us as the expression of the best judgment of the men and women of labor who have been fighting the battles of labor for more than half a century in the United States of America. That economic philosophy was sound forty years ago, it was sound thirty years ago, it was sound yesterday, it is sound now. . . ." With all due respect to the perspicacity of Mr. Green and regardless of whether he was right, it may be indicated that his fundamentalistic remarks have their parallels in religion and in the state; and, like other fundamentalism, they constitute by and large a rationalization of a vested interest in terms of the virtues of tradition.[14]

It would be an error to ascribe the split within organized labor solely to the issue of industrial versus craft unionism. The federation had no special objection to industrial unionism; it included within its membership industrial unions; it had made some efforts to organize new industrial unions; and it was committed in 1934 to further efforts to form industrial unions in the mass-production industries. The opposition to industrial unionism became active only when there was danger of encroachment, however minute, on the jurisdiction of existing organizations. Moreover, for several years a serious breach had existed between the old-guard oligarchy of the A.F.L. and the more militant "progressive" group which demanded the infusion of new blood into the governing body of the A.F.L.

But the over-all effect of such interunion jurisdictional dispute, it can be seen from these details, is that unions consume much energy in fratricidal war, with the result that effective action externally is made difficult.

[14] For a statement by the executive council reviewing the action with reference to the C.I.O. see Annual Convention, 1936, *Proceedings*, pp. 65-98.

THE POLITICAL IDEOLOGY OF THE AMERICAN FEDERATION OF LABOR

The dogma, no less than the organization, of a private society is likely to become so deeply rooted that it outlives its usefulness. The strain of adjusting the doctrine of the A.F.L. respecting the state's relation to labor parallels the difficulties of that organization in remodeling its governmental machinery to maintain solidarity.

Over a long period the policies of the American Federation of Labor regarding the role of government were astonishingly similar to those of business. Labor insisted as vociferously as business that the true doctrine was that of *laissez faire:* let the state leave labor alone; it could care for itself through organization, collective bargaining, and the strike. Governmental intervention through social legislation was frowned upon, since it might deprive labor of its freedom to employ the economic weapons at its command. The laissez-faire policy of the federation was modified when employers made effective use of the state to combat labor unions. In 1906 the federation enunciated "Labor's Bill of Grievances," which demanded, among other things, the exemption of labor unions from the application of the antitrust laws and the prevention of the use of the injunction in labor disputes. But even here the federation was not seeking the positive aid of the state; it merely desired that it be freed from coercion by the state so that it might fight out its battle with employers on more even terms.

In other legislative demands of the federation the general tendency was to bring only negative governmental assistance to the side of labor. Labor might ask that immigration be restricted, that the Chinese be excluded, that convict-labor not be used in competition with free men; but it wanted to be left free to determine the essential items of the labor contract—wages and hours—through collective bargaining directly with the employer. In situations in which collective bargaining was not a suitable method, the federation asked for positive legislation for the benefit of certain classes of employees. It sought wage-and-hour legislation for government employees, a matter which could be dealt with in no other way. In addition, the federation urged legislation for women, children, and seamen. In each of these groups, as Dr. Carroll has pointed out, "the workers are under some particular legal or political handicap." [15]

[15] See Mollie Ray Carroll, *Labor and Politics* (Boston: Houghton Mifflin

Labor thus placed great faith in collective bargaining; it sought legislation only to deal with matters beyond the scope of collective bargaining. The factors that caused a growing demand and need for industrial unionism likewise undermined the practical basis of the doctrine of *laissez faire*. Giant corporations with tens of thousands of employees replaced small concerns more susceptible to coercion by the strike. Employers developed more effective means of combating unionism, such as the company union, employee representation, employee stock ownership, private armies, and like devices. Outright migration of industry or transfer of production by a company from one plant to another in a nonunion section could be resisted only unsuccessfully by collective bargaining.

A marked change in union political philosophy first appeared in the railroad brotherhoods, not affiliated with the A.F.L., and the railroad unions of the federation. When the Government undertook to regulate railroad rates and thereby to determine the income from which wages could be paid, it was inevitable that the railroad unions would need to exert their political strength to advance their cause. The strategic importance of the railroads in national economic life made railroad strikes matters which the Government could not consider as mere private disputes of no public importance. The Government must take a hand in the prevention and settlement of railroad strikes. Moreover, the strike was more effective in dealing with small employers in competitive industries than in bargaining with great railroad corporations with ample resources for their own defense. The aggressive hostility of the railroads after the World War made it difficult even for labor to maintain the right to organize without governmental assistance.[16] Simple reliance on "economic power" was inadequate for the railroad employees. Their political strength and activity have been reflected in a long series of legislative acts, including the Railway Labor Act of 1926 which guaranteed to them the right to organize.

Although, as David J. Saposs pointed out in 1935, two epochs "during which organized labor built powerful unions and enjoyed relatively good working conditions" were "periods of widespread governmental intervention in industrial relations" [17] (the World War

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1923), chap. 2, "History of the Federation's Attitude Toward Legislation and Politics."

[16] Philip Taft, "Labor's Changing Political Line," *Journal of Political Economy*, 45 (1937), pp. 636-637.

[17] "The American Labor Movement Since the War," *Quarterly Journal of Economics*, 49 (1935), pp. 236-254.

and the N.R.A.), the A.F.L. clung stubbornly to the doctrine of *laissez faire*. "The chief reason for the continuance of this attitude," Professor Taft says, "was the predominant role played by the building trades in shaping the policies of the Federation. Not being in the main employed in industries with large aggregations of capital, these unions felt they had nothing to gain from government intervention in economic matters." [18]

The persistence of the doctrine of *laissez faire* appears vividly in the hesitance of the federation in endorsing the principle of unemployment insurance. In the 1930 convention the proposal was voted down. "The issue presented," the resolution stated, "is one of vital importance. It involves the question of whether the American Federation of Labor shall continue to hew to the line in demanding greater freedom for the working people of America, or whether liberty shall be sacrificed in a degree sufficient to enable the workers to obtain a measure of unemployment relief under government supervision and control." The convention decided in favor of freedom. In 1931 the executive council, after further consideration, again recommended against unemployment insurance. The workers, the resolution stated, "are being asked by the promoters of compulsory unemployment insurance in the United States to yield up their birthright, to practically surrender in their struggle for liberty, by enactment of legislation deliberately calculated to give the employers increased power of control over the workers."

In the discussion Mr. Woll of the executive council said ". . . if we could go out and preach the power of organized labor, organize our trade union, instead of making the appeal for compulsory employment insurance, we would be the masters of our own destiny." Delegate Allen of the Post Office Clerks spoke against *laissez faire:* [19]

> One of our Executive Council spoke about hasty action. My God! Is two years considered hasty? Our Council has had two years and more to bring in something of a tangible nature we could stand by. Gentlemen, it doesn't take two years for a man to starve, and it had better not take us two years to meet this situation. . . .
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> . . . . . .
>
> Mr. Woll said if we would go out and organize the movement we would have better conditions than we have now. I most heartily agree with him, but in answer to that I will say that if we cannot depend upon our leaders for important ideas it is for you and me to bring forth

[18] *Op. cit.*, pp. 637-638.
[19] See A.F.L., Annual Convention, 1931, *Proceedings*, pp. 369 ff.

an idea. In answer to the question of effective organization, I dare say I myself have organized more locals in the past twelve months personally than he has organized in the last five years. Get out on the firing line and do something for these men that are down and out!

. . . . . .

Mr. Chairman, when we band together in organized labor, don't we sacrifice a certain amount of freedom? When a trade union adopts a standard of wages, isn't the individual member denied the privilege of going out and working for less? Most assuredly he is. When the local union establishes the hours of work, doesn't the individual member surrender his right to work different hours?

The federation again went on record in favor of liberty and adopted the suggestion of the executive council that "a national conference of employers and labor be called by the President of the United States to deal directly and constructively with the unemployment problem. . . ." At that time the federation's statisticians estimated the unemployed at 5,415,000, excluding from the count unemployed agricultural laborers. In 1932 the federation finally endorsed the principle of unemployment insurance in response "to the combined pressure from its own local unions, from the radical elements in and outside its ranks, and from middle-class organizations." [20] It is of interest, as additional indication of the strength of the governing oligarchy, that the executive council was not reversed by the convention in 1932; its about-face preceded that of the convention.[21]

[20] Lorwin, *op. cit.*, p. 294. The action on unemployment insurance, says William Green, was the first break in the federation's opposition to social insurance. In 1916 Gompers appeared before a congressional committee to argue against a bill to create a special commission to study the question of compulsory social insurance. An A.F.L. committee, appointed in 1918, recommended against compulsory health insurance "as likely to injure unions by permitting too much control by the government and as interfering with the development of union insurance systems." Even at that time, however, opinion was divided. Green, the spokesman for the United Mine Workers then, was in favor of compulsory health insurance. See William Green, *Labor and Democracy* (Princeton: Princeton University Press, 1939), pp. 33-39.

[21] William Green, president of the A.F.L., in 1939 summed up the shift in philosophy: "The labor movement has had to adapt itself to changed conditions. For many years its chief emphasis was on the use of its economic power, the united efforts of the workers, to add to the sum of human happiness. But as we observed the changed conditions of industry our philosophy broadened. We now seek benefit for the workers and all our fellow men by the use of either direct economic strength or legislation as the situation demands. Neither alone can suffice. This is not a selfish struggle. . . . In battling as we are for the achievement of economic justice and social righteousness, we are also fighting the battle of the republic."—*Labor and Democracy*, *op. cit.*, p. 67.

It would be far too simple an interpretation to attribute the resistance of the federation to policy change solely to the force of the idea of *laissez faire*. Philosophies and ideas have a strength of their own; and, through propagation by unreflecting apostles, they may be perpetuated beyond their time. But other factors were probably influential. Not the least among these was the fear by the leaders that the mass of union members would be weaned away if the state should be substituted for the union as their benefactor. The greater the dependence of the workers on his union, so the argument ran, the greater would be his loyalty to the union and its leaders. The stronger the union remained, so much greater would be the prestige and pay roll of the union bureaucracy.

POLITICAL TACTICS OF LABOR

The political tactics and strategy of the American Federation of Labor have been designed to fit its politico-economic philosophy. If the principal mode of advancing the cause of labor is through the strike and collective bargaining, political action will occupy only a subordinate role. In the federation, Samuel Gompers succeeded in firmly establishing the doctrine that it was inexpedient for labor to attempt to form an independent political party and seek control of the government, although the proposal to follow an independent political line on the pattern of European socialist and labor parties has been before the federation almost continually. In 1888 Gompers said to the federation convention: "Many delegates may feel the desirability of forming a third, or what is known as an independent, political party; but in view of recent experience I can only say that such action, for the present at least, would be in the extreme unwise." [22] In 1894 he reminded the convention that in the preceding year many local trade unions had "plunged into the political arena by nominating their candidates for public office" and that "in each one of these localities politically they were defeated and the trade union movement more or less divided and disrupted." The consequences of political action on a national scale, he said, were "too portentous for contemplation." [23] In 1906 he pointed out that to advance through a labor party would require waiting "until labor elects a majority of the legislature and a governor and then a Presi-

[22] Samuel Gompers, *Labor and the Common Welfare* (New York, 1919), p. 123. Quoted by permission of E. P. Dutton & Co., Inc., copyright owner.
[23] *Ibid.*, p. 125.

dent of the United States, who shall appoint the justices of the Supreme Court. I am afraid we are going to wait a long time! Trade unionists don't propose to wait so long to secure material improvement in their conditions." [24] In 1917 he repeated his doctrine: ". . . the wage-earners have been united to one or the other of the two strong, political parties and they are bound to these parties by ties of fealty and of tradition. It would take years ever to separate any considerable number of workers from their fealty to the old party." [25]

Gompers' position on the feasibility of a labor party was undoubtedly correct, but in the absence of a labor party how was labor to pursue its originally limited political aims? The federation adopted essentially the same tactics that business had used so effectively, the policy of working within both the established parties. "We must be partisan for a principle and not for a party," said Gompers in 1909. "Labor must learn to use parties to advance our principles, and not allow political parties to manipulate us for their own advancement." [26] In 1906 the federation adopted a "Bill of Grievances" which set forth legislation demanded by labor. The bill did not constitute a comprehensive political program for labor; it merely set forth specific and pressing grievances that might be remedied by legislation. From time to time additional legislative demands have been made by the federation.

To gain its legislative ends, the federation has followed its so-called nonpartisan policy in politics. Its representatives regularly appear before the platform committees of the national conventions of the major parties and present requests for the inclusion of planks favorable to labor. In 1908, for example, the injunction issue was felt to be especially important, and demands were made of both parties for the inclusion of an anti-injunction plank. Requests for legislation are followed through with lobbying before congressional committees and with individual Congressmen. Ultimately the effectiveness of these requests probably depends on the strength of labor at the polls. If a Representative knows that labor votes influence the outcome of the election in his district, presumably he will be more responsive to the suggestions of labor lobbyists.

During every campaign the federation publishes and circulates a list of congressional candidates together with data indicating their

[24] *Ibid.*, p 128.
[25] *Ibid.*, p. 142.
[26] *Ibid.*, pp. 138-139.

record on labor issues. After the Senate rejection of Judge J. J. Parker's nomination to be a member of the Supreme Court, for example, the federation sought to punish those Senators who had supported the confirmation of a man deemed by the federation to be antilabor. "In the state primaries which followed, several Senators who had voted for confirmation were defeated for renomination. In the ensuing election, several Senators who had been successful in the primary were defeated on election day. Some of these were Republicans, others Democrats." [27] In state and local campaigns similar tactics have been employed, that is, to reward the friends of labor and to punish its enemies regardless of party affiliation.

In Presidential elections the federation is usually at its weakest. The tenuosity of the unity of the federation has been noticed earlier. Although from time to time the federation leaders endorse this or that candidate, the federation itself cannot and does not attempt to swing labor as a whole one way or the other.[28] Some leaders of international and national unions will support one candidate; others, the candidate of the other party. "As for the local leaders," they have been "in many instances deep in the politics of their local communities and cogs in the dominant local machine, whether Democratic or Republican; the political pronouncements of the Federation chieftains" have had relatively little effect on them.[29] Local party organizations often keep local leaders on the leash by appointment to public positions, and there is usually substantial reason for the state and city labor organizations to keep in with whatever party is dominant locally, yet the effect in Presidential politics is division of the strength of labor. In the 1936 federation convention, Alex Rose, representing the United Hatters, Cap, and Millinery Workers, expressed the views of one segment of labor: [30]

[27] John P. Frey, "Labor in Politics," *American Federationist*, 39 (1932), pp. 1012-1021.

[28] In the 1940 Presidential campaign the A.F.L. executive council announced: ". . . the executive council of the A.F. of L. is of the opinion that the membership of the A.F. of L. should continue to adhere to its non-partisan political policy during the ensuing political campaign.

"All information regarding platforms, candidates and their records will be compiled by the executive council and submitted to the officers and members of the A.F. of L. so that they may exercise their political judgment in a way which will be to the individual and collective interest of all working men and women."—*The New York Times*, October 3, 1940.

[29] Joel Seidman, "Organized Labor in Political Campaigns," *Public Opinion Quarterly*, 3 (1939), p. 650.

[30] A.F.L., Annual Convention, 1936, *Proceedings*, pp. 648-649. In this debate, Mr. Woll, perhaps unconsciously, paid a tribute to the politician. He said:

I am aware and you are aware of how the same newspapers carried statements from many prominent labor leaders, each one praising a different candidate and discounting the statements of each other. . . .

. . . I as well as my organization . . . favor the immediate formation of a new independent labor political party, yet I say that until such time as we can all agree, let us at least have united political action and bring about a situation where labor will act politically as they act economically—as a unit. . . .

In the 1936 Presidential campaign, the formation of Labor's Nonpartisan League, mainly with the support of unions affiliated with the C.I.O., constituted a new departure in the political role of labor and perhaps pointed the way to a means for a more effective expression of labor's strength without the risks incident to operation through an independent labor party. Labor's Nonpartisan League followed a policy of active and large-scale campaigning, in contrast with the earlier relatively weak efforts of the A.F.L. The league spent several hundred thousand dollars and carried its organizing and speaking campaign down into the states and cities in support of the re-election of Roosevelt. After the campaign the league remained to lobby before Congress in support of New Deal measures, such as Roosevelt's program for the "rejuvenation" of the Supreme Court. In 1938 the league participated, without brilliant success, in the congressional campaigns. Of the forty-three Congressmen on its "blacklist," only three were defeated. Of the House candidates it supported, ninety-eight won and one hundred lost.

It remains to be seen whether Labor's Nonpartisan League can achieve a position of leadership strong enough to swing a substantial bloc of labor votes one way or the other in Presidential campaigns. If a leadership powerful enough to swing several million votes can be erected, the political strength of organized labor would be immeasurably heightened.[31] Such power in the hands of labor leaders,

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"I have watched these politicians in our movement. I followed their methods and regardless of how they talk of their trade union loyalty, my experience has been that when they enter the political arena they begin by talking as politicians, and very soon thinking like politicians, to the desertion of every trade union activity they pledged themselves to become a part of." In other words, the trade unionist turned politician must take into consideration the interests of groups other than labor as well as those of labor.

[31] That something on this order is the objective of the league and the C.I.O. may be seen from a statement by John L. Lewis early in 1940: "A political coalition . . . presupposes a post-election good faith. . . . The Democratic Party and its leadership have not preserved this faith. . . . The current administration has not sought nor seriously entertained the advice and views of labor. . . ."

however, would probably engender reprisals against organized labor; it probably would be offset by defensive measures in other quarters. John L. Lewis' ineffective attempt in 1940 to swing the labor vote to Willkie demonstrated that the mass of wage earners cannot yet be guided in Presidential voting by their leaders.[32] But it needs to be observed that the technique of the Nonpartisan League has not differed fundamentally from that of the A.F.L. The league has been much more vigorous in its political campaigning than the A.F.L., but fundamentally it seeks to exert electoral strength by swinging its support to that party and that candidate more favorable to labor rather than by forming a labor party.

The types of legislation that labor has fought for and against have been determined to a large extent by the prevailing philosophy of labor. As already indicated, the A.F.L., until recently at any rate, has been committed to a doctrine of taking care of the interests of its membership principally through the economic weapons of bargaining and strikes rather than through appeal for the positive exercise of governmental power. In keeping with this ideology it manifested perhaps the keenest interest in legislation to prevent the employer's use of the power of the state to crush labor. The limitation of the power of the courts to issue injunctions restraining labor activity in industrial disputes was urged in the 1906 "Bill of Grievances." In 1914 the Clayton Act prohibited the issuance of injunctions by Federal courts in labor disputes "unless necessary to prevent irreparable injury to property or to a property right . . ., for which injury there is no adequate remedy at law." The act was hailed by labor leaders as the "Magna Carta of Labor," but as interpreted by the courts the act improved the status of labor but little. In 1932 more sweeping limitations on the power of the Federal courts to issue injunctions in labor disputes were laid down by the Norris-LaGuardia Act. This legislation has greatly reduced the range of situations in which employers may appeal for injunctions to restrain unions in the exercise

He was convinced that, if renominated, Roosevelt would go down "in ignominious defeat." Lewis later explained: "I intended my statement to be a distinct jar to the professional politicians in the Democratic Party and the Republican Party . . . to serve notice that labor is not to be taken for granted."

[32] Irving Bernstein finds "little evidence that John L. Lewis' action moved any appreciable number of C.I.O. workers, their families, or their sympathizers to vote for Willkie." His conclusion is based on an analysis of the vote in areas in which C.I.O. membership was concentrated. The decline in Democratic vote in these areas, from 1936 to 1940, did not differ materially from the decline elsewhere. See "John L. Lewis and the Voting Behavior of the C.I.O.," *Public Opinion Quarterly*, 5 (1941), pp. 233-249.

of their economic power. Limitation on the use of the injunction has been considered by labor leaders as an essential basis for the free exercise of their bargaining power.

Other legislation has also been sought to facilitate collective bargaining. One of the older measures advocated by labor was the "anti-yellow-dog" legislation designed to outlaw labor contracts in which employees agreed, as a condition of accepting a job, not to join a union.

The most recent legislation of importance in the field of collective bargaining is the National Labor Relations Act, guaranteeing to employees "the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection." This act, passed in 1935 to succeed parts of the invalidated National Industrial Recovery Act, established administrative machinery to assure the right of collective bargaining and prohibited certain specified "unfair practices" by employers calculated to discourage or prevent collective bargaining.

To implement the act, the National Labor Relations Board was given quasi-judicial powers, among other things, to determine when employers interfered with collective bargaining by "unfair practices" and to determine the bargaining unit. The latter power put the board in the midst of the dispute between the A.F.L. and the C.I.O. If the board decides that a plant is the proper unit for employee representation in collective bargaining, it earns the disfavor of the A.F.L., which would generally prefer that each craft bargain separately; if the board determines that a craft is the proper unit for bargaining, it brings down on its head the C.I.O., which favors industrial unionism. In either case the board may be criticized by the employer who often is not enthusiastic about collective bargaining whatever the unit.

During 1939 and 1940 various proposals were made in Congress for the alteration of the act. "During the past year," said John L. Lewis, "the C.I.O. has stood in the forefront bearing the brunt of the attack on the Act and its administration, and defending the Act as a fundamental protection of the rights of organized labor. But in the face of the combined attack on the part of the A.F.L. Executive Council and the reactionary interests all over the country the Board has more than leaned over backwards in its administration of the law. There is little question but what the Board's decision in the Chrysler

case was the direct result of its fear that a decision establishing the company-wide system would bring forth screams of protest from the A.F.L. in which the press would join as a wild chorus." [33] The federation, on the other hand, viewed the Chrysler decision with satisfaction but noted that in the administration of the act "principles championed by the American Federation of Labor were invaded, weakened, and in several instances, destroyed by the Board." [34] The position of the board has been by no means enviable.

The legislation already mentioned was designed primarily to facilitate collective bargaining, to enable labor to help itself. The change of policy of the A.F.L. on unemployment compensation has been cited. In 1935 the Federal Social Security Act was passed, including, among other sections, provision for a system of unemployment compensation. Another far-reaching change in public policy occurred in 1938 with the passage of the Fair Labor Standards Act to fix minimum wages and maximum hours in those industries within the reach of the Federal commerce power. The C.I.O. actively supported the bill; the A.F.L. in 1937 hesitated on questions of method of establishing these standards. The Roosevelt administration leaders were pressing for the passage of the bill. Although amendments were adopted to meet most of the objections of the A.F.L., the situation was such as to lend some color to the view that the administration had to force the bill down the throat of the A.F.L.[35]

These illustrations of legislation that labor organizations have lobbied for furnish only a meager notion of the variety of laws of interest to labor. A recent report of the A.F.L. executive council lists, among others, the following bills in which the federation had expressed an interest: amendments to the Social Security Act extending coverage and advancing the date for the inauguration of the

[33] *Report of John L. Lewis to the . . . Congress of Industrial Organizations* (October 10, 1939), p. 36.

[34] *Report of the Executive Council of the American Federation of Labor*, October 2, 1939, p. 116.

[35] In 1937 William Green, president of the A.F.L., expressed approval of a version of the bill then pending; opposite views were expressed by John P. Frey, head of the Metal Trades Department of the A.F.L., and by the heads of the Union Label Department and the Building Trades Department. At the 1937 convention President Green was instructed to confer with the department heads of the A.F.L. before making any further statements on the wage-hour issue. This action gave credibility to the view in some quarters that Mr. Green was a forward-looking man held captive by a reactionary clique of leaders. For a complete discussion of the passage of the wage-hour bill, see Paul H. Douglas and Joseph Hackman, "The Fair Labor Standards Act of 1938," *Political Science Quarterly*, 43 (1938), pp. 491-515.

payment of old-age annuities; appropriations for West Coast investigations by the Senate Civil Liberties Committee; amendments to the Employers' Liability Act; a bill to extend the time in which Filipinos might be provided with free transportation to their native land; appropriation for wage-hour administration; relief appropriation; a bill extending the life of the C.C.C.; and the like.

In the administration of legislation, too, organized labor has a direct concern, as was evidenced by labor leaders' criticism of the moves in 1939 and 1940 by the Federal Department of Justice toward the enforcement of the antitrust laws against labor unions, particularly those in the building trades. In its seeking of monopolistic position, the labor union may injure what is deemed to be the general welfare. Restriction "of output, opposition to the introduction of new materials and methods, wage- and price-fixing, and boycotts of materials produced under non-union conditions or under the jurisdiction of rival unions are practices more or less common to old and established unions, or, in other words, unions powerful enough to enforce them." [36] When the monopolistic tendencies of organized labor are challenged by application of the antitrust act, labor leaders are no more attached to that enactment than are businessmen.

LABOR IN THE STATE

Wage earners constitute by far the largest block of the adult population of the United States. Dr. Leo Wolman has estimated that in 1930 there were approximately 35,000,000 "organizable" employees engaged in nonagricultural pursuits, although on the basis of existing data such estimates are fraught with hazard.[37] This figure is to be compared with 10,400,000 gainfully employed in agriculture, including owners, tenants, foremen, managers, and laborers. Yet it cannot be said that labor is dominant in American politics; despite legislative gains on many fronts, labor on the whole has occupied a subordinate role politically. The student who would understand politics in the large may ponder well the political status of labor: a great force numerically in a society adhering to the doctrine of the rule of numbers, yet lacking substantial and durable political power as a class.

[36] Leo Wolman, "The Turning Point in American Labor Policy," *Political Science Quarterly*, (55) 1940, pp. 161-175.

[37] Wolman, *Ebb and Flow in Trade Unionism* (New York: National Bureau of Economic Research, 1936), p. 114.

The inability of labor as a class to organize effectively to exert its full strength is reflected in union membership. Leo Wolman, accepting membership claimed by the C.I.O. and the A.F.L. and estimating the membership of independent unions, gives the following figures on the membership of American unions in August-September, 1937:

Unions affiliated with the A.F. of L.	3,271,726
Unions affiliated with the C.I.O.	3,357,800
Independent unions	550,000

Since this estimate was made a number of organizations affiliated with the C.I.O. have rejoined the A.F.L. or become independent; hence the relative strength of the foregoing groups of unions has been altered.

In 1941 the A.F.L. claimed a membership of about 5,000,000; the C.I.O. asserted that it had a membership of about the same size, while independent unions had 1,000,000 members. The claims of unions to membership undoubtedly exaggerate the degree of actual organization. In terms of the potential union membership among nonagricultural workers, Wolman estimates that in 1937 about 10 per cent of the workers belonged to unions. The degree of organization differs from industry to industry: the most highly organized industries in 1935 were coal mining, railways, the manufacture of clothing, the boot and shoe industry.[38] Since 1935 great progress has been made in the organization of the automobile, steel, and aircraft industries.

How does it come about that labor is unable to exert its maximum potential strength either through political channels or by the exercise of economic weapons such as the strike? In his penetrating analysis of the American labor movement, Selig Perlman observed that the "main feature of its development has been . . . a perpetual struggle to keep the organization from going to pieces for want of inner cohesiveness." [39] A reflection of that lack of "inner cohesiveness" has already been noted in the analysis of the government of the A.F.L., a loose federal union with its central governing body possessed of no great power over the constituent units of the federation. The split of the C.I.O. from the A.F.L. reflected the divisions within organized labor itself. And, in thinking of labor as a whole,

[38] Wolman, "Union Membership in Great Britain and the United States," National Bureau of Economic Research, *Bulletin 68*, December 27, 1937.

[39] Perlman, *A Theory of the Labor Movement* (New York: Macmillan, 1928), p. 154. For insight into the American labor movement, the student is advised to read chap. 5, "Labor and Capitalism in America."

it must be remembered that millions of workers are not affiliated with any sort of formal labor organization. Why the lack of "inner cohesiveness" within labor?

It needs first to be said that laborers are not all alike nor are their interests identical, at least not identical in the short run. College students, especially those with an upper-middle-class background, are likely to lump all labor into a homogeneous mass; but within labor there are multifarious cleavages, both obvious and subtle. There is economic competition among different types of labor. The jurisdictional disputes among trade unions, examples of which were given earlier, are fundamentally manifestations of competition among different groups for the jobs in dispute. Every union, both craft and industrial, attempts to gain a monopoly of the labor supply in a given industrial field; the resulting monopoly power is used in bargaining with the employer. But it must be remembered that the monopoly power over a particular labor market must be maintained by the union against encroachments by competing laborers who would break the monopoly and work perhaps for lower wages or under different conditions.

Differences in attitudes among broad classes of workers militate against labor unity. Between skilled and unskilled there is a broad gulf; the railroad brotherhoods, "the aristocracy of labor," may, in general point of view, have more in common with the banker than with the ditch digger. White-collar workers, although paid less, may consider themselves a shade above the men in the machine shop. "In addition we have sectional, national, religious, and racial differences to an extraordinary degree. In some parts of the country a person from the adjoining county is considered a foreigner. . . . The immigrant from northern and western Europe feels superior to the arrival from the southern or eastern countries. Many of immigrant stock feel a racial rather than a class loyalty. . . . The white worker feels that he is superior socially, intellectually, and in every other way to the Negro." [40] All these differences are reflected in formal union

[40] Seidman, *op. cit.*, pp. 648-649. Nationalistic jealousies are sometimes played upon by employers in their dealings with employees. In the steel strike of 1919 a strikebreaking agency issued the following instructions to its operatives: "We want you to stir up as much bad feeling as you possibly can between the Serbians and Italians. Spread data among the Serbians that the Italians are going back to work. Call up every question you can in reference to racial hatred between these two nationalities; make them realize to the fullest extent that far better results would be accomplished if they will go back to work. Urge them to go back to work or the Italians will get their jobs."—Commission of Inquiry,

structure and contribute to the atomization of labor. Different skills are organized into different unions. At times the same skill is divided into Jewish and Gentile unions. Among Catholic membership in all unions, according to Perlman, "opposition to socialism is a matter of religious principle." [41] About twenty of the largest unions exclude Negroes from membership.[42] The foregoing conditions are but a few of the manifestations of differentiation within the ranks of labor.[43]

The foregoing and other factors contribute to the lack of a labor "class consciousness," which is an essential prerequisite to concerted action in the political field and, perhaps to a lesser extent, in the area of economic warfare.[44] It may be contended with the Marxian rationale that the interests of all laborers are the same, but until workers as individuals believe that to be so there can be no crystallized consciousness of common cause and common goal and, hence, no labor solidarity in action. The fact is that few laborers even consider themselves to be members of an industrial proletariat; American

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The Interchurch World Movement, *Report on the Steel Strike of 1919* (New York: Harcourt, Brace, 1920), p. 230.

[41] *Op. cit.*, p. 169.

[42] Some of the newer unions are attempting to unite white and black to form a common front in bargaining with the employer. See Frank T. De Vyver, "The Present Status of Labor Unions in the South," *Southern Economic Journal*, 5 (1939), pp. 485-498. See also H. R. Clayton and G. S. Mitchell, *Black Workers and the New Unions* (Chapel Hill: University of North Carolina Press, 1939).

[43] The following description of southern labor illustrates in detail the tendency toward a psychological differentiation among laborers: "Hosiery workers, in the main somewhat more skilled, better paid, and at cleaner work, living in their own or privately rented homes scattered about the town, felt superior to the lintheads clustered on the edge of town in mill houses. Furniture workers felt superior to both and, of course, to the sawmill hands who roughly prepared the material they processed. The more skilled trades in this industry were well paid; more men were able to support a family without the work of their wives. When a wife or daughter did work it was not in a furniture factory and so the family wage system was not so apparent as when all answered the call of the same whistle. Cigarette workers felt above not only the Negroes in the preparatory process of their own factory but also the textile workers in the same town, and they did not always distinguish between hosiery and cotton mill operatives. Steel workers felt superior to the miners who provided their raw material and the latter to the coal miners. Of course, these attitudes depended somewhat upon what industries were in close contact with each other, but it is safe to say that the workers in every industry felt above cotton mill workers and coal miners whether they were near or far. The only group left for these to feel superior to was the Negro, for anybody knew that any white man was superior to all Negroes." Harriet L. Herring in W. T. Couch (ed.), *Culture in the South* (Chapel Hill: University of North Carolina Press, 1934), p. 349.

[44] See C. C. North, "Class Structure, Class Consciousness, and Party Alignment," *American Sociological Review*, 2 (1937), pp. 365-371.

laborers consider themselves middle class. "One of the great difficulties with labor parties has been that they attempted to make a class appeal to workers who did not recognize their own class status. The American Institute of Public Opinion reported early in 1939 that, of every sixteen Americans, only one thinks of himself as belonging to the lower classes. Another thinks of himself as upper class, whereas the remaining fourteen, or 87½ per cent, think of themselves as middle class. And this despite the fact that 54 per cent of the families of the nation receive annually incomes of $1,200 or less." [45]

Perlman places a great emphasis on the strength of the institution of private property and the incompatibility of the objectives of organized labor with private property in his interpretation of the American labor movement. Whether labor seeks its ends by political means, by legislation, or by economic means—the strike and bargaining—its objective is to restrict the control of the employer over his productive property.[46] Perlman holds that the lesson of the American labor movement "is that under no circumstances can labor here afford to arouse the fears of the great middle class for the safety of private property as a basic institution. Labor needs the support of public opinion, meaning the middle class, both rural and urban, in order to make headway with its program of curtailing, by legislation and by trade unionism, the abuses which attend the employer's unrestricted exercise of his property rights." [47] Hence, the effectiveness with which "red baiting" has been employed against labor, first by employers and later by the A.F.L. leaders against the C.I.O. There is something to be said for the view that the A.F.L. has tended to ally itself with certain employing groups against the C.I.O.[48]

[45] Seidman, *op. cit.*, p. 647.

[46] These statements point to the artificiality of academic distinctions between "economics" and "politics." If a labor union succeeds in increasing the wage rate through governmental regulation, the effect is the same as if the wage rate has been increased as the result of collective bargaining and the strike. An imperialistic political scientist might include the whole sphere of collective bargaining within the field of politics; a labor economist might consider wage legislation to be "economic behavior." Relate this question to Lasswell's conception of politics as "who gets what" and to the general conceptions of politics outlined above, chap. 1.

[47] *Op. cit.*, pp. 160-161.

[48] John L. Lewis, in his habitually strong language, has said: "Organizationally, the C.I.O. has during the past year beaten off the attacks of disruption and dualism which were directed against every one of its affiliated organizations. These attacks were inspired by anti-union employers who sought to destroy the new unions of the C.I.O. by devious means after all their frontal attacks had

In the earlier chapter on agriculture and politics, the process of reconciling or rationalizing the claims of agricultural groups with conflicting interests of urban labor and industry was mentioned. The solution of conflict through representative procedures depends, it was noted, on a willingness to compromise shared by all parties to the dispute. The claims of labor have, to a considerable degree, been matters which many employers have been unwilling to yield. The principle of collective bargaining has been a basic point of dispute; it infringes, as Perlman pointed out, the privileges associated with private ownership and management of property. The demand for collective bargaining and for union "recognition" has been met by private employers' armies, amply provisioned and munitioned, sometimes supported by police and troops. This resort to violence has been a factor of no mean importance in the prevention of the rise of a strong labor movement.[49] When the right of collective bargaining became guaranteed by the National Labor Relations Act, employer resistance to the application of the principle did not evaporate overnight. Sabotage of the law was widespread. The inacceptability, to many employers, of the fundamental principle of the act led some observers to conclude that the law came too early, on the assumption that, in our society at any rate, law is workable only when it is generally acceptable to those most immediately affected.

Labor movements in liberal-democratic states are animated by a faith that by parliamentary means the status of the wage-earning classes may be improved. This commonplace assumption carries with it some rather startling implications. If the assumption is correct, the laboring masses, by the exertion of their political power, may remake the state or accomplish veritable revolution without violence. In practice there are likely to be limits to the degree to which labor may improve its status within the framework of the liberal-democratic state. The rising strength of labor seems nearly always to be met by a unification of the employer groups and of others who might be

failed. Such employers found a willing tool in the bankrupt and discredited leadership of the American Federation of Labor. The A.F.L. leaders gave letters of marque and reprisal, in the form of charters, to every kind of labor disrupter, to company unions and to every sort of break-away or dual movement they could create. These so-called charters were simply a license given to shady elements to privateer against the strong and growing unions of the C.I.O., and to create whatever disruption they could, without any attempt to organize the unorganized workers."—*Report of President John L. Lewis to the . . . Congress of Industrial Organizations* (October, 1939), p. 4.

[49] For a summary of the use of violence vis-à-vis labor, see below, chap. 22.

injured by a further increase in the power of labor. Expansion of the power of labor generates countervailing action by the dominant groups who possess vast resources to defend their status. The structure of the liberal-democratic state may be severely strained by internal struggles. Its maintenance with its freedom for group advancement through peaceful political action depends in no small measure on the self-restraint of the groups contending for power and influence. If the advantage of numerical strength is pushed too far, the labor movement may be wiped out by a fascist reaction. The internal divisions of American labor and the consequent senseless factional struggles have so weakened labor that its power to resist reaction has been greatly reduced.[50]

OLIGARCHY, TRADITIONALISM, AND POLITICAL CHANGE

Selected aspects of the American Federation of Labor have been given emphasis in this chapter for the purpose of furnishing a concrete example of certain characteristics of political behavior. (1) It was pointed out that before an interest group can give effective expression to its demands it must possess an organization or government to determine what its interests are and how they may be promoted. (2) The hardening of the governmental structure of the private association into a well-knit machine may be accompanied by the development of an inadaptability in which the leadership is not truly representative of the interests of the mass of the membership of the society concerned. (3) The doctrines and faith, the ideas that dominate the thought and action of the leadership, may likewise become inflexible and prevail beyond their applicability. But two factors should be borne in mind: it is not to be supposed that these characteristics are limited to the A.F.L., and it is freely conceded that these phases of the federation have perhaps been exaggerated in this discussion. To make plain the more general implications, it is perhaps necessary to carry the discussion a step further.

The first proposition—that private associations possess governments of their own—is so obvious as to require no elaboration. Trade associations, labor organizations, churches, political parties, all possess a rudimentary internal governmental machinery; and the process of politics and governance within these groups has an intimate kinship with the politics of the state as a whole. The political process within

[50] For an informed account of the division within American labor, see Herbert Harris, *Labor's Civil War* (New York: Knopf, 1940).

the private association or pressure group has as one of its main functions the reconciliation of internal differences within the group. The success with which the politicians of the American Federation of Labor or of the Chamber of Commerce of the United States unite the divergent factions of their respective organizations determines both the effectiveness with which the strength of the group as a whole is brought to bear on Congress and other political authorities, as well as the nature of the demands made on public agencies. A private association with a diversified membership may be able to act unitedly only on a few items; a more homogeneous private society may be able to act with great strength on a long series of policy items. Moreover, on many matters not of fundamental importance, Congress and state legislatures are inclined to grant whatever request the pressure group makes if the affected interests are united. Time and again legislative committees tell competing agricultural groups, or labor groups, or business groups to get together and settle their differences, and then the law they desire will be forthcoming without serious question.[51] Public questions, thus, are pushed back for settlement by private negotiation.

The average American looks on bossism in party organizations as an abnormal and undesirable practice, but the examination of a single private association, the American Federation of Labor, indicates the development within that organization of an oligarchical control not basically unlike that in the party. A tendency toward control by an oligarchy seems to be inevitable in group behavior; the controlling oligarchy, however, may speak for the interests of the group with varying degrees of accuracy. Of the American Legion, one of its members writes: "Resolutions which bear the weight of national destiny if carried out are droned off and passed with ringing flourish, and legislative agents hie off to deliver the total influence of the Legion on measures which have never been submitted for debate or study to any legion post, and whose implications are understood by very few of the comrades." [52] The college student need go no further than his fraternity to observe the operation of oligarchy.

[51] To illustrate the proposition further: A publication of the National Lumber Manufacturers' Association declares that public officials prefer to have "the view of an industry, rather than to listen *ad infinitum* to the variant views of countless individuals."—Quoted by Donald Blaisdell, *Economic Power and Political Pressures* (Monograph No. 26, Temporary National Economic Committee, 1941), p. 3.

[52] Albion Roy King, quoted by William Gellermann, *The American Legion as Educator* (New York: Teachers College, 1938), p. 32. In connection with the

The factors of inertia and inflexibility in the A.F.L. are by no means peculiar to that organization; traditionalism, custom, and conventions condition human behavior in many spheres other than the political. Citation of the pattern of conduct of the A.F.L. merely serves to emphasize the force of tradition. It is commonly supposed that pressure groups rationally ascertain their ends and pursue them with decisiveness, but the force of custom and precedent are felt there as elsewhere. Habitual courses of action persist,[53] and before a group can move effectively toward political action there is the initial task of overcoming the brake of inertia.[54] It is often said that governments especially tend toward inertia, to reliance on precedent in dealing with unprecedented situations. If the student will note that the same tendency recurs in every kind of human behavior, he will be further on the way toward understanding the nature of political behavior.

Perhaps the more tightly knit the oligarchy, the greater is its inadaptability. In large-scale hierarchies, admission to the circle of leadership and domination is co-optative. When advancement depends on the decision of those already in the charmed circle, a premium is likely to be placed on conformity and orthodoxy; and the prevailing attitudes tend to be perpetuated. Thus, in armies, navies, the hierarchies of labor organizations, civil services, universities, and learned societies, co-option to the top often accentuates inadaptability. Yet hierarchical structure does not preclude adaptability; the eternal character of the Roman Catholic Church, for example, rests

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consideration of a bill backed by the Legion lobby in 1940, Representative Miller of Connecticut said: "The same Legionnaire further writes me that after attending a district meeting representing all posts of the American Legion in the county, he was coming more and more to the conclusion that there were comparatively few members of the Legion who really knew what legislation the organization was pushing, even though their posts were bombarded with circulars urging them to have members write 'to your Congressman about this.' "—*Congressional Record* (daily edition), April 30, 1940, p. 8115.

[53] Graham Wallas observed: ". . . most of the political opinions of most men are the result, not of reasoning tested by experience, but of unconscious or half-conscious inference fixed by habit. It is indeed mainly in the formation of tracks of thought that habit shows its power in politics."—*Human Nature in Politics* (London: Constable, 1908), p. 103.

[54] D. D. McKean, relative to pressure groups in New Jersey, records: ". . . business interests tend to inertia even when the very business lives of the members of the group are at stake. Secretaries of groups often complained to the author that even when they explained to the members of their organizations how severely they would be affected by some legislation they could not arouse them sufficiently to induce them to write to legislators."—*Pressures on the Legislature of New Jersey* (New York: Columbia University Press, 1938), p. 56.

in considerable measure on a hierarchical adaptability. The sociologists have a word for the hesitancy to alter practices to meet new conditions: Professor Ogburn, the originator of the concept, calls it "social lag." [55]

Perhaps thus christening the phenomenon does not illuminate the situation. For the students of politics it is necessary only to call attention to the widespread prevalence of hesitancy to meet changed conditions and situations even among interest groups vitally affected. It is certainly not to be thought, however, that all hesitancy to embrace new ideas reflects stupidity; conservatism and resistance in the *status quo* may rest on a real and substantial interest which is at stake; on the other hand, however, conservatism may rest on unreflecting habit, tradition, failure to re-examine experience.[56] Those who view political action as solely a rational expression of self-interest may well ponder the numerous instances in which innovations opposed by groups following traditional modes of thought later turn out to be helpful to the opponents, or at least not harmful.

Mention was made of the tendency toward rigidity of ideas and doctrines and the effect of that rigidity on adaptability of political attitudes. It is perhaps erroneous to invest doctrine with a personality of its own; it is perhaps more accurate to say that individuals become intellectually imprisoned within the bounds of finely wrought, logical systems. Perception is clouded and behavior conditioned by a body of verities that once possessed an experiential basis. The A.F.L., attached to a laissez-faire doctrine, gravely and bitterly debates the

[55] On the general problem, see W. F. Ogburn, *Social Change* (New York: Huebsch, 1922), especially Part III, "Cultural Inertia and Conservatism," and Part IV, "Social Maladjustments."

[56] Some time ago Machiavelli observed similar tendencies: "And it ought to be remembered that there is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things. Because the innovator has for enemies all those who have done well under the old conditions, and lukewarm defenders in those who may do well under the new. This coolness arises partly from fear of the opponents, who have the laws on their side, and partly from the incredulity of men, who do not readily believe in new things until they have had a long experience in them."—*The Prince*, chap. 6. Walter Lippmann observes: "There are many things which people cannot understand until they have lived with them for a while. Often, therefore, the great statesman is bound to act boldly in advance of his constituents. When he does this he stakes his judgment as to what the people will in the end find to be good against what the people happen ardently to desire. This capacity to act upon the hidden realities of a situation in spite of appearances is the essence of statesmanship."—*A Preface to Morals* (New York, 1929), p. 283. Quoted by permission of The Macmillan Company, publishers.

principle of unemployment insurance with millions unemployed. The Social Democrats, deeply attached to the doctrine of parliamentarism, find themselves unable to crush a rising Hitlerism. The American business community, indoctrinated with the notion of the sacredness of a "favorable balance of trade," became intellectually paralyzed in the postwar period and did not adapt itself and its government to the requirements of a creditor nation. Even within industry, the management experts complain, old processes and old methods are often clung to even unto bankruptcy. It must be concluded that thought, the throwing off of old patterns of ideas, the re-examination of experience is one of the most burdensome and painful of human endeavors. The tendency of traditional modes of thought to persist is present in politics as elsewhere and profoundly conditions political behavior.

Traditionalism really amounts to habitual ways of doing things and to habitual ways of thinking about them. And traditionalism is likely to become decorated with a fine frosting of rationalization and justification. But it is important to note that these habitual ways of doing things constitute a powerful element in social and political stability. And the running of the business of society, governmental and otherwise, requires a high degree of stability and continuity. As political and social relationships become customary and habitual, they persist through more or less unconscious or unwilled conformity. The political equilibrium is threatened when the consequences of the customary and habitual are recognized and questioned. The process of establishing new ways of doing and looking at things is accompanied by political friction. Once established, the new ways of doing and looking at things soon become traditional and are relegated to the habitual. But the recognition of the function of tradition in governing thousands of social and political relationships of human beings should not bring a blindness to the need for departing from the traditional when it endangers group survival.[57]

[57] The following sentences by F. H. Allport are suggestive: "The social or political order rests fundamentally upon stable, common and reciprocal ways of behaving in the stock situations and relationships of life. All citizens react in practically the same manner with reference to a policeman, a traffic signal, a tax collector, or the exchange in labor or commodities which they expect for a dollar bill. Not only does each respond in a regular and predictable manner toward such objects; but each knows that others may be depended upon to behave in the same way. Social organization and the rise of political and economic institutions are thus made possible. It might even be said that these common habits of response underlying ordered relationships, considered together with their appropriate stimuli, are the institutions of society. Political structure re-

QUESTIONS AND PROBLEMS

1. Does the process of government in private associations have any relevance for the student of politics?

2. What are the causes and results of federalism within the A.F.L.?

3. In what respects has the attitude of labor toward government been like that of business? Is this similarity purely nominal or is it substantial?

4. Has organized labor in its opposition to the formation of a labor party followed a course of action wise from its own viewpoint?

5. Describe the methods used by labor to influence elections and legislation.

6. Ascertain the nature of recent activities of organized labor in the politics of your state or city.

7. Estimate and account for the degree of power exercised by labor in national politics.

8. Some labor leaders would like to be able to swing the vote of labor and thereby to determine the outcome of Presidential elections. Would this state of affairs be desirable?

9. What is tradition? What is its importance or function in the political order?

10. Do the leaders of private groups necessarily reflect accurately the interests and views of the members of the group?

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solves itself psychologically into predictable political behavior."—"The Psychological Nature of Political Structure," *American Political Science Review*, 21 (1927), pp. 611-618.

Chapter 5: BUSINESS AND POLITICS

"THE RELATIVE ease with which money or mobile wealth can be organized and the possibility of concentrating control of large amounts of money in the hands of a few individuals help to explain its growing preponderance in power," says Gaetano Mosca. "In this phenomenon we have one of the many examples of an organized minority prevailing over a disorganized majority. A very small number of individuals can control all the banks of issue in a country or all the companies engaged in transportation by land or sea. They can control great stock companies and industrial corporations. . . . With hundreds of millions at their disposal such individuals possess the most varied resources for threatening or cajoling other interests however far reaching and for intimidating and corrupting public officials, ministries, legislative bodies, newspapers. . . ." [1]

In the same general tenor, W. B. Munro observes: "From the first to last in the history of government, this money power, the interest of vested wealth, has been the best organized, the most inherently cohesive, and on the whole the most enlightened determinant of public policy. Racial and sectional groups rise to importance and after a season are placated. Divisions among the people are occasionally molded by issues of a definitely political sort, such as state rights or foreign policy. But nothing can be plainer to the student of political history than the tolerable regularity with which, in all ages and countries, with amazingly few exceptions, the power of the well-to-do has strongly influenced the course of public affairs." [2]

The major role played by business in American politics appears so obvious as to require no demonstration. Since the Civil War, at any rate, we have had predominantly a business civilization. Calvin Coolidge could say, accurately, "The business of America is business." By and large the arts, learning, the church, and government have been the servants of business. If one were to seek the "ruling class"

[1] *The Ruling Class* (New York: McGraw-Hill, 1939), pp. 146-147.
[2] *The Invisible Government* (New York: Macmillan, 1928), p. 115.

of the United States, he would need go little further than business, which has maintained its predominant position, though not without challenge. Agriculture has fought a rear-guard action to retain its diminishing power; of late, organized labor has attacked; and, on occasion, the government has been in control of groups considered by business to be hostile to its hegemony. Yet even these "enemies" of business have on the whole stood only for such alterations in the existing capitalistic order as would better enable business to retain its privileges and power in the long pull.

THE RISE OF INDUSTRY AND TRADE

The power of business has been manifest from the beginnings of America. Charles A. Beard has demonstrated that the forces of wealth—money, trade, personality of various forms—well organized along the seaboard were chiefly influential in the adoption of the Constitution.[3] Yet business did not attain its full flowering until after the Civil War. The southern planter aristocracy, built on a foundation of slave labor and the cotton gin which was contrived by a Connecticut Yankee, was to hold sway until definitely put to rout by the alliance of northeastern business and northwestern free agriculture in the Civil War, which Miriam Beard calls "the victory of American business over plantocracy." [4]

Business had been indeed a lusty infant before the Civil War, but afterward the trend toward a more highly industrialized society continued unabated and without significant hindrance. In 1870 slightly over one-half of the gainfully employed were engaged in agriculture, fishing, and forestry, and about one-third in manufacturing, mining, and commerce. The large proportion of the population then engaged in agriculture, particularly in the Northwest, probably accounts for the belief and hope of the agrarian groups that they might gain control of the government through the election of candidates of their own choosing. By 1930, however, the statistics were reversed: slightly more than 50 per cent of all gainfully employed workers were engaged in industry and commerce and only about 20 per cent in agriculture and related pursuits. Table 3 shows this trend in detail.

[3] *The Economic Interpretation of the Constitution* (New York: Macmillan, 1913).

[4] *A History of the Business Man*, (New York: Macmillan, 1938), chap. 24.

TABLE 3

GAINFUL WORKERS, BY BROAD OCCUPATIONAL GROUPS, IN PER CENT OF ALL GAINFUL WORKERS, 1870 TO 1930

OCCUPATION	1870	1900	1930
Agriculture, fishing, forestry	52.8	35.9	21.3
Industry (manufacturing, mechanical pursuits, and mining)	23.5	29.6	30.6
Commerce (trade and transportation)	9.1	16.3	20.7

SOURCE: Mordecai Ezekiel, "Population and Unemployment," *Annals of the American Academy of Political and Social Science*, 188 (1936), pp. 230-242.

Another measure of the relative significance of business in the national scene is furnished by an analysis of the total national income. It has been estimated that in 1935 the total national income produced amounted to slightly more than 55 billion dollars. Agriculture was responsible for only about one-tenth of this total, while manufacturing alone produced twice as much as agriculture, and utilities and trade each produced a larger dollar value than agriculture. If the data were available to push these figures back to 1870, this measure of the growing significance of business would doubtless parallel the trend shown by the figures on the gainfully employed. Table 4 summarizes the income data.

TABLE 4

INCOME PRODUCED BY IMPORTANT SEGMENTS OF THE AMERICAN ECONOMY, 1935

Total Income Produced	$55,185,000,000
Agriculture	5,185,000,000
Manufacturing	11,859,000,000
Utilities	6,350,000,000
Trade	7,362,000,000
Construction	795,000,000
Minerals	954,000,000

SOURCE: National Resources Committee, *The Structure of the American Economy, Part I, Basic Characteristics*, p. 63.

THE PYRAMIDING OF INDUSTRIAL POWER

A trend toward concentration of control of many lines of industrial, commercial, and financial activity into fewer and fewer individual concerns has paralleled the expansion of industry and trade in the national economy. In almost every type of economic endeavor the small corporation and the individual entrepreneur have lost ground to the giant corporation. Control over larger and larger segments of our industrial life has been gained by trusts, monopolies, holding companies, combinations, and various other mechanisms for the concentration of economic power. Indeed, American politics since the Civil War may be said to have been largely occupied with the problem of big business and its relationships to other elements in the population. In the earlier discussion of agrarian politics reference was made to the presumed relationship of the economic ills of agriculture to the advantageous position enjoyed by industry under tariff legislation and in other ways; the growth of big business has obviously also been connected with the labor movement and labor demands.

Standard Oil has been called the "first great American trust." The petroleum industry developed rapidly in Pennsylvania during the Civil War; at the outset it was carried on by a large number of producers and refiners. John D. Rockefeller, exceedingly able and resourceful, was to change all this. Within a few years, by purchase, lease, amalgamation, competition, and more or less peaceful conquest, most of the refineries passed into the hands of his companies. Pipe lines were gradually brought under Standard control, and Standard became a symbol for "big" business and bore the brunt of attacks on monopolies and trusts for a time.

Another of the spectacular achievements in business consolidation was the American Tobacco Company, one of the moving spirits of which was J. B. Duke. In steel, the United States Steel Corporation was formed in 1901 to control over half the steel production of the nation. In agricultural implements, the International Harvester Company was formed by a combination of implement manufacturers under the guidance of J. P. Morgan. Behind each of these and other great movements toward industrial consolidation and combination was a long and involved struggle for supremacy.

The motives and objectives of consolidation and combination were diverse. In some instances the object was simply to gain a

monopolistic position and monopolistic profits. In other instances the organizers of combinations asserted that consolidation was essential to restore order in a highly competitive industry, rent by price wars and violent price fluctuations. Often the economies of large-scale production were instrumental in bringing about consolidation, but sometimes consolidation brought large-scale production. Whatever the motivation, a condition of concentration of control has come about.

The degree of concentration of industrial control may be indicated by the fact that the two hundred largest nonfinancial corporations "controlled in 1933 approximately 19 to 21 per cent of the national wealth, between 46 to 51 per cent of the Nations' industrial wealth, and approximately 60 per cent of the physical assets of all non-financial corporations." [5] Different measures of size may be used; but, whatever the measure employed, the degree of concentration is striking. A study of the hundred largest manufacturing companies on the basis of different measures of size gave the following results: [6]

With size measured by employment:
100 companies employed 20.7 per cent of all the man power engaged in manufacturing;
With size measured by value added by manufacture:
100 companies contributed 24.7 per cent of all the value added in manufacturing activity;
With size measured by value of product:
100 companies accounted for 32.4 per cent of the value of products reported by all manufacturing plants.

E. D. Kennedy has employed another measure of corporate concentration which reveals factors not shown by figures on production and employment. Apparently the concentration of profits is much more marked than the concentration of production, since many concerns either show a deficit, break even, or earn a very low return. In 1929 the net income of all corporations was $8,740,000,000, 10 per cent of which was earned by five corporations.[7] Mr. Kennedy concludes that "out of $100 of profits made by American companies in

[5] National Resources Committee, *Structure of the American Economy*, Part I, p. 105.

[6] *Ibid.*, p. 102.

[7] General Motors, A. T. & T., U. S. Steel, Standard of New Jersey, and Pennsylvania Railroad.

1929, five made $10 and the other 455,995 made $90."[8] The top thirteen companies in that year chalked up about 16 per cent of the net income of all corporations. The data indicate that by 1937 there was an even greater concentration of profits among a few corporations.

The tendency toward concentration may be indicated by the fact that in 1935 there were thirty corporations each with assets of over one billion dollars. They are listed in Table 5.

Although ownership of corporate stocks and bonds is widespread —estimates of the number of individuals holding stocks run as high as from ten million to twelve million—the concentration of industrial power in the great corporations is paralleled by a concentration of the ownership of a large proportion of dividend-paying stock in a relatively few hands. Again if we rely on Mr. Kennedy, who draws his data from Treasury statistics based on income-tax returns, in 1929 only 1,084 persons, recipients of dividends in amounts of over $250,000 each, received 11.9 per cent of all dividends. Another 16,004 persons, receiving from $40,000 to $250,000 in dividends, were paid 22.0 per cent of all dividends. A group of 21,804 persons, recipients of from $20,000 to $40,000 in dividend payments, was paid 10.6 per cent of all dividends. Thus, about 39,000 out of say 10,000,000 stockholders, or about 0.004 per cent, received 44.5 per cent, or almost half, of all dividends paid out to persons making income-tax returns in that year.[9]

BUSINESS, LEGISLATION, AND PUBLIC OPINION

The tendency toward concentration of control of the economy could be further documented and indicated in more detail, but enough data have been presented to show the trend toward the integration of economic and industrial power in the hands of the relatively few at the apex of the income pyramid. The politics of business, in the main, has been to protect and maintain the channels of income flow, once they were established, against forays by labor, agriculture, and consumer. And, on the whole, business has been able to dominate political life sufficiently to prevent the exertion of

[8] E. D. Kennedy, *Dividends to Pay* (New York: Reynal and Hitchcock, 1939), p. 27.

[9] *Ibid.*, chap. 3.

TABLE 5

BILLION-DOLLAR CORPORATIONS IN 1935

CORPORATION	ASSETS (in millions)
Industrials:	
Standard Oil Company (New Jersey)	$1,894.9
United States Steel Corporation	1,822.4
General Motors Corporation	1,491.9
Public Utilities:	
American Telephone & Telegraph Company	3,998.3
Consolidated Edison Co. of New York	1,377.0
Commonwealth & Southern Corporation	1,173.8
Associated Gas & Electric Properties	1,125.4
Cities Service Company	1,113.2
The North American Company	1,042.6
Railroads:	
The Pennsylvania Railroad Company	2,863.0
The New York Central Railroad Company	2,356.0
Alleghany Corporation	1,739.0
Southern Pacific Company	1,677.7
The Great Northern Railway Company	1,152.1
Northern Pacific Railway Company	1,131.2
Baltimore & Ohio Railroad Company	1,118.3
Atchison, Topeka & Santa Fe Railway Company	1,091.6
Union Pacific Railway Company	1,069.6
Banks:	
Chase National Bank	2,350.5
National City Bank	1,880.7
Guaranty Trust Company	1,847.4
Bank of America	1,277.4
Continental Illinois National Bank & Trust Company	1,141.1
Bankers Trust Company	1,031.7
Other Financials:	
Metropolitan Life Insurance Company	4,234.8
Prudential Insurance Company	3,129.5
New York Life Insurance Company	2,243.6
Equitable Life Insurance Society	1,816.2
Mutual Life Insurance Company of New York	1,239.0
Northwestern Mutual Life Insurance Company	1,072.0

SOURCE: National Resources Committee, *Structure of the American Economy*, Part I, pp. 100-101.

governmental power, on behalf of competing interests in society, that would substantially alter the flow of income. The inference from these remarks is that the politics of business has been a defensive politics. By and large, this inference is correct. On the whole the great corporate aggregations have been able to take care of themselves, despite positive governmental assistance in such forms as the tariff, without governmental aid; theirs has been a persistent fight to prevent governmental action.

The great political triumph of large-scale enterprise has been the manipulation of public attitudes so as to create a public opinion favorably disposed toward, or at least tolerant of, gigantic corporations. In a social milieu originally hostile toward monopolies and trusts, business has succeeded in building up great prestige and power; and it should be remembered that power depends in considerable measure on acquiescence. Businessmen, of course, deny that they possess power; but great corporations, operating under semi-monopolistic conditions, exert great authority over laborers, consumers, and the communities in which they operate.[10] The sheer magnitude of their operations, however, also makes them especially sensitive to public policies. A tax measure, for example, that takes $100 from a small enterprise may take $10,000,000 from the great enterprise. It will probably be resisted with much greater vigor by the latter than by the former.

The men who built up great concerns were a ruthless lot and were quite unconcerned about what the general public thought of them. And the process of combination and suppression of competition required men of that character—men who in another day perhaps might have been the barons, chieftains, and war lords. Moreover, they were engagingly frank. Witness the testimony of Henry Havemeyer, sugar refiner, in the 'nineties:

> Senator Allen. . . . If you fix the price at 4 cents for granulated throughout the United States the others obtain it, don't they? And in that way the price is controlled.

[10] In opening an antitrust case against the motion picture industry in June, 1940, Thurman Arnold, chief of the Antitrust Division of the Department of Justice, said: "The danger in this country is private seizure of power. It is subject to no checks and balances; it is subject to no elections every four years; it is subject to no criticism and no attacks because no one even knows about it. It is private seizure of industrial power which the Sherman Act prevents."—*The New York Times*, June 4, 1940.

Mr. Havemeyer. We undertake to control the price of refined sugar in the United States. That must be distinctly understood.

Senator Allen. And the price of refined sugar in the United States is higher to the American people in consequence of the existence of the American Sugar Refining Company than it would be if the different companies in your organization were distinct and independent companies?

Mr. Havemeyer. For a short time it is.

Senator Allen. And what difference does it make for the consumers in this country in a year, in your judgment?

Mr. Havemeyer. It has been in three years past three-eighths of a cent more on every pound they ate, as against doing business at a loss.

Senator Allen. And that would be about how much in round numbers?

Mr. Havemeyer. It is a large sum in the aggregate.

Senator Allen. How many millions?

Mr. Havemeyer. I should say it was close to $25,000,000 in three years.

Senator Allen. And you intend to keep your hold upon the American people as long as you can?

Mr. Havemeyer. As long as the McKinley bill is there we will exact that profit.

Senator Allen. Is that the result of the McKinley bills?

Mr. Havemeyer. We should not have achieved it without the McKinley bill; but a great deal of the profit is due to these men in consequence of combining the different interests and the skill and labor attending it.[11]

The spirit of the builders of big business, in an extreme form, is manifested by a letter from the president of one of the railroads controlling the anthracite mines. It was written at the time of the coal strike of 1902 in reply to a letter pleading that, as a Christian, the railroad president should grant a concession to the strikers, end the strike, and thereby earn the blessing of God and the thanks of the nation.

I have your letter of the 16th instant.

I do not know who you are. I see that you are a religious man; but you are evidently biased in favor of the right of the working man to control a business in which he has no other interest than to secure fair wages for the work he does.

[11] Senate Report No. 606, 53rd Congress, 2nd Session (1894), pp. 337-338.

I beg of you not to be discouraged. The rights and interests of the laboring man will be protected and cared for—not by the labor agitators, but by the Christian men to whom God in His infinite wisdom has given the control of the property interests of the country, and upon the successful management of which so much depends.

Do not be discouraged. Pray earnestly that right may triumph, always remembering that the Lord God Omnipotent still reigns, and that His reign is one of law and order, and not of violence and crime.[12]

The "divine right" theory of industrial power has gradually been displaced; at least, it has been removed from public display. The public-relations expert has advanced to a position of importance in corporate enterprise and it has been his job to paint a different picture for the public: a picture of corporate benevolence, a picture identifying the general welfare with business welfare. Assiduous cultivation of public opinion has been for the purpose of building up a reserve of good will that can be drawn on when legislative proposals injurious to the interests of business come up for consideration. The public utilities were one of the first industries to see the advisability of educating public opinion as a form of insurance against extensive governmental intervention in response to demands from sections of the public affected by corporate policy. President Vail, of the Bell System, in 1913 expressed the new viewpoint:

All industrials, particularly utilities, are face to face with problems, the solution of which will largely determine the future of the business; they are, in the last resort, subject to a control and regulation far stronger than that exercised by commissions or by legislators, that influence and power that makes and unmakes legislators and judges; the influence and power of public desire and public selfishness, which if not regulated or controlled will lead to chaos and disaster. The only regulation or control for this is that common sense which, directed by education and observation, and rightfully administered and regulated, will conserve the interests of all.[13]

The utilities, because they occupied a peculiar position in the law as corporations operating businesses clothed with a public interest and subject to public regulation, apparently led off in the campaign to mold public attitudes.[14] Then came the World War with its

[12] Quoted by George S. Counts, *The Prospects of American Democracy*, p. 61.

[13] N. E. Long, "Public Relations Policies of the Bell System," *Public Opinion Quarterly*, October, 1937, p. 18.

[14] For further discussion of the methods of the utilities in this sphere, see below, pp. 232-239.

impressive demonstration of what could be done with public opinion through skillful propaganda, and industry more generally undertook to create a favorable context of public attitudes within which to operate. Every conceivable medium through which the public might be reached was utilized. Corporate officials came to be publicized to dramatize the work of business; their views were expressed on all sorts of public questions. Henry Ford, for example, became one of the major public oracles. Through advertisements on a country-wide scale with only a slight function in the attraction of patronage, attempts were made to mold public attitudes. Advertisements were used to tell of the scientific achievements of industrial laboratories, of the heroic work of public-utility maintenance men in time of disaster, of the long service that particular families have given to companies, of the great contributions of this or that corporation to scores of communities, of the services of the sugar-refining industry to farmers and laborers, of the remarkable facilities provided by the corporation in its company towns, of the achievements of industry, and of the "American way." Examination of almost any periodical, postwar or current, will furnish examples of advertisements that appear to be designed, not primarily to sell goods, but to create a favorable public attitude toward industry, either in general or regarding particular industries or situations.[15] The press, by this time a big business in its own right, could be depended on to propagate sound doctrines. Although business associations, institutes, and individual large corporations came to carry on well-planned campaigns of popular education, business was also the beneficiary of unplanned and unsought adulation. Every successful regime attracts its courtiers.

As industrial power grew and the conscious policy of manipulating public attitudes to retain that power came to be adopted, big businessmen underwent a curious metamorphosis. They came to act like politicians; or, as they termed it, they became industrial statesmen. Like politicians, they became sensitive to public criticism. Like politicians, they planned their major policies and decisions with a

[15] Advertisements directed toward the general public by concerns manufacturing and dealing only in materials used by processors probably have no objective save the generation of good will toward industry. Take, for example, a full-page advertisement by the Bethlehem Steel Company in *Harpers* for January, 1940. It consists of a charming little essay about Mr. Pepys and his refrain, "and so to bed." After several paragraphs about the beds of Mr. Pepys' time the copy-writer edged in a sentence about the company's manufacture of spring wire used in the manufacture of modern bed springs.

sharp eye on the anticipated public reaction. And, like politicians, their decisions have come to be influenced, within limits, by the anticipated public reaction. The doctrine that corporate office is a public trust came to be promulgated; and to it lip service, at least, was paid.

Business does not limit itself to propaganda to develop a generally favorable public opinion, but that favorable opinion is a foundation on which campaigns to achieve particular objectives can be built. Only a few specific types of legislation and administration in which business or parts of the business community have been concerned can be mentioned in this discussion, but samples of the more important types of questions may be sketched in brief. The administration of the Sherman Act of 1890, which makes illegal combinations in restraint of trade in interstate commerce, has been a matter of interest to business, especially those concerns that felt themselves susceptible to prosecution under the act. The tactics against the Sherman Act have been, not to seek repeal, but to make it impossible to administer the act effectively.

A lax enforcement of the law permits increasing concentration of corporate control as well as combinations restraining trade. "It is a well known fact," said the Attorney General in 1938, "that the antitrust laws have been ineffective in preventing combinations in restraint of trade. There is probably no community, small or large, in America today, and no industry, which does not furnish some instances of such combinations." He explains the reasons: ". . . the disproportion between the magnitude of the task of administration and the size of the available staff throughout the history of the antitrust laws has been little short of staggering. . . . From 1914 to 1923, during which our system of mass production and vast corporate enterprise may almost be said to have become of age, the average number of attorneys in the Antitrust Division was only eighteen. With such a personnel, regardless of what the formula of the law might have been, no practical results were possible." [16] During Franklin D. Roosevelt's second term increases in staff were made, but the staff remains far from adequate. It must be remembered that prosecutions for antitrust violation do not try themselves. Extensive investigations of documents, records, and economic data must be carried on in advance of trial; witnesses must be interviewed and cases prepared for trial.

[16] *Report of the Attorney General*, 1938, pp. 57-58.

Thus the practical nullification of the Sherman Act was accomplished by simple failure to provide adequate personnel to enforce it. How was this brought about? Primarily through the election of Presidents and Congressmen with no deep-seated desire to enforce the act; and it must be remembered campaign funds come in considerable part from big businessmen. It needs also to be observed that the Sherman Act was made more palatable to business by judicial interpretation. The Supreme Court held that the act was intended to apply, not to all combinations in restraint of trade, but only to those that restrained trade unreasonably. The enunciation of the "rule of reason" pulled the teeth of the act. This particular decision also serves to illustrate the role which the Supreme Court has repeatedly played respecting business. Organized business resists, through a propaganda campaign, the passage of a bill to regulate some phase of its activity. By energetic work the bill may be blocked in one house of Congress, if not in both. Perhaps, if it passes both houses, it may be vetoed by the President. Or the party in power may be induced to place in charge of the application of the legislation, men of little capacity or enthusiasm for the principle of the act. As a final resort, the Supreme Court may be appealed to either to hold the act unconstitutional or to narrow its application. If it is remembered that the interpretation of the Sherman Act is only one of many cases in which the Court has acted to defend business, it may readily be understood why business is a strong defender of the Court.

In his first Presidential campaign Woodrow Wilson made an especial appeal to the small businessmen by his doctrine of the "New Freedom"—the New Deal of the day. He sought to restrict the methods of competition by large firms to prevent the stifling of competition and the extinction of smaller enterprises. He said: [17]

> Our purpose is the restoration of freedom. . . . We design that the limitations on private enterprise shall be removed so that the next generation of youngsters, as they come along, will not have to become proteges of benevolent trusts, but will be free to go about making their lives what they will; so that we shall taste again the full cup, not of charity, but of liberty,—the only wine that ever refreshed and renewed the spirit of a people.

In 1914, in execution of Democratic campaign pledges, Congress passed the Federal Trade Commission Act and the Clayton Act. There had long been a sentiment that the enforcement of the anti-

[17] *The New Freedom* (Garden City: Doubleday, Page and Co., 1913), p. 222.

monopoly legislation through judicial procedures was inadequate; the Federal Trade Commission was created to prevent "unfair methods of competition" in interstate commerce. The commission was also directed to conduct investigations into trade practices and to make public the results; a reflection of the faith of the time that abuses might be prevented by publicity. The Clayton Act, to be enforced by the commission, prohibited certain specific practices, such as price discrimination, the effect of which might be to create monopoly, "tying contracts," holding companies with the effect of creating a monopoly or lessening competition, and certain types of interlocking directorates.

The administration of the law by the Federal Trade Commission has gone through a development not unlike that of the Sherman Act. Business lost no opportunity to try to bring about the appointment of members of the commission favorably disposed to business. When this failed, the courts were always in reserve. A competent student of the commission concludes: [18]

> The attempt to broaden the older conceptions of "unfair methods of competition" met with failure at the hands of judges. In like manner the Commission's powers of investigation were hampered. The attempts to collect and publish continuous data concerning the functioning of a number of important industries was frustrated. Attempts to secure a picture of the operation of industries on the basis of first hand business records met with little better fate. Attempts to disclose violations of the antitrust laws were often delayed interminably and sometimes stifled completely.

In recent years considerable progress has been made toward a more energetic administration of the Federal Trade Commission.

Industry was seen at its worst in the fight against the enactment of the Public Utility Holding Company Act of 1935. A series of investigations had revealed numerous abuses in connection with the operation of utility holding companies, and the losses suffered by thousands of investors in what proved to be worthless stock set the stage for the campaign for the bill. Although there were many variations on the main theme, the principal type of abuse in connection with the holding company was the acquisition of control of a number of operating companies by a single holding company. Through the exercise of this control, the holding company proceeded to milk the subordinate operating companies of funds that otherwise could have

[18] T. C. Blaisdell, Jr., *The Federal Trade Commission* (New York: Columbia University Press, 1932), p. 284.

gone into dividends to stockholders of the operating companies or into reductions in rates to consumers. An investment of $23,000 in one holding company, for example, controlled over a billion dollars worth of assets.[19] By exorbitant charges to the subordinate operating companies for management and other services, the cream was drawn off to the holding company or was divided among those controlling the holding company.

In the unsuccessful fight against the bill to regulate and break up certain types of holding companies, the lead was taken by the Committee of Utility Executives. The committee spent over $150,000 in its agitation against the bill. Among its expenditures was an item of $5,000 a month to the firm of Ivy Lee & T. J. Rose, public-relations counselors. Conducting an independent campaign was the Associated Gas & Electric Company, a concern looked down on even by other utility companies. Associated spent in the neighborhood of $800,000 to create sentiment against the bill. The movement against the legislation was characterized by a campaign calculated to instill fear and panic in the minds of investors. For the purpose of translating this fear into effective political pressure, a barrage of telegrams was aimed at Congress. The workers throughout the country soliciting telegrams—the utility companies paid the tolls—let their enthusiasm run away with them and began to sign to the messages names selected at random from city directories. The revelation of these practices by a special investigating committee headed by Senator Hugo Black took much of the wind out of the utility sails, but even then it required powerful persuasion by the White House to push the bill through Congress.[20]

Not infrequently when regulatory legislation is proposed, the wiser leaders of the industry will support a moderate amount of regulation to eliminate abuses and forestall more serious regulation, as well as to appease public opinion. But the fight against the holding-company bill was a battle to the bitter end by men defending an untenable position. Joseph P. Tumulty, once secretary to Woodrow Wilson and retained for the duration of the fight by one of the holding companies, advised his client: [21]

[19] Hearings before the Senate Committee on Interstate Commerce on S. 1725, 74th Congress, 1st Session (1935).

[20] For material on the lobbying campaign, see Hearings before a Senate Special Committee to Investigate Lobbying Activities Pursuant to S. Res. 165, 74th Congress, 1st Session. For a summary of the testimony, see K. G. Crawford, *The Pressure Boys* (New York: Messner, 1939), chap. 4.

[21] Hearings, as cited, Part 2, p. 868.

Frankly, I sometimes wonder at the lack of political judgment of some of the leaders of the utility world. It is obvious to the smallest mind in Washington that the utility business is in for readjustment. The wisest man in this business will recognize this and, if he has vision, will conduct himself accordingly. No man connected with the utilities business will lose sight of the fact that it is a quasi-public one. In this situation it is, therefore, foolish to approach the President with grand proclamations without first proving to him that, in good faith, the Augean Stables are being cleaned. Surely, your friend's poor sense of Washington psychology has made him appear like a babe-in-the-woods. Knowing you and believing that in the conduct of your company you have shown statesmanlike vision, I plead with you to try to bring that vision more and more into play lest the harassment from which you suffer may grow more serious with the passing days.

The legislation thus far mentioned has had as its principal objective the limitation of monopoly and semimonopolistic power. Another general type of legislation that business organizations usually oppose with all the resources at their disposal is legislation designed, not to limit monopoly power, but to regulate the way in which business is done in order to protect the consumer. An example of this type of legislation is furnished by the Food, Drug, and Cosmetic Act of 1938. The legislative history of this act began in 1933 when the late Senator Copeland of New York introduced a bill to revise, extend, and strengthen the Pure Food and Drug Act of 1906. The tactics used against the bill were not markedly different from the methods used against other legislation, but they illustrate in further detail the relationship of organized groups to legislation. At a meeting in Chicago the United Medicine Manufacturers adopted a seventeen-point program for their campaign against the measure: [22]

1. Increase the membership of the association at once to present a united front in combating the measure.

(One argument which the leaders of pressure groups employ in recruiting members is that the association serves to protect the group against injurious legislation. At times of legislative danger membership campaigns are often inaugurated to strengthen the society. It needs probably to be said that the practice is the same whether a municipal reform society or a group of industrial racketeers is involved.)

[22] Hearings Before a Subcommittee of the House Committee on Interstate and Foreign Commerce on H. R. 6906, H. R. 8805, H. R. 8941, and S. 5, 74th Congress, 1st Session (1935), pp. 692-693.

2. Secure cooperation of newspapers in spreading favorable publicity, particularly papers now carrying advertising for members of the association.

(This technique is employed by all groups seeking to influence legislation, but with varying degrees of success. The patent-medicine makers were in a good position to obtain favorable publicity because of their advertising. The vice-president of the Institute of Medicine Manufacturers sent letters to a long list of newspapers, magazines, and radio broadcasting companies soliciting their aid in opposing the legislation. In almost any lobbying campaign the battle is likely to be waged more largely in the press than in the representative body; consequently, groups seeking and opposing legislation use all the means at their command to obtain a "good" press in order that public attitudes may be molded in the desired fashion.) [23]

3. Enlisting all manufacturers and wholesalers, including those allied to the trade, and inducing them to place the facts before their customers through salesmen, and in all other possible ways, to secure their cooperative aid.

4. Secure the pledge of manufacturers, wholesalers, advertising agencies, and all other interested affiliates to address letters to Senators to secure their promise to vote against the measure.

5. Line up other organizations, such as Drug Institute, Proprietary Association, National Association of Retail Druggists, and others to make a mass attack on the bill.

(In lobbying activities the belief seems to exist that the larger the number of persons and organizations that can be brought to appear and testify against a bill the greater will be the impression made on Congress. And, incidentally, the more witnesses against a bill, the greater will be the newspaper space devoted to the cause.

[23] Some of the manufacturers in dealing with the press got down to earth. The president of the Creomulsion Company, Inc., addressed a letter to editors of country newspapers: "You are about to lose a substantial amount of advertising revenue from foods, cosmetics, and drug manufacturers. Your pocketbook is about to be filched, and you will see how if you personally study or have your lawyer study for you the enclosed copy of the Tugwell bill. . . . From a profit standpoint you will quickly see how you will be affected by this bill if it becomes law. . . . We ask you to take an active, aggressive stand against this bill, not as a matter of cooperation to us or other advertisers, but for your own business interests and the best interests of your community. . . . If this bill should become law, we will be forced to cancel immediately every line of Creomulsion advertising."—Hearings before a Subcommittee of the House Committee on Interstate and Foreign Commerce on H. R. 6906, H. R. 8805, H. R. 8941, and S. 5, 74th Congress, 1st Session (1935), p. 680.

Appearing against the drug bill were the following, among others: National Drug Trade Conference, the National Association of Retail Druggists, American Drug Manufacturers Association, Drug Institute of America, Proprietary Association, Institute of Medicine Manufacturers, United Medicine Manufacturers of America, Advertising Federation of America, American Association of Advertising Agencies, National Publishers Association, American Newspaper Publishers Association, National Association of Broadcasters, Associated Grocery Manufacturers of America, American Pharmaceutical Manufacturers Association, National Association of Manufacturers of Dog Food.) [24]

6. Appointment by the president of a committee to work in conjunction with Attorney Clinton Robb.

7. Cooperation of every member in forwarding to headquarters newspaper clippings and all available data as basis for bulletins and favorable publicity.

8. Cooperation of every member in doing missionary work in home districts to arouse public to the dangers of the legislation proposed.

(To turn compelling pressure on legislators, every association of any consequence attempts to use its members in the home districts of each Congressman. The assumption is that if leading citizens from the home city descend on Washington and see their Congressman, a man with whom they play golf and poker and whom they perhaps call "Joe," the day may be saved.) [25]

[24] To illustrate further the effort to bring related associations into legislative alliances, the following statement by the general manager of the Association of Life Insurance Presidents may be quoted: "When the Wheeler-Rayburn bill was pending affecting the utilities, we were importuned—our association was importuned—to take part in it on the theory that it would affect the securities of our companies. As a matter of fact, the utilities securities for our companies are the underlying operating companies, and we took no part in that, even though it might in some instances have affected us, because we felt that was out of our field."—Temporary National Economic Committee, Hearings, Part 10, p. 4441.

[25] Concerning the work of the Association of Railway Executives the following report covering a meeting of the Law Committee of the association in 1934 is of interest: "Judge Fletcher contemplates asking the executives to approve a plan of selecting a number of railroad men who have extensive personal acquaintance with members of this Congress to be assigned to the work of following the progress of the various bills. . . . In his judgment, the effective work in opposition to bills harmful to railroads can only be done through personal interviews with Congressmen conducted by men personally acquainted with the Congressmen they interview, and for whom the interviewed Congressmen would have a feeling of respect and confidence."—Hearings before a Subcommittee of the Senate Committee on Interstate Commerce, pursuant to S. Res. 71, 75th Congress, 2nd Session (1940), Part 23, p. 10,087.

9. Carrying to the public by every means available, radio, newspaper, mail and personal contact, the alarming fact that if the bill is adopted, the public will be deprived of the right of self-diagnosis and self-medication, and would be compelled to secure a physician's prescription for many simple needs.

10. Arrange for conferences between association committee and representatives of all other trade associations interested.

11. Enlist the help of carton, tube, bottle, and box manufacturers.

(Every pressure group attempts in its campaigns to bring into alliance with it related groups. The medical interests had a sanction to bring their suppliers into line politically. The implied threat was: "If you do not help in fighting this bill, we shall purchase our bottles elsewhere." Another example illustrates the technique further: In the fight against prohibition the brewers threatened, and with some success carried out, a boycott against a great pickle manufacturer who was a prohibitionist. Saloons could procure their pickles elsewhere.) [26]

12. Defeat the use of ridicule by American Medical Association, proponents of the measure, by replying with ridicule.

13. Convince newspapers of justness of cause and educate public to to same effect.

14. Setting up publicity department for dissemination of information.

(An interesting propaganda technique employed by the opponents of the bill was their insistence on calling the bill the "Tugwell bill." Tugwell was Undersecretary of Agriculture but not the author of the bill. At the time a nation-wide campaign of newspaper criticism against Tugwell was under way. To call the proposal the "Tugwell bill" was a means of directing toward the measure all the animosity on other grounds against Tugwell, a "brain truster.")

15. Enlisting aid of better business bureau in various cities.

16. Direct and constant contact with situation at Washington under leadership of Attorney Robb.

[26] In a letter to the members of his association, the president of the National Association of Manufacturers with reference to the Wagner labor relations bill pending in 1935 said:

"We suggest that you consider the following steps:

"1. Advising your suppliers and dealers of the importance of this bill to your company. (A special letter on this has been sent to a few companies, so it is possible that this letter may be a duplication on this particular point.)"—Senate Report No. 6, Part 6, 76th Congress, 1st Session, p. 103.

17. Pledge of 100 per cent cooperation on part of every member of the association present for continued and unremitting activity in every possible direction to defeat measure.

The resistance to the passage of the legislation resulted in a substantial weakening of the original stringent proposals. Probably more influential in the final outcome than the food, drug, and cosmetic manufacturers were publishers who were to be affected by control over advertising of these products. Systematic and continual propaganda both in the news and editorial columns was designed to persuade the public that the bill was a calculated attack on the capitalistic system, a step toward regimentation, an attack on the freedom of press, a move toward dictatorship, an infringement on liberty, and so on.

From the foregoing discussion of business and regulatory legislation, there emerges by inference important conclusions on the functions of political parties in the process of politics. It has already been said that as a general rule one of the functions of the political process is the resolution of differences between conflicting interests in society. That type of issue is plainly seen when two cohesive interests clash head on and politicians must attempt an accommodation. When organized labor, for example, demanded the passage of workmen's compensation legislation and organized employers resisted, a clear issue was presented. In the analysis of business and legislation, however, a different sort of pattern is present. Organized business resisted the Public Utility Holding Company Act and the Food, Drug, and Cosmetic Act, but no cohesive organization of persons who would benefit by the legislation was on the scene. The investors who had been mulcted by holding-company promoters did not form societies with imposing titles and put on nation-wide campaigns of advertising; nor did they hire top-flight legal firms to speak for them before congressional committees. People who had been induced to purchase nostrums, extravagantly advertised in patently false and misleading fashion, did not send telegrams to Congress by the thousands asking that the bill be passed. Nor did they threaten to boycott their corner grocer if he did not exert his influence to aid in the passage of the measure. Hundreds of thousands, perhaps millions, of persons, had a direct interest in the bills discussed, yet they were not organized in such a way as to express that interest effectively. True, a few organizations lobbied for the bills, but most of them were feeble indeed in comparison with the business organizations aligned in opposition.

How is the interest of the great mass of unorganized citizenry represented? For the Public Utility Holding Company Act and the Food, Drug, and Cosmetic Act, a loose alliance of Congressmen, the President, and officials of Federal administrative agencies carried on the fight. The politicians, in other words, represented the interests of the inarticulate masses. Politicians and political parties, to be sure, do not always speak for those interests, but when those interests have a voice at all it is likely to be the voice of a politician. And how does this happen? He who would insist that all political activity is selfishly motivated could point out that party leaders live by votes. Through the fostering of legislation appealing to the unorganized masses, votes may at times be obtained, although the "people" are so easily fooled and so difficult to arouse that the politician cannot always align his cause with theirs. Similarly, Federal administrative officers desire to increase their power, to have more employees under their supervision, and to play a more important role; hence they fight for such legislation. Such an extreme interpretation of motivation is far fetched; sometimes it would apply and sometimes not; there is, after all, a certain amount of human decency which has something to do with the political process.

It need not be concluded that politicians are the only carriers of the burden of the public interest. Not infrequently the public interest may be coincidental with that of a pressure group. If the public interest demands competition, for example, those businesses which are threatened by monopolistic tendencies and demand stronger enforcement of the antitrust laws are attempting to advance the public interest. Indeed, almost every pressure group attempts to make it appear that its cause is that of the public; thereby it hopes to attract widespread support to its cause, as well as to provide a strong moral basis for its contentions.[27]

[27] A specific example may clothe the general remarks with greater meaning. In 1940 a bill was pending before Congress concerning quotas for the importation of sugar refined in the tropics. The eastern seaboard sugar refiners naturally desired that raw sugar be imported to be refined here and that subsidies to beet growers not be increased so as to throw refining business to western refiners. In Baltimore to carry on the campaign there was organized the "Non-Partisan Committee for the Defense of Baltimore's Cane Sugar Refining Industry." The address of the committee was the same as that of the American Sugar Refining Company. The committee presented to Congress resolutions in support of its position by the Maryland Federation of Women's Clubs; the Baltimore branch of the American Home-Makers Association; the Baltimore chapter of Women of the Moose; a Baltimore lodge of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes; the Monumental Lodge

From what has been said about organized business and legislation it may be inferred that the role of business has been principally to oppose legislative proposals thought to be inimical to its interests. And probably business has been more concerned with opposing than in proposing legislation. The reason for this is simple. The great economic revolution in which business took the place of agriculture as the dominant factor in economic life profoundly altered the old order, but the old order could be altered outside the framework of government in the main. Business could take care of itself; it was others, injured by the power of business, that sought legislation to control business. It needs perhaps to be noted that the structure of government (and perhaps the nature of human behavior) is such that business in its role of obstructor of legislation has enjoyed an advantageous strategic position. It is much easier for a minority (and those immediately concerned with proposed legislation are nearly always a minority) to block legislation than for an equally powerful minority to bring about its passage. The burden of the proof is on those who seek to change the prevailing order, and the steps in the legislative procedure at which bills may be quietly buried are numerous. If defeated at one point, the defenders may withdraw to the next line of defense, and to the next and the next.

Yet certain types of business organizations seek positive legislation. Manufacturing industry has been anxious to obtain tariff favors, and during most of the time since the Civil War, manufacturing has been able to write its own tariff acts. The tariff is an indirect kind of subsidy to business; other businesses seek subsidies directly from the treasury. One of the more important of such groups is the shipping industry which claims that it cannot compete with foreign shipping, often subsidized, without Government subsidy.[28] An important lobby consists of contractors, building-material makers, and allied groups interested in government outlays for public works. In the states, because of the great importance of highway construction, the highway lobby is often one of the more powerful pressure groups.

Business associations usually make themselves felt on questions of tax legislation. The object is to keep governmental expenditures down; if failure is met in that course, the object is to shift the tax burden to someone else. The following testimony by Joseph R.

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of the Brotherhood of Railway Clerks; the Funeral Directors Association of Maryland; Maryland Dental Society; and others.

[28] For an account of pressure for shipping subsidies, see Paul M. Zeis, *American Shipping Policy* (Princeton: Princeton University Press, 1938).

Grundy, of the Pennsylvania Manufacturers Association, illustrates the nature of business interest in taxation: [29]

Senator King. Why were you so anxious to have a governor that would be, I will not say your creature, but your friend?

Mr. Grundy. I have always, in the first place, been a very great admirer of Mr. Fisher, who I think is probably the best equipped man in Pennsylvania for governor.

Then again, I felt that a governor who was sympathetic with the economic views of the Mellon people would conduct the public affairs of Pennsylvania in a way that would be creditable to the State and would conserve the resources of the State and pursue a policy of encouraging industrial development in Pennsylvania, which has made us the outstanding industrial State of this country that we are at this time.

. . . . . .

The Chairman. . . . Do you regard the expenditure of any such sum of money as that justifiable in a primary campaign for offices the aggregate salaries of which would not amount to more than probably $25,000 a year?

Mr. Grundy. Well, Senator, my answer to that would be that I do not think that salaries have got anything to do with it. I have always felt that the issues involved in the campaign were the fundamental thing, and that the candidates, or whatever might go with the candidates, were what you might call an accessory after the fact.

. . . . . .

The Chairman. What particular state policies outside of the question of the wet and dry issue, which we have been told was not very much emphasized by Mr. Fisher, did these two gentlemen differ on? What else was the one an advocate of that the other was opposing?

Mr. Grundy. The question of State taxation was primarily what interested us—what interested me.

The Chairman. What was the question of state taxation?

Mr. Grundy. In the first instance, we have always felt—in the first instance, Pennsylvania years ago adopted the policy of exempting industries from State taxation. The capital involved in the manufacturing industries was exempted from State taxation in order to encourage industries in the State.

. . . . . .

Mr. Grundy. Yes, but we felt that if that tax (on anthracite coal) was repealed, and then of necessity a tax put on the capital stock of manufacturing corporations, it would not only reverse a settled policy which we felt had been largely responsible for the development of industry in

[29] Hearings before the Senate Committee on Campaign Expenditures, pursuant to S. Res. 195, 69th Congress, 2nd Session (1926), Part I, pp. 238-244.

Pennsylvania, but it would create an atmosphere which would discourage industries from either developing in Pennsylvania or coming to us as in competition with other States.

Business has in general stood for state power and against national power. The reason for this constitutional position is easy to see. In many instances legislation regulatory of business can be effective only if it is national in application. To stand for a narrow construction of national power, as business has usually done, is to stand against effective governmental action in situations requiring national action. But there is a further reason for the position of business on the division of power between the national government and the states. The relations of business with state and local machines have been so intimate that business could block much legislation in the sphere of state power or at least prevent its effective administration. A curious characteristic of the Federal system seems to be that entrenched interests can better protect themselves in dealings with state legislatures than with Congress.

Businessmen possess great stores of liquid wealth and are the most important contributors to campaign funds. The financing of political parties in large measure by manufacturers, financiers, and traders places the party leaders in a position in which they must hear, if not always heed, the wishes of business leaders. In national politics the greater portion of business campaign contributions have gone to the Republican Party, but in state politics business has varied its political contributions with the color of the dominant party. In dominantly Democratic states business tends to be Democratic; in Republican states, it is Republican.[30] The fact that the persons who reach prominence in Congress come up through the hierarchy of the state political organizations makes for strong support of business in national politics in both parties. Furthermore, business is often in a position to punish as well as to reward. Congressmen hostile to the interests of business may find themselves opposed for nomination or for election by candidates strongly backed and financed by business.[31]

[30] The following testimony by a former president of the New York, New Haven & Hartford Railroad Company is of interest:

"Mr. Folk. The New Haven Railroad was not very partisan, anyway, was it? It was Republican in Republican States and Democratic in Democratic States, and it endeavored to get near those having power and influence, no matter what their politics might be, is not that the case?

"Mr. Mellen. We always liked to get under the best umbrella in case of a storm."—Senate Document No. 543, 63rd Congress, 2nd Session, Evidence taken by the Interstate Commerce Commission, p. 940.

[31] For a full discussion of party finance, see below, chap. 15.

ORGANS OF BUSINESS

The number and variety of business organizations and associations are great, a condition that reflects the multiplicity of types of business enterprises. Some of these associations attempt to speak for the business community as a whole, such as the Chamber of Commerce of the United States in national affairs and state and local chambers of commerce in their respective spheres; others are of homogeneous industrial membership, such as the Asphalt Institute. Most of the organizations are designed for permanent operation, such as the National Association of Manufacturers. Often associations or groups are formed *ad hoc*, to oppose or to support a single legislative proposal. Public education and political activity are not the only objectives of most business associations. Some trade associations appear to have been formed solely for the purpose of fixing prices or of limiting competition in one way or another. Others perform research for the industry as a whole, such as the National Canners' Association. Most of the associations serve as channels for the interchange of technical information, for the discussion of problems common to all members of the industry, and for other like purposes. Nearly all business associations, however, have, at least incidentally, the function of representing the industry before legislative committees and other public authorities when public action is desired or when public action impinges or threatens to impinge unfavorably on the membership of the association.

The largest and most conspicuous spokesman for business is the Chamber of Commerce of the United States. It is essentially a federation of other business organizations—state and local chambers of commerce, trade associations, and societies of businessmen not organized for private purposes—1,680 in all. The Chamber thus consists of a cross section of all types of American business with widely diverse interests. This varied composition of the organization is responsible for the types of views expressed by the Chamber. It speaks with great forthrightness and explicitness chiefly on those few issues on which business as a whole has a common interest and a common view. On other issues it often takes a vague and general position not at all unlike many planks in party platforms. On some issues it does not speak at all. The generalities, like the planks of party platforms, represent an effort to find a formula on which all concerned can agree. In the Chamber's official pronouncements there is something of a tendency toward statesmanship—that is, a consideration of

the interest of the nation as a whole—in sharp contrast with the attitudes of narrower business organizations designed to promote the interests of a compact and homogeneous industrial group.

The resolutions of the Chamber's 1939 annual meeting illustrate the foregoing remarks. Action by Congress "to stimulate the free flow of capital into investments" was requested. The "laws regulating the issuance of private securities," it was said, should be modified but "without removal of essential safeguards for investors." Respecting the railroads the Chamber approved legislative proposals, such as the "avoidance of political rate-making." The attention given to a specific industry presumably reflected the strength of railroads within the Chamber. By 1939 the Chamber was willing to endorse "the principle of federal financial assistance in necessary relief expenditures," but certain changes in existing practice were recommended. One of these proposals was that the Works Projects Administration carry out its operations through contracts with private contractors, another instance in which it may be presumed that a specific group within the Chamber was able to obtain commitment of the entire organization to its cause. "Agriculture's well-being," it was resolved, "is essential to the public welfare." The Chamber asserted: "We believe in the maintenance of a balance between agriculture, industry and labor, in a parity of income between the groups, in a concerted attack on recovery problems, and in expansion of the national income." Yet the Chamber disapproved, by inference, the methods employed by the Government in dealing with agriculture: "Liberties of the American farmer should not be curtailed as a result of any program." But it was willing to admit that "freedom to organize and to seek sound solutions through democratic process in an organized way is an essential of any program."

Regarding labor, the Chamber advocated that the National Labor Relations Act be "structurally amended" in such a fashion as, in the views of labor leaders, to emasculate the act.[32] The Wage-Hour Act, all businessmen seemed to agree, "should be repealed for the benefit of employers, employees, and the general public." The Chamber favored reduction of public expenditures, revision of taxation, and opposed "government competition" with business. In another quarter

[32] The sentiment of the membership was probably not so accurately reflected by the formal resolution as by the following comment in a report of the meeting in *Nation's Business*: "Delegates hurried through their coffee and dessert at the Wednesday luncheon to consider what can be done about the Wagner Act, now almost universally regarded in business circles as the most oppressive law affecting industry ever to spring from the mind and emotions of an American legislator."

the Chamber favored energetic action by Government in the promotion of forestry. In the natural-resources industries it favored legislation "providing special facilities for curtailment of production" but only "when the public interest makes this desirable." [33]

The annual meetings of the Chamber serve as sounding boards for the views of business, but its work is not limited to its annual meetings. It maintains a staff at its headquarters in Washington to conduct research and to make known the views of organized business to Congress and to administrative agencies. Its committees analyze issues as they arise and disseminate information to the membership and to the interested public outside. Its publicity staff prepares for release to the daily press and to specialized journals news about and views of the Chamber. Its official organ, *Nation's Business*, presents the Chamber's views to the membership and to the public. During congressional sessions its staff follows closely the work of Congress and keeps the membership informed on legislative developments relevant to their interests.[34]

An interesting adaptation of the referendum has been used by the Chamber to ascertain the sentiment of its membership on issues "national in character, timely in importance, and general in application to business and industry." When the Chamber's board of directors determines to submit such an issue to the membership for a vote, it refers the matter to a special committee for study and recommendations. The ballot and recommendations of the committee, together with a statement presenting the arguments against the views of the special committee, are transmitted to the members. It will be remembered that the members of the Chamber are organizations, such as local chambers of commerce, and not individuals. Each member organization may cast as many votes on a referred question as it is entitled to delegates at the annual meeting of the Chamber. The casting of the votes of the member organization is determined in various ways: by special meetings, by a referendum of its members, by executive committees, by executive officers. The members voting

[33] *Nation's Business*, June, 1939. The Chamber issues pamphlets stating its views on public issues. For a complete statement see *Policies Advocated by the Chamber of Commerce of the United States* (Washington, 1940), or later editions.

[34] For a valuable analysis of the work of the Chamber, see H. L. Childs, *Labor and Capital in National Politics* (Columbus: Ohio State University Press, 1930). See also, R. J. Swenson, "The Chamber of Commerce and the New Deal," *The Annals of the American Academy of Political and Social Science*, 179 (1935), pp. 136-143.

usually approve the recommendations of the Chamber committees by large majorities. It is doubtful whether the referendum serves the creative function of facilitating participation in policy formulation by the membership, but the voting procedure, in a culture devoted to voting, undoubtedly lends greater moral authority to the legislative recommendations of the Chamber. The extent of the use of the referendum is indicated by the fact that the referendum on the National Labor Relations Act in 1940 was the seventy-fourth Chamber referendum.[35]

One of the most articulate organs of business is the National Association of Manufacturers, formed in 1895 for the purpose of promoting the cause of trade and commerce by aiding in the passage of legislation and by other means. Like the Chamber of Commerce, this association has a heterogeneous membership and must concentrate its attention only on those matters in which its membership has a common cause. But the N.A.M. has a much narrower membership than the Chamber and is consequently a more zealous and harder-hitting organization. Probably the greatest source of cohesion for the association is an antipathy for organized labor shared by all its membership.

During the period since 1932, when the question of the place of organized labor became much more prominent, the N.A.M. has been reorganized and reactivated. Prior to 1933 it had been led mainly by smaller manufacturers, but after that time larger corporations took over the leadership and, to a large degree, the financing of the organization and used it as a vehicle to fight legislative proposals favoring organized labor. The association's membership increased from 1,469 firms in 1933 to 2,912 in 1937, but during the same time a few large concerns came more and more to dominate its affairs. About 50 per cent of the association's income comes from about 250 companies.

Since 1934 the N.A.M. has devoted great effort to a campaign of "public education" aimed primarily toward the creation of attitudes hostile to the New Deal. The objective of the association's propaganda was explained in a resolution adopted in 1934:

> Public policies in our democracy are eventually a reflection of public opinion. If we are to avoid disaster, it is essential that this public opinion be informed and able to discriminate between the sound and the unsound; between the true and the untrue or the half true. Today, the

[35] For an analysis of the referendum procedure, see Childs, *op. cit.*, pp. 160-171.

achievements of a hundred and fifty years and continued progress in the future are in serious jeopardy because the facts concerning past accomplishments and how they have been attained are being ignored or distorted.

For the purpose of taking the truth to the American public, a national industrial information committee and subsidiary state and local committees were formed, and money was raised to pay the cost. For the public information work of the N.A.M. alone the following sums were received:

1934	$ 36,500.00
1935	112,659.58
1936	467,759.98
1937	793,043.06

A major objective of the propaganda was to create antilabor sentiment, especially against the C.I.O. The necessity for public education was stated in an association document:

> Now, more than ever before, strikes are being won or lost in the newspapers and over the radio. The swing of public opinion has always been a major factor in labor disputes, but with the settlement of strikes being thrown more and more into the laps of public officials, the question of public opinion becomes of greater importance. For it is public opinion—what the voters think—that moves those elected to action along one course or another.

The association used all the channels of education in an "effort to bring about a more sympathetic understanding of manufacturing industry by the American public." Newspapers were furnished releases explaining "industry's viewpoint"; through the newspapers a daily comic feature, "Uncle Abner Says," was distributed. Full-page advertisements were placed in the newspapers to promote "community harmony." To radio stations were furnished electrical transcriptions of "The American Family Robinson," a program "combining entertainment with simple facts about the American industrial system," according to a statement by the N.A.M. Motion pictures were prepared and offered to schools and other institutions. In many instances the persons subjected to the propaganda of the N.A.M. were unaware of the source. "The National Association of Manufacturers," the La Follette committee found, "has blanketed the country with a propaganda which in technique has relied upon indirection of meaning, and in presentation upon secrecy and deception. Radio speeches, public meetings, news, cartoons, editorials, advertising,

motion pictures and many other artifices of propaganda have not in most instances disclosed to the public their origin with the association." [36]

In its lobbying work the N.A.M. has generally been one of the most reactionary of business associations. One of the recent measures to which it offered strenuous opposition was the National Labor Relations Act. The methods of the association in combating this measure resembled the mine-run of lobbying techniques. One feature of their campaign that is difficult for the less-prosperous groups to use was the extensive reliance on visits by delegations of businessmen to Washington. The following letter by an executive of the N.A.M. to local employer associations describes the technique:

> Don't overlook the oft-repeated suggestion that the bringing of delegations to Washington is effective. One of the most representative groups of this character that has yet been brought down was engineered by Elmer Donnell of the Associated Industries of Missouri, who brought in a special train of 48 Missouri business leaders on Sunday, April 7, and held meetings with the Missouri delegation in Congress.
>
> The next 3 or 4 weeks are going to be propitious times for such visits to Washington and the N.A.M. will be glad to cooperate with you in any fashion in arranging such a visit.
>
> It would be a good idea if the executives of those associations who have conducted groups to Washington would write a letter to all the other State association executives telling just their experiences and the benefits that came out of this trip.
>
> The idea of holding the meetings in Washington on Sunday is a pretty good one, since the Members of the Senate and the House are not required to be on the floor that day, and it gives the delegation an opportunity to get them to a meeting.[37]

The Association of Life Insurance Presidents represents a type of business association concerned with only one type of business, in contrast with the broader membership and interests of the Chamber of Commerce. The association was formed in 1906 shortly after the revelations of the Armstrong Committee of the New York State Legislature respecting the lobbying activities of life insurance companies. One of the objectives of the association is "to consider carefully measures that may be introduced from time to time in legislative bodies, with a view to ascertaining and publicly presenting the

[36] Senate Report No. 6, Part 6, Report of the Committee on Education and Labor, pursuant to S. Res. 266, 76th Congress, 1st Session (1939), p. 218.
[37] *Ibid.*, p. 116.

grounds which may exist for opposing or advocating the proposed legislation." The policies of the association are arrived at by annual gatherings of the membership, and in the interim an executive committee makes detailed decisions. A staff of over 60 persons carries the burden of the work of the association in accordance with the decisions and instructions of the responsible leaders.

The association's legislative work is given an unusual character by the fact that insurance companies, although doing business throughout the nation, are subject to regulation by each of the forty-eight states rather than by the National Government. The association, then, must keep in touch with the course of legislative action in all the states. The ramifications of the life insurance business are so extensive that the companies may be affected by a wide range of measures concerned with such matters as regulation, taxation, real-estate law. The mere examination of bills to ascertain whether they are of concern to the insurance companies is a huge task. The numbers of bills examined by the staff of the association in the odd years when most state legislatures are in session have been:

1925	2,626
1927	3,045
1929	4,336
1931	5,739
1933	10,427
1935	10,876
1937	11,047

Not all these measures affected the companies seriously or even at all, but it was necessary to sift through all of them to identify the proposals impinging on the companies.

The methods employed by the association in presenting the point of view of the insurance business to state legislatures do not differ in any material aspect from the general run of lobbying. The association, however, has special facilities for making its wishes felt. Each of the larger companies has an elaborate agency organization reaching into almost every state. These nation-wide organizations are supplemented by the agency systems of companies operating in more limited areas. When the association desires pressure to be brought on a legislature, it gets in touch with the home offices of the companies, which in turn stimulate their local agents in the state concerned to make known to their representatives the attitudes of the insurance agents. Moreover, life insurance agents not infrequently become

members of legislatures and are in a position to aid the cause.[38] Careful and effective organization of insurance people in the state concerned under the leadership of the association brings the insurance views to bear in an effective way. The work of the association in watching legislation, organizing opposition, educating legislators, and employing local law firms to represent it before the legislature involves considerable outlay. The expenditures of the association for representation before legislatures and before other departments of government in recent years have been as follows:

1934	$29,158.72
1935	90,239.49
1936	27,846.65
1937	74,056.15
1938	23,501.41

These figures do not include any allowance for the time spent by agents of individual companies on legislative work; as the figures stand, the outlays by the association appear to be modest if the magnitude of the legislative task is kept in mind.

The types of legislative proposals in which the Association of Life Insurance Presidents is interested may be indicated by excerpts from a report to the membership by the general manager of the association on 1937 legislation:

Ten premium tax increase bills on foreign companies failed in 8 states—California, Colorado, Florida, Georgia, Minnesota, Nevada, Oklahoma, Washington. None enacted. Such proposals so far failed this year would have increased the annual tax by $3,300,000. . . .

Nine savings bank life insurance bills failed in 7 states—Colorado, Connecticut, Missouri, New York, Ohio, Pennsylvania, Rhode Island. None enacted.

Seven bills specifically to restrict policy loan interest failed in 5 states —4½% in Minnesota and New York; 4% in Colorado and Pennsylvania, and prohibition of any interest in California. None enacted.

[38] For example, in a report to the association on a legislative proposal for savings bank insurance in Rhode Island, it was said: "This Bill, I feel, is a serious one to life insurance interests and is taking considerable time. From all I can ascertain the following is the situation: The Bill still rests in the House Finance Committee. Fortunately a member of this Committee is Mr. Charles Brown, General Agent of the Columbian National and he naturally is opposed to the Bill. . . ."—Temporary National Economic Committee, Hearings, Part 10, p. 4804. A letter from a vice-president of the Phoenix Mutual Life Insurance Company to the association regarding a savings-bank insurance proposal in Connecticut in 1937 stated: "It so happens that one of our own agents is a member of the House banking committee."—*Ibid.*, p. 4813.

A large number of net- and gross-income and sales-tax measures broad enough to include insurance were proposed. Numerous inheritance, intangible, gift, stamp, capital-stock, mortgage- and municipal-tax bills, would have imposed additional taxes on life insurance.

A new Georgia law requires deposits by life insurance companies. In Alabama, Arkansas, Delaware, and Nebraska, proposals to require bonds or deposits in the state were unsuccessful.

Forty measures of interest from a mortgage loan viewpoint were enacted. Nearly half extend emergency laws permitting stays of foreclosures, extensions of redemption periods, or modifications of deficiency-judgment rights. . . .[39]

Only a few examples have been given of business organizations, of their methods in public relations, and of their legislative interests. Almost every special type of business is organized into an association for the purpose, among other things, of speaking for the business when it is affected or is likely to be affected by public action, legislative or administrative. The variety of organizations may be further illustrated by the following list: Aeronautical Chamber of Commerce of America, American Automobile Association, Investment Bankers Association of America, National Association of Book Publishers, United States Brewers Association, National Retail Dry Goods Association, National Association of Electrical Manufacturers, National Foreign Trade Council, National Association of Ice Industries, American Manganese Producers Association, National Association of Motor Bus Operators, American Road Builders Association, and The Sugar Institute. These are only a few of the national organizations; thousands of others on a state or local basis exist; and nearly all of them, at one time or another, make themselves felt in the political process.[40]

THE POLITICS OF ECONOMIC PLANNING

Condemnation of the activities of business concerns and associations in stimulating and obstructing action by legislative and administrative authorities has been a widely prevalent viewpoint. Undoubtedly industry has from time to time sought to influence public action

[39] For further information on the work of the association, see Temporary National Economic Committee, Hearings, 76th Congress, 1st Session, pursuant to Public Resolution No. 113, Part 10 (Washington: Government Printing Office, 1940).

[40] For a comprehensive study of trade-association activity, see Temporary National Economic Committee, *Trade Association Survey* (Washington: Government Printing Office, 1941).

toward policies positively inimical to the general interest, yet it certainly is not to be assumed without question that every legislative proposal affecting industry is in the public interest. Many regulatory schemes are unworkable; others are elaborated without adequate knowledge of the problem being dealt with; and, after all, as the businessmen say before lobby investigating committees, they are taxpayers and are entitled to present their views and their interests to public authorities. Beyond these matters, however are further considerations. The rise of great corporations, the growth of business associations, and the frequency with which industry comes into contact with public authority all point to fundamental and difficult problems of the organization of the American productive machinery and of the relationship of the economic system to politics and government.

If the student will draw on his economic learning at this point, he may be able better to comprehend the relationship of American industry to government and politics. The dominant economic doctrine in American thought has been that of *laissez faire*, which, in its original conception, represented an attitude toward the economic policy which government should pursue. The concern of Adam Smith was with *The Wealth of Nations*. How best could the wealth of the nation be increased? The earlier mercantilist doctrine had held that government should pursue what might now be called a policy of autarchy in order to increase the wealth of the nation. Mercantilism sought to produce necessities at home; it sought to import raw materials rather than finished goods; it encouraged a merchant marine as a means of carrying foreign trade as well as an auxiliary of the navy; it believed that a large supply of gold was necessary and, to maintain that supply, a "favorable" balance of trade was necessary. The achievement of the policies of mercantilism necessitated stringent government control over foreign trade, over domestic manufacture, and over entry into trades and businesses.

The laissez-faire thinkers advocated with success a new theory of how to increase the wealth of the nation. The new individualistic doctrine was founded on the assumption that every individual is motivated by a desire to increase his own wealth. Moreover, this economic man, the theory ran, desires to increase his wealth with the least expenditure of effort. In other words, he will make a shilling profit in the most efficient way he can contrive. A corollary of this proposition was that every individual is better able to judge how to use most profitably his labor and capital, how to increase his own

wealth, than a distant statesman or bureaucrat. Another simple and obvious proposition was that the wealth of the nation is the aggregate of the wealth of its citizens. It followed, as the night the day, that the wealth of the nation would increase most rapidly if every individual were left free to conduct his own affairs as he saw fit. Competition among individual producers would protect the consumer from extortionate prices. Moreover, prices as established competitively would guide investment and labor into the most profitable channels. By an "unseen hand" the entire economic system would be managed so as to maximize production, to increase the wealth of the nation. The entire laissez-faire doctrine was most plausible and persuasive; and probably it was the "right" policy. Governmental restrictions and guidance were removed and great increases of national wealth followed.

The laissez-faire doctrine, as a governmental policy, has, of course, been greatly modified during the past seventy-five years. The change of industrial conditions has brought with it doubt whether the economic doctrine of *laissez faire* is a sound basis for public policy. Under modern conditions, for example, is it always true that the wealth of nations is increased by the increase of the wealth of the individuals making up the nation? Certainly not, under some circumstances at least. An individual or a corporation or a combination of these may be able to increase its own wealth through monopoly or semimonopoly; but at the same time, by restricting production, it may actually impoverish or reduce the wealth of the nation as a whole. By these and other restrictions on the competitive process, as the classical economists pictured it, the consumer ceased to be protected by competition. Moreover, the growth of great corporations and the substitution of what some economists call monopolistic competition for pure competition has made imperfect the work of the "unseen hand" in guiding the productive process. Adjustments between industries and between industries and consumers cease to be automatically made. They are made by negotiation, by agreement, and at times by governmental intervention. Instead of there being small producers, guided and controlled by competition, there tend to be large producers with great power over prices and great power to wield for the benefit or the detriment of consumers, labor, and other industries.[41]

The laissez-faire doctrine has, of course, been modified at many

[41] See Arthur R. Burns, *The Decline of Competition* (New York: McGraw-Hill, 1936).

points by legislative intervention in the economic process. Regulation of utility rates and the grant of monopolistic rights to utilities are a recognition that in utilities *laissez faire* is impracticable and that competition will not protect the consumer. Child-labor laws deny the validity of the doctrine that the pursuit of individual interest—either by the employer or the child—increases the national wealth. Pure food and drug laws are based on the hard experience that pursuit of private gain does not always advance the general welfare. Laws designed to strengthen the bargaining hand of labor constitute another important intervention in the economic process. The Securities and Exchange Act and the Public Utility Holding Company Act reflect, among other things, the finding of experience that the individual investor may not always know how to advance his own interest, much less the national interest and wealth. Enormous outlays for unemployment relief and public works have constituted a governmental effort to supplement the operations of the private-enterprise system.

All these and other acts by government, usually undertaken at the behest of some group injured by the normal economic processes, have modified the economic system, although not profoundly. The economic system as a whole does not function to our satisfaction. The cyclical sequence of depression and of prosperity causes incalculable human damage apart from social losses in production. The "unseen hand" does not seem ever to be able to adjust all the parts of the economic system to bring the maximum production. One industry may be working full blast, another, shut down. The national wealth and national income by no means approximate the level that is technologically feasible. Widespread unemployment of men and machines, the coexistence of abundance and hunger testify to the maladjustments in our system of production.

In truth, the types of governmental intervention in the economic process so far tried are only half-way and piecemeal measures. The problem of organizing production in a comprehensive way to increase the national income and the national wealth has not been seriously tackled. It is assumed for the purpose of this discussion that comprehensive governmental intervention is the only method by which production can be coordinated and maximized; it is assumed that the "unseen hand" of competition to guide the economic process is a dead hand incapable of restoration to life.

On these assumptions, which may not be correct, let us direct attention to some of the narrowly political problems of maximization

of production. Our fundamental political dilemma is that those industries which would have to be controlled really possess such great political power that they are beyond effective control. In our democratic regime government is buffeted about by pressure groups, and among the most powerful of these are those organized on economic lines—business, agriculture, labor. The short-run interests of many of these organized groups perhaps would be injured by comprehensive governmental guidance of the economic process. At any rate, the leaders of business groups especially are opposed to governmental intervention because of the fear that their interests would be injured. The contrary might be true, but in the motivation of political behavior belief is more important than truth.

How are political leaders to organize under their leadership a following powerful enough to manage the economy to increase the wealth of the nation? Can this be accomplished through the machinery of representative government? The dictators have shown that economic systems may be managed, but the costs in human values are great. American business is, on the whole, bitterly opposed to governmental intervention of any sort; its leaders in the main refuse to consider any alternatives to the present order. Since business possesses great power itself in our politics, the role of the politician probably is to persuade business to acquiesce in whatever policy seems to be necessary. And it must be demonstrated that such a policy would be in the interest of both business and the general welfare.

The necessary governmental policy is by no means clear. Plainly it is not the antigovernmental policy of business. The Socialists propose governmental ownership and management, but there theoreticians have not thought through the problem. Others propose economic planning, again without perceiving all the implications of the problem. The intermediate region between *laissez faire* and socialism has not been fully explored. Failure to think through the problems of the economy as a whole in a sense reflects the strength of laissez-faire ideology. The professional economists of the United States have tended to believe firmly that governmental intervention is unwise and unnecessary. Intellectually inhibited by a faith in *laissez faire*, their inventiveness in the realm of management of the economic system as a whole has been negligible.

With the elaboration of desirable courses of action, the problem of politics would remain. The dramatization of the issue so that all could understand and the formation of a powerful enough combina-

tion to act would remain to be accomplished. We have a kind of race between disaster and the ability of statesmen to improvise and effectuate economic policy. The question is whether our ingenuity is great enough to meet new situations rapidly, to devise new measures, to move through representative methods rapidly enough toward a better-managed economy to prevent the grasping of power by some group or individual powerful and ruthless enough to crush opposition and resistance from business associations and labor unions alike in order to make the economic system work.[42]

A few American businessmen flirt with fascism in the belief that fascist thugs would liquidate labor unions, wipe out New Dealers, abolish regulatory legislation, and generally clear away those things regarded as unpleasant by businessmen. In this the American businessman is about as naive as his brethren across the seas. The Fascists take from the poor the right to soak the rich and from the rich the right to mulct the poor. But these rights are not destroyed; they come to belong exclusively to the party hierarchy and they are exercised quite effectively. In truth, the great power and influence of American business have rested in no small measure on mass tolerance, a tolerance and acquiescence based on the past performance of American business in the organization of production and the enlargement of national income. To retain that mass support the economic order must be organized to produce a larger and a more steady national income. The activity induced by defense expenditures has stimulated the economic system but only temporarily. In the days to come, if American business is to retain its position and its freedom, it must give earnest and soul-searching consideration to the central problem of modern industrial society, the organization of production, and the distribution of income.

QUESTIONS AND PROBLEMS

1. What is the relative importance of agriculture and industry in the American economy? Of what political significance is this?

2. What are the underlying objectives of the public-relations activities of business?

[42] For a survey of the relationships of government to business, together with discussion of potentialities, see John M. Clark, *Social Control of Business* (New York: Whittlesey House, 1939). A more detailed survey has been made by L. S. Lyon and others, *Government and Economic Life* (2 vols., Washington: Brookings, 1939, 1940).

3. Could it be argued that the power of giant business enterprises is "political" in nature? (Consult again chap. 1.)

4. Outline the methods employed by business groups to influence public policy.

5. Determine (by reference to the *Census of Manufactures* and like sources) the chief types of business enterprise in your state. What sorts of governmental policy would each class of business probably seek to influence? Why?

6. Who speaks for the public interest in politics? (Incidentally, what is the public interest?)

7. Has business been primarily concerned with the initiation or the obstruction of new public policy? Why?

8. How does the nature of the composition of a business association influence the type of position it takes on public questions?

9. Is economic planning compatible with representative government?

Chapter 6: MISCELLANEOUS INTEREST GROUPS

IN ADDITION to the more important pressure groups made up of laborers, farmers, and businessmen, hundreds of private associations and pressure groups of other sorts make themselves felt in the political process from time to time. Possession of a common economic interest is one of the most powerful factors that bring men to unite to gain power and to improve their status by means of governmental action. Yet other common interests bind men together in political action. A worker's loyalty to his church may be stronger than his loyalty to his union if the two groups happen to make conflicting demands. A farmer may have a more powerful attachment to his political party than to the Farm Bureau Federation. Each individual is the subject of many demands for his support, demands that may be parallel or conflicting. In this chapter it is proposed to analyze a few of the many interest groups that do not fall in the great categories of labor, agriculture, and business.

It will be observed that some of these interest groups are but ineffectually organized to formulate and express their wants through propaganda and lobbying. Nevertheless they constitute a segment of the population supposed to possess like interests, to which political parties may cater, and which government must take into account in making its decisions. The Irish as a group, for example, are not thoroughly organized into a pressure group as are the veterans, but the political parties for many years denounced English suppression of Ireland with the hope of gaining the Irish vote.

THE VETERANS

"The American idea of war," said Thomas B. Reed, Speaker of the House, in 1897, "is to take the farmer from his plow, and to return him to his plow—with a pension!" [1] Every war has been fol-

[1] Quoted by Nicholas Murray Butler, *Across the Busy Years* (New York: Scribners, 1939), Vol. I, 298-299.

lowed by the establishment of a society of veterans to bring pressure for the creation of conduits from the Federal Treasury to the pockets of the veterans. Before the American Legion, the greatest of these organizations was the Grand Army of the Republic consisting of Union veterans of the Civil War. The G.A.R. played a peculiar role in American politics. About three million persons served in the Union armies in the Civil War. Normally they would be expected to be adherents of the Union, later known as the Republican, Party. The political affiliations of the G.A.R. membership and its concentration sectionally in Republican territory gave the pension issue an especial appeal to Republican politicians. Pension appropriations would in most instances reach Republican hands and, in turn, would cement the Civil War veteran more thoroughly to the Republican Party. The loyalties of northwestern war veterans, assured by pension legislation as well as by the Republican homestead policy, must be given a large place among the factors holding together within the Republican Party for many years the divergent interests of eastern finance and western agriculture.[2]

In the election of 1888 the influence of the pension issue was especially notable. The desire of the G.A.R. for pension legislation was cultivated and stimulated by its official organ, *The National Tribune*, published by the head of the largest firm of pension attorneys in Washington. Pension agents, who waxed prosperous by pressing the claims of the old soldiers for their just due, were desirous of increasing the sphere of their work. The election of 1888 presented the pension issue squarely. Cleveland had aroused the animosity of the veterans by vetoing certain pension legislation; the Republicans nominated Harrison, an old soldier. The Democrats favored reduction of the tariff as a means of reducing the Treasury surplus; the Republicans thought the surplus might well be disposed of by an increase in the payments to veterans.

In the campaign of 1888 the Republicans cultivated the soldier vote assiduously. In the doubtful state of Indiana the pension issue was most strongly played up. Republican speakers went about "representing Cleveland as an inhuman monster and Benjamin Harrison as an angel of mercy carrying a purse hanging mouth downward." The victory for Harrison has been interpreted as a victory for the

[2] The Confederate veterans looked to their state governments for pensions and consequently southern Democrats viewed with a cool eye proposals for federal pension legislation. On the extent of financial aid by southern states, see B. U. Ratchford and K. C. Heise, "Confederate Pensions," Southern Economic Journal, 5 (1938), pp. 207-217.

G.A.R. Cleveland lost both Indiana and New York, states in which pension agitation had been strong. Whether the vote of the soldiers decided the election, the Harrison administration proceeded to give the soldiers what they wanted to the accompaniment of considerable maladministration in the pension office.[3]

The success of the G.A.R. in the extraction of money from the Federal Treasury has been greatly overshadowed in magnitude by the operations of the American Legion. This most recently formed organization of veterans has a membership of around one million, or about one-third of those eligible for membership. It is organized in local posts, which are grouped in state legions, all capped by the national organization, led by the National Commander. The Legion policies are formulated at annual conventions, colorful gatherings that become somewhat more sedate with the advancing age of the veterans. During the interim between conventions the National Commander and the executive committee, with the aid of a staff of over 200 at national headquarters, carry out Legion policies. The Legion constitution provides:

> The American Legion shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any persons seeking public office or preferment. No candidate for or incumbent of a salaried elective public office shall hold any office in The American Legion or in any Department or Post thereof.

In the interpretation of this clause there is in practice no limitation on the Legion in the promotion of public policy. Like the Farm Bureau Federation or the National Association of Manufacturers, the Legion does not nominate or endorse candidates for public office; but it reserves freedom of action in making its wishes known and bringing its strength to bear on legislative bodies on questions of policy. The nonpartisan policy serves the same function in the Legion that it does in other pressure groups: that is, it prevents division on questions of candidates for public office and at the same

[3] See D. L. McMurry, "The Political Significance of the Pension Question, 1885-1897," *Mississippi Valley Historical Review*, 9 (1922), pp. 19-36; McMurry, "The Bureau of Pensions During the Administration of President Harrison," *Mississippi Valley Historical Review*, 13 (1926), pp. 343-364; W. H. Glasson, *Federal Military Pensions in the United States* (New York: Oxford University Press, 1918); D. W. Brogan, *Government of the People* (New York: Harper, 1933), Part 7; House Report No. 1868, Report of the Select Committee Investigating the Methods and Management and Practices of the Bureau of Pensions, 52nd Congress, 1st Session, (1892).

time permits the maintenance of unity on those issues on which the majority of the Legion possess a common interest.

Although the Legion has branched out and taken an interest in a wide range of public issues, its central concern and probably the magnet lending cohesion to the group is the hope for additional compensation, perhaps ultimately a pension, from the Federal Treasury. In 1920 the Legion succeeded in persuading Congress to raise the monthly pensions for disabled veterans from $30 to $100 a month. In 1924 came its first great success when it induced Congress to grant adjusted service compensation or the "bonus," which was, in effect, a bonus to be paid with accrued interest in 1945. In 1931 the Legion was back again asking, successfully, that veterans be permitted to borrow on their bonus certificates. In 1936 legislation providing for immediate payment of the bonus was passed. In its bonus campaigns the Legion has been able to drive through Congress bills over the vetoes of Presidents Coolidge, Hoover, and Roosevelt.

How is the power of the Legion to be explained? Undoubtedly the veterans of wars, especially those disabled in battle, have a special claim on their country. The general sentiment supporting that claim creates a favorable atmosphere for the work of the Legion. Moreover, from a political standpoint, a matter of no small importance is the fact that the Legion has no compact and active counter-pressure group against which to work. If the A.F.L., for example, strikes out for legislation, its lobbyists will likely be met head on by the lobbyists and publicity experts of the National Association of Manufacturers. The Legion, however, encounters no such opposition. Apart from these favorable conditions, the Legion leaves nothing to chance. Its Washington lobby is one of the most able. It maintains complete records of the positions taken by each Congressman on matters of interest to the Legion; it is able, through its local Legion posts in every congressional district, to lay down a formidable bombardment of telegrams and letters on Congress. It is not clear that the leadership of the Legion always represents either the interests or desires of the rank and file of its membership. A sort of professionalized leadership or oligarchy (not unlike that of the A.F.L. discussed earlier) has arisen that is able in an authoritarian manner to carry along the membership of local Legion posts or at least prevent expression of serious disagreement with national headquarters policy.[4]

[4] In a congressional debate on a bill backed by the Legion, Representative Simmons of Nebraska, a Legionnaire, said: "The statement is made that the passage of this bill has been persistently urged by the American Legion, but from

In the public mind the Legion is identified chiefly with the bonus, but it has been interested in a broad range of legislation. At a recent session of Congress the Legion legislative committee pressed for action on 124 pieces of legislation. A matter of major interest to the Legion has been the question of adequate hospital facilities for veterans. This service was originally limited to veterans disabled in the course of military duty, but under the pressure of the Legion eligibility for public hospital and medical care has been repeatedly broadened until it approaches socialized medical and hospital care for all who served in the armed forces, regardless of whether the need arises from service-connected causes. Another important point in the veterans' program has been preference in public employment. In this the Legion demands that preference be given to veterans regardless of their ability in comparison with other applicants. The Legion is usually successful but occasionally it encounters opposition. The effect of opposition is indicated by the Railroad Retirement Act which gave preference, in employment by the Railroad Retirement Board, to individuals experienced in railroad service "over all others." "Vigorous protests were lodged with both Senate and House committees" by the Legion representative, but the preference to railroad employees was retained. Presumably on an issue of this kind the railroad brotherhoods were stronger than the Legion.[5]

Evidence is insufficient to indicate whether there is enough of a Legion vote to punish a Congressman for failure to support its measures in Congress. Analysis of a single vote in the House—that of September 20, 1922, on the question of overriding the President's veto of the adjusted compensation bill—indicates that the probonus representatives fared better at the polls at the following election than the antibonus men. The figures are shown on the following page.

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that it does not follow that the rank and file of the membership of this great veterans' organization either know its provisions or approve of its passage. Reluctantly I have reached the conclusion that in this matter the National Convention of the American Legion does not represent the sentiment of either its membership or of the service men of the nation."—Quoted by Marcus Duffield, *King Legion* (New York: Cape and Smith, 1931), p. 54. The discussion of the Legion in this chapter relies heavily upon this excellent analysis by a discerning observer.

[5] For information on the measures in which the Legion interests itself, see the *Proceedings* of the annual conventions in which reports of the Washington representative appear.

Probonus			Antibonus		
Total	Re-elected	Per Cent Re-elected	Total	Re-elected	Per Cent Re-elected
258	191	74.0	54	33	61.1

These figures would seem to indicate that the Legion supporters had a slightly better chance of returning to Congress than did the Legion opponents. When the figures are broken down by party affiliation, however, we have the following results:

	Probonus				Antibonus		
	Total	Republican	Democrat	Other	Total	Republican	Democrat
Number	258	188	69	1	54	35	19
Re-elected ..	191	125	66	0	33	17	16
Per cent Re-elected.	74.0	66.5	95.6	0	61.1	48.6	84.2

From these figures it appears that party affiliation had more to do with re-election than had attitude on the bonus question. There was a swing to the Democrats in 1922; 84.2 per cent of the Democratic antibonus Representatives were re-elected; only 66.5 per cent of the probonus Republicans came back. On the other hand, the probonus Republicans fared better than their antibonus brethren. However, no sweeping conclusions can be drawn from this analysis of a single election.

Another phase of the Legion and politics remains to be mentioned. Officially, in keeping with its nonpartisan policy, the Legion does not nominate or endorse candidates. Yet Legion politics is an avenue toward eminence in politics outside. By winning an election as post commander, department commander, or as National Commander, a man may achieve prominence and gain support in later party campaigns. A striking example is the political career of Paul V. McNutt who gained sufficient notoriety in his Legion work eventually to become governor of Indiana and later a Presidential possibility. Thus, Legion politics is something of a stepping stone toward political preferment. Moreover, candidates with Legion membership do not hesitate to recall that fact to their "buddies" and appeal for support on that ground. In turn, party leaders in making up slates usually try to see that there is a Legionnaire on the slate who has a

strong appeal for the "Legion vote." In this respect the Legion, as Legion, perhaps has no special political significance. Party leaders usually compose their slates to make like appeals to the Catholics, the Irish, the Elks, or whatever other group seems to be of importance in their constituency.

OLD-AGE PENSION POLITICS

A combination of circumstances has brought forward a new pressure group, the organized aged, that has developed great strength at times. Although there has been for several decades something of a movement for pensions for the aged, its political strength was slight until the decade of the 'thirties. The great depression perhaps affected the aged more seriously than other groups, but, in addition, the aged had come to constitute a larger part of the total population. "Where there were 13 persons over 60 years of age per 100 persons aged 20 to 60 years in 1900, the corresponding ratio in 1935 was 17." [6] This increase in numbers of the aged gave that group greater potential political strength, and it also placed a greater economic burden of support of the aged on the working-age population. In a simpler agrarian society the support of the aged members of the family was more easily assumed than in an urban and industrial civilization. Thus, the increased number of the aged, the greater burden of their support, and the general effects of economic depression created conditions favorable for a messiah to lead the aged into politics for pensions.

Although several organizations and leaders—such as the exotic movement for "Ham and Eggs" or "$30 every Thursday" in California—sprang up to lead the aged in their demands for pensions, the most important organized agitation has been the Townsend movement, which originated in California, a state free from excessive tradition and abounding in political inventiveness. Clubs were organized over the country to advocate the adoption of the Townsend plan, a scheme that called for the payment of $200 per month to each person over sixty years of age on condition that the entire sum be spent during the month in which it was received. The plan was to be financed by a 2 per cent transactions tax. It was claimed that the adoption of the plan not only would have remarkable curative effects for the ills of the economic system but would also bring the elevation of human life to utopian levels. Literature distributed by

[6] National Resources Committee, *Problems of a Changing Population*, p. 7.

Old Age Revolving Pensions, Ltd., the corporate incarnation of the movement, declared: [7]

> Humanity will be forever relieved from the fear of destitution and want. The seeming need for sharp practices and greedy accumulation will disappear. Benevolence and kindly consideration for others will displace suspicion and avarice, brotherly love and tolerance will blossom into full flower and the genial sun of human happiness will dissipate the dark clouds of distrust and gloom and despair.

A more mundane effect of the plan would be the transfer of a substantial proportion of the national income to the pensioners. In 1929 the transactions tax "would have absorbed 25.4 per cent of the national income. In 1934 persons sixty years of age and over would have received practically 40 per cent of the national income." [8]

The Townsend movement in its political tactics has been more colorful than the more staid pressure societies. In the crusade of the aged, thousands of clubs were organized and literally millions of signatures were collected for petitions asking Congress to enact the plan. The Townsendites went to the grass roots and ascertained the views of candidates for the Senate and House on the plan, and a substantial number of Senators and Representatives were elected under a pledge to support it. Undoubtedly the strength demonstrated by the movement was highly influential in bringing the national administration to propose and push to passage in 1935 the Social Security Act with its provisions for old-age annuities and old-age assistance. The underlying political supposition was that by giving the aged a part of what they asked the movement might be satisfied.

Although the Townsend movement appears to have lost much of its vitality, the fact remains that a larger and larger proportion of the total population is certain to be concentrated in the upper-age brackets. In 1935 approximately 7½ million people were over sixty-five years of age, and it is estimated that by 1980 there will be 22 million in this age class. [9] Politics will constantly have the problem of devising arrangements for the support of those who have reached the unproductive age. It may be expected that from time to time movements not unlike the Townsend crusade will come to the fore unless their demands are anticipated and met in the normal course of policy formulation. It needs to be noted that the aged constitute

[7] Quoted by National Industrial Conference Board, *The Townsend Scheme* (New York, 1936), p. 4.

[8] *Ibid.*, p. 37.

[9] National Resources Committee, *op. cit.*, p. 32.

widely varying proportions of the total population from state to state and that consequently the potential voting strength of the group differs from place to place.

RACIAL AND NATIONALISTIC GROUPS

Among the cleavages that crisscross the population and divide the people into opposing groups in politics are those between racial and nationalistic groups. The existence of national minorities adds immeasurably to the complexity of political life; and, when nationalistic drives are in the direction of disunity, they increase the difficulties of political leaders in holding together a combination powerful enough to govern. Yet probably nowhere else in the world has the problem of assimilating diverse peoples into a cultural and political system been so effectively accomplished as in the United States. It cannot be said that minority peoples have suffered no oppression; but the absence of formal legal restrictions has enabled them after a time to gain positions of political leadership, to acquire sophistication in the political ways of the new land, and to become in varying degrees culturally assimilated.

The relative importance of different national groups in our population and political life is impossible to estimate with exactness. The Germans, one writer asserts, "have contributed over 25 per cent of the flesh and blood composing the present white population of the United States." [10] Similar claims are made for the Irish, but after two or three generations in the United States intermarriage and intermixture make it impossible precisely to apportion the population into national-origin groups. The census furnishes accurate figures only on the foreign born. These figures for selected years are given in Table 6.

In 1890 the Germans made up the largest single group of foreign born, but prior to that time the first great wave of migration had come from Ireland. After 1900 the source of migrants shifted from northern Europe to southern and eastern European countries; by 1930 the largest single group of foreign born was from Italy, with Poland and Russia occupying positions of relatively greater importance than in 1890. Thus, the sequence of national migrations has spaced the problem of political assimilation. First the Irish constituted the great group of alien culture and there was an "Irish problem." The Irish

[10] A. B. Faust in F. J. Brown and J. S. Roucek (eds.), *Our Racial and National Minorities* (New York: Prentice-Hall, 1937), p. 166.

had won a place in politics when the great movement of Germans arrived. Later, Jews, Poles, and Italians came on the scene to go through something of the same cycle.

What is the stake of the national minority in politics? On what questions do the members of the minority group possess a common

TABLE 6

LARGER GROUPS OF FOREIGN-BORN POPULATION, BY COUNTRY OF BIRTH

COUNTRY OF BIRTH	NUMBER	
	1890	1930
Total foreign born	9,249,560	14,204,149
England	909,092	809,563
Ireland	1,871,509	1,092,642
Sweden	478,041	595,250
Germany	2,784,894	1,608,814
Poland	147,440	1,268,583
Russia	182,644	1,347,234
Italy	182,580	1,790,429
Canada	980,938	1,286,389
Mexico	77,853	641,462

interest and a common objective? Occasionally issues of domestic policy, in effect but not in form, affect a minority as a group, but these are rare. The prohibition proposal, for example, was not designed as an anti-German measure, but its adoption would interfere with the prevailing habits of most persons of German extraction. Hence, "as the prohibition movement went forward in the United States, the German-American Alliance rose to power as a defensive organization. . . . Had prohibition not become a burning issue in local and national politics, we might even doubt whether the German-American Alliance would ever have been heard of outside a few German-speaking groups of a purely academic nature." [11] In many localities chapters of the alliance were formed almost solely as a vehicle for resisting the prohibition movement, and often they were subsidized by brewers.

[11] C. J. Child, *The German-Americans in Politics, 1914-1917* (Madison: University of Wisconsin Press, 1939), p. 10.

The slavery question likewise had its effect. The Germans, under the leadership of the "forty-eighters," joined in the battle against slavery. They joined "the new Republican party, and contributed practically as a unit to the election of Lincoln. Particularly in the Northwestern states they carried a balance of power under excellent leadership." [12] The Irish, on the other hand, "were disturbed at the prospect of free Negroes as competitors in the labor markets" and their loyalty to the Democratic Party "withstood the shock of the Civil War." [13]

Occasionally legislation that deals with minority as minority is approached. The German element, for example, fought with some success about the middle of the past century in Ohio and Pennsylvania for the introduction of German instruction into the public schools.[14] In turn, during the First World War various states prohibited instruction in the German language even in private schools, a legislative policy that was voided by the United States Supreme Court. In 1940 Congress adopted legislation excluding members of "Nazi Bund Organizations" from employment on relief projects or in factories engaged in national defense preparations. This measure affected primarily persons of German origin but by no means all such persons.

The constitutional consensus by which government does not, in form at least, legislate for or against nationalistic minorities leaves most of the frictions between native and alien groups to be resolved by the achievement of intergroup accommodation outside the realm of formal politics.[15] In the sphere of foreign policy, however, minorities are likely to be aroused in periods of international crisis. In the period preceding the First World War the German-American Alliance and associated societies of persons of Germanic origin agitated and petitioned against policies of the Wilson administration that

[12] A. B. Faust, *op. cit.*, p. 129. Also Faust, *The German Element in the United States* (Boston: Houghton Mifflin, 1909), Vol. II, chap. 4.

[13] Wallace S. Sayre in Brown and Roucek, *op. cit.*, p. 648.

[14] Faust, *The German Element in the United States* (Boston: Houghton Mifflin, 1909), Vol. II, p. 151.

[15] The formal constitutional consensus of noninterference in racial matters is supplemented by a political etiquette, effective in varying degrees at different places, that issues involving race or creed shall not be brought to the fore. In New Mexico, for example, with its large bloc of Spanish-American voters, it is said that "issues likely to provoke racial difficulties are avoided by both groups and by both political parties."—J. C. Russell, "Racial Groups in the New Mexico Legislature," *The Annals of the American Academy of Political and Social Science*, 195 (1938), pp. 62-71.

they deemed favorable to England and unfavorable to Germany. When their efforts failed to influence the course of administration foreign policy, they turned their energies to the election of 1916 and sought to swing the German vote to Hughes.[16] In the 1940 campaign a similar sequence of events occurred. The Steuben Society supported Willkie, and political commentators expressed the opinion that the "German vote" went for Willkie in protest against the Democratic foreign policy. Earlier the Irish with memories of oppression at home prodded the American Government to twist the lion's tail. The Democratic convention in 1888, for example, adopted the following resolution:

> Resolved, That we express our cordial sympathy with the struggling people of all nations in their efforts to secure for themselves the inestimable blessings of self-government, and civil and religious liberty, and we especially declare our sympathy with the efforts of those noble patriots, who, led by Gladstone and Parnell, have conducted their grand and peaceful contest for home rule in Ireland.

Minority agitation has never been powerful enough to control the main course of American foreign policy. Minority groups themselves are not always united in supporting the policies of the homeland, and the more discreet minority leaders are well aware of the dangers for the group if it appears to place the native land ahead of the new land.

More significant than concern with specific issues has been the desire of leaders of minority groups to occupy public office. Minority groups see in the attainment of public office a recognition of their kind. In cities, counties, and states with substantial minority groups, the ticket is likely to include persons from each of the groups, nicely apportioned according to the strength of the minorities represented. Similarly in filling appointive posts the political leader may ignore important racial groups only at his peril. In New York City, reported Seabury,[17]

> The activities of the Steuben Society in the selection of judges as a compliment to the German voters are well known. In the case of Magistrate Vitale there seemed to be no doubt that he was selected as a representative of his national group in the Bronx. Magistrate Silber-

[16] Child, *op cit.* See Carl Wittke, *German-Americans and the World War* (Columbus: Ohio State Archeological and Historical Society, 1936).

[17] *Final Report*, In the Matter of the Investigation of the Magistrates' Courts in the First Judicial Department and the Magistrates Thereof and of Attorneys-at-Law Practicing in said Courts (1932), p. 48.

mann spoke with perfect naivete of the reasons why he felt that his appointment was dictated—partly because of his activity in the party and partly because he happened to be of the Jewish race. "I learned that the Mayor decided to appoint a Hebrew from the Bronx. . . ."

Often a particular public office comes to be considered as belonging to this or that group, and as later immigrant groups rise to power bitter battles occur over the reapportionment of office.[18]

The appeal to racial groups for support by political leaders is often deplored, and it cannot be denied that such an appeal is often irrelevant to public issues. By the stirring up of racial sentiment it is sometimes possible to elect a scoundrel or a grafter whose name happens to indicate the correct national origin. Yet in the large the easy route to public office, both appointive and elective, serves a function of first-rate importance. The systematic exclusion of national minorities from elective office and from the civil service in European countries has been one aspect of the repression of minorities. On the other hand, accession to public place has served here as one means of assimilation. Moreover, our structure of government has discouraged the formation of parties based on national origin. Achievement of public place often necessitates collaboration with other national groups within the party, and this collaboration contributes to the prevention of serious interracial friction and perhaps to the prevention of racial discrimination in the administration of law.[19]

"The political party," says Sayre, "has always been an agency of assimilation for the newly arrived immigrant. In many instances the party is the most effective institution in the process of assimilation. . . . Particularly in our cities, where immigrant adaptation has been most difficult, the party and the political club have frequently been the gateways through which the immigrant entered into the activities

[18] "A story is told of a nominating convention in a certain ward some years ago, where two aldermen were to be nominated. The ward had long been predominantly Irish, but had more recently become at least half Italian. The Italian delegates demanded at least one of the nominations and made an eloquent appeal for recognition. But at the critical moment an Irishman arose and upset the moving plea by demanding fiercely, 'Well, ye got the Pope, ain't ye? Wot'n'll more d'ye want?'"—C. E. Merriam, *Chicago* (New York, 1929), p. 138. Quoted by permission of The Macmillan Company, publishers.

[19] Joseph McGoldrick says, however, "actually, it is said, judges and prosecutors of the different races and faiths are more severe with their compatriots and co-religionists than they are with outsiders. This may be attributed in part to a hurt pride in one's group or to a knowledge of the higher code from which the offender has lapsed while the greater leniency to strangers may be due to the converse of this last and a fear of being called prejudiced."

of the community." [20] Gosnell observes that in Chicago it has always been customary for the precinct captain to be of the dominant nationalistic group in the precinct. These party functionaries, he says, are usually second-generation foreign stock; hence, induction into party life requires perhaps a generation. Among the Chicago party workers of foreign stock on whom data were available "those of Irish ancestry made up nearly one-quarter; those of German parentage, one-seventh; those of Polish origin, one-seventh; those of Russian ancestry, one-eighth; while the British, Scandinavian, Italian, and Czech stocks lagged behind the others in the order given." [21] Participation in the work of the party builds loyalty to the party which presumably eventuates in a loyalty to the greater community.

An important factor determining the significance of a racial group in politics is the territorial distribution of its membership. If the members are scattered thinly over the country, concerted action is difficult, but concentration of strength in a state, a city, or a county may give the group the balance of power in the jurisdiction concerned. Large groups of Jews have settled in New York and Chicago. About 75 per cent of the Italian population of the United States has congregated in Massachusetts, Pennsylvania, Rhode Island, Connecticut, New York, and New Jersey. Chicago has more Poles than any other city of the world save Warsaw. Scandinavians are numerous in Wisconsin, Minnesota, North Dakota.

Territorial dispersion is often an indication of a lack of group consciousness. The English, for example, constitute a large recent immigrant group, but they blend readily into the prevailing ways, and appeal to the "English vote" is never heard. The Italians, however, possess cultural characteristics that often clash with the prevailing mores, and group consciousness, coupled with geographical concentration, makes the Italian vote a matter to be heeded by political leaders in certain areas. The segregation of national groups into their own communities probably has a broad political function not perceptible from the examination of party activity alone. By segregation, cultural conflict is avoided; the group may preserve its own traditions and customs without conflict.

From another point of view the political importance of a minority may depend on its aptitude for politics. Obviously, the non-English-speaking immigrant has the greater difficulty in sharing in political

[20] In Brown and Roucek, *op cit.*, p. 645.

[21] *Machine Politics: Chicago Model* (Chicago: University of Chicago Press, 1937), p. 64.

life. Apart from the language barrier, the cultural heritage of a particular immigrant may not include habituation to participation in campaigns, elections, and public administration. The Irish have gained a reputation as the most competent political technicians. Of the Irish in Chicago, Merriam says, "they were the most keenly conscious politically, the most capable in political struggle and the most persistently active in pursuit of the political ball." [22] In New York the Irish took over Tammany Hall and achieved dominion in the city, a dominion, however, that has in recent decades been shared with Jews,[23] Italians, and other more recent arrivals.

Success is one of the great solvents of the unity of minority groups. An Irishman who has made his way to the upper rungs of the economic ladder is apt to consider himself allied with the business group rather than with his less fortunate Irish brethren. A German banker may not share a sense of common cause with the bricklayer of German extraction. The Scandinavian wheat farmer may be more interested in what the candidate says about farm policy than in his vote-catching references to the glorious past of Scandinavia.

The Negro.—The color of the Negro sets him apart from the immigrant of the white races. In the United States the Negro as a group most nearly approximates the repressed minorities of minority-ridden European nations. Denial of easy access to participation in politics, more often denial of equal treatment in the administration of law and public services, frequent exclusion from trades and professions—these are but a few examples of the disabilities of this group. The status of the Negro is translated into dollars and cents by the figures in Table 7, which indicate his relative poverty.

After the abolition of slavery, the theory was held by the dominant Republican leaders that the Negro could attain a status of equality and could protect himself against discrimination if he were given the ballot. As a basis for Negro participation in political life the Fourteenth Amendment, adopted in 1868, declared all persons

[22] *Chicago* (New York, 1929), pp. 141-142. Quoted by permission of The Macmillan Company, publishers.

[23] Munro relates the following anecdote on the political behavior of the foreign-born voters: "Some years ago I asked a politician of the practical type about the tendencies of foreign-born voters in his ward. 'The Italians,' he said, 'are good voters; they know their friends and stand by them.' 'The Greeks,' he continued, 'are nearly as loyal.' 'But the Jews,' he bemoaned, 'Oh, these Jews! You get them registered and do everything for them. Then, when the election comes round, what do they do? Why they hold meetings and discuss the issues. That's the sort of ingrates they are!' "—*Personality in Politics* (New York, 1924), pp. 86-87. Quoted by permission of The Macmillan Company, publishers.

born in the United States to be citizens and thereby unquestionably made Negroes citizens. The same amendment forbade any state to "make or enforce any law which shall abridge the privileges or immunities of citizens of the United States," to "deprive any citizen of life, liberty, or property without due process of law," or to "deny to any person within its jurisdiction the equal protection of the laws." Thus, the Negro was to receive the protection of the Federal courts against discriminatory state action. The Fifteenth Amendment, which became effective in 1870, forbade the denial or abridgment by

TABLE 7

AVERAGE INCOMES OF WHITE AND NEGRO FAMILIES (NONRELIEF) IN SOUTHERN RURAL COMMUNITIES AND CITIES AND IN NORTHERN CENTRAL CITIES, 1935-1936

REGION AND TYPE OF COMMUNITY	AVERAGE INCOME PER FAMILY			
	Median		*Mean*	
	White	Negro	White	Negro
Southern rural communities	$1,100	$ 480	$1,535	$ 566
Southern cities of 2,500 population and over	1,570	525	2,019	635
North central cities of 100,000 population and over	1,720	1,095	2,616	1,227

SOURCE: National Resources Committee, *Consumer Incomes in the United States*, p. 28.

any state of the right of citizens to vote "on account of race, color, or previous condition of servitude."

These constitutional guarantees have not brought about assimilation of the Negro into normal political life. During the period of Reconstruction, Negroes were able, with the assistance of white immigrants from the North known locally as "carpetbaggers," to control the governments of the southern states. When Federal troops were withdrawn from the South, however, the Reconstruction governments collapsed and white supremacy was soon restored in the South. Even now the Negro exercises the suffrage only to a very limited extent in these states.[24] But in some southern states Negroes have an

[24] The question of Negro suffrage is discussed below, chap. 17.

opportunity to participate in national politics through their control of the Republican state organizations and, in turn, of the delegates to the Republican national conventions. In some of the southern states, however, "lily-white" policies exclude Negroes from the Republican organizations. In the northern and border states the Negro has exercised the suffrage more freely; especially in the northern cities has he been able to exert his strength in politics. That strength is reflected in the election of Negroes to city councils, state legislatures, and occasionally to the bench. In the complex factional politics of certain cities the Negro has gained significant influence in the selection of officers chosen at city-wide elections. In Chicago, for example, the Thompson faction of the Republican Party leaned heavily upon the Negro vote, which constituted up to one-fifth of the entire vote cast in the Republican primaries.[25] Seldom, however, does the Negro exert a strength commensurate with his numbers. If Harlem, for example, were filled with Irishmen instead of Negroes, New York City would probably resemble the Irish Free State, but the Negro influence is much less pervasive.

In national politics the Negro has been traditionally allied with the Republican Party from the historical association of that party with abolition and the promotion of Negro rights. In the Presidential election of 1936, however, prominent Negro leaders and a large proportion of the Negro voters swung to the support of the Democratic candidate. Following that election Negro sentiment, in common with that of all groups, veered away from the Democratic Party. The American Institute of Public Opinion estimated that 76 per cent of Negroes in the northern states were Democratic in 1936; 66 per cent in June, 1940; and 64 per cent in August, 1940.[26] The concentration of the Negro vote in a few northern centers, with the consequence that a shift of the group one way or another may influence the electoral vote, gives the group potentially great influence.

To understand the nature of the equilibrium between white and black it is necessary to look beyond formal law and government.

[25] H. F. Gosnell, "How Negroes Vote in Chicago," *National Municipal Review*, 22 (1933), pp. 238-243. The only thorough analysis of the political behavior of the urban Negro is Gosnell, *Negro Politicians* (Chicago: University of Chicago Press, 1935).

[26] In Chicago, however, H. F. Gosnell estimates that a slightly larger proportion of the Negro vote was Democratic in the 1940 Presidential election than in 1936.—"The Negro Vote in Northern Cities," *National Municipal Review*, 30 (1941), pp. 264-267. See also E. W. Henderson, "Political Changes Among Negroes in Chicago During the Depression," *Social Forces*, 19 (1941), pp. 538-546.

Interracial conflict in the United States has been settled, provisionally of course, by methods separate and apart from law. The relative status of the black and the white—and the Negro definitely occupies the subordinate status—is governed by folkways approaching in nature a caste system. These unwritten codes of behavior are most effective in the South but they are not unfelt elsewhere. The Negro may live in certain areas and not in others. He may engage in certain occupations, but from others he is excluded. Toward whites he must maintain a respectful demeanor, but whites are not under a reciprocal obligation. Churches, schools, labor unions are likely to be closed to him. And all these folkways are buttressed by a body of tradition, beliefs, and rationalizations.[27]

In a brilliant article, Guy B. Johnson has analyzed the process of interracial accommodation within the framework of the so-called caste system. Militant Negro leaders have sought interracial equality, but the door to equal participation has been closed and "the Negro has taken the only course left to him, namely, the building of a whole system of society on his side of the color line. The extent to which this process has gone is not appreciated by the average white man. In addition to the more visible separate schools, churches, and fraternal orders, there is a multiplicity of institutions and organizations which have grown up to answer the needs of the separate racial economy." [28] Booker T. Washington was the great expounder of the doctrine of submission and conciliation. In this, says Johnson, he relieved white tension and anxiety "on three points in particular: political participation, education, and social relations." To the Negro he preached that salvation would come, not through gaining "political participation or social status," but through "making a living, . . . becoming economically secure, . . . gaining competence and respectability." Johnson concludes that the effect of this social segregation of the Negro group is that "Negro life has become differentiated into social and economic classes in much the same way as white life. There is no real unity, no cohesion, in Negro life, and a truly race-wide leadership is virtually impossible." Leadership within the subordinate group, "particularly within the southern region, has rested on the approval of the dominant group as well as the following of

[27] See the analysis by John Dollard, *Caste and Class in a Southern Town* (New Haven: Yale University Press, 1937).

[28] Guy B. Johnson, "Negro Racial Movements and Leadership in the United States," *American Journal of Sociology*, 43 (1937), pp. 57-71.

the Negro group." Thus an interracial *modus vivendi* has been developed.

It is not to be concluded that the existing relationship of superiority and subordination and the pattern of distribution of perquisites is morally "right," but it works. It certainly does not satisfy all Negroes. The National Association for the Advancement of Colored People lobbies for legislation and fights the cases of individuals in the courts to protect their legal rights, but Johnson suggests that perhaps a major function of such organizations has been "to serve as a catharsis for those discontented, impatient souls who, while they see no hope of normal participation in American life, feel that they must never give in and admit that they are beaten down spiritually." The Communist Party has made a strong appeal for Negro support, but upper-class Negro sentiment toward communism is expressed by Du Bois who says that "the Negroes know perfectly well that whenever they try to lead a revolution in America, the nation will unite as one fist to crush them and them alone." [29]

Nativism.—The aspirations and ambitions of foreign-born groups have been met by defensive movements of Americans descended from the original colonial stock. These Americans constitute the true "minority." Mecklin in 1924 estimated that perhaps 42 per cent of the population had "descended through both parents from the old Colonial stock." [30] Peaks in immigration have been followed by nativist organization and by agitation to resist the threatened hegemony of the original American stock. In the 1850's, at the time of the first great immigration wave, the American, or "Know-Nothing," Party was active in support of native as against foreign-born candidates. In 1854 the Know-Nothings carried the states of Massachusetts and Delaware. The Know-Nothings, like all the succeeding nativist movements, were "100% American," Protestant, anti-Catholic, and against ecclesiastical influence in the schools. During the 1880's and 1890's a recrudescence of nativism occurred and resulted in the formation of the American Protective Association.

The last great manifestation of nativism came in the Ku Klux Klan, a resurgence of the Klan of Reconstruction days, organized in 1915 and reaching its greatest influence in the immediate postwar

[29] *Ibid.* For further data on the Negro, see C. S. Johnson, *The Negro in American Civilization* (New York: Henry Holt, 1930); C. S. Mangum, Jr., *The Legal Status of the Negro* (Chapel Hill: University of North Carolina Press, 1940); W. F. Nowlin, *The Negro in American National Politics* (Boston: Stratford, 1931).

[30] *The Ku Klux Klan* (New York: Harcourt, Brace, 1924), p. 130.

period. The Klan, a secret organization, endorsed candidates; on some occasions secret "primaries" were held within the Klan to select a candidate to be backed by the Klan as a whole. "In Texas the Klan succeeded in electing a United States senator and was an issue in the gubernatorial elections of 1924 and 1926. The Klan played an important political role also in Arkansas, Connecticut, Indiana, Oklahoma, Alabama, Georgia and Oregon." [31]

In addition to the support of white Protestant candidates the Klan was concerned with certain types of public policies. Illustrative of their legislative interests were bills introduced for the Klan in the Pennsylvania legislature in 1927. One bill, directed at the Knights of Columbus, would have made a felony membership in any society "when the qualification to membership is membership also in either a corporation, association or society whose seat of government is in a foreign country or whose chief executive officer is not a citizen of the United States." Another bill would have penalized criticism of the validity or sanctity of civil marriage. Still another would have prohibited marriage between black and white and would have made it a misdemeanor for any minister or other official to perform such a marriage.[32]

Movements such as the Klan are, like racial movements among the foreign-born, a manifestation of friction in adjustments between national cultures. And, as may have been inferred from the discussion of the Klan, an important element of our cultural conflicts has turned around religious differences.[33] But the accentuated and organized ex-

[31] Max S. Handman, "Ku Klux Klan" in *Encyclopedia of the Social Sciences.*

[32] E. H. Loucks, *The Ku Klux Klan in Pennsylvania* (Harrisburg: Telegraph Press, 1936), pp. 112-113.

[33] If this chapter could be more comprehensive, it would include an analysis of the effects of religious sentiments on political behavior. That delicate subject has scarcely been touched in the scientific literature for quite obvious reasons which are in themselves symptomatic of the power as well as the sensitivity of the ecclesiastics. The republic was founded on the wholesome principle of the separation of church and state, yet the clergy of all varieties make their wishes felt in politics. The interest of the churches in politics concerns both personnel and policies. In communities predominantly Catholic or Protestant, candidates are apt to come from the dominant faith. In communities that are divided, the party ticket is usually "balanced" by a nice apportionment of places among the various faiths according to their importance in the electorate. The initiative in the injection of the religious issue into campaigns is thus more likely to come from the politicians than from the churches. In national politics it is not considered good form for a candidate to say anything about his religion, but in local campaigns the church affiliation of a candidate is often quite important. With respect to policies, the interests of the churches are numerous. In some instances churches seek to obtain legislation which puts the force of the state behind the

pressions of nativism have usually been short lived. An organized movement arises only to weaken, dissolve, and die out. Nevertheless, even when no conspicuous organization like the Klan exists, there is a latent sentiment of nativism that must be reckoned with by political leaders. Catholic Alfred Smith, the Democratic Presidential nominee in 1928, aroused a storm of religious reaction. The religious sentiments stirred up by that campaign have strengthened the belief among practicing politicians that a Catholic is unavailable as a Presidential nominee, although in many states and cities with large Catholic populations that rule does not hold for nominees for state and local office.[34]

THE PROFESSIONS

The prestige enjoyed by the professions has given their associations a political role of considerable importance. Within certain restricted spheres the professions are quite as powerful as the Farm Bureau Federation or the American Federation of Labor. Yet when the professional associations venture beyond these restricted areas their influence rapidly wanes. When their demands run counter to the interests of other well-organized groups, the conflict may end in compromise or defeat. Although it is commonly said that the public business is a matter of general concern, a great many legislative decisions and administrative acts have immediate interest and effect for only a small group. In those situations the affected group can often determine what the public policy shall be.

Of greatest concern to the professional associations is the control of entrance to the professions. Since the licensure of trades and professions is within the jurisdiction of the states, the chief political

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moral precepts which they try to impose upon their communicants. For example, certain Protestant churches were active in support of the prohibition movement while Catholic organizations have been concerned about legislation governing birth-control practices. In another type of situation, churches have been interested in public subsidies for their charitable institutions. The granting of public subsidies to such private institutions has, however, been restricted to a few states and localities. Tax exemption of church property is sometimes a matter of policy that brings the churches to exert pressure. Educational policy is a matter that is frequently influenced by churches. In the observation of ecclesiastical activity in politics it is essential to note the difference between churches as institutions and churchmen. The declarations of clergymen may be their personal and individual views rather than the policies of the church organization. It could hardly be said, for example, that the pronouncements of Father Coughlin reflect the official policy of the Catholic hierarchy.

[34] For a discussion of nativism, see Carl Wittke, *We Who Built America* (New York: Prentice-Hall, 1940), chap. 19.

activities on this matter have been by the state associations, but the national professional associations have played a role of leadership. State medical societies and state bar associations have consistently fought for the establishment by law of higher qualifications for the right to practice these professions. In the continuous drive to raise the standards of admission, the medical societies and bar associations have been animated by mixed motives. The medical men have sought to drive out the incompetent and the quack in the name of the public interest. The lawyers have attempted to prevent the licensing of persons who would be unable competently to serve their clients. Further, both professions have, especially of late, been motivated by a desire to restrain competition.

One method of controlling entrance to a profession is by permitting its numbers to grow until professional fees are forced down by competition to the point at which economic considerations make entrance into the profession unattractive. Another is to raise the educational requirements and to make more difficult the entrance examinations. The lawyers and doctors have been adherents of the latter doctrine—a sort of "planned economy" for the professions. But it cannot be said that their attempts to ration the supply of lawyers and doctors have been based on any thoroughgoing analysis of public need for these services.[35]

Encouraged by the success of the lawyers and doctors, other groups have requested the intervention of the state in the matter of licensure. Plumbers, accountants, engineers, electrical contractors, barbers, cosmetologists, pharmacists, architects, chiropractors, dentists, osteopaths, movie-projector operators, optometrists, real-estate salesmen, insurance agents, morticians, nurses, naturopaths, and others have succeeded in persuading legislatures to create examining and licensing boards. In those trades connected with the building industry the power to license is notably abused; its control by the leaders of local unions, acting in combination with builders' associations, is often used to restrain competition.

A characteristic of the politics of the professional associations is the tendency toward the establishment of a guild system—that is, control over entrance to the profession by the profession itself.[36] In practice, a sort of pluralism has arisen in which the profession con-

[35] See E. C. Brown, *Lawyers and the Promotion of Justice* (New York: Russell Sage Foundation, 1938), pp. 164-195.

[36] See the thoughtful comments by Francis P. De Lancy, *The Licensing of Professions in West Virginia* (Chicago: Foundation Press, 1938).

trols the standards of the profession in the name of the state. When legislative action is needed, the well-established professional societies can usually bring about its passage. "Within its field," says McKean, the New Jersey "Medical Society is very influential. It can usually block such bills as it does not like, and it can secure the passage of the measures it approves." [37] In the administration of licensing laws the organized profession usually has a strong voice. The governor will give heed to its recommendations in the appointment of members of the examining board. Not infrequently the statutes require the governor to appoint from the nominees of the professional society, and sometimes the law even delegates the power of appointment to the association. The trend toward the guild system has gone to the logical extreme in the establishment in some states of an "integrated" or "self-governing" bar to which all licensed lawyers must belong and which exercises, by delegation from the state, the power to admit to the profession and to discipline for unprofessional conduct.[38]

The profession attempts to protect its sphere from encroachments by new and competing groups. The orthodox medical practitioners have resisted efforts of chiropractors, osteopaths, and "drugless" healers to establish themselves. The first line of resistance has been on the question of licensure. Chiropractors, for example, have usually had to obtain positive legislation to permit practice before they could follow their calling without violating the state medical-practice acts. In this the medical men have usually been able to do no more than delay the chiropractors. Then the battle shifts to other fronts. The unorthodox healers seek to obtain the right to practice in publicly supported hospitals and to serve the beneficiaries of workmen's compensation laws. The orthodox medical men fight in the name of the protection of the public against quacks; the newer groups demand the protection of the individual's right to choose his own physician. Similarly, the bar associations resist the practice of law by laymen. The encroachments of banks and trust companies in the field of estates and trusts have been fought by the lawyers, but large areas formerly exclusively in the province of the lawyer have been lost.[39]

[37] *Pressures on the Legislature of New Jersey* (New York: Columbia University Press, 1938), p. 71.

[38] See Brown, *op. cit.*, pp. 283-288.

[39] See M. L. Rutherford, *The Influence of the American Bar Association on Public Opinion and Legislation* (Philadelphia, 1937), pp. 93-99.

The political power of the professional group is likely to decline as the objectives of the profession encounter opposition from other interested groups. In some instances in defending their own status, the professions protect the general interest; in other instances they delay readjustments that would promote the general welfare.

An interesting dispute has raged in recent years over the attitude of the American Medical Association toward the economic organization of medical practice. The national association and the state medical societies have generally opposed the introduction of health insurance under public authority as well as the introduction of group practice under private auspices. To fight health insurance the association employs the ordinary methods of propaganda and lobbying; to deal with private group-practice plans it does not need to invoke the power of the state but can proceed by expulsion of the offending doctors from the medical societies and by other means. Although the majority opinion in the profession appears to be with the policy of the bureaucracy of the American Medical Association, certain leaders in the medical world have risen to challenge the orthodox view on health insurance.

The experience of the Medical Association suggests two important questions on the political role of the professions. At what point does the expert become a layman whose views perhaps deserve no special weight on the sole ground that authority should be conceded to competence? It may not be questioned, for example, that the wisest policy is to permit organized medicine to determine the amount of time the prospective doctor shall spend in studying anatomy. But perhaps when it comes to the question of the method of payment for medical service—by arrangements with individual practitioners at the time the service is required or by monthly deductions from the pay check under a system of health insurance—the attitudes of the profession may carry political weight but not the conclusiveness of expert opinion.

The second point that the experience of the Medical Association suggests is that as a professional association expands its sphere of action beyond the narrow core of professional concern fissures are likely to develop. The A.M.A. is by no means rent internally with dissent, but there is important disagreement with the official policies. When the experts engage in public disputes, their influence is likely to diminish on all fronts.[40]

[40] See the valuable article by Oliver Garceau, "Organized Medicine Enforces Its 'Party Line,'" *Public Opinion Quarterly*, 4 (1940), pp. 408-428.

The most striking indication of the projection of social and economic cleavage into a professional group is furnished by the organization of the National Lawyers Guild. Dissatisfaction with the generally conservative attitude of the American Bar Association led to the forming of another group to include

> . . . all lawyers who regard adjustments to new conditions as more important than the veneration of precedent, who recognize the importance of safeguarding and extending the rights of workers and farmers upon whom the welfare of the entire nation depends, of maintaining our civil rights and liberties and our democratic institutions, and who look upon the law as a living and flexible instrument which must be adapted to the needs of the people.[41]

The guild was organized mainly by lawyers of New Deal tendencies. Even prior to the formation of the guild, a few local groups had split off from the established bar associations for reasons not unlike those that motivated the founders of the guild.

Professional associations commonly concern themselves with varying sorts of public policy that do not immediately affect the narrow vocational interests of the group. In the promotion of these causes peripheral to their central interests, the professional guilds are not usually either so energetic or so effective as they are in the protection of the core of guild interest. In these larger undertakings, moreover, they are usually merely one of a larger number of groups interested.[42]

THE GUILD TENDENCY

The tendency of professional associations to gain virtual control of the making and administering of laws vitally affecting their members exemplifies a recurring and persistent drive by many groups to gain similar positions of influence. Under the prevailing governmental theory public power is vested in the government and may not be delegated to private associations, but in fact private associations and groups almost continually seek to appropriate and exercise the power of the state. This is one of the recurring patterns of political behavior. Since our constitutional doctrines usually deny the right to delegate public power to private groups, the observation of the

[41] Quoted from the guild's constitution by Brown, op. cit., p. 147.

[42] See H. F. Gosnell and M. J. Schmidt, "Professional Associations," *The Annals of the American Academy of Political and Social Science*, 179 (1935), pp. 25-33; Rutherford, *op. cit.*; E. M. Martin, *The Role of the Bar in Electing the Bench in Chicago* (Chicago: University of Chicago Press, 1936).

guild tendency must be accompanied by a sharp differentiation between the formal, or the legal, and the actual in governmental practice.

The importance of the distinction between the formal and the actual may be inferred from a reconsideration of the role of professional groups. In the making of law, the professional group may be merely consulted; at the opposite extreme, the legislature may habitually enact into law without question the recommendations of the professional associations. In both instances the form is the same; that is, the legislature makes the law. Yet the actual situations covered by the identical form differ greatly. Similarly, form and practice in the administration of law may not, and often do not, coincide. The professional association may exert its influence by making representations to the agency regulating the profession; it may influence the governor to appoint its nominees to the regulatory body. The power of the professional association tends to become formalized when legislation provides that the governor must appoint its nominees to the regulatory agency. In all these forms, however, the formal authority of the state is preserved, but the authority actually exercised by the private group may be great or little whatever the form. The ascertainment of the precise degree to which a private association actually controls law and administration is a matter of no little difficulty; hence, attention is directed to the "tendency" toward guild autonomy, not to the "degree" of autonomy which actually prevails.

Throughout the preceding chapters frequent references have appeared relating to the efforts of private associations to guide the course of legislation of concern to them. Attention may be concentrated at this point on the relationships of these groups to the administration of law. Administrators have broad discretion, and private groups often seek to influence, if not to control, the exercise of that discretion. Private groups may seek to control by persuading appointing authorities to designate persons acceptable to the group to fill offices of concern to the group. State banking associations, for example, have a deep interest in the appointments to the office of state banking commissioner. Professor Fesler, after an examination of the situation in several states, concludes: "State banking departments are typically dominated by the bankers' association of the state . . ." and he likewise found that the control of state departments concerned with insurance companies and building and loan

associations is "roughly analagous to that of banking departments." [43]

Almost all groups try, either openly or covertly, to influence appointments to administrative positions in governmental agencies affecting the group. In some instances this relationship is modified and formalized through the grant of permission to the association to designate boards advisory to those legally responsible for the administration of law. In the management of the range in the national forests, for example, the Forest Service consults with advisory boards representing local, state, and national livestock associations. In carrying out the Agricultural Adjustment Act, the Secretary of Agriculture was directed by Congress "to utilize the services" of state and local committees elected, directly and indirectly, by the farmers affected by the act.

Sometimes the voice of the private association is heard in open hearings by the administrative agency charged with the duty of issuing regulations. In the issuance or amendment of certain regulations under the Federal Food, Drug, and Cosmetic Act of 1938 the Secretary of Agriculture, for example, is directed to hold a public hearing at which any interested person may be heard in person or by his representatives. Trade associations are the principal spokesmen for the industries to be affected by proposed regulations. Other agencies employ other devices to consult with the affected interests. Prior to the promulgation of new regulations in 1936 the Bureau of Marine Inspection and Navigation obtained criticism of the proposed regulations from such groups as the National Council of American Shipbuilders, the American Merchant Marine Institute, the Pacific Steamship Owners Association, and the Lake Carriers Association. Under legislation controlling the marketing of certain agricultural commodities, the Secretary of Agriculture must conduct a referendum among the producers before promulgating quotas.

In other situations the relationship between the official agency and the affected interest is not carried on in a goldfish bowl. The Attorney General's Committee on Administrative Procedure reported that the Federal Alcohol Administration, "not unlike other deliberative bodies, is not immune from the pressure of lobbying. Attempts to affect the agency's judgment are made *sub rosa* not only directly by the lobbies maintained by the industry, which are among the most potent in the country, but also indirectly through the legislative and executive branches of the Government. It is impossible, of

[43] "Independence of State Regulatory Agencies," *American Political Science Review*, 34 (1940), p. 943.

course, to gauge the precise effect of these efforts upon the agency, but the pressure exerted through other official groups is said unquestionably to have some influence." [44]

For administrative agencies to hear the views of private associations or to consult with them is, however, quite different from the actual devolution of public power to the private group. From the examples that have been mentioned it may be inferred that the relationship between government and private association approaches the true guild form only rarely. Possibly the nearest approach, both in fact and in form, is a self-governing bar in which the association becomes a public agency vested with public power. Other professional associations tend toward true guilds in fact but not so much in form. Professional associations have a fairly homogeneous membership and a corporate sense. In other associations, however, the unity of interest and of objective is not usually so marked, and the group's domination of the governmental agency concerned is likely to be less complete. There may be, for example, a tendency for farm organizations to take over the operation of a state department of agriculture, but the fact that there may be several farm organizations leaves greater actual power in the hands of the state. Probably the most vivid demonstration of the guild tendency in the nonprofessional fields of activity appeared in the National Recovery Administration when the directing groups of trade associations were assimilated into the governmental structure as code authorities to exercise governmental power over their respective industries.[45] The code authorities attempted to enforce as law in large degree the same

[44] Senate Document No. 186, Part 5, 76th Congress, 3rd Session, p. 32.

[45] Similar tendencies, although not carried to the same extent as in the N.R.A., were observable in the organization of defense activities in 1941. Michael Straight's comment is relevant: "The responsibility for our failure so far falls first upon the officials of the defense administration. Their sights were set too low; they never looked ahead. They had sufficient power to act on production, but they have, almost without exception, made no dent in the production picture. The officials of the OPM in each industry division are the representatives of the industry in question. The consultant on steel has been the president of the Iron and Steel Institute. The Transportation Division is the personal property of the American Association of Railroads. The Paper and Pulp Section consists of men from the Paper and Pulp Institute. The Copper Division is run by representatives of the Kennecott Copper Company. These men are recruited from the same 'noble army of controllers' that nearly wrecked England. Not consciously, not deliberately. They don't try to forward their own immediate interests. But they are in Washington principally to protect the interests of their own industries. They aren't deliberately selfish; they are simply incapable of thinking in terms of the public interest."—"The Mirage of Production," *New Republic*, (July 28, 1941), p. 107.

kinds of rules that they had earlier sought, as private associations, to have their members follow.[46]

The tendency for power and influence to gravitate toward private associations has led some political theorists to advocate a reconstruction of the state in which formal power and authority would be vested in what are now private groups. These doctrines of pluralism were influential in the theory of the Italian corporate state, although it seems doubtful whether the corporate nature of the Italian state ever advanced much farther than the theoretical stage. A fundamental weakness of guild socialism and other pluralistic theories is that special interests cannot be depended on invariably to promote the public interest. In one respect the chief problem of the sovereign state is to prevent private associations from injuring the general public. And one method by which that end is achieved is through compromising conflicts between groups which may, to be sure, involve a recognition at particular times that the public interest may be advanced by yielding to this or that private association. Without the sovereign state, it is easy to imagine the anarchy of groups that would arise with the delegation of public authority to private associations.[47]

QUESTIONS AND PROBLEMS

1. Discuss the phrase of the constitution of the American Legion which states that the Legion "shall be absolutely nonpolitical."

2. How can the power of the Legion in dealing with Congress be accounted for?

3. How does it happen that we had a powerful movement for old-age pensions in the 1930's rather than, say, in the 1900's?

4. What are the stakes of minority groups in American politics?

5. "The settlement and conciliation of intergroup differences are often accomplished without the interposition of government." Discuss with special reference to the position of the Negro.

[46] An incidental effect of the quasi delegation of public authority to the leaders of private groups is the pursuit of individual, rather than group, advantage with the leverage of public power. In state and local food control during the World War, for example, leaders of merchants' associations were often placed in authority. It is clear, says C. O. Hardy, "that the system was such as to give influential business men very large and virtually uncontrolled power over their competitors."—*Wartime Control of Prices* (Washington: Brookings, 1940), p. 185.

[47] Consult Walter Gellhorn, *Federal Administrative Proceedings* (Baltimore: The Johns Hopkins Press, 1941), especially Part 4.

6. Identify the chief foreign-born groups in your state or city. What is their role in politics. What are their objectives?

7. What is the importance, if any, of religion in the politics of your state or city?

8. To what extent should the judgment of professional groups be accepted by legislators in determining public policy?

9. Under what conditions are private groups likely to be most influential in the administration of legislation affecting their members?

10. Relate the discussion, in this chapter, of the tendency toward guild control of governmental action to material in your courses in political theory concerning pluralism.

Chapter 7: ADMINISTRATION AS POLITICS

IN A COMPREHENSIVE conception of the American political pattern a significant position must be accorded to the administrative agencies of the Federal, state, and local governments. Commonly the administrative departments are thought of as mere agents to carry out policies decided upon by representative bodies through the play and interplay of demands by the public, or parts of the public, organized into pressure groups and political parties. But the execution of legislative policy is not their only function, though it is their major function; they also have a part in the process that leads to the formulation of public policy.[1] In this process the importance of vast aggregations of civil servants organized into well-knit hierarchies and animated by common aims and spirit is often underestimated or even ignored. For the segment of society that they serve, governmental departments and agencies at times act as spokesmen or representatives before legislative bodies and the public. Through the prosecution of research that reveals public needs and points toward public action, administrative agencies often initiate movements leading to new public policy. In the politics of appropriations almost every administrative bureau or department seeks to maintain or enlarge the scope of its operations; moreover, associations of employees of governmental units attempt to bring about the passage of legislation improving the conditions of their employment. In one respect administrative agencies are like the associations we have called pressure groups: they operate continually, in Republican and Democratic administrations alike, to advance their interests; indeed, often the closest working relationships are maintained between a pressure organization and the governmental agencies in which it is

[1] Georg Jellinek remarked: "The bureaucracy and the army are not state institutions only; they are social groups, too, which, independent of their progenitor, react back on his shape and life."—Quoted by Arnold Brecht, "Bureaucratic Sabotage," *The Annals of the American Academy of Political and Social Science*, 189 (1937), p. 56.

interested. Pressure group and administrative department are elements in the pattern of politics which may be jarred and realigned by the results of an election but are rarely completely thrown from power.

THE RISE OF THE ADMINISTRATIVE SERVICES

Perhaps the most striking feature of the development of modern government has been the rise in importance of the administrative services. In a simpler day the government consisted of the legislature, the chief executive, the courts, prisons, police, military services, the tax collector, and not much more. Today the administrative services of all units of government in the United States employ almost four million men and women. Collectively our governments constitute our biggest business, although individual cities and even some states are dwarfed when placed alongside the larger business corporations. A notion of the breadth of governmental services may be obtained from the figures in Table 8.

TABLE 8

GOVERNMENT EMPLOYEES IN THE UNITED STATES, 1929, 1933, 1937

	NUMBER OF EMPLOYEES (000's OMITTED)		
	1929	1933	1937
Total government employees	3,204	3,219	3,764
Federal	862	856	1,202
State	264	306	367
City	718	640	697
County, township, and minor units	269	260	298
Public education	1,091	1,157	1,200

SOURCE: E. R. Gray and W. R. Divine, "One in Every Nine Works for the Government: A Review of Public Payrolls," *National Municipal Review*, 28 (1939), pp. 204-212.

The expansion of American administrative services has occurred mainly during the past century, but since 1900 it has proceeded at an accelerated rate. The public educational system, for example,

has grown up mainly since 1820. Now over a million persons are engaged in this public function. The Federal Department of Agriculture at the time of its creation in the 1860's had but a handful of employees. Now it has a staff of thousands and engages in a bewildering variety of activities that range from the search for exotic plants in China to the purchase of submarginal agricultural land for retirement from use. Both the Department of Labor and the Department of Commerce have been created since 1900. The largest of the administrative services of the states, the state highway departments, have developed mainly since 1900. The great Federal regulatory agencies, the Interstate Commerce Commission, the Federal Trade Commission, the Securities and Exchange Commission, the Federal Power Commission, are comparatively recent additions to our governmental paraphernalia.[2]

Modern administrative services have been created for a variety of reasons. Fundamentally their proliferation is probably attributable to and a part of the tendency of modern society toward a higher and higher degree of specialization and division of labor. Such an interpretation may be carried to an unreasonable extreme, but several types of situations may be observed. In some spheres the governmental function has remained essentially unchanged, while the growth of the volume of work has both permitted and necessitated the creation of specialized agencies. In 1800 all kinds of law cases might be handled by a county court, but in a modern metropolis there is likely to be domestic relations courts, small-claims courts, juvenile courts, traffic courts, criminal courts, civil courts, and others, each with a staff of specialized assistants. Again, the village constable of 1800 may be compared with a modern police department. The constable handled all and sundry police work; the modern police department may have ordinary patrolmen, traffic officers, a homicide bureau, a bureau of missing persons, the harbor patrol, a juvenile division, an arson squad, a pickpocket squad, and so forth. In these illustrations the fundamental change has been the development of specialized units to handle special types of a broad governmental function of long existence.

The analysis may be carried a step further by the observation of the course of public assumption of certain activities. At one time all

[2] For detailed material on the development of Federal administrative agencies, see L. M. Short, *The Development of National Administrative Organization in the United States* (Baltimore: The Johns Hopkins Press, 1923); C. H. Wooddy, *The Growth of the Federal Government, 1915-1932* (New York: McGraw-Hill, 1934).

fire companies were manned by volunteers. When fire broke out, the butcher, the baker, and the candlestick maker would drop their work and become firemen. Likewise, in rural communities every man was obligated by law to work a prescribed number of days annually on the roads. In the cities policing of the streets at nights was similarly carried on. Eventually the government assumed these functions entirely. The baker decided to stick to his baking and leave fire-fighting to a staff of full-time public employees. Thus, specialized public services were developed to perform essential community functions.

In many instances new functions have been assumed by government that could not be provided for the community in any other way. The services were deemed essential for the community as a whole, yet they were either unprofitable for private capital or required for their performance the exercise of powers that could be vested only in public authority. The public educational system, for example, would probably not have been established for private profit, and in recent decades the inauguration of compulsory education has required the exercise of public power. The work of health officials in the prevention of disease would not be a paying proposition, but it is essential for the community as a whole. By utilizing the tax-levying and police power of the government, the public may thus have the benefit of specialized services that would not otherwise be provided.

One of the consequences of the high degree of specialization of labor is an interdependence between the specialized segments of society. This interdependence has brought in its train a vast body of legislation and a large number of administrative agencies to execute the legislation. When, for example, a farmer produced his own food, the condition of that food was his own responsibility; but when food is produced at a thousand places and transported to the consumer, there develop corps of food inspectors, meat inspectors, and other governmental officials administering legislation designed to insure the purity and healthfulness of the food supply. This interdependence creates conflicts of interest that are often resolved through administration. The Interstate Commerce Commission, for example, owes its existence to the feeling among shippers that they were victims of unfair treatment by the railroads.

New technological developments often bring about conditions that necessitate governmental intervention. The radio is a recent example. The number of wave bands available for broadcast trans-

mission is limited; hence a Federal Communications Commission is created to police the airwaves and to allot the privileges of radio transmission among the televisers, the broadcasters, commercial radio telegraph companies, police departments, and others who desire to use the ether.

The development of the city bringing together vast agglomerations of people has been instrumental in the establishment of new community services. Water systems, sewage disposal systems, recreation facilities, garbage collection services, street construction and maintenance, street lighting, rapid transit, zoning, and building inspection are only a few of the specialized services essential for a great city that may be performed under public authority.

In short, the administrative agencies of government perform functions essential to the functioning of modern society in its present form. These services have grown until they constitute one of the more important "interests" in society as a whole. In the study of the forces that determine what government shall and shall not do and how it shall be done, the influence of these services cannot be ignored.

ADMINISTRATION AND PUBLIC POLICY: MOTIVES

The development of administrative agencies employing large numbers of individuals animated by a devotion to a common cause has introduced formidable new forces into the policy-formulating process. As with private interest groups, the operation of the administrative agency is continuous; largely permanent in personnel, the administrative organization exerts its strength through transient department heads and Presidents, no matter what party is in power. With close relationships between its headquarters personnel in Washington and Congress it is able to make its wishes known to Congress either through the department head or through unofficial channels. Often with a personnel distributed over the nation, it is sometimes able to stir up pressure from home to bear on Congress. With almost a monopoly of information in its sphere of interest, the administrative organization is able to release or withhold data in such a fashion as to influence the course of legislative action.

What are the motives and objectives of administrative agencies in their efforts to guide legislative action? As regards private pressure groups, motive and objective are usually perceptible to all who will see. Some bloc desires to advance what it conceives to be its own

interest. The motivation of the lobbying of the administrative agency is in some respects the same as that of the private group, but it often possesses characteristics unlike those of the private lobbyist.

The administrative agency has its selfish interests to promote. Every bureau is anxious to obtain appropriations to carry out its program on an adequate scale, and few bureau chiefs believe that last year's appropriation was enough. An organization's prestige is measured in part by the size of its appropriations and the number of its employees. Larger appropriations may make possible needed salary increases. Apart from these sorts of motives, the personnel of an agency in seeking larger appropriations is often animated by a sincere faith in the worth of the work that is being done and by a belief that the public interest will be advanced by the appropriation of the amount requested. In fact, this is almost always true; persons employed by the government, like those employed elsewhere, are apt to have enthusiasm about what they are doing.

The administrative agency usually exerts its strength to defend itself and the program it is carrying out from attack in legislative bodies. Administrators tend to have a vested interest in the law they enforce, and when its enemies attack, the agency is quick to line up its legislative friends in defense. A special type of legislative proposal that arouses intense interest of administrators is a reorganization bill. Comprehensive schemes to reorganize the administration through legislation have invariably been defeated in Congress primarily through the pressure exerted by the bureaucracy. Only with the greatest of difficulty did Franklin D. Roosevelt obtain the passage of a reorganization measure delegating to the President the power to shift administrative agencies from one department to another; yet certain agencies succeeded in bringing about the adoption of amendments excepting them from the operation of the act. The Army Corps of Engineers, for example, has been one of the most persistent opponents of administrative reorganization and has succeeded in maintaining the *status quo* with respect to itself. Fights on questions of administrative reorganization are sometimes battles between two Federal agencies for jurisdiction over a particular matter, such as the dispute between the Department of Agriculture and the Department of the Interior over the Forest Service. The Forest Service, with its far flung field service closely knit into the life of the communities served, has gained strong public support and has been so far the victor in the interagency dispute.[3]

[3] See R. L. Neuberger, "How Much Conservation?" *The Saturday Evening Post*, June 15, 1940.

A theory of the role of administrative agencies widely held by pressure groups is that the administrative agency has a duty to act in furtherance of the interests of the group it serves. This is something of a doctrine of bureaucratic representation: that the Department of Labor should speak for and represent the interests of labor in making recommendations for new legislation; that the Department of Agriculture should promote vigorously the interests of the farmer; and so on. A characteristic statement of this notion is that recently made by the executive council of the American Federation of Labor:

> As democratic government developed in response to modern conditions, it has added to the duties of keeping the peace and national defense, obligation to promote the welfare of the Nation. Promoting national welfare soon resolves itself into promoting the welfare of groups, classified according to their economic interests upon which basic welfare depends. Thus we have developed in the government special services for those engaged in commerce and trade, in making articles of commerce, in transportation, in mining, in agriculture, and last of all for those employed in all those undertakings. The creation of the Department of Labor was in recognition of the fact that promotion of the best interests and social progress of wage-earners was a special function which should be entrusted to a Federal Department whose Secretary should be a member of the President's Cabinet, in order that the welfare of Labor should advance equally and in coordination with the progress of other basic economic groups.[4]

The declaration that the promotion of national welfare resolves itself into the promotion of the welfare of groups appears to be fundamentally false. Certainly efforts to promote the welfare of a particular class or group of people are often efforts to promote the welfare of that class at the expense of other classes and frequently at the expense of the general welfare.[5]

The representative theory has a ring of plausibility and is the basis on which much administrative lobbying is carried on. Many of the great administrative agencies owe their existence to those groups that they serve. As new groups or classes rise to power and influence they are recognized through the creation of governmental depart-

[4] *Report of the Executive Council of the American Federation of Labor to the Fifty-Ninth Annual Convention, Cincinnati, Ohio,* October 2, 1939, p. 113.

[5] Charles Wiltse asserts that the administrative agencies "serve a wide range of purposes, but one of the most important is that of supplying in some measure the functional representation which has long since ceased to exist in the legislative branch."—"The Representative Function of Bureaucracy," *American Political Science Review,* 35 (1941), pp. 510-516.

ments. The creation of the Department of Agriculture was the first recognition of an economic class in the administrative structure; later the departments of Commerce and of Labor were established; and finally, as the lower-income groups made themselves felt, the services now grouped in the Federal Security Agency were inaugurated. The degree to which an administrative agency becomes an attorney for its constituency, however, varies with circumstances. The Veterans' Administration is rarely in a position to oppose the interests of the veterans. On the other hand, when an agency is subjected to pressure from conflicting interests, it may enjoy a greater freedom in formulating and advocating its own recommendations. The Department of Labor, for example, cannot satisfy both the C.I.O. and the A.F.L. Nor can the Department of Agriculture satisfy, at the same time, the beet-sugar growers, the beet-sugar refiners, the Louisiana cane-sugar growers, and the seaboard cane-sugar refiners. When different interests play on an administrative agency, the agency may seek to work out a program of legislative recommendations appeasing divergent interests in so far as practicable, or it may work out its own program completely.[6]

Occasionally an administrative agency, in its legislative program, ceases to be representative of a particular segment of society and seeks to promote the public interest. Lest this statement be misunderstood, it ought to be made plain what is meant by the "public interest" in this discussion. The Corps of Engineers of the Army, to illustrate, work in cooperation with and under pressure from those interests concerned with river and harbor improvements. Their recommendations are likely to be made without what the railroad and highway groups believe to be ample consideration of the interests of railroad and highway transport. Presumably the "public interest" lies in a "proper" or "economic" relationship and coordination of the different forms of transport. In the nature of things it could hardly be expected that the recommendations of the Corps of Engineers would reflect highway and railroad interests, more closely associated

[6] Gaus and Wolcott comment that "those who assume that an adequate account of government is given when the term 'pressure group' has been uttered . . . look upon the Departments of Agriculture, Commerce and Labor as so many attorneys for their constituent vocational clients. . . . We point out, however, that agriculture, commerce, and labor are terms each of which covers a multitude of different types of interests that are rarely in total agreement on any save the most general and administratively meaningless abstract slogans."—*Public Administration and the U. S. Department of Agriculture* (Chicago: Public Administration Service, 1940), pp. 282-283.

with other agencies of the Government. The legislative recommendations of the Federal Home Loan Bank Board, serving the savings and loan associations, have generally been in conflict with those of the Federal Housing Administration, which works in the main through the commercial banks. Presumably the "public interest" lies somewhere between the two extremes.

These examples make clear the reasons that the recommendations of administrative agencies to Congress are often in conflict; their legislative programs frequently appear to be nothing more than projections of the desires of their respective constituencies. Nevertheless, administrative departments, in spite of the pressures brought to bear on them, strive toward the promotion of the public interest.[7] The goal is expressed in the inscription on the South Building of the Department of Agriculture: "Dedicated to the Service of Agriculture for the Public Welfare." The achievement of the spirit of such a goal in detail necessitates consideration of the problems of each segment of society in relation to the problem of government as a whole. Within the administrative service of the Government there is a much greater tendency to seek to promote the public welfare as a whole through new legislation than will be found in the ranks of the leaders of private pressure groups. At its best, the thinking and planning of the civil servant approaches the intelligent and informed exercise of a trusteeship of the public welfare. At its worst the lobbying efforts of the administrative departments constitute the shortsighted promotion of the narrow and selfish interests of the agency or its constituency.

In some spheres administrative officials possess something approaching a sovereignty of competence. Since a large proportion of legislation consists of modifications of old policy, those in charge of the administration of law are in possession of the information and experience basic to the formulation of changes. The Bureau of Internal Revenue, for example, in the application of tax laws discovers loopholes facilitating evasion and suggests to Congress methods of

[7] Gaus and Wolcott say of the Department of Agriculture: "Broadly conceived, the Department's major task is to canalize the drive and energy of the pressure groups in agriculture so that they will be less harmful to our economy generally and will contribute to the best use of our natural resources, to the most satisfactory rural life, and to the most economic supply of agricultural products most useful to the consumer. Thus, the Department is not merely an inert and passive transmitter of contending and conflicting pressures but is an active agency in defining objectives and in making adjustments within the scope of legislative policy."—*Ibid.*, p. 379.

remedying the situation. A crusading Food and Drug Administration urges changes in the law in order to broaden the coverage to protect the public and to make effective enforcement more feasible. Scientists of the Department of Agriculture discover means to control a crop pest and recommend suitable measures of control. The Children's Bureau calls attention to the high infant mortality rate and agitates for a program to bring about a reduction. In every sphere of governmental activity the influence of the expert knowledge and of the long experience of the administrative official makes itself felt in the formulation of new legislation.

In the consideration of the role of administration with reference to the formulation and promotion of public policies it is useful to keep in mind a distinction between the politically responsible and politically appointed department or agency head and the department or agency as an institution. The department head may or may not have the confidence of the legislative body; he may have great influence on legislation; he may have no influence. These matters depend to a considerable degree upon the individual qualities of the person who happens to be the chief of the agency.[8] As a consequence they vary from time to time.

Some department heads impress their personality and views on the agency they direct, but it is generally possible to speak of the department as an institution quite separate and distinct from the personality of its chief. "The department" over a long period builds up a tradition, a policy, and, one could almost say, a "personality" of its own. A point of view or a general philosophy comes to permeate the organization; and, if new recruits do not have the departmental attitude, they are apt to acquire it in the course of time. These departmental traditions are quite difficult to bring to life on paper, but they are of enormous importance in the determination of the direction in which the department will exert its influence in the legislative process. Moreover, the departmental policy and tradition tend to harden into a form that resists alteration. The institutional pattern of ideas comes to be set in a certain fashion and it tends to stay that way.[9] That is one reason why chief executives and legislative

[8] For an account of the potency of Mr. Jesse Jones, Federal Loan Administrator and Secretary of Commerce, in dealing with Congress, see Samuel Lubell, "New Deal's J. P. Morgan," *The Saturday Evening Post*, November 30, 1940.

[9] Public lands, including forested lands, were at one time in the custody of the General Land Office of the Department of the Interior. After considerable political pyrotechnics forests were assigned to the Department of Agriculture for protection and management. "The national forest idea ran counter to the whole

bodies often have to seek advice on public policy from outside the existing administrative services.

A special type of administrative lobbying, arising from the form of our governmental contrivances, needs to be mentioned. Associations of state and local officials affiliated with state and local agencies benefiting from Federal grants-in-aid have become active and powerful lobbying agencies. The American Association of State Highway Officials and the American Vocational Association, for example, have succeeded in pushing through Congress bills upsetting Presidential budget estimates. The Association of Land-Grant Colleges and Universities and the Conference of State and Territorial Health Officers are other powerful and influential associations that appear before Congress in quest of appropriations and legislation. These organizations owe their power to the fact that their membership consists of officials in every state usually in a position to bring effective pressure to bear upon their Representatives and Senators in Congress.[10] At the level of local government the United States Conference of Mayors, consisting of the mayors of cities of over 50,000 population, has been especially concerned with the presentation to Congress of the case for relief and public-works appropriations, although it has also been concerned with other types of legislation of interest to the larger municipalities.

In turn, Federal administrative agencies are an important lobbying group before state legislatures. The Federal Housing Administration has successfully sought the passage of state legislation amendatory of banking laws to permit state-chartered banks to operate under its mortgage-insurance system. The Farm Credit Administration has been concerned with state laws governing farm mortgages. The Federal Home Loan Bank Board has presented its views to state legislatures on subjects relating to building and loan associations. The Public Works Administration, during the period of its greatest activity, was instrumental in bringing about the passage of over 300 state legislative acts affecting its relationships with political subdivisions of states. The Soil Conservation Service has fostered the adoption of state soil conservation district laws. The Rural

tradition of the Interior Department," says Gifford Pinchot who was chief of the Bureau of Forestry of the Department of Agriculture at the time of the administration of Theodore Roosevelt. "Bred into its marrow, bone and fiber, was the idea of disposing of the public lands to private owners."—"How the National Forests Were Won," *American Forests and Forest Life*, October, 1930.

[10] See Key, *The Administration of Federal Grants to States* (Chicago: Public Administration Service, 1937), chap. 7.

Electrification Administration has fought legislative battles for farmers' electrical cooperatives. The Bureau of Narcotics has promoted the adoption of its Uniform Narcotics Law.[11]

Lobbying of Federal administrative agencies before state legislatures often reflects an effort to bring joint Federal and state action in order that some of the disadvantages of the division of jurisdiction between the Federal and state governments may be mitigated. In a recent document recommending state legislation on rural zoning, water control, tax delinquency, farm tenancy, and other subjects, the Department of Agriculture said: "The problems reviewed under these headings are State problems. But their successful solution will go far to solve some of the national problems with which this Department is concerned." [12] The legislation would supplement the programs being carried on directly by the Federal department.

This general pattern of administrative pressure prevails also in the states with respect to their legislative bodies. State administrative departments are one of the most important sources of legislative proposals and of pressure on the legislatures.[13] Moreover, associations of local officials have their legislative counsel to present their views and requests to legislative committees and to lobby for and against proposals affecting their membership. In many states the state league of municipalities is active in the halls of the state capitol during legislative sessions. Often there is an association of county supervisors or other like officials to present the views of the counties.

Illustrative of the activities of associations of local officials, the New York Conference of Mayors and Other Municipal Officials expressed opinions on 155 bills introduced into the New York Legislature in 1940. "The Conference approved sixty-one, of which twenty-five became law, and disapproved ninety-four of which only four were enacted. Of the twenty-seven recommendations in the conference's legislative program, eight became law." [14] David Kurtz-

[11] See Ruth Weintraub, *Government Corporations and State Law* (New York: Columbia University Press, 1939); Key, "State Legislation Facilitative of Federal Action," *The Annals of the American Academy of Political and Social Science*, 207 (1940), pp. 7-13.

[12] *State Legislation for Better Land Use, A Special Report by an Interbureau Committee of the United States Department of Agriculture* (1941).

[13] For the situation in a typical state, see McKean, *Pressures on the Legislature of New Jersey*, chap. 5, "Pressures on the Legislature from Other Branches of the State Government." See also Leslie Lipson, *The American Governor* (Chicago: University of Chicago Press, 1939), chap. 9.

[14] Belle Zeller, "Lawmaker—Legislator or Lobbyist?" *National Municipal Review*, 29 (1940), pp. 523-532.

man reports the following groups of local officials active before the Pennsylvania Legislature: Association of Directors of the Poor and Charities and Corrections; Coroners' Association; Probation Officers' Association; Sheriffs' Association; State Association of County Commissioners; State Magistrates' Association.[15]

To be differentiated from the lobbying of administrative departments is the pressure work of associations or unions of public employees. While these unions occasionally resort to the strike to gain their ends, they rely principally on the technique of lobbying.[16] A bitter struggle brought to unions of Federal employees the right to lobby. In 1902 President Theodore Roosevelt issued the so-called gag rule forbidding employee groups "to solicit an increase of pay or to influence or attempt to influence in their own interest any other legislation whatever, either before Congress or its Committees, or in any way save through the heads of the Departments in or under which they serve, on penalty of dismissal from the Government service." After ten years, Congress in the Lloyd-La Follette Act of 1912 gave to unions of Federal employees the right "to petition Congress, or any member thereof, or to furnish information to either house of Congress, or to any committee or member thereof." [17]

The primary interest of Federal employees unions is in job security. They are also interested in better pay, shorter hours, suitable pensions, freedom from arbitrary removal, and like matters. On the other hand, these organizations also concern themselves with questions of governmental efficiency. They were influential in the adoption of classification legislation to assure equal pay for equal work; they usually advocate the extension of the merit system and defend it against attack. Some of the unions have taken an interest in general problems of governmental organization.[18] The president of an important association of Federal employees asserts: "During the period from 1917 to 1930, the National Federation of Federal Employees not only defended the merit system against dangerous attacks, but designed, drafted, and sponsored every constructive pro-

[15] "Influence of Organizations of Local Government Officials," *Annals*, 195 (1938), pp. 103-109. For additional examples see W. L. Bradshaw, "Missouri Municipal Officials Draft Legislative Program," *Public Management* (February, 1935), pp. 59-60.

[16] See David Ziskind, *One Thousand Strikes of Government Employees* (New York: Columbia University Press, 1940).

[17] For the events leading to the Lloyd-La Follette Act, see S. D. Spero, *The Labor Movement in a Government Industry* (New York: Doran, 1924).

[18] See Eldon L. Johnson, "General Unions in the Federal Service," *Journal of Politics*, 2 (1940), pp. 23-56.

posal for improving federal personnel conditions that was either enacted into law or received serious consideration." [19]

In the states, public employees are not so thoroughly organized into associations as in the Federal Government, but in those states in which the employees are organized they exert considerable influence. Their main objectives, like those of the Federal unions, relate to conditions of work, but they also on occasion exert their influence on other matters. McKean reports, for example, that the New Jersey Teachers' Association "can, sooner or later, get through the legislature almost any bill they want on teachers or teaching, and they can block almost any bill they do not want. On these matters, legislators, who have confidence in the intelligence and integrity of the teachers, feel that the teachers are the ones who know school problems best, and they ought to have what they want." [20] He says, however, that the Teachers' Association encounters greater difficulty in matters of educational finance.

In municipalities usually the most active and powerful employee groups before the city council are organizations of policemen and of firemen. These groups have generally been able through the exertion of their political strength to obtain more satisfactory compensation, guarantees of tenure, and pensions than have the ordinary run of municipal employees. In fact, they sometimes gain quite indefensible concessions from city councils.

ADMINISTRATION AND PUBLIC POLICY: METHODS

The methods employed by administrative agencies to influence the course of public policy are in a considerable measure peculiar to our Presidential form of government with its separation of powers. In a cabinet government, such as that of Great Britain, the heads of administrative departments have direct access to the representative, lawmaking body and are its leaders. Their recommendations on new lines of public policy and on alterations in existing legislation are likely, in the great majority of instances, to be adopted as a matter of course.[21] In the United States, and in each of our states, however, executive officers are independent of the legislative body, and be-

[19] Luther C. Steward in F. M. Marx (ed.), *Public Management in the New Democracy* (New York: Harper, 1940), pp. 195-196.

[20] McKean, *op. cit.*, p. 119.

[21] Consult Charles Aiken, "The British Bureaucracy and the Origins of Parliamentary Policy," *American Political Science Review*, 33 (1939), pp. 26-46, 219-233.

tween legislatures and executives there is almost inevitably and invariably friction. Yet Congress or the state legislature has the final word on legislation, and, to present effectively the views and desires of administrative agencies, special methods and procedures have been developed. These techniques, although different in degree, are not fundamentally unlike those employed by private pressure and lobbying associations to present their case to lawmaking bodies.

In the analysis of the influence of administrative agencies on public policy, a differentiation may be made between their public-relations activities designed to mold public opinion and their activities respecting specific bills pending in the legislative body. Almost every governmental agency attempts to reach the public—through the newspapers, over the radio, and through other media—but only a small proportion of the publicity issued by administrative agencies is concerned with the promotion of proposed courses of public policy. The objectives of the bulk of governmental publicity are the performance of a function, such as the dissemination of information on improved farming methods by the Department of Agriculture, or the furnishing of information to the public on the course of public affairs, such as the news releases issued by the Department of State.

Administrative agencies are concerned with the creation of a reservoir of good will among the general public that can be drawn on when specific legislative proposals are under consideration by the legislative body. A "good" press and a "good" name are of great value in convincing Congress of the necessity for an increased appropriation or for other legislation requested by the agency. Sometimes the public-relations strategy is to dramatize the agency through publicizing its chief. The Federal Bureau of Investigation furnishes an excellent example of this technique. Its chief, J. Edgar Hoover, has diligently cultivated public favor with after-dinner speeches, dramatic news releases, and books and articles extolling the fearless work of the "G-Men." So effective has been his continuing campaign, that when Mr. Hoover makes a request of Congress for legislation or for an appropriation newspaper editors all over the land editorialize in support of his position.

The armed services, in peacetime at least, do not build up a single personality but seek to create a public opinion favorable to the service as an institution. The special facilities extended, for example, by the army and navy to motion picture companies for the filming of pictures presenting the services in a favorable light, to the accompaniment of a certain amount of romance, undoubtedly aid in

creating favorable attitudes.[22] Other agencies seek to propagate an idea. The motion pictures *The River* and *The Plow that Broke the Plains*, prepared by the Resettlement Administration, were powerful and dramatic presentations of the effects of abuse of the soil.

Often the appeal is not to the "general" public, as in the examples cited, but to special groups of the population with a particular interest in the work of the agency. This preoccupation with what the public believes about the administrative agency is not entirely a matter of manipulating the attitudes of the public. The public often in turn influences the work of the administration. Practices that evoke criticism may be modified; or, if the criticism is poorly founded, increased efforts are made to present the facts so as to offset criticism.

None of the examples of public-relations activities cited involve an appeal for public support for any particular policy advocated by the agency; rather, they are calculated to establish a favorable general attitude toward the personalities, services, and ideas concerned. If this type of generalized publicity is effective, an underlying sentiment is formed or crystallized that is likely to help when specific legislation is under consideration in Congress.

Since a large proportion of the legislative output grows both from the need, demonstrated by administrative experience, for modifying existing legislation and from the need, demonstrated by administrative research and inquiry, for adopting entirely new policies, administrative agencies play an extremely important role in the process of lawmaking as a whole. They originate legislative proposals; they attempt, at times, to defeat legislative proposals originating from other sources; and, at other times, they seek to bring about alterations in proposals pending in the legislative body. The organization of the various departments of the Federal Government for carrying on this work varies in effectiveness. All agencies have facilities for watching the course of legislation in order to keep informed on proposals that might affect their work. For the preparation of legislative proposals there exists in the office of the General Counsel of the Treasury Department a legislative division that drafts all proposals for legislation from the different units of the department for presentation to Congress. Most of the other departments of the Federal Government do not possess special units for handling this work, but generally the legislative proposals from the bureaus of the depart-

[22] See James R. Mock and Cedric Larson, "Public Relations of the U. S. Army," *Public Opinion Quarterly*, 5 (1941), pp. 275-282.

ment pass over the desk of the head of the department for approval.[23]

Most legislation is of a simple and routine character and arouses no controversy. It seeks to accomplish objectives that, by common consent, are wise and necessary for the conduct of public business. In support of such bills, representatives of the administrative agencies appear before the committees of Congress and present information indicative of the circumstances that appear to make the changes desirable. The departmental officials then have to do little more than watch the bill to see that it is not neglected in the many steps of the legislative process.

Bills, however, that propose a major change in public policy are likely to affect adversely some private interest and hence to create a conflict in Congress that calls for a more vigorous presentation of the administrative department's case. Under these circumstances one method often used is for the department to call on its allies among the pressure groups for assistance in dealing with Congress. When the objectives of the Department of Agriculture, for example, are coincidental with those of the American Farm Bureau Federation, the lobbyists of the federation will appear, present testimony, buttonhole members of Congress, and perhaps focus upon Congressmen pressure from their constituencies. Or perhaps the Farmers' Union is with the department and the federation against it; under these circumstances the department may plan its legislative strategy in collaboration with the officials of the Farmers' Union. Connections exist between nearly every administrative unit and outside private associations, and these relationships are of great importance in the promotion of legislation. There is a deep-seated congressional jealousy of "bureaucrats," and the bureaucracy is restricted in the methods that it may use in dealing with Congress. If it seeks to stir up popular pressure on Congress in support of particular legislation it is likely to arouse criticism and resentment in Congress; but these methods are open to its allied private pressure groups.

Meriam and Schmeckebier, able students of Federal administration, point out that "the 'embattled bureaucrats' generally come in for chastisement . . . because they may exert pressure on the Congress to prevent curtailment of functions and activities, reduction of appropriations, or the consolidation of their agencies. That statement

[23] E. E. Witte in President's Committee on Administrative Management, *Report with Special Studies*, pp. 361-378. See also O. Douglas Weeks, "Initiation of Legislation by Administrative Agencies," *Brooklyn Law Review*, January, 1940.

makes pertinent the query: Where do the embattled bureaucrats get their power? . . . Their power comes from the fact that their office or agency has a fairly large, militant clientele which immediately swings into action on any threat to their particular service." The power of the bureaucrats, the authors believe, "arises from their relationships with voters and it is the power of the voters that really counts in the situation." [24]

It is chiefly in political disputes involving questions of high policy that the administration attempts to crystallize and focus a supporting public sentiment on Congress. And the important figures in these affairs are not petty bureaucrats but the principal leaders of the administration. On these great questions the President or cabinet members may appeal to the country for support in defeating the opposition in Congress. In recent years such steps have been taken by administration leaders in connection with the Supreme Court reform bill, the administrative reorganization bill, the public-utility holding-company bill, the wages-and-hours bill, and other like measures of major importance.

A lubricant in the relationships between the administration and Congress (and similarly in the states) is the patronage system. The administration cultivates Congressmen (and Congressmen seek to be cultivated) through the appointment of their nominees to posts in the Federal service. Patronage appointments furnish one of the more potent types of leverage by the administration over Congress. In like fashion administrative agencies are able to gain congressional support through their power to allocate funds and projects to undertakings in the Congressman's district. Beyond these types of relationships almost every administrative agency has its friends in representative bodies, bound to them by a common interest. It is not surprising that a Congressman from a corn-growing district will be perhaps even more enthusiastic than the Department of Agriculture for appropriations for eradication of the corn-borer; or that, on the contrary, a Congressman from a fruit-growing district will be violently opposed to the efforts of the Food and Drug Administration to reduce to harmless quantities the residue of poisonous insecticide on fruits shipped in interstate commerce.

The requests of administrative agencies for legislation often conflict and thereby create confusion. In earlier days bureau chiefs

[24] Lewis Meriam and L. F. Schmeckebier, *Reorganization of the National Government* (Washington: Brookings, 1939), pp. 114-115.

might approach Congress directly to obtain legislative action; now the general practice is for legislative requests to flow through the department head. In recent years a further clearance has been established within the administration: most departmental requests for legislation are routed through the Bureau of the Budget, which acts for the President to reduce interdepartmental conflict and to insure that the legislative requests of individual departments are in harmony with the policies and objectives of the administration as a whole.[25] In the field of appropriations, greater progress has been made in curbing the independent activities of each governmental agency than with respect to general legislation. Requests for appropriations are submitted to the Bureau of the Budget, as the agent for the President, and the final requests for appropriations are made to Congress by the President. The chiefs of individual services are not free to advocate appropriations larger than those requested for them by the President. From time to time, however, the interest groups allied with particular governmental functions lobby increases of the Presidential estimates through Congress; or the initiative in increasing Presidential estimates comes from within Congress itself. The establishment of the executive budget thus, with considerable success, restricts administrative lobbying to the limits set in the budget by the Chief Executive.

[25] The degree to which the legislative requests of departments and agencies are coordinated under Presidential direction prior to submission to Congress and the public has varied under different Presidents. Franklin D. Roosevelt has often permitted department heads to support conflicting proposals and, at times, to urge the passage of legislation not in accordance with the policy of the administration. This reflects in part the hesitancy of the President to remove or direct his insubordinate lieutenants and in part the political independence which such persons acquire. The allowance of public controversy within the administrative hierarchy has had its critics among those who feel that internal differences should be ironed out before a program is submitted to Congress, but there are defenders of the practice. The latter contend that the expression of divergent views and the promotion of conflicting policies permit public discussion and facilitate the crystallization of public sentiment. Anarchy of aims is defended particularly in those situations in which the proper course for public policy is not patent. Through the reaction to the proposals of different agencies public sentiment may be plumbed. The evaluation of rigid internal policy coordination as against freedom of departmental initiative in legislative matters depends on which method results most consistently in the adoption of the "right" policy. An important justification for a high degree of administrative coordination of policy proposals is that such a procedure reduces the burden of decision-making borne by Congress. But rigid internal administrative coordination of policy programs, to be workable, must be based on procedures which assure ample consideration of all important views within the administration.

LIMITATIONS ON THE ADMINISTRATIVE SERVICES

By various means Congress has sought, on the whole ineffectually, to limit the activities of administrative agencies designed to influence public opinion and legislative action. These legislative acts have been motivated in part by the intense congressional jealousy of the growing power and influence of the bureaucracy; in part by adherence to the theory that administrative agencies should have no place in the initiation of legislation; in part by congressional resentment of the actions of particular administrative agencies regarding specific situations.

The first limitation applicable to all administrative agencies was enacted in 1913. It grew out of the announcement of a civil service examination to select a "publicity expert" for the Office of Public Roads. The duties of this position, it was announced, would "consist of the preparation of news matter relating to the work of the Office of Public Roads and securing the publication of such items in various periodicals and newspapers, particularly in country newspapers." It was desired to obtain the services of a man "whose affiliations with newspaper publishers and writers is extensive enough to insure the publication of items prepared by him." The phraseology of the announcement of the examination could not have been better designed to arouse animosity in Congress. Congressman Gillett observed: "The different departments of the administration certainly are not very modest in finding men and means to put before the country in the press the duties and purposes of their administration." Congressman Fitzgerald agreed "that there was no place in the Government Service for an employee whose sole duty was to extol and to advertise the activities of any particular service of the Government." The outcome was the following legal provision: "No money appropriated by this or any other act shall be used for the compensation of any publicity expert unless specifically appropriated for that purpose." [26]

Congress has made no specific appropriation for the employment of publicity experts. Consequently, there has resulted, says McCamy,

[26] 38 Stat. L. 212. In 1909 Congress had placed the following limitation on the Forest Service: "That hereafter no part of any funds appropriated for the Forest Service shall be paid or used for the purpose of paying for, in whole or in part, the preparation or publication of any newspaper or magazine article, but this shall not prevent the giving out to all persons, without discrimination, including newspapers and magazine writers and publishers, of any facts or official information of value to the public."

"the evasive hiring of publicity experts under such titles as 'Director of Information,' 'Chief, Division of Information and Education,' 'Chief Educational Officer,' 'Editor-in-Chief,' 'Assistant to the Director' or 'Assistant to the Administrator,' 'Supervisor of Information Research,' 'Assistant to the Chairman,' or 'Director of Publication.' " [27] It should be said, however, that many laws authorize administrative agencies to carry on educational work or to inform the public, and the expenditure of funds for publicity work can be justified under these authorizations. The principal effect of the legislation of 1913 has been to outlaw the title "publicity expert."

In 1919 Congress enacted the following legislation: [28]

> No part of the money appropriated by any act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress. . . .

Indicative of the practices toward which the legislation was directed is the statement in congressional debate that this clause would "prohibit a practice that has been indulged in so often, without regard to what administration is in power—the practice of a bureau chief or the head of a department writing letters throughout the country, for this organization, for this man, for that company to write his Congressman, to wire his Congressman, in behalf of this or that legislation." [29] The law does permit executive employees to communicate with members of Congress at the request of Congressmen or through "the proper official channels" respecting legislation or appropriations.

Further statutory limitations on publicity by governmental agencies were imposed by Congress in 1939. By an act effective July 1 of that year, Congress prohibited administrative agencies from sending through the mail free of postage, books, documents, pamphlets, and like materials unless a request had been received for it. This limitation was adopted as the result of the objections of Congressmen to the practice of New Deal agencies of transmitting large volumes of publicity matter through the mails.

In practice the principal sanction for the enforcement of the foregoing limitations on administrative agencies is the possibility of ad-

[27] J. L. McCamy, *Government Publicity* (Chicago: University of Chicago Press, 1939), p. 7.

[28] 41 Stat. L. 68.

[29] *Congressional Record*, Vol. 58, Part 1 (1919), p. 403.

verse criticism in Congress, to which the executive officers of the Government are extremely sensitive. The absence of a body of case law interpreting the statutes as applied to different kinds of situations makes it difficult to say precisely what is prohibited. Every administrative agency aspires and hopes to influence the course of legislation. The law does not prevent recommendations on new legislation through proper channels—the President and the heads of departments. The chief effect of the regulatory legislation seems to be to discourage administrative agencies in openly organizing support throughout the country for or against specific bills.

The kinds and tenor of congressional criticism of administrative activity in relation to public policy may be illustrated by a few examples. In 1940 Congressman Smith of Ohio assailed Nathan Straus, administrator of the United States Housing Authority, and members of his staff for "gumshoeing about the Capitol and offices of Congressmen lobbying for the passage of the housing bill. . . ." He described the activities of Mr. Straus and his staff as "perfidious action" and announced that "every bureaucrat should be put in jail for lobbying to put his schemes through Congress." [30] Again in 1940 Congressman Smith of Virginia, bitter critic of the National Labor Relations Board and leader of a congressional bloc united to weaken the Labor Relations Act, charged that the officials of the board had used public funds to line up labor organizations and their sympathizers to use their influence on congressional committees against changing the law or reducing the appropriation of the board. He asserted that the available data indicated a violation of the law and demanded that the responsible officials be prosecuted.[31]

A letter sent in 1940 by Secretary Wallace to the 630,000 borrowers from the Farm Credit Administration was criticized by Congressman Reed of New York as a "subtle effort to influence borrowers to bring pressure to bear on Members of Congress in support of the Jones-Wheeler bill," a bill relating to the agricultural credit program.[32] The Secretary's letter made no mention of specific legislation but stated certain problems facing the governmentally sponsored farm credit system and invited reflection and discussion. Another Congressman came to the defense of the Secretary and claimed that the "bitter and unjust" attacks made on the Secretary in the press as the result of Congressman Reed's remarks were unfair and that the

[30] *Congressional Record*, April 30, 1940, p. 8060.
[31] *The New York Times*, March 19, 1940.
[32] *Congressional Record*, April 26, 1940, p. 7899.

communication by the Secretary was in accordance with legislation requiring the Secretary to disseminate "information for the further instruction of farmers regarding the methods and principles of co-operative credit and organization."

Administrative agencies are also subjected to criticism from private sources for their efforts, alleged or real, to influence congressional action. In the battle in 1933 over the revision of the Pure Food and Drug Act, for example, Daniel A. Lundy, an advertising man connected with the Home Drug Company of Minneapolis, manufacturers of "Prescription No. 69," a self-administered cure for gallstones, directed a letter to each member of Congress denouncing Walter Campbell, chief of the Food and Drug Administration. He demanded that Campbell be "dismissed and prosecuted for his alleged gross violations and abuse of authority, in spending government money without permission of the Congress for radio, Paramount News Reel, diversion of his employees time for selfish purposes and other means to influence passage of the unconstitutional Tugwell-Copeland-Sirovich Food & Drug bills." [33] In 1940 Congressman Disney of Oklahoma, by insertion in the *Record*, disseminated a speech before the Independent Petroleum Association of America, attacking radio dramas by the Interior Department on oil conservation. The speaker observed a "hysteria and dramatic emotionalism" in these broadcasts and feared that they might lead to "a bloodless revolution, with the transfer of authority over our industrial life from free enterprise to Government dictatorship" and cited the gag law.[34]

Outbursts such as those cited have a common origin. They come from critics, inside and outside Congress, of the policies fostered by the administrative agency concerned. Attacks on administrative action, whether based on fact or not, are usually part of a campaign against a particular piece of legislation. Phrased in extravagant language, they are usually designed to attract newspaper publicity calculated to discredit the administrative agency by branding it as a lawbreaker. These attacks serve to keep administrative agencies within legal bounds, but, within the sphere of legality, there is large scope for administrative lobbying. The President and other policy-forming officials have a responsibility to recommend to Congress courses of action; Congressmen, in turn, rely on administrative officials and employees for advice and assistance. The administration

[33] Ruth deForest Lamb, *American Chamber of Horrors* (New York: Farrar & Rinehart, 1936), p. 297.

[34] *Congressional Record*, March 1, 1940, p. 3465.

remains one of the most important influences on the course of legislative action.

Legal limitations of the sort discussed are likely to be ineffective in stemming the tide of administrative publicity calculated to influence public opinion and the course of legislative action. In some respects, as Harold Stoke has pointed out,[35] the growth of administrative publicity reflects a profound change in the nature of our governmental arrangements. To executive agencies has shifted in considerable measure the initiation of legislative policy. A corollary of this change is the development of administrative propaganda and education to aid in the crystallization of public sentiment concerning new policies. In another respect administrative agencies have themselves become lawmakers through congressional delegation of authority. To make administrative rules and regulations publicly acceptable, propaganda or education has to be carried on as a substitute for the discussion and debate that earlier served in a more exclusive degree to manufacture public consent to governmental action. Yet there remains a serious problem in the definition of the sphere of permissible official propaganda that is in keeping with the theory of representative government.[36]

THE PLACE OF BUREAUCRACY IN A DEMOCRACY

It is clear that the administrative services are not purely inert mechanisms through which the will of the legislature is transmuted into action. These services themselves are an important force in the state and play an important part in the determination of what is to be done in the name of the state. Yet their importance is not so great as might be inferred from the more extravagant diatribes against the bureaucracy and its assumption of power.

[35] "Executive Leadership and the Growth of Propaganda," *American Political Science Review*, 35 (1941), pp. 490-500.

[36] There is no denying, says Arthur Macmahon, "that the public relations activities of governmental agencies may be dangerous for democratic society. Especially when large resources are involved, an agency should not be more interested in perpetuating itself than in enlightening public opinion. The eagerness to win public support may pass beyond the boundary of cultivating consent into demanding obedience. The formula of public relations for modern administration is elusive. The kind of advocacy that prejudices responsible government must be avoided. Yet administrators must be left adequately equipped to fulfill their responsibilities. Careful and continuous scrutiny by legislatures and citizens is the best guarantee that the limits of desirable administrative informational activity will be observed."—*The Administration of Federal Work Relief* (Chicago: Public Administration Service, 1941), p. 292.

The trend of events, however, suggests inquiries into the shape of things to come for administrative services and parliamentary institutions. The growing volume and complexity of public functions has reduced to a fiction the theory of separation of powers and the parallel doctrine of the separability of politics and administration. Representative bodies, the institutional embodiment of democratic ideology, have by the compelling force of the trend of events lost both power and prestige. Their role in the initiation of public policy has been largely lost to pressure groups and administrative agencies; their authority to decide many issues has, of necessity, been delegated to the administrative services. They have been driven toward a role of futile and uninformed criticism, at its worst motivated either by partisan or picayune considerations.

The administrative services have, in terms of the distribution of both formal governmental power and informal political influence, been the chief heirs of the declining representative bodies. What are the dangers and problems of the growing importance of the administrative services in a culture in which traditionally the theory at least has been that political issues should be decided by popularly elected representatives? Charles E. Merriam points out that as we emerge from the era of corruption, incompetence, and ignorance in administration [57]

> . . . the new possibilities are those of arrogance and indifference to the public, lack of sympathy approaching harshness, and cruelty, devotion to inflexibility and routine, grumbling at theory and change; procrastination, quibbling and delay; or the opposite of too great and rash speed without adequate preparation of the public for the change.
>
> Above all there is the ever impending danger of the desire for personal self-perpetuation and expansion of power, bureaucratic parochialism of the pettiest type; the sabotage of the ends of office by placing the machinery or the person above the function he is there to serve; or the effort of the administrator to take over the role of the policy maker, by various devices, direct or otherwise.

Although tendencies in these directions are discernible, there are offsetting factors. In the initiation and formation of public policy the power of group and class drives, as has been shown, is fundamental. Yet private groups find it difficult, even when the best of intentions are granted, to exert their strength for the general welfare. The legislative programs of administrative agencies, however, tend

[57] "Public Administration and Political Theory," *Journal of Social Philosophy*, 5 (1940), pp. 305-306.

to incorporate the objectives of private groups and to temper and to modify them in the public interest. Indeed, in many situations of policy parturition it seems that the bureaucracy is the only participant animated by a devotion to the common welfare. In this connection Gaus and Wolcott inquire: [38]

> At what point in the evolution of policies in the life of the community shall the process take place of transforming a specialist point of view and program, through compromise and adjustment, into a more balanced public program? Much of this process must take place in the administrative agencies through the selection of personnel, their continued in-service training, the content and discipline of their professions, researches, and responsibilities, the attrition of interbureau and interdepartmental contact and association, and the scrutiny of their work by the over-all administrative staff and auxiliary agencies and by Congress. If there is the proper attention to these matters, the viewpoint of the civil service will differ from the surrogacy that one expects from the officials of a pressure group.

A possible line of development, then, would be the direction and harnessing of the power, knowledge, and skills of the administrative services so that they might constitute a powerful force in the initiation of public policies calculated to promote the commonweal. The development of an administrative corps of this character depends in large measure on the further development of techniques of organization and supervision whereby the political heads of administrative services may better overcome the parochialism of the permanent staffs and liberate their talents. This problem of the overhead organization of governmental departments and of the Government as a whole is of prime importance in determining the direction in which the powers of the bureaucracy will be exerted. Such responsible officials in collaboration with Congress have the task of orienting public policy, but in the absence of effective techniques for organizing and directing the administration their efforts are likely to be either obstructed or ineffectively carried out by the administrative services. Recent years have seen much attention given to the organization of administration and to administrative planning. This tendency reflects partially a desire to create, within the administrative structure, machinery and procedures for more certain and expeditious determination of the issues in the application of existing policy and the initiation of new policy that otherwise might receive a narrow treat-

[38] *Op. cit.*, p. 283.

ment at the hands of individual uncoordinated and poorly directed administrative services.

The danger of the rise of a bureaucracy aggressively grasping for unwarranted power is much less than the danger of drifting into a condition in which the bureaucracy is a purely negative force. A seasoned bureaucracy, without heroic measures to the contrary, tends to become attached to the time-honored ways of doing things, hostile toward innovation, lacking in initiative, and timid. These qualities are admirable at the right time and place, but the next few decades in the United States will hardly be the time and place for pleasant habituation to the customary.

This is not to argue for a bureaucracy that will usurp the functions of Congress and the President; the contention is, rather, that present conditions demand a bureaucracy that will minimize the magnitude of the tasks of Congress and the President. How may that be done? The pressure on Congress may be reduced by the development of procedures within the administration for the settlement of matters unworthy of the attention of Congress, by the eradication of parochialism within administrative agencies and the consequent submission of legislative recommendations that are more likely to meet the desires of Congress, and by the development of internal controls that would reduce the task of congressional surveillance of the administration. The task of Presidential direction of the administration increases in difficulty with the growth of the number of administrative agencies; the impression of the President's policy on particularistic administrative agencies becomes an almost impossible job (yet that is the President's responsibility and duty). To make the functions of Congress and the President actual as well as nominal, it is essential to have a bureaucracy dedicated to seeking out the general welfare yet mindful of the final authority of Congress and the President in defining how the general welfare shall be promoted.

QUESTIONS AND PROBLEMS

1. How has the development of the administrative services been associated with economic specialization?

2. Discuss the motivation of administrative efforts to influence the determination of public policy.

3. Is there any conflict between the general principles of our consti-

tutional system and the view that administrative agencies should perform a representative function?

4. In what respects are the public-relations activities of administrative agencies similar to those of private pressure groups?

5. What is the function of the clearance of departmental legislative requests through the Bureau of the Budget?

6. Why are administrative agencies limited by law in their lobbying and promotional activities?

Chapter 8: THE ROLE AND TECHNIQUES OF PRESSURE GROUPS

THE DESCRIPTION of the more important groups that attempt to influence the course of public policy in the United States and the indication of their principal objectives form the basis for a comprehension of the complexity of the problem of politics. In a broad sense, this problem is the reconciliation, rejection, concession, or repression of the demands and claims of specialized interests in society. Further analysis of our social structure would reveal a much greater variety and number of specialized private associations than those described here.

At bottom, the great complexity of modern politics rests upon the diversification of interests and upon the creation of cleavages by the growth of economic specialization in the production and distribution of goods and services; nevertheless divisions introduced by racial, religious, and regional differences are not without importance. A corollary of economic specialization is interdependence and interrelationship between the specialized segments of society. It is at these points of interdependence and interrelationship that friction occurs and that adjustments must be made.[1] These accommodations

[1] The conflicts of interest that occur at these points of contact may involve matters of great import; at the other extreme the point at issue may appear ridiculous. Charles E. Merriam says: "The liquor question had its light side as well as its tragedies. Sitting on the license committee [of the Chicago City Council], where I was placed in order to make it necessary for me to vote on all wet and dry proposals, we were entertained at one time by a mysterious ordinance requiring the abolition of the once famous free lunch. This turned out to be a desperate struggle on the part of conflicting groups of saloon keepers. Those who dispensed beer chiefly, favored the free lunch and the long, long drink. Those whose chief business was dispensing a quick shot of whiskey thought the free lunch an expensive nuisance and wanted to be forbidden to serve it. I do not recall any other hearing in which the respective positions were presented with such fervid conviction, and certainly no other in which my own opinion was so eagerly, almost prayerfully sought, by all the liquor men. For the moment I became the Judge of Booze. But we never seemed to have enough evidence to

often are accomplished through the mediation of the politician, although to a degree not commonly realized they are achieved without the interposition of government.

The organized groups described in the preceding chapters are constituted of diverse kinds of people with widely varying aims, yet they also possess common characteristics of interest to the student of the political process. In this chapter the operations of these groups in general is analyzed with the object of indicating their similarities in function and method.[2]

THE REPRESENTATIVE FUNCTION OF PRESSURE GROUPS

In the Constitution and laws one finds precious little about the organization of people of like interest in pressure groups, yet these associations play an important part in our politics and government. While for many decades associations of various sorts have sought to influence public policy, only during the past twenty years have they reached their full development. Perhaps the impressive demonstration during the World War of what could be done in molding public opinion through large-scale propaganda gave a cue to the leaders of special interest groups. With the aid of public-relations specialists, they promptly proceeded to sell their programs and policies to the public and in turn to influence the decisions of legislatures and of Congress. As late as 1924 William Allen White could say that[3]

> . . . these new forces in our politics which organize, direct and institutionalize public sentiment seem to have escaped many writers upon American politics. Yet in effect the existence of these new forces has changed our political life almost fundamentally. No constitutional amendment has done more to modify the importance of the Congress and, to a certain extent, the executive and through it the judiciary than have these organs of public opinion. . . .

He thought that possibly his book might "give a hint to the trained student of our affairs who will put down in academic terms the growing influence of the extra-legal agencies that are becoming more

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make the decision."—*Chicago*, p. 60. Quoted by permission of The Macmillan Company, publishers.

[2] For another survey of pressure-group activity, see D. C. Blaidsdell, *Economic Power and Political Pressures* (Monograph No. 26, Temporary National Economic Committee, 1941).

[3] *Politics: The Citizen's Business* (New York, Macmillan, 1924), pp. v-vi.

and more a part of our real government." Whether his suggestion had anything to do with subsequent developments it is impossible to say; nevertheless, since that time the function and role of interest groups have come to be more generally recognized, and many scholars have analyzed various phases of pressure-group activity.

In fact there had been pressure groups long before Mr. White made his observations in 1924. Childs says: [4]

> A cross section of the political process as it was functioning during the early part of the nineteenth century reveals literally swarms of pressure groups, many of which have since expanded into nation-wide organizations still in existence: the Bible Society of America (1816); the Children's Aid Society (1853); the National Association of Cotton Manufacturers (1854); the National Education Association of the United States (1857); the American Medical Association (1847); the American Peace Society (1828). . . . Then, as now, such groups sought to influence the course of public policy by bringing pressure to bear upon governmental officials, by seeking to mold public opinion, by applying with the facilities at their command those age-old strategies of argument, persuasion, organization and publicity.

Undoubtedly, however, the number and importance of pressure organizations have increased during the past forty or fifty years. In part, they have been formed as a result of increasing governmental regulation. If there is a real or threatened tax or regulatory act, the persons and corporations affected have something concrete in common, and there is a spur to organize to protect common interests. Congress, for example, in July, 1862, levied a tax of one dollar per barrel on beer, and shortly thereafter the United States Brewers' Association was created. The preamble to its constitution stated: [5]

> Cooperation is necessary. Owners of breweries, separately, are unable to exercise a proper influence in the legislative and public administration. It appears especially necessary for the brewing trade that its interests be vigorously and energetically prosecuted before the legislative and executive departments, as this branch of business is of considerable political

[4] Harwood L. Childs, "Pressure Groups and Propaganda," in E. B. Logan (ed.), *The American Political Scene* (New York: 1936), p. 217. Quoted by permission of Harper and Brothers.

[5] Quoted by Peter Odegard, *Pressure Politics*, p. 245. Another example of the relationship between legislation and pressure organization is furnished by the Manufacturers' Association of New Jersey which "was originally formed in 1905 to oppose the enactment of a workmen's compensation act."—McKean, *Pressures on the Legislature of New Jersey*, (New York: Columbia University Press, 1938), p. 104.

and financial importance, exerting a direct as well as an indirect influence on political and social relations.

In union there is strength; the beer tax was soon reduced. But this incident illustrates a potent factor in the formation of pressure associations. When a law or threatened law impinges on scattered individuals, they are likely to be drawn together by a common interest in political offense or defense.[6] Strong and closely knit interests are likely to be found in those areas in which government control or government bounty is greatest.

In one respect pressure organizations perform an important representative function in our politics.[7] Their representative function arose partially because of the inadequacy of geographical representation in a more and more diversified society. So long as the people of a particular congressional district, for example, are engaged in one type of farming and in occupations tributary to agriculture, the representative from the district can speak for their interests, but when the interests within his district become highly diversified he must tread warily lest he antagonize an important segment of his constituency. The result may be that important elements within his district do not have a voice in Congress or the state legislature. The constant increase of specialization in our society has made more and more difficult the task of the representative selected from a geographical area. Special interests came to be organized so that, in part, the cheese makers, the laborers, the drys, or others of like views and interest might have representatives who could state their attitudes authoritatively before the government and the public.[8]

[6] According to A. H. Kelly the "precipitating factor in the organization of a state manufacturers' association in Illinois came in 1893. The General Assembly, inspired by pressure from the State Federation of Labor, Jane Addams and Florence Kelly of Hull House, and various Chicago trade union groups, in June enacted a statute limiting the hours of labor of women to eight hours per day. The response was immediate." Leading industrialists "organized the Illinois Manufacturers' Association, for the specific purpose of destroying the law."—*A History of the Illinois Manufacturers' Association* (Chicago: University of Chicago Libraries, 1940), pp. 3-4.

[7] For an extremely thoughtful and suggestive discussion of this matter, see E. E. Schattschneider, *Politics, Pressures and the Tariff* (New York, Prentice-Hall, 1935), chap. 5.

[8] The attitude of government toward the representatives of organized interests is indicated by the statement of a member of Congress to the national legislative representative of the Brotherhood of Locomotive Firemen and Engineers: ". . . you do not think that gentlemen like yourself, who are here for the purpose of representing professionally, in a way, the legislative interests of a big constituency, would have any objections to it?"—Hearing before the House Com-

In order to determine and express its wishes, a segment of society composed of people with common interests has to develop a kind of government within the greater government of society as a whole. It has been indicated that associations such as the American Federation of Labor and the American Farm Bureau Federation have their policy-forming conventions and congresses based on a system of representation of the constituent units of the organization and that these conventions adopt statements expressing the wishes and demands of the group as a whole. By this process, internal differences within each interest group are ironed out and the association can approach the public and the government with a united front. The reconciliation of differences within interest groups through the workings of the governments of those groups facilitates the work of legislatures and of Congress by reducing the number of conflicts with which they have to deal, as well as by giving the formal government an authoritative statement of group attitudes. The formal governmental machinery is then left with the task of ironing out conflicting demands of larger groups.

The process of determining the interests of the group, through conventions, conferences, congresses, is not so simple as it might seem. It may be thought that the interests and needs of the farmer or of labor are perfectly clear; the only problem is to bring together a group of leaders of farmers or laborers and let spontaneous expression follow its course. In commenting on the economic theory of political motivation, Walter Lippmann has said that if the theory were correct, economic position or status ought "not only to divide mankind into classes, but to supply each class with a view of its interest and a coherent policy for obtaining it. Yet nothing is more certain that all classes of men are in constant perplexity as to what their interests are." [9] The machinery of the pressure group attempts to solve these perplexities; the task of the professional (or salaried) leaders of these groups is often as much to tell their membership what their interest is as to represent that interest before outside groups.[10]

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mittee on the Judiciary on S. 2512 and H.R. 5725, 74th Congress, 1st Session (July 16 and 26, 1935), p. 11.

[9] *Public Opinion*, p. 185. Quoted by permission of The Macmillan Company, publishers.

[10] Oliver Garceau observes that "it is in large, organized groups that opinion is manufactured. What they have to tell government was not there independently, to be merely parrotted by a group employee or officer." Of the American Medical Association, he says: "Official policy is evolved in the hierarchy of formal group

It can be said, therefore, that in a sense pressure organizations serve as representative agencies in the political struggle, although the official hierarchy of an organization may not always represent the interests and views of its constituents either accurately or with discernment.[11] It may be asked why new political parties were not organized to speak for those groups which felt that their interests were not represented through the existing governmental machinery. The history of third parties had demonstrated rather conclusively that new groups have slight chance of success in the election of their candidates. Their chief opportunity to exert influence in elections is through coalitions or fusions with one of the existing parties, and coalition generally results in assimilation. Moreover it has often been necessary under our governmental scheme to convert both major parties to a policy before there is a chance for adoption of the idea. This has been especially true of new policies that require constitutional change for effectuation. The groups favoring prohibition and woman suffrage were compelled to convert both parties; to do this they had to go behind the parties and appeal to the people without regard to party affiliation.

Observation of the development of a complicated structure of interest groups has led to suggestions that the governmental machinery be altered to provide formal recognition of their representative function. In certain European countries economic councils have been created from time to time paralleling the traditional parliaments, in which associations of workers, bankers, steel manufacturers, farmers, and other interest groups are directly represented. In the democratic countries these bodies have generally been only advisory in nature and have made little headway, while in the dictatorial countries the chambers representative of economic interests have been only adjuncts to the dictator.[12]

institutions, and it is both a cause and a result of the group's total internal political process. But policy, when finally shaped, is regarded as a one-party line, to be put across to the membership by many techniques besides repetition and rational persuasion."—"Organized Medicine Enforces Its 'Party Line,'" *Public Opinion Quarterly*, 4 (1940), pp. 408, 428.

[11] An illustration is furnished by the discussion of the draft in 1940. John L. Lewis and William Green, heads of the two national labor organizations, spoke for "labor" in opposition to the draft, yet the poll of the American Institute of Public Opinion showed that 71 per cent of labor union members favored it.

[12] Harwood L. Childs reports that in Germany the vocational organizations became after the dictatorship not channels "through which special interests made their influence felt upon government" but "instruments by which government exerted pressure upon these interests."—*An Introduction to Public Opinion* (New York: Wiley, 1940), pp. 103-104.

In the United States the notion of bodies representative of functional rather than of territorial interests has never been broached very seriously; rather the idea has been advanced that the aggregate of interest groups with their spokesmen in Washington constitute a sort of invisible representative machinery pulling the strings that guide the actions of Representatives and Senators.

Efforts have been made, however, to subject pressure groups to a degree of governmental regulation. In this the tendency has been somewhat on the order of governmental regulation of political parties. Originally political parties were considered merely as private associations of citizens. Gradually their purely private character was modified by public regulation of their organization, of the methods of selection of their leaders, of the qualifications for membership, and of other matters. It came to be recognized that there was a public interest in the operations of the parties. Sentiment has not developed to the same degree regarding pressure organizations, but regulations and proposals for additional regulation of lobbying before Congress and state legislatures constitute a beginning toward regularization of the activities of pressure groups. In some states persons appearing before legislative committees are required to register with an appropriate official and indicate the name of their principal or the association they represent, the compensation they receive, the bills in which they are interested. Similar proposals have never been enacted by Congress, although they have been frequently considered.

In the absence of regulatory legislation, legislative committees have to take other means to ascertain for whom the persons who appear before them are authorized to speak. Legislative representatives ("lobbyists") are sometimes asked how many members there are in the organization they represent; how the organization arrived at the view stated by its representatives; and other questions designed to inform the legislators of the nature and character of the constituency represented before them. Such inquiries are well advised, for occasionally pressure groups exist which are little more than letterheads containing some impressive names; sometimes organizations of this kind exert considerable influence.[13]

[13] McKean, after his experience in the New Jersey Legislature, concludes that the legislature, in connection with lobby-registration acts, "should undertake to ascertain what or whom the groups represent. It is not enough to demand that a lobbyist reveal the name of his employer; the names and addresses of members of the organization and the financial affairs of the group should be included to give legislators any true picture of the sources of the pressures upon them."—

The unregulated and informal character of functional groups occasionally leads to deception by pressure-group leaders who hide behind unrevealing or misleading names and conceal the true identity of their backers. The method is illustrated by the following letter from an official of the Association of American Railroads concerning a bill introduced in the New Jersey Legislature: [14]

. . . Mr. Russell stated to me recently over the telephone that the bill was being championed by the Chamber of Commerce of the State of New Jersey and for that reason Mr. Russell thinks it inadvisable to let it be known, even among our own people, that this bill was prepared by railroad counsel or is in any sense sponsored by any committee of the Association.

In the course of a recent investigation of lobbying, Senator Wheeler said to one witness: [15]

You also speak of the American Federation of Utility Investors. Of course, when the utility-holding company bill was up we had a group of people saying they were representing utility investors, when, as a matter of fact, we knew some of them were being financed by utility groups. If the representatives of the railroads would just get it out of their heads that they are fooling anybody, and if the executives of these other corporations would get it out of their heads that they are fooling anybody, they would save both time and money for themselves and their companies.

Senator Wheeler observed that [16]

. . . there are too many of these organizations going around the country claiming they represent, we will say farmers in one case, or security holders in another case, or somebody else in another case, when as a matter of fact they are being financed by somebody who is vitally interested in the pending legislation. Frequently it is a case of misrepresentation to the Members of the Congress of the United States. . . .

Members of Congress, however, have facilities for knowing who represents whom. Probably a more serious effect of deception is in the propaganda work of inaccurately named groups. A propaganda

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Pressures on the Legislature of New Jersey (New York: Columbia University Press, 1938), p. 244.

[14] Hearings before a Subcommittee of the Senate Committee on Interstate Commerce, pursuant to S. Res. 71, Investigation of Railroads, Holding Companies and Affiliated Companies, 75th Congress, 2d Session, Part 23, p. 10,501.

[15] *Ibid.*, p. 10,031.

[16] *Ibid.*, p. 10,024.

campaign may be carried on so as to conceal its true motive.[17] The chief counteraction against such movements is the special investigation by a congressional or legislative committee which will disclose that a group ostensibly representing the farmers is speaking for the public utilities or some other interest. Most investigations of pressure groups and lobbying before congressional committees are designed to ascertain how much money has been spent and in what manner in influencing public opinion; the investigations, in turn, are initiated by elements that seek to counteract the power and influence of the pressure group through discrediting it in the public eye by revealing its more or less unethical propaganda methods and use of money.[18] In the long run there probably will be more regulation of pressure associations for the purpose of defining and formalizing their representative function.

The rise to power of functional groups has in one respect created a gap in our representative machinery. The development of these groups has stimulated an attitude among legislators and other public officials that the proper function of these officials should be to referee the dispute between contesting interest groups with conflicting interests rather than to originate policies and proposals. If all interests were organized into pressure groups, this attitude would probably

[17] The following examples illustrate the point:

A letter from Elisha Lee to the president of the Pennsylvania Railroad regarding the Fuel-Power-Transportation Foundation, an offshoot of the Ohio State Chamber of Commerce, contained this passage:

"I recently discussed this subject with Messrs. Crowley, Willard, and Bernet, and it is felt by all of us that the railroads should continue their support of the work of the foundation, since it is performing such a meritorious service for the railroads and it is our thought that the results so accomplished under the sponsorship of a State chamber of commerce are more effective than if the work were performed by the railroads through an organization of their own."—Hearings before a Subcommittee of the Senate Committee on Interstate Commerce, pursuant to S. Res. 71, 75th Congress, 2nd Session, Part 23, p. 10,021.

The National Association of Manufacturers raised a fund for publicity in favor of "employee representation," or company unions, the fund to be administered "through" the association "although not directly by that organization." The chairman of the committee handling the publicity wrote: "As you can appreciate, it is not possible for us to give general publicity to the work of this committee if it is to be effective. If it becomes generally known that these programs have been originated by the National Association of Manufacturers, they will be discounted very generally."—Senate Report No. 6, Part 6, 76th Congress, 1st Session.

[18] For an example of such an investigation, see Hearings before the House Select Committee Investigating Old-Age Pension Organizations, pursuant to H. Res. 443, 74th Congress, 2nd Session. The general objective of this inquiry seemed to be to soften up the Townsend movement.

have no ill effects, but in reality there are in society many important interests that do not have effective organization.[19] Public officials tend to succumb to those groups with representatives on hand to speak for them;[20] the acceptance of the views of one group may injure the unheard side of the conflict of interest. In tariff hearings before congressional committees, for example, those who would be injured by a proposed tariff are seldom present to protest.[21] The chief safeguard against the excesses of organized interest groups is the belief of public officials that unorganized sectors of society may have an opportunity to express their attitudes through the electoral process.

The impression may have been left by the foregoing discussion that most citizens are members of some organized group to promote their interests. But the population is not neatly apportioned into pigeonholes according to primary interest. Great numbers of people do not belong to associations; and many associations consist of only a small proportion of the citizens concerned. The labor unions, the bar associations, the medical associations, the automobile associations may be considered as spokesmen for their respective groups, but generally they are made up and dominated by a small minority of the class concerned. Moreover, there is often an overlapping of membership which makes the conflict between interest groups somewhat less sharp than it would be if their membership were mutually exclusive. Says Lasswell: [22]

[19] A recognition of the problem is indicated in the following statement by two high public officials: "The executive official charged with making administrative policy needs to work closely with interest groups as a way of ascertaining public opinion. He also needs a way to find the opinion of those citizens who are to be affected by executive public policy but who are not represented by delegates from organized groups. Such unrepresented citizens may be outside organized groups, or they may be in the rank and file of an organized group but not given an accurate representation of their will by their secretariat at the seat of government." —Henry A. Wallace and James L. McCamy, "Straw Polls and Public Administration," *Public Opinion Quarterly*, 4 (1940), pp. 221-223.

[20] Joseph R. Grundy, a noted lobbyist, observed: "In Congress, from my experience, the fellow that makes the most noise, and the fellow that makes the most demands, that keeps his problems in front of them all the time, he gets service. If he doesn't; if he depends upon somebody else to do it for him, he is going to get what we all get when we don't go after the thing the way we ought to—nothing."—Quoted by Schattschneider, *op. cit.*, p. 219.

[21] See Schattschneider, *op. cit.*

[22] H. D. Lasswell, "The Person: Subject and Object of Propaganda," *The Annals of the American Academy of Political and Social Science*, 179 (1935), pp. 187-193. In a similar vein Lippmann says that man's multiplicity of interests "makes it impossible for him to give his whole allegiance to any person or to

John Citizen may pay his dues to a veterans' organization which seeks to raise the cost of government by demanding higher bonus rates, and he may also support a business association which tries to lower the cost of government by reducing payments from the public treasury. He may belong to an association of bondholders which strives to prevent the liquidation of fixed claims, and he may contribute to a trade association which urges inflation in order to reduce the burden of fixed charges on business enterprise. He may contribute to a civic league to improve the honesty and efficiency of government, and also pay the local bosses to protect his franchise. Hence the person may in effect argue against himself in the press, lobby against himself at the capital, vote against himself in Congress, and defeat in administration what he supported as legislation.

Nor should the impression prevail that the promotion of legislation and the influencing of administration are the sole functions of the groups under analysis. Trade associations often perform functions closely akin to combination in restraint of trade, as well as formulate codes of ethics and carry on activities of common interest to their members. Labor unions exist primarily for reasons other than lobbying. And professional groups, like the American Medical Association, though they express their views on legislation, also have other objects.

PRESSURE GROUPS AND POLITICAL PARTIES

Pressure groups seek to attain the adoption of those policies of particular interest to them; they do not nominate candidates and campaign for control and responsibility for the government as a whole. Their work goes on regardless of which party is in power in

any institution." In an advanced society "no grouping is self-contained. No grouping, therefore, can maintain a military discipline or military character. For when men strive too fiercely as members of any one group they soon find that they are at war with themselves as members of another group."—*Preface to Morals*, pp. 268-269. Quoted by permission of The Macmillan Company, publishers. The following observation by F. C. Bartlett is relevant: "It is one of the curious things about human society that, where potentialities of division are very numerous, the possibility of serious splitting may be at a minimum, but where possible lines of division are few, the group may be in serious danger of radical deterioration. For when potentialities of division are numerous, if a split occurs it is likely to affect individuals or small groups of individuals only, leaving the general society not much upset. But where there are one or two simple lines of possible cleavage, any actual division works disaster to the whole group."—*Political Propaganda* (Cambridge, Eng.: Cambridge University Press, 1940), pp. 8-9.

the state, city, or nation. Theirs is a politics of principle. "We must be partisan for a principle and not for a party," said Samuel Gompers speaking for the American Federation of Labor. "Labor must learn to use parties to advance our principles, and not allow political parties to manipulate us for their own advancement." [23] Other pressure organizations have the same objective: "to use parties to advance our principles."

Political platforms usually reflect the demands of those groups which political leaders deem so powerful that it is imprudent to ignore their wishes. Often platform drafters are confronted by the necessity of making a choice between diametrically opposed interests, and the outcome may be an equivocal or vague platform pronouncement. As an organized group gradually convinces the public of the desirability of its cause, the successive party declarations may become firmer, with both parties progressing toward complete acceptance of the view of the organized groups at about the same rate. The leaders of organized groups may appear before the platform committees and urge that the party take a particular stand, but such lobbying is not always necessary. Platform drafters take into consideration the probable reaction of important interests to the position taken by the party. This anticipation of probable public reaction is a constant factor influencing decisions by politicians. And the inclusion on these grounds of declarations on the more important issues sometimes makes it seem that the petitioners before platform committees represent those interests and groups whose proposals have not gained wide public acceptance. At the Chicago Democratic Convention of 1940, H. L. Mencken reported,[24]

> . . . the resolutions committee sat for hour after hour in the Blackstone Hotel, listening solemnly to the yowling of an almost endless procession of crackpots, though everyone present knew that the platform was written in Washington at least a week ago, and that an engrossed copy of it, okayed by the Most High, was in the inside pocket of Senator Robert F. Wagner, the chairman.

If an important point of view or interest is ignored or underestimated by a platform committee, the fight may be carried to the floor of the convention.

In the nomination of candidates for the Presidency, important groups have, in effect, a veto. A national party must, if it hopes to

[23] Samuel Gompers, *Labor and the Common Welfare* (New York: Dutton, 1919), p. 138.

[24] Baltimore *Sun*, July 14, 1940.

win, draw its support from a cross section of society. Its candidate should not have characteristics or a record that might offend any large element of the population. Likewise, aspirants for nominations for governor, for mayor, and for other offices made by the direct primary are more likely to be successful if they have not made an enemy of important elements of the population for whom organized pressure groups speak.[25]

The policies of organized groups regarding their endorsement and campaigning for candidates differ as greatly as do their composition and objectives. At one extreme are those organizations that attempt to form effectively a solid bloc of voters that can be delivered to any candidate who takes the desired stand on the issue of interest to the group. Actually to deliver such a vote requires the existence of a well-disciplined group whose members are almost fanatical in their devotion to the cause. The most successful group in the formation of a bloc of voters that could be moved one way or another and thereby gain a balance of power in campaigns has been the Anti-Saloon League. It was "non-partisan, bi-partisan, omni-partisan. With no nominees of its own, it held itself free to support any candidate it approved. It frequently supported both Republicans and Democrats in the same election." [26] At one election the league, on the basis of the records of the candidates on the temperance question, endorsed: [27]

For U. S. Senator—a Republican
For Governor—a Democrat
For Attorney General—a Republican
For Congress—five Republicans, three Democrats
For Assembly—sixty-three Republicans, five Democrats, and three Independents

Rarely, except in limited areas, has any other group matched the Anti-Saloon League in capacity to deliver substantial blocs of voters. But the general tendency is to drive toward the standard set by the league. Most of those groups that have a numerically large membership analyze the voting records of candidates for Congress, state legis

[25] At this point attention may be called to the contention made by J. T. Salter that successful politicians do not tend to be crusaders; they wait until pressure-group leaders and others have convinced the public before taking a stand. See his *The Pattern of Politics* (New York: Macmillan, 1940).

[26] Peter Odegard, *Pressure Politics, The Story of the Anti-Saloon League* (New York: Columbia University Press, 1928), p. 87.

[27] *Ibid.*, p. 94.

latures, and city councils. The membership is informed of the stand of the candidates on issues of concern to the group and admonished to support their friends regardless of party affiliation. The Non-Partisan Political Campaign Committee of the American Federation of Labor, for example, circulates information about the congressional records of the candidates on issues of interest to labor; it occasionally makes a special effort to defeat for re-election candidates whose labor record is unusually objectionable. To illustrate: in 1926 the committee made a strong effort against Representative Garrett of Tennessee who represented a predominantly agricultural district. The Representative was barely re-elected. The theory underlying such a campaign is that the threat of retaliation at the polls makes an official more sympathetic toward the viewpoint of the organization concerned.[28]

On pending issues it is a common practice for groups to circulate questionnaires among candidates to ask their stand. Thus the candidates are, in effect, asked to pledge themselves to a position on the question before election. The circulation of the statements of candidates among the voters is designed to serve the same purpose as the circulation of the legislative records of candidates seeking re-election.

As the composition of a pressure group becomes more heterogeneous and less well-disciplined, the difficulty of acting as a unit in elections becomes greater. Many organizations therefore do not endorse candidates but attempt to maintain friendly relationships with all candidates and all parties. Their objectives may be achieved by propaganda campaigns, by lobbying, by various methods. Often it is unwise to back either party; it is better to have friends in both camps, for the group must promote its objectives whatever party is in power.

The actual influence exerted by pressure groups in nominations and elections is a matter about which there is little precise knowledge. The professional politician, in a sense, makes it his business to estimate the strength of the various interests appealing to him for his support of particular policies. He risks his re-election—and his livelihood—on his ability to forecast the strength which can be mustered against him at the polls by the group that the lobbyist represents. Yet the politician acts on intuitive estimates of the situation. The chances are that the bark of most of the organized groups is more

[28] Childs, *Labor and Capital in National Politics* (Columbus: Ohio State University Press, 1930), p. 195.

terrifying than their bite on election day, but there is little convincing evidence bearing on the question one way or the other.

PRESSURE GROUPS AND LEGISLATIVE BODIES

Pressure groups seek either legislation or the prevention of legislative action adversely affecting their interests. The "conservative" interests generally desire to prevent the passage of bills considered to be injurious to legal privileges that they enjoy, while the "liberal" or "radical" groups generally are desirous of bringing about the passage of legislation to regulate or limit the operations of groups enjoying vested interests. Thus, C. S. Mellen, former president of the New York, New Haven and Hartford Railroad Company once said: "We did not seek so much positive legislation. . . . We could get along very well if we were let alone—very well. . . . It is not so much the things we want to do to the other fellow, as to prevent what the other fellow wants to do to us." [29] In New York state legislation Dr. Zeller says that Associated Industries, an association of 1500 manufacturing corporations, merchants, and other business corporations, has been concerned chiefly with "blocking rather than promoting legislation, in postponing or emasculating social legislation as long as possible to thus 'save as much money for industry as possible, even if it cannot be done indefinitely.'" [30]

There are to be sure many instances in which interests usually classified as "conservative" have sought positive legislation: namely, when the railroads asked for great land grants to aid in transcontinental railroad construction; when the manufacturing associations seek increased tariffs; or when public utilities seek franchises. Soon,

[29] Senate Document No. 543, 53rd Congress, 2nd Session (1914), p. 924.

[30] Belle Zeller, *Pressure Politics in New York* (New York: Prentice-Hall, 1937), p. 55. Charles Merriam, in writing of his experiences as a Chicago city councilman, remarks that the adverse influences working upon the aldermen "are stronger than the positive influences. The press has a veto upon most ordinances; the opinion of experts has a veto; the mayor has a veto; business and labor have a veto; the nationalities have a veto; the religions have a veto in most cases; the party organizations have a veto; liquor has a veto; and this does not exhaust the list of the interests that may intervene to prevent the passage of a law."—*Chicago*, p. 247. (New York, 1929). Quoted by permission of The Macmillan Company, publishers.

Illustrative of the effectiveness of obstructive tactics is the comment of A. H. Kelly that only one bill that the Illinois Manufacturers' Association regarded as "unfriendly" became law between 1911 and 1929. "All other 'labor' and social reform bills were effectively disposed of."—*A History of the Illinois Manufacturers' Association* (Chicago, 1940), p. 14.

however, these groups began to turn their attention to blocking proposed regulatory measures. As a general rule it is much easier to prevent legislative action than to bring it about. At many steps in the legislative process it is possible to block action.[31]

Formerly the general public attitude toward lobbyists was distinctly unfavorable; they had the reputation of being unscrupulous, unprincipled, and at times not above the use of bribery and like means to achieve their ends. But the representatives of organized groups

. . . work in the open; they have nothing to hide; they know what they want; and they know how to get it. They work with precision and efficiency. The "old, sly, furtive, pussyfooted agents of special privilege trusts" have been pushed to one side. The great organized groups, which now in such large numbers maintain headquarters in the capital, constitute the lobby of today. They are the "third house of Congress," the assistant rulers, the "invisible government." [32]

[31] The point is illustrated by the following testimony by a life insurance company employee of Atlanta, Georgia, before the Temporary National Economic Committee (Hearings, Part 10, p. 4410):

Mr. Gessell. Will you tell us or describe for us the methods which you adopt when a particular bill which is or may be adverse to life insurance is introduced in the legislature?

Mr. Cooney. After it is introduced—as a matter of fact, if I can put in here, if we can learn that a bill is about to be introduced we try to get hold of the man to introduce and argue the question on its merits and get him to withdraw it. I may say to you, sir, if you will let me diverge a minute, we rather believe in that, like the Dutchman at the boarding house where they were tough roosters. He said he ate them when they were eggs.

Mr. Gessell. You mean, you like to get at a bill at its earliest possible moment.

Mr. Cooney. That is right.

Mr. Gessell. Let's say you cannot prevent the sponsor from introducing the bill. What happens?

Mr. Cooney. We try to deal with it before the committee to which it is referred.

Mr. Gessell. Suppose the committee reports it out?

Mr. Cooney. Well now, if it is reported unfavorably that ends it.

Mr. Gessell. Let's assume it reports out favorably.

Mr. Cooney. Then we begin to try to get hold of different members of the legislature in one way or the other and try to convince them they ought not to vote for it.

Mr. Gessell. Suppose the matter is coming up for a vote and the result looks as though the bill may get through?

Mr. Cooney. We have to wait until we see what that is, sir, and then possibly deal with it in the Senate after it goes there, if it is a revenue bill.

Mr. Gessell. You follow the same procedure through the Senate?

Mr. Cooney. To a certain extent.

[32] E. P. Herring, *Group Representation before Congress* (Baltimore: The

William Allen White says of one of the new lobbyists: "The head of the American Legion appears in Washington, waves his hand, Congress jumps into a bellboy's uniform, takes orders, goes down to the White House and insults the President. Party leaders, party chairmen, elder statesmen, stand around watching the spectacle, aghast but helpless." [33] The mode of operation of the pressure groups is quite different from that of the old-fashioned lobbyist who often depended on more or less corrupt methods to reach his objective.

The techniques of pressure groups in dealing with legislative bodies have been indicated at various points, but it may be well to pull together the scattered data and indicate in general terms the methods that tend to be followed by all the groups, whether working at the state capital or in Washington. The larger associations and interests maintain representatives at the seat of the government at least during the legislative sessions. These men—lobbyists, legislative counsel—have often had legislative experience either in Congress or in the state legislatures. If they lack that experience, they are usually well informed on legislative procedure and tactics. Their tenure is likely to be longer than that of the legislator; and in the course of their long service they may come to gain the confidence and respect of the legislators. It is the job of the lobbyist to keep watch on the course of legislation in order that the interests of his principal may be protected and promoted.

Every pressure group of any importance has its allies in the legislative body itself. From the farming states will come Senators and Representatives who will aid the American Farm Bureau Federation in its legislative program. The National Association of Manufacturers and the American Federation of Labor have their legislative allies from the industrial states. Spokesmen for the American Legion may come from almost any part of the country. Similarly in the state legislatures each group of importance generally has a member friendly to its interests on the floor. The following situation in New Jersey could be duplicated in any state: [34]

A new member of the legislature soon grows to learn from their actions that certain members speak for the banks, for the insurance com-

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Johns Hopkins Press, 1929), p. 41. This volume was the pioneer study of the activities of pressure groups in relation to Congress. The student is referred especially to chap. 3, "From the Old Lobby to the New," and chap. 4, "How the New Lobby Operates."

[33] *Politics: The Citizen's Business*, pp. 15-16.

[34] McKean, *op. cit.*, p. 232.

panies, for the physicians, and so on. Sometimes the relationship of the member to the group is perfectly clear; for example, Dr. Marcus Newcomb, who was majority leader of the Assembly in 1935 and Speaker in 1936, was president of the Medical Society of New Jersey at the same time, and he always managed the public health bills for the Society. Another instance was that of Herbert J. Pascoe, an employee of the Pennsylvania Railroad, who served his ninth term in the Assembly in 1935, and who was Speaker in 1933; his speeches and his votes were clearly influenced by his employment by the railroad. Speaking on a bill to require the lighting of railroad crossings he once said, "We have always opposed these bills," frankly identifying himself with the railroad.

Thus members of the legislative body friendly to the pressure group concerned take the lead in the introduction of legislation and in the obstruction of undesirable legislation.

In the organization of the legislative body—that is, the appointment of committees and other functionaries of the body—pressure groups are likely to take a hand. In some state legislatures it appears that membership on committees is determined to a large extent by pressure groups who are anxious to obtain appointment of their friends to committees that will handle their bills. McKean says, for example, that in New Jersey the Manufacturers' Association has generally been successful in obtaining the appointment of members to the Senate labor committees who would be inclined to stop labor legislation.[35] In 1913 Gompers of the American Federation of Labor said that his organization had been successful in bringing about the appointment of every person it had endorsed for the chairmanship of the House Committee on Labor.[36] A letter from the files of the Association of American Railroads stated: [37]

> We are making a very serious effort to get some friends on the next Rivers and Harbors Committee of the House. A great deal of important legislation will be referred to that committee dealing with waterways and particularly the operation of the Federal Barge Line.

The interest of the railroads was in keeping waterway competition to a minimum. If the membership of a committee is packed to bring a particular decision, the difficulties of overriding that decision are great in the normal course of parliamentary procedure.

[35] *Ibid.*, p. 202.
[36] Childs, *Labor and Capital in National Politics*, p. 210.
[37] Hearings before a Subcommittee of the Senate Committee on Interstate Commerce, pursuant to S. Res. 71, Investigation of Railroads, Holding Companies and Affiliated Companies, 75th Congress, 2nd Session, Part 23, p. 10,497.

The pressure groups are always represented before legislative committees when hearings open to interested parties are held on legislative proposals. Some of the groups have effective research organizations that prepare factual data bearing on the proposals for presentation before the legislative committees; others are not strong on facts, but they make their position known. In Washington the tendency seems more and more for the professional secretaries and counsel of pressure groups to depend on the officials of their organizations to appear before committees. The full-time lobbyist is merely a "hired man"; he brings in the president and vice-presidents of the organization and coaches them on the bill, and they appear before congressional committees. Since committees tend really to make legislation, the hearings before the committee assume great importance in the legislative process. Hearings enable Congress to ascertain the attitudes of all affected interests toward a particular piece of legislation, to acquire from those most intimately affected a knowledge of the probable effect of the legislation, and to arrive at some kind of workable compromise among those concerned.

Although great emphasis is placed on committee deliberations, the pressure group does not ignore the other members of the legislative bodies. The more important groups maintain detailed records concerning the attitudes and interests of each member of the legislative body. These records aid them in informing their membership of the stand taken by particular members and also in directing pressure on the legislator when bills are approaching a vote. The pressure is brought in two ways: directly on the representative, at the seat of the government, by interviews, persuasion, buttonholing; and indirectly by the stirring up of interest in his home constituency and the directing of that pressure toward the legislator.

The pressure in Washington or in the state capital is applied by the permanent representative of the pressure group who occasionally calls in delegations to reinforce his efforts. For example, the Chamber of Commerce of the United States in 1939 met in Washington: [38]

[38] *Nation's Business*, June, 1939, pp. 59-60. In 1941 the C.I.O. conducted a campaign against a bill to limit the right to strike in defense plants, by sending groups of three labor leaders to visit each Representative. Representative Smith of Virginia, an anti-labor Congressman, asked: "Why do these 'goon squads' call on you gentlemen in squads of three? It is a little part of the technique of intimidation. One of them of course could have told us just as much about this case as three. But, no, they have to have three. That little touch of intimidation on members of Congress!

A novel feature of this year's meeting was the series of 27 state dinners representing delegates from 44 states, held simultaneously Wednesday evening. The purpose was for business representatives to meet with their congressional delegations and discuss business needs. About 300 Congressmen and Senators, including the ranking leaders in both parties, attended. Legislators were told that business believes government cannot do much for it, but a great deal against it.

The indirect pressure from home may be more compelling than convivial dinners. The secretariat of the well-conducted pressure groups knows who is most influential with each legislator and how to reach that person.[39] The records of the legislators just mentioned are brought into use. The following, from the records of the State Charities Aid Association of New York, indicates the technique:[40]

X County: L——, Chairman, Republican Committee, is considered a "figure-head." County Judge T—— is real leader. Mrs. J——, Vice-Chairman, is ineffective. R——, Secretary, friend of M——, Superintendent of Poor. M—— is a friend of H—— and H—— will speak to M—— concerning the bill.

The same personalized technique is represented by the following letter from an insurance company legislative representative:

The easiest way to handle this bill is to kill it. I think that has been done. The First National Bank, of Valdosta, Ga., is the financial backer of the Honorable Nelson, who introduced the bill. I hand you a copy of a telegram that was sent to Senator Nelson yesterday by this bank, at the instance of one of our agents, ex-Senator E. E. Dekle, to wit.

I have an idea that the bill will now be withdrawn.[41]

"And I am wondering how some of these members are going to feel when they go home tonight and have voted against saying they condemn violence and intimidation and voted to do that because members of the C.I.O. came to their offices and sought to intimidate them and sought to coerce them with the threat of political destruction if they failed to obey the orders of John L. Lewis and the C.I.O. That is the situation."—*The New York Times*, July 11, 1941.

[39] "The insurance lobbyist who stands outside the doors of the legislative chambers buttonholing legislators as they go in session to advise them of the merits or demerits of pending legislation has only just begun to do his work. His real effect will not be felt until after he has ascertained how a legislator may be tending and then begins to burn up the wires to get the right men or the right women in the home district to get after the doubtful legislator when he goes home."—"Lobbies and Pressure Groups: A Legislator's Point of View," *The Annals of the American Academy of Political and Social Science*, 195 (1938), pp. 95-102.

[40] Belle Zeller, *op. cit.*, p. 149.

[41] Temporary National Economic Committee, Hearings, Part 10, p. 4414. Dr. Zeller says that in New York the New York State Bankers Association relies on

In addition to the highly personal pressures brought to bear on legislators from time to time, more general pressure "from home" is organized. The direction of a stream of telegrams, letters, petitions, and resolutions from the home constituency to the Congressman on particular bills has become commonplace. The method is for the national organization in Washington to send out the SOS to its local units who in turn "wire their Congressmen." [42] So effective are pressure groups in arousing interest at home that at times the communication facilities of Washington are taxed to handle the load.[43]

A well-organized and united group that lacks significant opposition is likely to be able to get what it wants from the legislative body. The process of arriving at agreement within the pressure group in these situations becomes virtually a part of the legislative process. It is difficult to tell at what point private association ends and government begins. Consider the following comment by McKean: [44]

At one stage in the passage of the milk control act the general farmers and the dairy farmers had different plans, and the leaders of the majority told them that the legislature would not touch the problem until the farmers were substantially agreed; when the various interests got an agreement on a bill it was quickly passed. When the conflicts within an organization got an agreement on a bill it was quickly passed. When the conflicts within an organization are deep enough so that the members will not compromise, the group can only split. While struggles go on

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the "very personal" contact which local banks have with legislators and local party leaders.—*Op. cit.*, p. 47.

[42] The following describes the technique of the American Legion: "During a session of Congress, there are numerous occasions when it is not possible to use the channels of publicity in the regular way because of insufficiency of time. In such cases, telegrams are sent by the Legislative Director to 'key' men in each State and these in turn pass the information along to the County organizations and Posts, thus reaching the majority of the membership within a short time. This action results in a flood of telephone calls, telegrams, letters, and postcards reaching the Senators and Representatives, and few of them are able to state, on any important issue in which the organization is interested, that he did not know 'the Legion's attitude.' "—*Public Opinion Quarterly*, 4 (1940), p. 153.

[43] The influence of telegrams and letters "from home" on the position taken by Congressmen remains unmeasured. In a study of a selected group of Congressmen and their actions with reference to the repeal of the arms embargo late in 1939, it was concluded that they were "primarily motivated on this particular issue by personal conviction." Party loyalty played an important role in determining their stand and "probably more than half of the Congressmen voted against the expressed opinion of their constituents as judged by their mailbags." —E. Gleeck, "96 Congressmen Make Up Their Minds," *Public Opinion Quarterly*, 4 (1940), pp. 3-24.

[44] *Op. cit.*, pp. 224-225.

within it, it cannot struggle with the legislature; and if it splits, the legislators will play one faction against the other.

The same general proposition is further illustrated by a comment of the legislative committee of the American Legion: [45]

It must be recognized that Congress does not lead in settling questions of public, political or economic policy. . . . Legislation is literally made outside the halls of Congress by groups of persons interested in legislation, mainly with economic motives, and the deliberating process within Congress constitutes a sort of formal ratification.

Furthermore, there is considerable "lobbying" among pressure groups in order to line up as many organizations as possible in support of or opposition to a particular proposition.[46]

The significance of interest groups in the formation of public policy may be judged from the fact that the available studies show that a far larger proportion of the bills introduced into and passed by our state legislatures originate with groups and agencies outside the legislature than with individual legislators. In 1929 Professor Harvey Walker analyzed the bills introduced in the Ohio Senate during the session of that year and found that 26 per cent of them were the brain children of the members of the Senate while the remaining 74 per cent originated with, and were usually drafted by, outside groups

[45] Quoted by Duffield, *King Legion* (New York. Cape and Smith, 1931), p. 49. At times proponents of legislation negotiate with those groups that might oppose their proposals. Success in ironing out conflict in this fashion greatly facilitates action in legislative bodies.

Observation of the power of pressure groups in the initiation and obstruction of governmental acts recalls Calhoun's doctrine of the concurrent majority. His theory, in essence, was that the exercise of sovereign power should be conditional upon the concurrence or assent of the minority interests affected. A corollary was the right of minority nullification. For a suggestive analysis of Calhoun's ideas in relation to the problems of the modern interest group, see C. M. Wiltse, "Calhoun's Democracy," *Journal of Politics*, 3 (1941), pp. 210-223.

[46] Consider the following:

"The Chairman. The Colgate-Palmolive-Peet Co. succeeded in obtaining the assistance of the Chicago, Milwaukee, St. Paul & Pacific Railroad to defeat proposed legislation in Minnesota which would prohibit the use of coupons redeemable in merchandise; do you recall that?

"Mr. Fletcher. [Of the Association of American Railroads] That might have been called to my attention among the million things I handle, but I do not recall that particular incident. . . . I will say this, Senator Wheeler: I do not think hardly a day passes that we do not get some kind of letter from somebody who wants some help on legislative matters of various kinds. I have a good many of them on my desk now, especially about the tariff."—Hearings before a Subcommittee of the Senate Committee on Interstate Commerce, pursuant to S. Res. 71, Investigation of Railroads, Holding Companies and Affiliated Companies, 75th Congress, 2nd Session, Part 23, p. 10,134.

and interests.[47] In 1939 Professor Walker examined the operation of the Ohio Senate session of that year and found substantially the same condition as had existed in 1929. In the 1939 session of the Senate 24 per cent of the bills introduced were represented to be of senatorial parentage while 76 per cent were introduced by senators at the request of agencies outside the legislature.[48] In the 1939 session of the Ohio House of Representatives about the same distribution of authorship of legislation was found to exist, with approximately three-fourths of the bills originating outside the legislature.[49] Bills came from public or administrative agencies like the Division of Insurance, the State Department of Education, the State Tax Commission, the Cleveland Metropolitan Park Board, the Coshocton Board of Health, and others. From the ranks of lobby or pressure associations there were represented the Ohio Federation of Labor, the Ohio Chamber of Commerce, the State Federation of Women's Clubs, the Retail Liquor Dealers Association, the Cincinnati Auto Club, and like groups.

It is perhaps not without significance that bills introduced at the behest of public administrative agencies and private pressure groups had a better chance of becoming law than did those bills fathered by the members themselves. The situation in Ohio is probably not markedly different from that prevailing in other state legislatures, although the facts are not available regarding other states.

A notion of the range and relative significance of the interests represented before state legislatures may be gained from a study by Professor Beutel of the Massachusetts legislative sessions of 1925 and 1926. In that state lobbyists are required to register, to specify what interests they represent in seeking to influence legislation, and to state their compensation. The figures for the more important groups are reproduced in Table 9. It will be noticed that the expenditures of the public utility, insurance, banking, and manufacturing interests far outrank those of other groups. It should be recalled that all these groups are subjected to a high degree of regulation by the state and have an important stake in the outcome of the legislative process.

The figures on expenditures do not, of course, furnish an accurate index to the strength of the interests represented. The fact that

[47] Harvey Walker, "Where Does Legislation Originate?" *National Municipal Review*, 18 (1929), pp. 565-567.

[48] Walker, "Well Springs of Our Laws," *National Municipal Review*, 28 (1939), pp. 689-693.

[49] Walker, "Who Writes the Laws?" *State Government*, 12 (1939), pp. 199-200.

religious groups paid their legislative counsel only $2,600 while the transportation groups spent $75,000 does not mean that their relative strength was proportionate to their expenditures. Although like ma-

TABLE 9

THE FIFTEEN MOST POWERFUL GROUPS REPRESENTED IN THE LOBBY TO THE MASSACHUSETTS LEGISLATURE

INTEREST REPRESENTED	NUMBER OF PERMANENT ORGANIZATIONS	AMOUNT SPENT IN SESSIONS OF 1925 AND 1926
Transportation (public utilities)	12	$74,770
Public service corporations	16	50,800
Insurance	9	29,900
Manufacturing	6	17,090
Banking	5	15,287
General civic betterment [a]	4	9,090
Semiprofessional workers [b]	8	9,031
Skilled labor	8	7,046
Retail merchandise	5	6,184
Automotive	3	5,560
Private transportation [c]	4	5,684
Professional [d]	6	5,088
Religious	5	2,600
Agricultural	4	409
Charitable	3	294

[a] Anti-Saloon League, Civic Alliance, Civic League, Civil Service Reform.
[b] American Legion, insurance agents, civil service employees, stationary engineers, retail credit men, life insurance presidents, deputy sheriffs, and prison officials' associations.
[c] Motor bus and motor truck associations.
[d] Doctors, teachers, lawyers, engineers, funeral directors, and chiropractors.

SOURCE: F. K. Beutel, "The Pressure of Organized Interests As a Factor in Shaping Legislation," *Southern California Law Review*, 3 (1929), p. 31.

terial is not available for other states, it is probable that somewhat similar pictures prevail in other jurisdictions, with the exception that certain new groups would be found to exist that were not of much importance at the time of Professor Beutel's study. Liquor, petro-

leum, and automobile associations have, for example, increased greatly in importance and legislative activity since 1925.[50]

A measure of the breadth and diversity of a single pressure group's concern with government is furnished by a recent report of the executive council of the American Federation of Labor in which exactly one hundred pages of small print are devoted to a review of one year's legislation and administration impinging on the interests of the federation.[51] The council reported that the federation had "secured a number of laws beneficial to Labor. It also defeated several that would have been of great injury to Labor." The measures in which the federation had an interest included an act liberalizing the provisions of the old-age pension sections of the Social Security Act, an appropriation for the Senate Civil Liberties Committee, an amendment to the naturalization law simplifying naturalization procedure, an extension of the period during which Filipinos would be provided free transportation to their native land, an appropriation for the Wage and Hour Administration, an act to require that certain positions in the Panama Canal Zone be filled by citizens of the United States, an act permitting the Home Owners Loan Corporation to extend the period for the repayment of loans.

Among the defeated bills which would have been adverse to the interests of the federation were a proposal to permit the purchase of certain airplanes from plants not complying with the Walsh-Healey Act, which fixes hours and wages for government contractors; proposed amendments to exempt "more than 2,000,000" workers from the Wage and Hour Law; and a bill to permit the naturalization of "certain Asiatics ineligible to citizenship." [52]

[50] A partial list of groups and individuals represented before a recent session of the Maryland legislature gives an additional indication of the variety of interests concerned about the legislative process. The list included: the state medical association, railroad companies, fire insurance companies, fire works companies, automobile associations, public employees' associations, petroleum companies, highway contractors, outdoor advertising firms, tobacco distributors, labor unions, the association of naturopathic physicians, various fair associations (horse racing), pawnbrokers, motor truckers, electrical utilities, theaters, beer dealers, barbers, the Anti-Saloon League, National Woman's Party, Lord's Day Alliance, real estate dealers, hotels, Farm Bureau, and others.—Baltimore *Sun*, March 31, 1941.

[51] *Report of the Executive Council of the American Federation of Labor to the Fifty-ninth Annual Convention, Cincinnati, Ohio, October 2, 1939*, pp. 84-184.

[52] *Ibid.*, pp. 85-86.

THE INITIATIVE AND REFERENDUM: CHANNELS FOR GROUP EXPRESSION

In those states that have adopted the initiative and referendum in a workable form, organized groups may resort to the use of these devices when they fail to obtain what they want from the legislature. In brief, the initiative is a procedure whereby the supporters of a proposed law or constitutional amendment may draft their scheme in appropriate legal form, obtain a specified number of signatures of voters, and thereby compel a popular vote on the measure. If the electorate accepts the initiated law or constitutional amendment it becomes effective. The referendum is a procedure whereby a decision of the legislature may be appealed to the electorate. If those who dislike an act passed by the legislature desire, petitions may be circulated, and if the requisite number of signatures is obtained the measure is voted on by the electorate. If the voters so decide, the legislature is overruled.[53]

Often the terms "direct legislation" and "popular lawmaking" are used for the initiative and referendum. Such descriptive phrases are indicative of the hopes of those who advocated the adoption of these measures. The "muckrakers," from 1900 onward, demonstrated that legislatures were often controlled by a more or less corrupt oligarchy representing interests with a stake in the legislative process. The liberals of the day cast about for a means to weaken or dethrone this oligarchy and struck upon the initiative and the referendum, devices that had long been in use in Switzerland. In the United States itself the popular vote had also had a wide use in the settlement of public questions in state and local government. The theory of the advocates of direct legislation was that the people could not be corrupted, that the decision of great issues by the electorate would bring an outcome in the public interest, and that the mere threat of the use of the initiative and referendum—the "shotgun behind the

[53] The use of the initiative is restricted to ordinary laws in Idaho, Maine, Montana, South Dakota, Utah, and Washington. It may be used to bring a vote on both laws and constitutional amendments in Arizona, Arkansas, California, Colorado, Massachusetts, Michigan, Missouri, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, and Oregon. The referendum procedure is available in Arizona, Arkansas, California, Colorado, Idaho, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Utah, and Washington.—New York State Constitutional Convention Committee, *Problems Relating to Legislative Organization and Powers* (1938), pp. 313-314.

door"—would prevent abject surrender by the legislature to special interests. As Hiram Johnson of California said: ". . . they do place in the hands of The People the means by which they may protect themselves."

In practice the initiative and referendum have been used by various organized groups that have been unable to obtain or to block desired action by the legislature. And this is, of course, not a matter for surprise, since the same organized groups furnish the activating force in the ordinary legislative processes. The use of the initiative by groups that have been unable to obtain action by the legislature has led to popular votes on more or less unorthodox ideas sponsored by groups at the right and left ends of the political spectrum and around the crackpot galaxy. But these are by no means the only sources of direct legislative proposals.

In California, where extensive use has been made of direct legislation,[54] the single-taxers, operating as the Great Adventure League, have presented the single-tax issue to the electorate through the initiative no less than four times; as a consequence there has arisen a militant Anti–Single Tax League drawing support from business and property-holding groups. In 1930, building and loan associations, motor finance companies, personal loan companies, and other finance concerns, under the banner of the California Industrial and Financial Research Organization, attempted to revise the then stringent usury law of the state by initiative. Bankers and brokers, seasonally handicapped when eastern cities go on daylight saving time, financed the California Daylight Saving League in a campaign for an initiated measure to move the clocks ahead, but the combined opposition of the motion-picture industry, the church, organized labor, and public utilities overwhelmed them. In 1930 the California Master Barbers' Association initiated a measure designed to compel barber shops to close on Sundays. The act was inexpertly drawn so that it affected other lines of business, notably petroleum production. Hence it elicited the powerful and fatal opposition of the California Oil and Gas Association. In 1922, over the strenuous opposition of medical and affiliated groups, chiropractors and osteopaths persuaded the electorate to create boards to license them. In California virtually every type of interest group—ranging all the way from race-track gambling

[54] For detailed information on the use of the initiative and the referendum, see H. F. Gosnell and M. J. Schmidt, "Popular Law Making in the United States, 1924-1936," *ibid.*, pp. 313-335.

groups to an alumni group acting on behalf of the University of California—has utilized the initiative process.[55]

These examples show that the campaigns designed to influence the electorate on a particular initiated proposal are not unlike the lobbying and counter-lobbying that occur before the legislature itself. The advocates of the measure attempt to sell the idea to the electorate. Their propaganda is, in turn, met by that of those groups which feel that the adoption of the scheme would work an injury to their interests.

The referendum is used considerably less than the initiative. The reason for this is quite simple. Those well-financed, competently represented and well-organized groups that are affected by legislation are usually able to bring about modification or defeat within the legislature of proposals deleterious to their interests. If they are satisfied with the measure adopted by the legislature, there is no occasion to circulate petitions and to appeal the legislative verdict to the electorate. On the other hand, a group that has the time and money to carry the issue to the electorate may at times feel that its case will be received more favorably there than by the legislature.

In California in 1920 an act of the legislature providing for the enforcement of the provisions of the Eighteenth Amendment by the state was defeated on referendum. The campaign against the act was carried on under the banner of the grape-growing interests with the warm support of all varieties of antiprohibitionists. A revision of the state housing act was rejected by the electorate in 1922 chiefly because it would have prohibited the use of shingle roofs on any building in any incorporated place even where they might safely be used. For this and other reasons it was opposed at the election by the state housing authorities. The campaign against it was financed by lumber companies, whereas the manufacturers of composition roofing supported the act through an organization called the California Housing and Building Institute. At the same election an act prohibiting the practice of law by banks and trust companies was defeated. The measure had been passed with the support of the State Bar Association in an effort to correct asserted trust company abuses in the drafting of wills. The practice had been to name the company as executor without providing proper protection for the interests of the estate, so it was alleged. The referendum was invoked by the California Bankers' Association.

[55] See Key and Crouch, *The Initiative and the Referendum in California* (Berkeley: University of California Press, 1939).

The California Dairy Council, an organization representative of all branches of the dairy industry, lobbied a bill through the 1925 legislature to tax the manufacture of oleomargarine and to discourage its substitution for butter by requirements such as one directing that places serving oleomargarine should post on two walls notices, in letters not less than two inches high, reading "OLEOMARGARINE SOLD HERE." The manufacturers of oleomargarine circulated referendum petitions and persuaded the public that public interest in this instance was not the same as that of dairy farmers, creameries, and allied interests. From these examples, which are more or less typical, it may be concluded that the referendum is usually invoked by some interest or group that considers itself prejudicially affected by action taken by the legislature. The users of the referendum tend usually to be conservative; at least they seek to conserve a status that they have enjoyed, by virtue of either legislation or its absence.[56]

PRESSURE GROUPS AND THE ADMINISTRATION

Pressure groups make their most spectacular appearances in supporting and opposing legislation, but perhaps equally important are their continuous relationships with the administrative agencies of the government. Perhaps fifty years ago in the heyday of the lobbyist there were comparatively few occasions on which pressure groups needed to deal with administrative agencies; their interests could be adequately protected through legislation. With the growing complexity of government, however, legislative bodies have had more and more to delegate authority to administrative agencies to make rules and regulations. Administrators become legislators, and the agents of pressure groups inevitably direct their activities to the point in the governmental machinery at which authority to make decisions is lodged. Where power rests, there influence will be brought to bear. Even if the administrator possesses but slight rule-making power, he can enforce legislation vigorously or otherwise, and pressure may be brought to bear to influence the choice of policy.

[56] On direct legislation, see A. L. Lowell, *Public Opinion and Popular Government* (New York: Longmans, Green, 1913); A. B. Hall, *Popular Government* (New York: Macmillan, 1921); J. D. Barnett, *The Operation of the Initiative, Referendum, and Recall in Oregon* (New York: Macmillan, 1915); B. P. DeWitt, *The Progressive Movement* (New York: Macmillan, 1915); California State Chamber of Commerce, *Initiative Legislation in California* (mimeographed brochure, n.d.); Colorado Legislative Reference Office, *The Initiative and Referendum in Colorado* (multigraphed pamphlet, n.d.); J. K. Pollock, *The Initiative and Referendum in Michigan* (Ann Arbor: University of Michigan Press, 1940).

An interest group may be instrumental in obtaining the passage of legislation. To have it effectively administered, however, it may be necessary to follow through with pressure, aid, and encouragement to the governmental agency charged with responsibility for the enforcement of the legislation. A simple illustration is furnished by activities of railroad companies regarding laws fixing maximum weights for trucks, their chief competitors. The report of a representative of railroads in Iowa reads: [57]

> Induced department to inaugurate statewide campaign to enforce all motor truck laws, assisted in the preparation of publicity in regard thereto and the circulation of such publicity through the Associated Press and other sources; assisted department in suggesting appropriate news releases in regard thereto throughout the year, and obtained statewide publicity in regard to same.
>
> Discovered that department did not understand most important part of law regarding truck weight limitations, to wit: gross load formula, and had not enforced same. Explained effect of same to inspectors; established personal acquaintanceship with them; worked with and personally trained them in the weighing of trucks, maintaining their good will throughout the year, and obtaining their activity at strategic points on request.

In the formulation of administrative rules and regulations there are frequent interchanges of opinion between administrative officials and representatives of the industries and interests to be affected by the administrative action. Some statutes prescribe that notice shall be given of contemplated regulations and that the interested parties shall be given an opportunity to be heard. In the absence of such statutory requirements it is common practice to ascertain the attitudes of the industry or other interest in advance of the promulgation of rules. Usually the most convenient way to find out how the affected interests feel about a particular course of action is to consult the officials of the organized group concerned. In a sense these formal hearings and informal conferences serve the same function as the hearings by congressional committees on proposed legislation.

Examples of the role of organized groups in furnishing information and points of view to those charged with the issuance of administrative legislation are to be found in almost every department of the Government. The Secretary of Agriculture makes rules for the use of national forest lands for grazing by stockmen, but in the

[57] Hearings before a Subcommittee of the Senate Committee on Interstate Commerce, pursuant to S. Res. 71, Investigation of Railroads, Holding Companies and Affiliated Companies, 75th Congress, 2nd Session, Part 23, p. 10,168.

process of preparing these rules and making necessary amendments stockmen's associations are solicited for suggestions from time to time. Furthermore, the local forestry officials often consult advisory committees of the associations about problems of current administration of the grazing lands.[58] When the Civil Aeronautics Authority proposes substantial changes in rules, drafts are submitted "to those organizations representing the affected portions of the industry. Thus a proposed rule which applied only to airline pilots would not be submitted to the Private Pilots Association. Because the industry is so highly organized, the general practice is to send to the interested organizations enough copies of the proposed rule to distribute to their members." [59]

In the establishment of grain standards under the Grain Standards Act "conferences with trade organizations and persons engaged in the industry are held and reported to the Chief of the Agricultural Marketing Service. If he decides that new standards or amendments to existing standards of considerable importance should be considered, he directs the preparation of a tentative draft of the new or revised standards to be used as a basis of discussion at public hearings which are held in the principal grain markets and grain producing states." [60]

In the administration of the Fair Labor Standards Act the Wage and Hour Division was compelled to issue regulations dealing with the determination of the "reasonable cost" of facilities furnished to employees which might be included in computing the wages received. A conference of the representatives of the principal industries to be affected by the proposed regulation was called. Among the groups represented were the National Lumber Manufacturers Association, the Coal Association, the National Petroleum Association, the Textile Association, the American Mining Congress, and the National Sand and Gravel Association. Copies of a tentative draft of the regulation served as a basis for discussion in which defects in the proposed rule were indicated. A committee of the conference reformulated the rule, which was adopted by a vote of those present. Subsequently the conference-approved draft was issued as a regulation

[58] See J. P. Comer, *Legislative Functions of National Administrative Authorities* (New York: Columbia University Press, 1927), chap. vii.

[59] Attorney General's Committee on Administrative Procedure, *The Civil Aeronautics Authority* (mimeographed edition), p. 141.

[60] Attorney General's Committee on Administrative Procedure, *The Administration of the Grain Standards Act* (mimeographed ed.), p. 7.

by the administrator of the Wage and Hour Division.[61] The administrator was, of course, under no compulsion to accept the recommendations of the conference, but there is great advantage in the formulation of regulations that both effectuate public policy and conform to the ideas of fairness and feasibility of those affected by the regulation.[62]

The relationships between the representatives of organized groups and administrative officials serve an important function. The preparation of rules and regulations and the arrival at decisions on the details of complicated matters require knowledge that even the best informed government official may not possess. It is necessary to know as accurately as possible the probable effect of a proposed course of action; generally the best way to know is to consult with the persons to be affected by the action. Beyond this obvious function of obtaining information, consultation permits a more accurate estimate of the probable reception of the contemplated action. One of the most important elements of the art of governance is the ability to forecast the reaction to a decision. Will it be hostile? Will it be critical? Will it be favorable? By consultation with the organs for the expression of group expression, tentative answers to these questions may be had. Even if it is necessary in the general interest to issue a rule or make a decision that important groups may regard with horror, the mere fact that consultation has occurred and that steam has been blown off in hearings may temper criticism. A government cannot long stay in power if it consistently makes decisions unacceptable to the governed.[63]

At times the organized group gains control of the agency of government with which it is most concerned. That control may rest on the informal exertion of pressure on those legally responsible for the conduct of the agency, or it may be formally recognized by statute. Of the latter type the New Jersey State Department of Agriculture furnishes an excellent example. The affairs of that de-

[61] Attorney General's Committee on Administrative Procedure, *Administration of the Fair Labor Standards Act of 1938* (mimeographed ed.), p. 147.

[62] In some instances the power to make regulations is, in effect, delegated to private associations. Some state laws provide, for example, that there shall be admitted to practice medicine graduates only of those colleges that have met the requirements prescribed by the Association of American Medical Colleges.—See Lane W. Lancaster, "The Legal Status of 'Private' Organizations Exercising Governmental Powers," *Southwestern Social Science Quarterly*, 15 (1935), pp. 325-336.

[63] See E. P. Herring, *Public Administration and the Public Interest* (New York: McGraw-Hill, 1936).

partment are managed by a board selected by a convention of representatives of agricultural organizations designated by law. "Among the organizations named to send delegates are the Horticultural Society, the Grange, the Poultry Association, and several co-operative growers' associations."[64] Professional associations especially have been desirous of the inclusion in statutes of clauses providing that the professional examining boards should be appointed from among their nominees. This practice prevails for pharmacists in twenty-two states, for dentists in eighteen states, for medical doctors in thirteen states, and for optometrists in eleven states.[65] This degree of formal control by private associations rarely exists outside the field of professional licensure.

When several powerful groups among which friction exists are concerned in the administration of a law, it is essential that the appointing power be in the hands of public authority. Yet there is nearly always great pressure from private groups to influence appointments to the chief positions in administrative agencies of concern to them. Organized labor is deeply interested in appointments to the post of Secretary of Labor; organized business is likewise interested in appointments to the position of Secretary of Commerce and to membership on regulatory commissions. And the roll could be called of other organized groups, with similar results. Such groups, however, do not consistently have publicly proclaimed "candidates" for these appointments; generally they depend on informal consultation to obtain an acceptable appointment.[66]

A well-worn channel by which private groups attempt to reach and influence administrative agencies is through Representatives and Senators. A point of difficulty in the administration of the Wage and Hour Act, for example, has been the definition of "retailers"

[64] McKean, *op. cit.*, p. 147.

[65] Lane W. Lancaster, "The Legal Status of 'Private' Organizations Exercising Governmental Powers," *Southwestern Social Science Quarterly*, 15 (1935), pp. 325-336.

[66] Henry L. Stoddard, a newspaperman long intimately associated with national politics, declares: "Those not familiar with official life in Washington do not realize the tremendous pressure to place men in positions to command every avenue of information, influence, and action. There is no let-up to it. It is exerted so subtly, so shrewdly, that even an alert President or Cabinet officer does not always sense its presence before it has done its deadly work. Truly a gun is held at the head of a President the moment he is elected. Every big corporate and banking interest in New York City and Chicago, every big railway system, intrigues to have a friend at court."—*As I Knew Them* (New York, 1927), pp. 177-178. Quoted by permission of Harper and Brothers.

who are exempt. The administrator ruled that a firm could not be exempted as a "retailer" if more than from 10 to 30 per cent of his business was nonretail. The president of the Colorado Retailers Association promptly addressed a letter to his Representative, William S. Hill, "Dear Bill: . . . We would ask you, as our Representative, to take this matter up for us with General Fleming, as head of the Wage and Hour Division, place our cause with him, and urge reconsideration to at least 49 percent nonretail sales with no further strings." [67]

PRESSURE GROUPS AND PUBLIC OPINION

To lay a solid basis for dealing with political parties and with the agencies of government, a pressure group must create a favorable public opinion. The attitude of "the public be damned" is rare now in so far as public utterances of the leaders of interest groups are concerned, as we saw in the discussion of business legislation, and public opinion. The public is, rather, cultivated with all the resources and arts of the modern propagandist in order that public prejudice or enmity toward the operations of the group may be dispelled. The rationale of all the pressure groups in their public relations was stated in 1925 by B. J. Mullaney in speaking for the public utilities: [68]

> I am fairly familiar with legislative practice and procedure and have not many illusions in that quarter. Sometimes the political road has to be traveled. When a destructive bill is pending in a legislature it has to be dealt with in a way to get results. I am not debating that. But to depend, year after year, upon the usual political expedients for stopping hostile legislation is shortsightedness. . . . In the long run isn't it better to lay a groundwork with the people back home who have the votes, so that proposals of this character are not popular with them, rather than to depend upon stopping such proposals when they get up to the legislature or commission? . . . I am not suggesting in any sense that we can ignore the political angle; we live under a political form of government. Everything that we do focuses at one time or another in legislative action,

[67] *Congressional Record* (daily edition), May 13, 1941, p. A2420.

[68] Federal Trade Commission, Summary Report . . . on Efforts by Associations and Agencies of Electric and Gas Utilities to Influence Public Opinion, Sen. Document No. 92, Part 71A, 70th Congress, 1st Session, 1934, p. 17. This report contains a comprehensive account of the efforts by a pressure group to manipulate public attitudes; it may well be scanned by the student to obtain a notion of the methods used, which are similar to those employed by other groups.

whether it be in local city councils, in State legislatures, or in the National Congress.

Through various organizations the utilities proceeded to "lay a groundwork with the people back home who have the votes." That technique is by no means limited to public utilities. It is common to other business groups, reform groups, labor groups, agricultural associations, and other pressure groups; but the most impressive and, on the whole, the most effective programs of public education have been conducted by business and property. The conduct of a nation-wide propaganda campaign requires considerable sums of money; business has had the money to spend and its public-relations activities have been on a scale unmatched by competing interests.

The campaign undertaken by the public utilities can be used to illustrate the methods of public relations. The object of this discussion is not to pillory, as the utilities men would say, the businessmen, but to use their practices to give a concrete illustration of a general pattern followed on perhaps a more modest scale by other groups. This analysis is based on a study of the operations of utility propaganda by the Federal Trade Commission.

The most active of the utility associations in publicity work during the 'twenties was the National Electric Light Association, which included in its membership the generators of about 90 per cent of the energy produced in the country. The object of the association, as stated in its constitution, was "to foster and promote the interests of those engaged in the commercial production of electricity for conversion into light, heat, or power." With certain state associations formed under the aegis of the national association, the electrical utilities expended, the Federal Trade Commission estimated, "in the neighborhood of $2,000,000" annually through these associations for the years 1929 to 1932. Alongside the N.E.L.A. was the smaller American Gas Association which participated in the work of the N.E.L.A.

To carry on an active campaign of public education, the utilities began about 1919 the creation of a series of state committees. By 1929 there were twenty-eight of these committees, operating under such titles as "Committee on Public Utility Information," "Public Utility Information Bureau," "Committee on Public Service Information," and "Public Service Information Committee." Their function was to disabuse the public mind of some of its erroneous notions about the services of the public utilities. Holding companies,

for example, were defended. The late Samuel Insull, utility magnate, held: [69]

> The term "holding company" is doubly a misnomer. It does not express either the character or the function of the companies to which it is applied and is utterly erroneous in suggestion. It tends to suggest restriction—the getting hold of something and keeping it for the profit of the "insiders" or for a closely restricted circle of interests. It is a relic of the industrial combination era in the late nineties.

Subsequent developments would seem to indicate that Mr. Insull spoke with keen insight into the real nature of the holding company.

To correct errors in public attitudes, the utilities, working primarily through the state information committees, set out, as one utility man said, "to bring about such a satisfied and sympathetic cooperation upon the part of the public that some of these hard things which have been said about us public utility men in the past at least would be said no longer." [70] The most important medium for reaching the public was the press, and the state information committees sought to have items sympathetic to the utilities printed, to have hostile opinions suppressed. Each state committee distributed news items to editors and had remarkable success in getting them printed in the newspapers. The director of the Illinois committee reported in 1921:

> The State press uses the committee's news matter in quantity far beyond the most optimistic expectations. Evidence of absorption of utility facts by the editorial mind is wide-spread. Helpful editorials have appeared, literally by hundreds, where formerly there were none or only hostile ones. Results in this respect are so obvious that committee members, who were skeptics in the beginning . . . would not now think of stopping the work. It is noteworthy that the committee has not once been seriously accused, by newspaper, politician, or utility baiter, of trying to "propagandize" the public.[71]

The public information committees measured their success in reaching the public through the press by clippings of their stories that had been printed.[72]

> In Indiana, in 1921, the publicity items clipped from newspapers amounted to 10,000 column-inches. In 1922 the publicity had increased

[69] *Ibid.*, p. 14.
[70] *Ibid.*, p. 48.
[71] *Ibid.*, p. 63.
[72] *Ibid.*, p. 63.

to 18,000 column-inches; in 1923 it had reached 26,000 column-inches; in 1924, 30,000 column-inches were clipped; and in 1925, 40,000 column-inches of newspaper publicity were obtained by the committee.

The New England Bureau of Public Service Information reported:[73]

> One of the most interesting and valuable results we have so far obtained has been the number of editorials published in many of the leading newspapers in New England, where our material has been directly reprinted in the editorial columns or taken as a text for favorable comment on the public utility problems.

To gain the support of the newspapers it was necessary to do something other than distribute to them prepared news items and editorials. Many state committees employed experienced newspapermen with friendly contacts with the press. The value of advertising in building good will was not overlooked. The director of the Florida committee reported: "All of the utility plants in the territory where the director has traveled are doing a good work in advertising; and there is no better way to work toward pleasant relations with your newspaperman. It gladdens his heart to obtain advertising."[74] Another state director advised: "Whatever relations you have with local papers, by reason of advertising done in the regular course of business, can doubtless be utilized to engage the editor's interest in the facts of our case."[75] The total amounts spent on advertising are not accurately known, but a vice-president of the American Gas Association estimated that the annual expenditure for advertising increased from 14 million dollars in 1922 to 22 million dollars in 1925.[76]

To have news of the right sort printed, news had to be created. A convenient method for making news was through public addresses. "When the word is spoken," as the director of the Ohio committee said, "and I mean delivered in a speech before an audience, it becomes news and it is printed."[77] He thought that "matter that might be properly classified as strictly propaganda and thus barred from the news columns of the big dailies, actually did find its way into those papers because, being delivered by a speaker before a civic organization of standing in the community, it became news and was printed as such."

[73] *Ibid.*, p. 64.
[74] *Ibid.*, p. 71.
[75] *Ibid.*, p. 73.
[76] *Ibid.*, p. 76.
[77] *Ibid.*, p. 77.

A similar technique was to furnish in the news releases articles by prominent men. The director of the North and South Carolina bureau stated: [78]

> Sometimes there is no news in an article, but there is news in its authorship. The attorney general of North Carolina, for instance, argues effectively in our bulletin, *Public Service*, that State regulation of utilities was the best method of control, that it was adequate and just to public and utility alike. The president of the State press association argues that municipally owned power plants were the cause of the backwardness of his entire section of the state. A South Carolina judge argues that if jitney and bus competition were not removed, the State railways would be bankrupt. . . . Every issue of our bulletin has contained an article signed by some such prominent personage pleading our cause before the public. . . . The Carolina bureau has obtained approximately 50 per cent of its total newspaper space through the linking of a prominent name with a utility argument.

To advance the utility cause, the association distributed directly material ranging from "envelop stuffers" to books. The N.E.L.A., for example, employed an engineering firm to make a report on the operation of the publicly owned hydroelectric system in Ontario. Happily, it turned out that the engineering experts were of the opinion that the principles of public ownership as exemplified by the Ontario system had no place in the United States, and the N.E.L.A. circulated 10,000 copies of the report among utility company executives, libraries, colleges, civic organizations, and newspaper editors. In 1928 the N.E.L.A. purchased 5,000 copies of a book entitled "Aladdin U.S.A." by Ernest Greenwood, for circulation. To reach individual stockholders and customers, an ambitious program was begun which resulted in the distribution of 120,600,000 pieces of publicity. The "message" was distributed monthly to customers and quarterly to customer-owners of securities with dividend checks. The two series of pamphlets were prepared by Bruce Barton, public-relations expert, for a consideration of $175,269.[79] These are only examples of a broad campaign for the distribution of literature calculated to advance the cause of the industry.

In addition to those phases of the educational program designed to reach the adult population of the nation, the N.E.L.A. directed its attention toward the schools. As one of its leaders said: "It is

[78] *Ibid.*, p. 79.
[79] *Ibid.*, p. 118.

essential some method should be adopted by which a correct understanding of the economic problems governing this most vital business can be gotten into the minds of students so that they will not come out of college with the wrong ideas, but it is a very delicate subject." Or, as the chairman of the N.E.L.A. committee on cooperation with educational institutions said: "It is desired that coming generations of bankers, lawyers, journalists, legislators, public officials and the plain, ordinary 'men in the streets' shall have an intelligent and sympathetic understanding of the peculiar conditions under which public utilities operate."

The idea obviously had to be sold to the professors. One of the speakers at an N.E.L.A. convention pointed out that teachers belonged to a "starveling" profession. "What I would like to suggest to you intelligent gentlemen is that while you are dealing with the pupils to give a thought to the teachers and when their vacation comes pay them a salary to come into your plants and into your factories and learn the public-utility business at first hand, and then they will go back and you needn't fuss—they can teach better than you can." [80] The utilities and the state committees adopted the idea with more alacrity than discretion, and professors of economics and engineering soon found themselves engaged in remunerative summer work. On the whole the utilities showed poor discrimination in these expenditures since they employed men whose attachment to conservative doctrines was unquestioned; they employed reactionary pedagogues and thought they were making new friends.

Utility representatives examined the textbooks used in schools to ascertain their viewpoints on utilities. One text examined in the survey was rated "very bad." It contained the statement: "The reason why street car companies in some cities cannot reduce fares is because the company has 'watered the stock.'" An explanation of "watered stock" followed. Another text writer was "unfair" when he said: "Franchises are valuable possessions, and they should not be granted for an indefinite time without a proper return. The franchise should provide for fair rates and good service, as well as for safety appliances by which accidents may be prevented." The utilities approached textbook writers and textbook publishers to bring about the "proper" presentation of the industry, but no appreciable progress was made in the revision of texts. The industry had greater success in circulating pamphlets in the schools for use as supple-

[80] *Ibid.*, p. 149.

mentary material. Among the titles of these pamphlets were *Romance of the Kilowatt*, *Romance of Gas*, and *Romance of the Trolley*.

The N.E.L.A. did not neglect the opportunity to ally with itself as many other interests as possible and thus to strengthen its own cause. Martin J. Insull in 1928 appealed in the *Wall Street Journal* to other businesses for aid against municipal ownership of utilities. "The unfortunate thing," he said, "is that business as a whole stands idly by while the Government goes into the other fellow's business, overlooking that theirs may be the next attacked." [81] The N.E.L.A. sought the support of chambers of commerce and stirred up the member companies to bring about the re-election of a utility executive as a director of the Chamber of Commerce of the United States. State and local chambers were enlisted in the fight against public ownership. Close contact was maintained with bankers. "The Investment Bankers Association," the director of work in Illinois wrote, "in matters affecting legislation have been very helpful. Personally, I have had the greatest success by using them as speakers before legislative committees regarding legislation."

The president of a large utility observed that deposits with country bankers helped gain their support. He reported: [82]

> The bankers, as a rule, are economically minded about as we are, but, nevertheless, we came to the conclusion about 15 years ago that as a practical incentive to get them to work with us, there is no substitute for deposits. . . . I may add, in passing, that we have at this time accounts with 230 country banks scattered all over our territory; and while our policy keeps an average of around a million and a half dollars tied up in balances in these country depositaries, we believe it is well worth while—first, because the service they render to us as banker is worth something, and, secondly, because it cements their friendship and cooperation. Incidentally, we require no interest on these deposits.

The N.E.L.A. tried to annex the support of the women's clubs.[83]

Mrs. John D. Sherman made an arrangement with Mr. Clapp, managing director of the National Electric Light Association, under which she received $600 a month for 24 months through the advertising agency of Lord, Thomas & Logan for writing articles which appeared in numerous agricultural papers over her signature as president of the General Federation of Women's Clubs.

[81] *Ibid.*, p. 224.
[82] *Ibid.*, p. 235.
[83] *Ibid.*, p. 252.

After the detailed disclosure of the methods of the N.E.L.A. it was dissolved and the utilities formed a new organization, the Edison Electric Institute. While the public-relations program of the utilities has been carried out on a larger scale than that of most other groups, the basic pattern of the utility practices resembles that of other pressure interests. Agriculture, labor, and reform seek to have their cases presented through the press; they often attempt to use the educational systems to propagate their ideas; and they constantly try to rally about themselves other groups with like or allied interests. The long-run effect of public education differs, but if a group is seeking to perpetuate an indefensible status, in terms of the public welfare, about all it usually succeeds in doing is to postpone the day of reckoning, yet mere postponement may be worth the outlay.

QUESTIONS AND PROBLEMS

1. Legislators have the function of representing the citizen. Why, then, is it necessary for private associations to perform a representative function?

2. How has the growth of the scope of regulatory legislation been related to the development of pressure groups?

3. Should private groups that seek to influence legislation be regulated to assure (*a*) that the extent of their membership and the sources of their funds be made public and (*b*) that the views on proposed legislation expressed by their officers really reflect the views of their members?

4. In political campaigns in your state or city are there any private groups that can deliver the votes of their members to one party or the other at will? What is the evidence for your opinion?

5. What are the principal sources of proposals for new legislation?

6. Classify the methods used by private groups to influence the course of legislation.

7. "The initiative and the referendum are methods for the expression of the popular will." Comment.

8. Why do administrators usually find it advisable to consult leaders of private groups before issuing regulations affecting such groups?

9. Why has lobbying before administrative agencies increased in importance?

10. Analyze the methods and objectives of the propaganda of private associations.

Part II

THE PARTY SYSTEM

Chapter 9: THE NATURE AND FUNCTION OF PARTY

IN THE PRECEDING chapters the basic pattern of the American political structure has been broadly outlined. We have considered the more important interests and groups in American society, whose interests, aspirations, prejudices, and preconceptions must be taken into account by those who govern. To make doubly sure that their interests are recognized, these great elements of our society have formed pressure organizations through which their views are formulated and by which their wishes are made known to the public, to party leaders, to legislators, and to administrators. Each organized group attempts to gain sufficient power to influence the determination of public policy. And these groups work continuously to bring about desired action and to prevent undesired action regardless of what political party is in power. Indeed, they would have to be reckoned with regardless of the form of government, elective or nonelective, since the power of government must rest upon consent or suppression or upon a mixture of these.

In a highly specialized and differentiated society it is difficult for any single interest to gain enough power to control the society as a whole. It is not probable that the Chamber of Commerce of the United States could put forward with any hope of success candidates for the Presidency, the Vice-Presidency, and Congress. Nor is it probable that the American Federation of Labor could do so. A combination or coalition of interests is necessary to win elections and to govern. The political parties are the organizations that put forward candidates for public office and attempt to make appeals to all sections of society for support that will result in a combination powerful enough to win elections and to govern. The professional politician is a specialist in these matters. He is interested primarily in winning and holding office. The pressure group, on the other hand, is mainly concerned with what policies are followed by the politician after he gets into office. To win elections the political party must pay

heed to the wishes of organized groups and the social classes for whom they speak. And, perhaps more important, after it gains control of the government the party must devote continuous attention to the demands of these vocal segments of society.

The pressure group and the political party both play important roles in American politics. The easy distinction often made between their functions is that the pressure group is interested in policy; the political party in personnel. That succinct differentiation is too simple. The private association is certainly interested in the personnel of government. Pressure groups constantly seek to influence appointments to public office with power to affect their interests. They are not indifferent to the selection of holders of elective office, but, unlike political parties, they do not take the responsibility of nominating and supporting candidates for such offices. Nor is the political party indifferent about public policy. Party leaders may have, and often do have, strong convictions about matters of public policy. But there is a fundamental difference in the motivation of the policy attitudes of parties and pressure groups. By the nature of the interests of its membership, the pressure-group attitude toward public policy is fixed. The group efforts are dedicated without deviation to the promotion of the interests of the group. The party leader, on the other hand, is governed by no such rigid determination of his attitudes. He is apt to adhere to a doctrine of relativity of righteousness, and his stands on public policy may shift with the changing fortunes and influence of the social groups to which he must appeal for electoral support.

THE NATURE OF PARTY

The definition of political party is not without difficulty. Burke's often quoted classic definition is: "Party is a body of men united, for promoting by their joint endeavors the national interest, upon some particular principle in which they are all agreed."[1] This definition hardly fits the facts in so far as American parties are concerned.

[1] The late Professor Anson D. Morse said: "To sum up: the true end of party —the end, I would repeat, of which it is itself conscious—is, in ordinary times, to promote not the general interest, but the interest of a class, a section or some one of the many groups of citizens which are to be found in every state in which there is political life, an interest which is always something other—and generally, though not always, something less—than the national interest." *Parties and Party Leaders* (Boston: Marshall Jones, 1923), p. 22.

True, an American party is a "body of men united," but the members of the major parties are by no means all agreed upon "some particular principle." Usually the membership of the minor or third parties is agreed upon "some particular principle," but a conspicuous characteristic of the major parties is their internal disagreement and conflict. The battles in recent years between the New Deal and conservative factions of the Democratic Party upon issues of principle have been no less spirited than the differences between the Democrats and Republicans.

Nor has there been any markedly greater harmony within the Republican Party on matters of policy or principle. The brand of Republicanism sponsored by Senator La Follette of Wisconsin has little in common with the doctrines adhered to by the "standpat" elements of the party. The differences within each of the two major parties are by no means of recent origin. Bitter conflict on matters of principle has raged within each party during its entire history. It is obvious that the essential nature of the American political party must be sought in something other than agreement on principles according to which the national interest should be promoted.

Occasionally attempts are to define party in terms of its membership. The Republican or Democratic Party, it could be said, consists of those voters affiliated with each. While such an approach throws little light upon the nature of party, it furnishes an occasion to dispel some misconceptions about party. In most states membership in either of the major parties is gained simply by a person's indicating the party with which he wishes to affiliate when he registers as a voter. The process of gaining membership in the party is a very different matter from affiliation with more tightly organized groups. The party member does not go through an elaborate ritual of induction into the group; in most instances he neither is acquainted with nor knows the name of the ward or county chairman of his party; he probably never pays dues or supports his party in any way financially; the privileges and responsibilities of party membership rest lightly on his shoulders.

Affiliation with one party or the other is more likely to be the outcome of environmental determinism than of conscious choice. "The child of Republican parents is not likely to be a Democrat Statistical data on this point are not available, but from numerous tests we have made over a period of twenty years," Professors Merriam and Gosnell stated in 1929, "the percentage of 'hereditary

voters runs from 65 to 85 per cent. . . ." [2] Although the factors that condition people toward affiliation with one party or the other are of great significance, it is obvious that no illuminating conception of party may be obtained by thinking of it in terms of the mass of people who habitually or customarily call themselves "Republicans" or "Democrats" and support the candidates of the party.

The group known as the party may be thought of in terms of its objectives. "Party," says Professor Sait, "may be defined as an organized group that seeks to control both the personnel and the policy of the government." [3] He adds that the "two characteristics of party—one having to do with the policy, the other with the personnel of government—are not of equal significance. Politicians are far more preoccupied with getting offices than they are with proclaiming policies." [4] The emphasis in this conception of party on the objectives of the group serves to differentiate party from other groups with political aims. In the analysis of pressure groups it was seen that a wide variety of organized groups, ranging from organized vice to organized religion, seek to control, or at least to influence, the policy of government. But these associations do not ordinarily nominate candidates and campaign for their election to public office. Parties, on the other hand, attempt to place their nominees in elective office and fill those appointive offices included among the perquisites of the party which controls the government.

It is sometimes said that the method by which the party seeks to gain control is the unique characteristic of the party as a group. The American party uses the method of peaceful campaigning and appeal for popular support to gain power, which is said to differentiate it from factions which from time to time struggle for power by the use of military force. The theory is occasionally advanced that the modern party and the democratic electoral process are but a sublimation, perhaps temporary, of the tendency to resort to force to gain control of government. Whether this hypothesis correctly represents the evolutionary path followed in the development of the modern party is open to question; nevertheless, this theory gives a clue to the nature of the party struggle. But method is not a satisfactory criterion for drawing a line between the party and other social groupings. The

[2] C. E. Merriam and H. F. Gosnell, *The American Party System* (New York, rev. ed., 1929), p. 28. Quoted by permission of The Macmillan Company, publishers.

[3] E. M. Sait, *American Parties and Elections* (New York: Century, 1927), p. 141.

[4] *Ibid.*, p. 143.

term party is applied equally to the peaceful parties of America and to the Communist Party of Russia, the Nazi Party of Germany, and the Fascist Party of Italy. The methodology of these parties varies, but their fundamental objective—to place and keep their leaders in the control of government—is the same.

A useful clue to the nature of the American party, and a factor that should be kept in mind in observing party activity, is the difference between the party organization and the mass of membership of the party. "The concept of party organization refers to the inner core of a political party—the leaders and the rank and file of the militant adherents who can be counted upon to carry on the routine work in the winning and maintenance of power." [5] Outside the inner core of active and controlling leaders and party officials "comes the much larger Outer Circle of those who make a profession of politics or take a lively and practical interest in it; then comes the area of those who are strongly partisan, immovable by any ordinary issue, the irreducible minimum of party strength." [6] The party gradually shades off through lesser and lesser degrees of allegiance to those whose loyalty is fitful or transient. Behavior of party leaders is undoubtedly influenced or conditioned by the attitudes of the mass of party followers, and the relationships between the leaders and the mass are worthy of observation. Nevertheless, in the examination of political party activities it is well to concentrate attention on the inner core or the organization, for that really is "the party." [7]

Another approach that furnishes some understanding of the political party is to think of party in terms of its function, what it does, what service it performs. The early theory of democracy spoke of the "general will" and the "consent of the governed" but was not always explicit about how the "general will" was to be expressed or the "consent of the governed" granted. Some speculators about democracy seemed to believe that by some mystic process the "will of the people" would be expressed and by another equally magical process the rulers would be selected. But a mass of people cannot act as a unit; a small inner circle has to narrow the choices for public office and to formulate questions of public policy. Or perhaps it would be more accurate to say that small groups of men by working together can control the mass. At any rate, early in our history small groups

[5] Harold F. Gosnell in *Encyclopedia of the Social Sciences*, XI, 594.

[6] Merriam and Gosnell, op. cit., p. 428. Quoted by permission of The Macmillan Company, publishers.

[7] The party organization is examined in detail below, chap. 11.

began to act in concert by agreeing on candidates and policies which they would support before the electorate as a whole. An early example of this sort of activity was recorded in February, 1763, by John Adams in his diary:

> This day I learned that the caucus club meets at certain times in the garret of Tom Dawes, the adjutant of the Boston regiment. 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 room 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, firewards, and representatives are regularly chosen before they are chosen in the town.[8]

If the planning and agreement by a caucus to work in concert was a natural development in the town of Boston of 1763, it can readily be seen that the work of some such extragovernmental group is much more necessary to make representative government function over the entire United States. Yet the framers of the Constitution did not provide any machinery analagous to the caucus or party to carry on these duties in the formal mechanism of the national government; nor did they, apparently, foresee the rise of political parties in their present form. For the selection of the President, the framers devised the electoral college to be appointed in each state "in such manner as the legislatures thereof" might direct. The electors were to "meet in their respective states" and vote by ballot, and the ballots were to be forwarded "to the seat of Government" where they would be opened and counted. If there were a tie or if no person received a majority, the House of Representatives was to choose the President.

In defending this system, Hamilton in *The Federalist*[9] explained that it appeared best that the selection should be made by a "small number of persons" chosen from the general mass who could be "most capable of analysing the qualities adapted to the station." Indirect selection of the President through the electoral college was "peculiarly desirable" since it afforded "as little opportunity as possible to tumult and disorder." Voting by the electors assembled in each state would furnish an obstacle to "cabal, intrigue, and corruption." "The business of corruption, when it is to embrace so con-

[8] C. F. Adams (ed.), *The Works of John Adams* (Boston: Charles C. Little and James Brown, 1850), Vol. II, p. 144.

[9] No. LXVIII.

siderable a number of men, requires time as well as means. Nor would it be found easy to suddenly embark them, dispersed as they would be over thirteen states, in any combinations founded upon motives which, though they could not properly be denominated corrupt, might yet be of a nature to mislead them from their duty." Hamilton thought that the process of election would afford a "moral certainty that the office of President" would "never fall to the lot of any man . . . not in an eminent degree endowed with the requisite qualifications. Talents for low intrigue and the little arts of popularity" might "alone suffice to elevate a man to the first honours in a single State"; but it would "require other talents, and a different kind of merit, to establish him in the esteem and confidence of the whole Union, or of so considerable a portion of it as would be necessary to make him a successful candidate for the distinguished office of President of the United States."

As soon as the new Government got well underway it became necessary to develop cabals and cliques outside the Government to perform for the nation as a whole what the caucus club that met in Tom Dawes' garret did for Boston. That the electors in the several states would act independently and without concert was unlikely; in fact prior to the first election under the Constitution Hamilton himself "sent word into several States, advising that a unanimous vote be given to Washington." [10] It was probably expected that the electors in the several states would represent the same interests and work together as effectively as did the framers of the Constitution. "The constitutional history of the United States begins with the establishment of the government of the masses by the classes. It was expected as a matter of course that the gentry would control every branch of the government." [11]

The elaborate and cumbersome machinery provided by the Constitution for the election of the President perhaps, as some students contend, represented a deliberate effort to devise a scheme to be controlled by the "rich and well born." Probably there was an element of the sheer experimental in the plan. Therefore rulers had been selected by and large by battle, birth, or marriage, or as representatives of cohesive and crystallized classes. What sort of a substitute could be devised? At any rate whether the "gentry" or the

[10] Edward Stanwood, *A History of the Presidency* (Boston: Houghton Mifflin, 1926), Vol. I, p. 26.

[11] Ford, *Rise and Growth of American Politics* (New York: Macmillan, 1898), p. 59.

"people" governed, it was necessary to have some sort of machinery through which candidates could be agreed on in advance. It was not likely that either the "gentry" or the "people" would leave the workings of the electors to chance, and with the broadening of the suffrage it became even more essential that there be means for consolidating forces on candidates and for making their merits and beliefs known.

Viewed from the standpoint of the evolutionary development of parties to fulfill a need not met in the constitutional system, the parties can be considered virtually as a part of the government, performing the vital function of assisting in the selection of the personnel of the government. In the words of Merriam and Gosnell: [12]

> The party system may be regarded as an institution, supplementary to the government, aiding the electorate in the selection of official personnel, and in the determination of public policies, and in the larger task of operating or criticizing the government. In this sense the party may be regarded as a part of the government itself, an extension of officialism, shading out from very definite responsibility for official acts to the less definite responsibility for shaping and guiding the course of public opinion.

The conception of party as essentially an element in the governmental system is given further color by consideration of the fact that political parties have come to be closely regulated by law and thereby recognized as performing public functions. The caucus club in Tom Dawes' garret in eighteenth-century Boston operated without legal restriction or regulation. Presumably it could admit to its circle whom it wished and proceed as it desired, but the present-day party is hedged about by legal restrictions which grew out of abuses by the party when it was a purely voluntary association of individuals.[13] As the party system developed, entrance to public office came to be almost exclusively through party nomination. The cliques in control of parties named the candidates from whom public elective officers were selected, and the election itself was often largely a matter of

[12] Merriam and Gosnell, *op. cit.*, p. 427. Quoted by permission of The Macmillan Company, publishers. See also *ibid.*, chap. 14 for a review of theories of the party system.

[13] In several of the southern states the parties are yet considered as private associations. This legal fiction is maintained because as private association the party may exclude from its primaries the Negro voters, an exclusion which the state itself cannot accomplish because of the limitations of the Fourteenth Amendment of the Constitution. Although the parties in these states are private, voluntary associations, their operations are subjected to varying degrees of state control.

form. The nominating system in general use at the time regulation of parties began was particularly susceptible to fraudulent manipulation. It was the convention system based on the selection of delegates at "primary" meetings of voters in each precinct—much on the order of the Boston caucus club. The controlling clique might call the primary without adequate notice, manage the meeting in an autocratic manner, intimidate the dissenting members, and falsify the ballot count, all without penalty of law, for the party was a voluntary and private association on the same legal plane as the Ladies Wednesday Afternoon Sewing Circle.

The first laws governing parties were optional in character; that is, if a party, under the pressure of public opinion, elected to operate under them, a number of regulations governed the conduct of its primaries. Presently mandatory laws were substituted for the optional, and detailed regulation of party activity was built up. Parties have generally lost the right to establish qualifications for their membership; tests of membership are prescribed by law. The procedure to be followed in selecting candidates of the party is prescribed by law; generally the selection of party candidates is through a direct primary conducted by public officials under public regulation at public cost. Where the convention system is retained, the membership of the convention is selected according to methods prescribed by statute, and the procedure of the convention itself is governed by law.[14]

The development of public regulation of party activities was resisted by those groups controlling the parties; they anticipated that the power which they derived from control of the party would be weakened by public regulation. The regulation of parties was urged as a means of wiping out abuses that had grown up around the party and of making the party less irresponsible and less independent of the wishes of the rank and file of the party membership.[15] The culmination of the movement for regulation may be interpreted as an amalgamation of the machinery of private associations with the machinery of government itself; the party was found to perform an essential function in the governing process and it was appropriated by the state. In practice, the regulation of parties is handled by the state legislatures; but the national conventions are not beyond state

[14] The rise of public control of parties is traced by C. E. Merriam and Louise Overacker, *Primary Elections* (Chicago: University of Chicago Press, 1928).

[15] For an early presentation of the case for party regulation, see Frank J. Goodnow, *Politics and Administration* (New York: Macmillan, 1900), pp. 206-250.

control in that delegates are often elected under procedures fixed by state law; and the national party organization is little more than a loose alliance of state organizations, each operating under the provisions of state law.[16]

THE TWO-PARTY SYSTEM

Commentators on the American party system have long been perplexed by the fact that during most of our history power has alternated between two major parties. Although minor parties have risen from time to time and exerted some influence on governmental policy, the two major parties have been the only serious contenders for the Presidency. For relatively long periods, on the national scene, a single party has dominated. From a general knowledge of the divergent classes and interests in American society one might expect numerous parties to be formed to represent interests with conflicting aims and objectives. It seems likely, in fact, that the framers of the Constitution expected the development of a multiplicity of parties, or, to use their terminology, factions. Madison in the tenth essay of *The Federalist* observed that those "who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views." Why not a different political party to represent each of these interests which have, of course, grown in number and complexity since Madison wrote his sapient remarks?

Mystics have occasionally sought to explain the biparty system on grounds of the genius of the Anglo-Saxon peoples for self-government, but this proposition is about as specious as are most political theories resting on suppositions of peculiar racial characteristics. Professor Arthur W. Macmahon, in accounting for the two-party system, rests his interpretation on two points: (1) the Presidential form of government and (2) the cleavage of economic interests existing at the time of the founding of the Government. The Presidential system, paralleled by its counterparts in the states and

[16] The most thorough analysis of the legal status of parties is by Joseph R. Starr, "The Legal Status of American Political Parties," *American Political Science Review*, 34 (1940), pp. 439-455, 685-699.

cities, "has disposed political groups toward a two-party alignment." [17] If a party aspires to capture the Presidency, the governorship, or the mayoralty, it must consolidate under its banner a majority of the voters, and, in practice, no more than two parties may compete for a majority of the electorate. Under a parliamentary system of government, without a separate executive like our President or governor, it is possible for a number of small parties to form a majority by alliance within the parliament and to support a cabinet; but the Presidency, unlike the responsible ministry, cannot be parceled out among minute parties.

Although Professor Macmahon believes that the centripetalism of the Presidency has "more than any other factor discouraged the development of the multiplicity of parties anticipated by the founders of the constitution," he believes that the two-party division was also "induced by the existence of two major complexes of interest in the country." A cleavage between agriculture and the interests of the mercantile and financial community antedated even the adoption of the Constitution. That conflict of interest, with a growing industry allied with trade and finance, was fundamental in the debate on the adoption of the Constitution and remained the great issue in national politics for at least a century afterwards.[18]

In attributing great weight to the Presidential system in forcing American parties into the biparty mold, one has to explain away in some fashion the fact that in Anglo-Saxon countries the two-party system has been the usual form, although only in the United States has the Presidential system of government existed. The Presidential structure cannot be cited as a factor leading to the dual division in Great Britain and the dominions of the British Commonwealth. Probably the correct hypothesis would be that different factors account for the system in each country. In Great Britain itself the party system grew in measure out of relatively well-defined class cleavages, as well as out of a struggle between the king and his supporters, on one hand, and those who were on the opposite side of the political fence—a situation not unlike that under the Presidential system. Once established, the two-party system tended to perpetuate itself, and the tradition was exported bodily and installed in the parliamentary systems of the dominions.

[17] Arthur Macmahon on American political parties in *Encyclopedia of the Social Sciences*, XI, 596-601. The student will find this a succinct, thought-provoking article.

[18] *Ibid.*

A factor of some importance, if not in preventing the rise of a multiparty system, at least in making the biparty system workable has been the practically complete absence from our politics of certain issues about which people may feel quite deeply. "Where economic, religious or social groups are highly class conscious, there develops an insistence for the expression of their desires in the form of specially constituted class-parties." [19] Although there are racial minorities in the United States, they have either been politically repressed, as in the case of the Negro, or they have been, as in most instances, anxious and able to earn a niche for themselves in the nation's social system. For example, the Germans of Milwaukee do not form a separatist party to return Milwaukee to the fatherland as did the Germans of Alsace-Lorraine. Nor has there been a church with memories of earlier secular power and the habit of political action that would lead to the formation of religious political parties. The separation of church and state has in large measure kept from the political arena issues of a religious character. So far as economic classes are concerned, the feeling of class consciousness among workers has been weak in comparison with European countries, and labor parties have made little headway. The absence of religious, nationalistic, and economic sentiments on the European order has made it feasible for people of all these groups to work together in the same political parties rather than feel impelled to form splinter parties.

PARTIES AND PRINCIPLES

The lack of sharply defined differences in the principles espoused by the two major parties is attributable in large measure to the biparty tradition. Frequently it is asserted that in the good old days the Republican and Democratic parties stood for well-differentiated policies, and the citizen could affiliate with a party with the knowledge that he was supporting a definite program of public action in preference to that offered by the opposition. Professor Holcombe has demolished the views of those who believe that in the good old days the terms "Democrat" and "Republican" stood for something. He proceeds by quoting Mr. Samuel Blythe, who observed and reported in *The Saturday Evening Post*, in 1922, that the party names "are labels on empty bottles, signs on untenanted houses, cloaks that cover but do not conceal the skeletons beneath them. No man who

[19] W. J. Shepard, "The Psychology of the Bi-Party System," *Social Forces*, 4 (1926), pp. 795-804.

is in this Government can give a valid, vital, present-day reason for calling himself a Republican. . . . Nor can any Democrat, either in or out of the Government."

Professor Holcombe set out to discover the time when, as Mr. Blythe said, "it meant something to be a Republican." In 1888 Bryce in his *American Commonwealth* looked over the American scene and said: "Neither party has as a party any clean-cut principles, any distinctive tenets. . . . Tenets or policies . . . have all but vanished. . . . All has been lost except office, or the hope of getting it." Earlier, in the 1830's, Alexis de Tocqueville, a French liberal, examined the American political system and saw that "America has had great parties, but has them no longer." By great parties he meant parties "which cling to principles." And even earlier, in 1801, Jefferson could say, "We are all Republicans, we are all Federalists." [20]

Even in a national election such as that of 1936, proclaimed at least by Liberty League orators as a great referendum on whether alien institutions and practices were to be substituted for traditional Americanism, the platforms of the two parties manifested a high degree of agreement on fundamental matters. The Republicans attacked monopoly as "indefensible and intolerable" and promised "vigorous enforcement" of the laws against monopoly and the "enactment of such additional legislation as is necessary." The Democrats branded monopolies "the creature of Republican rule and privilege" and the "exploiter of the consumer," and they pledged themselves "vigorously and fearlessly to enforce the criminal and civil provisions of the existing anti-trust laws" and, if necessary, to "restore" the efficacy of these laws.

Regarding labor, the Republican platform makers promised to "protect the right of labor to organize and to bargain collectively through representatives of its own choosing without interference from any source." The Democrats pointed with pride to the fact that they had enacted legislation protecting the right of collective bargaining and declared that they would "continue to protect the worker and . . . guard his rights, both as wage earner and consumer. . . ." The Republicans disagreed with some phases of the Social Security Act and claimed that real security would "be possible only when our productive capacity is sufficient to furnish a decent standard of living for all American families and to provide a surplus

[20] See A. N. Holcombe, *The Political Parties of To-Day* (New York: Harper, 1924), chap. i, "Empty Bottles."

for future needs and contingencies." The Democrats, on the basis of the Social Security Act, were "determined to erect a structure of economic security for all our people, making sure that this benefit shall keep step with the ever-increasing capacity of America to provide a high standard of living for all its citizens." There were, to be sure, differences in emphasis and differences in method, but on fundamental aims and objectives the principles of the parties, as expressed in their platforms, were substantially alike.

It is, of course, incorrect to say that American parties have no principles or policies. They have; but their principles tend toward similarity. To see that American parties stand for certain governmental policies and values, although essentially the same, it is only necessary to compare their outlook with that of the Communist Party of Russia, the Fascist Party of Italy, or any one of the more extreme parties of the right or left of Republican France. The programs of both American parties change from time to time, but they both change at about the same rate and generally in the same direction. Their policies are the policies of a capitalistic society modified as recurring internal crises demand.

But how is the similarity of the general views of the two major parties to be explained? It has been indicated that a basic factor in the biparty division has been the necessity for a program and a combination powerful enough to capture the Presidency. Although these combinations have been primarily sectional in character, all kinds of persons with all kinds of conflicting and divergent interests have been resident in the winning sectional combinations. The party has had to gain the support of a cross section of the entire population. Instead of dividing society vertically into parties of farmers, laborers, and businessmen, the party system has been so constructed that each party contains farmers, laborers, and businessmen. Professors Merriam and Gosnell found upon analysis that the Democratic and Republican parties were composed of the following elements in 1928: [21]

Republicans	Democrats
Pro-farm relief advocates	Pro-farm advocates
Pro-tariff	Pro-tariff
Drys and Wets (Eastern and Urban)	Drys (Southern) and Wets
Catholic (business) and Protestant	Catholic and Protestant
Progressives and Reactionaries	Progressives and Reactionaries
Important business interests	Important business interests

[21] Merriam and Gosnell, *op. cit.*, p. 208. Quoted by permission of The Macmillan Company, publishers.

If each party appeals to and succeeds in retaining the loyalty of persons of practically all classes and interest groups, it is to be expected that there will be a marked similarity in their programs and outlooks.

From the extensive discussion of "class warfare" and "class hatreds and dissensions" in recent years, it might be inferred that the fundamental pattern of division between the political parties has been altered. But that is not true. Each party continues to draw on all social classes for support. The data accumulated on this subject by the American Institute of Public Opinion are presented in Table 10. If the occupational groups were diagrammatically represented as horizontal bands in order of economic status, the line dividing Re-

TABLE 10

PERCENTAGE OF MAJOR PARTY VOTE THAT WAS DEMOCRATIC, 1936 AND 1940

OCCUPATIONAL GROUPS	1936 PRESIDENTIAL ELECTION	A.I.P.O. SURVEY JUNE 16, 1940	A.I.P.O. SURVEY AUGUST 4, 1940	1940 PRESIDENTIAL ELECTION
Professional	49	49	38	38
Businessmen	47	43	34	34
Farmers	59	57	50	54
White-collar workers	61	57	46	48
Skilled workers	67	61	58	59
Semiskilled workers	74	68	66	67
Unskilled workers	81	72	67	69

SOURCE: E. G. Benson and Paul Perry, "Analysis of Democratic-Republican Strength by Population Groups," *Public Opinion Quarterly* 4 (1940), pp. 464-473.

publicans and Democrats would be a diagonal with more than half the highest economic classes on the Republican side and more than half the lower economic classes on the Democratic side of the line. Yet in each party are found substantial parts of every social class. Moreover, observation of the trends in Table 10 will indicate that every class shifted its attitudes in the same direction between 1936 and 1940. In other words, every class of population, to some degree at least, responded to the same kind of appeals. It is undoubtedly

true, however, that since 1932 the Democratic-Republican cleavage has come to parallel more closely lines of economic status. The Republican Party has lost a great many of its supporters in the lower-income brackets. Whether this trend presages a situation in which the differences between party principles and the sharpness of party conflict will become more accentuated remains to be seen.

Similarities in the views of the parties may be partially accounted for by the sectional distribution of the major strength of the two principal parties—resultant in considerable measure from the residue of attitudes and animosities left by the Civil War—coupled with the fact that through the federal system a great many issues are handled within the states. In other words, a sectional cleavage divides the parties nationally; but within each section the dominant interests, regardless of party, have had similar political philosophies on those matters handled by state governments. Those political philosophies, and the underlying interests, could be promoted through the state government without much concern about the particular party banner under which the political battle was fought. "In the South, where the most solid core of the party still rests, the Democrats are, by the very laws of their own being, the conservative political force. . . . The Democrats are indeed as much the representatives of property and business in the South as are the Republicans in the North." [22]

If the national party organizations are only loose alliances of state machines, it is to be expected that the party nationally will tend to take on the color of the most powerful of the state machines. And those state machines that are able to retain almost unbroken control of their state governments are likely to be highly influential in national party councils. If the most powerful Republican and Democratic state organizations are each dominated by a similar complex of interests, those views are likely to be projected into both national party organizations. To put the matter differently, there is no bloc of states each dominated by a well-established left-wing group which could form the basis for a national party organization.

The nature of the procedure for constitutional amendment removes some issues from partisan conflict. If the advocates of constitutional change hope for success, they must appeal to both major parties, for, as a general rule, only by the cooperation of both major parties is it possible to bring about modification of the Constitution. It is necessary to gain the support of two-thirds of each house of

[22] Paul H. Douglas, *The Coming of a New Party* (New York: Whittlesey House, 1932), p. 152.

Congress to submit an amendment, and ordinarily that extraordinary majority can be gained only through bipartisan cooperation. When the proposed amendment goes to the states for ratification, it must receive the approval of the legislatures of three-fourths of the states or conventions in three-fourths of the states. Affirmative action by thirty-six state legislatures requires affirmative action by both Republicans and Democrats.

The high degree to which American parties are organized, each with a hierarchy of workers, from the precinct worker up to the national chairman, is a factor in the hesitancy of either of the major parties to advance new policies and programs. The core of party workers derives a livelihood from politics, in local, state, and Federal governments. The advocacy of novel ideas involves the assumption of a risk, a very serious risk, of loss of jobs. There may be, of course, no risk of loss and a chance for gain; that perhaps explains the fact that the Democratic Party has been the chief innovator during the twentieth century. Entrenched in state and local machines, when it reaches out for national power it can promise innovation without risk of loss.[23] The organization is, however, on the whole self-perpetuating. "It is generally impervious to ideas because ideas do not interest it. The organization primarily is interested in winning the election. After that the party organization is interested in jobs for its personnel." [24] John J. Murphy has said: "Parties take up issues as a merchant replenishes his stock; when the public demands something new, the merchant brings out the new fashions.[25] The primary purpose of the party and the merchant is the same, to make a living. Parties have an existence entirely independent of the principles they advocate or profess." [26]

The inclusion of a cross section of the major interests of the

[23] There is the further, and perhaps more important, consideration that as Charles A. Beard has said, "the center of gravity of wealth is on the Republican side while the center of gravity of poverty is on the Democratic side."—*National Municipal Review*, 6 (1917), p. 204.

[24] William Allen White, *Politics: The Citizen's Business*, p. 40.

[25] A. C. McLaughlin says that "nothing is more common than to see a party looking for a principle, seeking what we call an 'issue.' Here, therefore, is one great use for the party; out of power it looks about for interests and tendencies in the body of the people; it is ready to accept principles which appear profitable and popular. Both parties do this in fact, but the minority party is more eager than the one having the advantage of office and authority. This is the way in which we get such popular government as we do get. . . ."—*The Courts, The Constitution, and Parties* (Chicago: University of Chicago Press, 1912), p. 170.

[26] "Non-Partisanship in Municipal Affairs as Illustrated by New York Experience," *National Municipal Review*, 6 (1917), p. 218.

country within each political party accounts for a peculiar function of the American party. It is often said that within the party machinery and through the party processes conflicts are reconciled which would otherwise be mediated within the government itself. In a multiparty situation the combination and compromise necessary to form a majority are made in the parliamentary body. In the United States it is said that these differences have to be adjusted within the party as an antecedent to cooperation in the campaign for the Presidency. There is an element of truth in this view of the function of the party, but the degree to which compromise on policy is effectuated within the party machinery through agreement on platforms is often slight. About all that is done in the platform is to hold down the extremist elements in the party whose views might give offense in the campaign. The chief consensus arrived at through the party machinery is agreement on candidates; the battles on issues are fought out later in Congress, and there the play of interest often shatters party unity.

Each party has had from time to time within its ranks large blocs which refused, after the election at least, to accept the leadership of the regularly constituted party hierarchy. Within the Republican Party a deep-seated inner conflict has existed during the past three decades. Insurgency flared up during the time of the Progressive movement. In the Senate session of 1910 on twenty-five important roll calls "the following Republican senators voted more that ten times against the Republican organization: Beveridge of Indiana, 22; Borah of Idaho, 23; Bourne of Oregon, 17; Bristow of Kansas, 21; Brown of Nebraska, 15; Clapp of Minnesota, 23; Crawford of South Dakota, 18; Cummins of Iowa, 15; Dixon of Montana, 16; Dollivar of Iowa, 22; Gamble of South Dakota, 14; La Follette of Wisconsin, 21." [27]

In the Democratic Party the lines of party discipline were weakened by a bitter internal struggle for control of the party between New Deal Democrats and the standpat element of the party. The weakness of party cohesion on matters of policy within Congress suggests that the role of the party in effectuating compromise may be exaggerated; yet the two-party system probably dulls the sharpness of economic conflict because it provides no channel for the normal political expression of many shades of interest. "The rigidity of the two-party system is, I believe," says Lippmann, "disastrous: it

[27] E. E. Robinson, "Recent Manifestations of Sectionalism," *American Journal of Sociology*, 19 (1914), p. 459.

ignores issues without settling them, dulls and wastes the energies of active groups, and chokes off the protests which should find a civilized expression in public life." [28] Whether the muffling of protest by the two-party system is "disastrous" is doubtful, but certainly the necessity for an accommodation of divergent interests under the same banner goes far, by sheer confusion, toward preventing clear-cut cleavages of interest with the consequential sharp conflict.[29]

This consideration of the way in which political parties approach issues illuminates by contrast the function of pressure groups. Parties, mainly because of their heterogeneous composition, are forthright only about those matters on which most people are agreed. Party leaders cannot be otherwise without losing some of their following. Pressure groups, on the other hand, have a homogeneous membership and a common interest that furnish the basis for sharply defined positions on policy. Thus, the function of agitation and education in favor of or against public policies tends to be carried on by non-party groups. These differences between pressure groups and parties are paralleled by differences between party leaders and pressure-group executives. The politician approaches controversial issues with a consistent coyness, while the pressure group leader is apt to take a decisive and uncompromising stand on matters of concern to his constituency.[30]

With the sharpening of political issues, the increasing importance of the stakes of political struggle, and the spectacle of liquidated democracies abroad since 1930, the traditional rationalizations and jus-

[28] A *Preface to Politics*, p. 262. Quoted by permission of The Macmillan Company, publishers.

[29] Pendleton Herring concludes that in the United States "both parties must cherish the same basic values. They may offer slightly different interpretations of the public interest but they can not advocate fundamental change, for the loyalty of the voter must be to the same general economic system and to the same general political values. We can not have a radical party standing for revolutionary change and a conservative stand-pat party. Such parties may exist only on the plane of discussion. Revolutionary communism can be tolerated by democracy as long as it remains an academic question."—"Political Parties and the Public Interest" in *Essays in Political Science in Honor of W. W. Willoughby* (Baltimore: Johns Hopkins Press, 1937), p. 102.

[30] H. L. Mencken, the sage of Baltimore, comments morosely on the nature of the politician: "The combat between the Hon. George L. Radcliffe, Ph. D., and the Hon. Howard Bruce for the Democratic Senatorial nomination seems to be fast degenerating into an oyster-eating contest, with only occasional and casual mention of the burning issues of the hour. Neither of the high aspiring parties, so far as I am aware, has ever ventured to talk turkey. It is generally known, of course, that the Hon. Mr. Radcliffe inclines toward the New Deal demonology, though with important reservations, and it is generally suspected that the Hon.

tifications of our bipartisan, principle-less politics has undergone some re-examination. The most spirited and facile defense of the traditional arrangements has been made by Pendleton Herring in a brilliant book entitled *The Politics of Democracy*. The essence of his argument is that the American political system has rested in considerable measure on the fact that differences between parties have been slight. Under such circumstances the vanquished in elections have been willing to accept the outcome; the victors have not been inclined to push their advantage to the point of outraging the sensibilities of the losers.[31] Both parties have been carried along in the process of political change by common influences and have thereby adapted themselves to the needs of the nation.

Other observers are less sanguine about the prospects of meeting national necessities through the bumbling delays and compromises characteristic of the past. Some sober people profess to see underlying social tendencies driving us toward a one-party system. The stakes of the game, they believe, are already becoming so great that

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Mr. Bruce is agin it, but that is as far as public information goes. Both tour the oyster-roasts night after night, shaking hands with hundreds of morons, hollering for the Finns, and getting down barrel on barrel of bad beer, but what they have to say is usually so hollow that the able reporters of the *Sunpaper* can make nothing of it.

"This is certainly a kind of fraud on the customers, for both of the hon. gentlemen are fluent rhetoricians, and could give good shows if they would. The best argument in favor of the New Deal that I have ever heard was made in a speech by the Hon. Mr. Radcliffe: in fact, it was so good that it came within two or three light-years of wobbling me. As for the Hon. Mr. Bruce, I have actually been present when he made sixteen speeches in one evening, no two alike. Men of such talents, if they would turn those talents loose, could fill the *Sunpaper's* back page with high, astounding stuff every morning. But the most one gets out of them is the sound of gold toothpicks scratching backs, with an accompanying *pizzicato* of oysters strangling in beer foam."—Baltimore *Sun*, March 10, 1940.

[31] The acceptance of the outcome of the 1940 Presidential election is shown by the results of a survey of opinion reported in *Fortune* for February, 1941. The results were:

	Of people saying they voted for:	
	Roosevelt	*Willkie*
These Believe—		
Roosevelt's re-election best thing possible	79.8%	3.8%
Roosevelt better, but Willkie would have been all right too	17.7	10.9
Willkie better, but Roosevelt will be all right ..	1.1	55.0
Roosevelt's re-election very bad	0.2	26.5
Don't know	1.2	3.8

the time is approaching when internal disputes and differences cannot be tolerated to the extent that they have been in the past. Others place emphasis on the fact that the economic order and the governmental system are becoming so intertwined that continuity in governmental policy and control may become necessary; shifts in political control might come to result disastrously for the economic order. Whatever the prognosis may be, it is certainly correct that the traditional, easy-going technique of the two-party system in coping with public problems will be put to an increasing strain.[32]

CHANGING PARTY ALIGNMENTS

In the history of American politics control of the Government has alternated between two major parties. The political managers controlling one party label have been able through superior strategy to form a combination powerful enough to gain control of the Government for a time, only to be displaced in the course of time by a competing group of political managers operating under another banner. Although the names of the major parties have been changed from time to time, there has been a high degree of continuity in the party system in that similar cleavages have prevailed, and each party has, back through its predecessors, relied primarily on the same sources of support. Relatively minor shifts of voters from one party to another have changed the control of the Government. In the discussion of the history of American parties, a frequently used approach is to divide their history into periods marked by changes in party names. "According to this scheme, there have been three great party alignments since the formation of the Constitution: Federalists against Republicans (1789-1816), Whigs against Democrats (1830-1856), and Republicans against Democrats (1856 to the present time)." [33]

The Federalist Party, which controlled the Government for the first three Presidential terms, was made up in the main of the groups that had consolidated forces to bring about the adoption of

[32] For a thoughtful review of these problems, see Norton E. Long, "Party and the Constitution," *Journal of Politics*, 3 (1941), pp. 198-209.

[33] C. A. Beard, *The American Party Battle* (New York, 1928), p. 29. This volume contains the best brief history of American political parties. For greater detail see W. S. Myers, *History of the Republican Party*; F. R. Kent, *History of the Democratic Party*; H. Minor, *Story of the Democratic Party*; E. E. Robinson, *The Evolution of American Political Parties*; H. R. Bruce, *American Parties and Politics*, chaps. 4-8.

the Constitution. The policies adopted by the Government were designed to promote the interests of these groups, and such policies, in turn, cemented these powerful groups to the new Government struggling to establish itself. Hamilton was the architect of Federalist economic policy. The debt of the Confederation and war debts of the states were assumed by the central Government. A national debt, Hamilton thought, was a "national blessing." To pay the debt, taxes are necessary and the necessity of paying taxes is a "spur to industry." Moreover, he said, the debt "will be a powerful cement of our Union." The adoption of tariffs marked the beginning of the policy of encouraging manufactures, and Congress chartered the United States Bank to facilitate the development of industry and commerce.

The Federalist policy was essentially a mercantilist policy, and it gained the support of those classes that benefit from a mercantilist policy and, conversely, aroused the opposition of those groups injured thereby. That opposition centered in the areas where opposition to the adoption of the Constitution had been strongest. The opposition in the western farming sections from Maine to Georgia finally centered under the leadership of Thomas Jefferson. They first called themselves Anti-Federalists; later, Republicans. The vitriolic attacks by the Republican leaders on the Government led to an attempted suppression by the Federalists under the Alien and Sedition Acts of 1798. The Sedition Act prohibited and provided for the punishment of unlawful conspiracies and combinations "to oppose any measure or measures of the government of the United States" and of the issuance or publication of "any false, scandalous and malicious writing or writings against the government of the United States." The oral and printed comment of the day was bitter and indiscriminate,[34] and a considerable number of Republicans, as the Anti-Federalists came to be called, were convicted for violations of the Sedition Act.

In reaction the legislatures of Virginia and Kentucky adopted the famed Virginia and Kentucky resolutions in which a theory of constitutional interpretation was advanced denying to the Federal Government the power to enact such measures as the Alien and Sedition Acts. The Federalist-Republican cleavage thus took the form of a

[34] For samples see C. Taylor and S. Middlebrook, *The Eagle Screams* (New York: Macaulay, 1936).

debate over the nature of the Constitution and of the Federal Union, a mold into which other great political issues came to be cast.[35]

The triumph of the Republicans under the leadership of Thomas Jefferson in 1800 is sometimes considered a great popular uprising that met with success. But Jefferson was, like Hamilton, Washington, and Adams, definitely of the gentry. "The people," concludes Robinson, had "little to do with it." It was, rather, "the success of different groups of leaders in various states of the union, who had won the support of a majority of the members of the electorate, and who, by joining their forces under a common party name, had secured a majority of the votes in the electoral college." The Republican Party was "little more than a division of the governing class."[36] Henry Jones Ford similarly interprets the creation of the Republican Party as the result of "the formation among the gentry themselves of an opposition party." The discontent stirred up by the Sedition Acts and the opposition to other Federalist policies found expression through the channel provided by Jefferson and his associates.[37] The Republican Party of 1800 was undoubtedly a party of the gentry, but to gain power it appealed to elements of the population that had been to a large degree ignored by the dominant class of gentry of colonial and Federalist times. By catering for support to the "forgotten men" of the day, the Republican leaders took the first step toward the democratization of our political life.

The success of the Jeffersonians in 1800 inaugurated a long era of Republican rule: from 1801 to 1829 a succession of Republican presidents occupied the White House. The Republicans refused to renew the charter of the United States Bank when it expired in

[35] The Alien and Sedition Acts and the Kentucky and Virginia resolutions, together with other documents of the period, are conveniently available in Stuart Lewis, *Readings in Party Principles and Practical Politics* (New York: Prentice-Hall, 1928).

[36] E. E. Robinson, *The Evolution of American Political Parties* (New York: Harcourt, Brace, 1924), p. 75.

[37] Ford, *op. cit.*, (New York), p. 125. There is a general theory of political behavior that new groups rise to power and movements with new objectives achieve fruition with members of the "ruling class" assuming the leadership. The upper-class leaders, the theory runs, seize the leadership of the discontented and rise to power over the less discerning of their own class. Michels says: "Every great class-movement in history has arisen upon the instigation, with the co-operation, and under the leadership of men sprung from the very class against which the movement was directed."—*Political Parties* (New York: Hearst's International Library Co., 1915), p. 238.

1811, but they were later compelled to re-create the bank to meet the fiscal exigencies of the War of 1812. They reduced the internal revenue taxes, particularly those taxes that fell heavily on Republican strongholds, such as the whisky tax that had given rise to the whisky rebellion. The Louisiana purchase redounded to the benefit of the planters and farmers; the Federalist shipping and commercial interests opposed the measure lest the settlement of the West eclipse the power of the eastern seaboard. The Federalist Party, discouraged by successive defeats at the polls, made its last presidential nomination in 1816. Many of the former Federalists joined the Republican ranks. The nation became, in a sense, a one-party country with intraparty rivalry, founded both on conflicts of personal ambitions and on differences on policy between factions of the Republican Party.

The inauguration of Jackson in 1829 marked the beginning of the period of rivalry between the Democratic Party and the National Republican and Whig parties. The Jacksonian Democrats inherited much of the strength of the Jeffersonian Republicans, but since 1800 important economic and social changes had occurred. These changes gave to the Democratic Party both a new composition and a new spirit. The gradual settlement of the western states increased the agricultural population, but the conditions of settlement were such as to create an agrarian spirit quite different from that of the eastern seaboard planting aristocracy. The spirit of equality manifested itself in the tendency toward universal manhood suffrage and in the participation of the common man in the affairs of local government. In the East commerce and manufacturing in the cities expanded, and by 1830 there were twenty-six cities of more than 8,000 population. Laboring groups became more numerous in the cities, and this trend was reflected in the increasing importance of such organizations as the Society of St. Tammany in New York City.

Meanwhile, in the South profound changes had occurred respecting slavery. The introduction of the cotton gin and of textile machinery made the production of cotton much more profitable. The former attitude toward slavery was replaced by a positive defense, joined in by the clergy and other learned men of the South. The areas in which the use of slave labor seemed to be uneconomic became centers for slave breeding instead of free areas. "The interdiction of the African slave trade," John Quincy Adams said in 1842, "has had the unfortunate effect of giving the monopoly of the slave-breeding trade to Maryland and Virginia, and it is lamentable

to see that the most sordid passions have thus been enlisted on the side of perpetual slavery." [38] The fact that southern cotton was an export crop placed the southern planter in opposition to those interests desirous of protective tariffs for industrial products.

The result of all these developments, Beard concludes, "was that the financial and industrial interests of the eastern seaboard had aligned against them the laboring classes, the farmers of the West, and the slave owners." Andrew Jackson had been able to unite these diverse elements. The objective of the opposition for thirty years was to divide and displace the combination that Jackson had formed. The Jacksonian "new deal" aroused horror. "Profoundly disruptive influences were seen in the conduct of the crowd at Jackson's inaugural, changes amounting to a revolution in the government service were anticipated, and in conservative New England it was feared by some that the foundations of the country's civilization would be destroyed." [39] The opposition to the Jacksonian Democracy was united first as the National Republican Party. In it were to be found the strong adherents to the old Federalist principles. Their attempt to form a combination by promising the East protective tariffs and the West internal improvements in order to elect Henry Clay in 1832 failed. In 1834 the National Republicans dissolved and reformed, with some new allies, as the Whig Party, the name being derived from the English party opposed to executive prerogative and applied to those opposed to "King Andrew."

The Whig Party was the "logical successor of the old Federalist and National Republican parties. Behind the measures eventually brought forward by Whig leaders, there was a fundamental interpretation of governmental powers and relations similar, in all essentials, to the principles which governed Hamilton and his associates in formulating the Federalist policies." [40] The Whigs supported the United States Bank; they favored subsidies to merchant shipping; they zealously defended the judiciary.[41] The Democrats, on the

[38] Quoted by Henry Adams, *The Degradation of the Democratic Dogma* (1920), p. 28.

[39] E. M. Carroll, *Origins of the Whig Party* (Durham: Duke University Press, 1925), p. 29.

[40] A. C. Cole, *The Whig Party in the South* (Washington: American Historical Association, 1913), p. 1.

[41] After a study of the Whig vote in New York State, Fox concludes that in New York City the reliable Whig wards also "contained the largest proportion of merchants, manufacturers and members of the learned professions." In the other large cities of the state he discovered "in general, a similar condition." In the upstate counties no clear-cut tendency for the more prosperous to affiliate

other hand, were thoroughly agrarian and anticommercial and advocated and executed measures in keeping with these sentiments and interests. Only on two occasions were the Whigs able to break Democratic hegemony—the victories of Harrison in 1840 and Taylor in 1848—and on both occasions they abandoned their principles and leaders and supported popular military heroes to carry the election.[42]

The injection of the slavery issue into national politics broke the alliance of the South and West, led to the Civil War, and laid the basis for a long period of supremacy of a new Republican Party. The struggle of the slave aristocracy for survival involved the issue of whether newly admitted states should be slave or free. If free, the slave states could be outvoted in Congress. The issue was beyond solution by pacific politics.

The political combination of interests that was to rule as the Republican Party was in the making before the Civil War.[43] By 1854 the outward beginnings of the new Republican Party were evident; in 1856 it nominated Fremont, who unsuccessfully opposed Buchanan, the Democratic nominee. In 1860 the Republicans, under the leadership of Lincoln, succeeded in weaning the Northwest from the South and joining it with the Northeast to form a victorious combination.

"Party realignment," says Macmahon, "became fixed in four years of war and in the decade and a half of coercion that followed the northern victory. The factory on the one side and on the other the husbandry of pasture, cornfield and prairie wheatland joined in an alliance which was the more tenacious because the cold

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with the Whigs was discernible under the method of analysis employed.—Dixon Ryan Fox, "The Economic Status of the New York Whigs," *Political Science Quarterly*, 33 (1918), pp. 501-518.

[42] The tenor of the struggle may be indicated by the following quotation from the diary of President Polk, under whose leadership the Democrats lowered the tariff after a term of Whig control: "This great measure of reform has been thus successful. It has given rise to an immense struggle between the two great political parties of the country. The capitalists and monopolists have not surrendered the immense advantages which they possessed, and the enormous profits which they derived from the tariff of 1842, until after a fierce and mighty struggle. This city has swarmed with them for weeks. They have spared no effort within their power to sway and control Congress, but all has proved to be unavailing and they have been at length vanquished. Their effort will probably now be to raise a panic (such as they have already attempted) by means of their combined wealth, so as to induce a repeal of the act."—Allan Nevins (ed), *Polk, The Diary of a President, 1845-1849* (New York: Longmans, Green, 1929), p. 134.

[43] See R. G. Wellington, *The Political and Sectional Influence of the Public Lands, 1828-1842* (Boston: Riverside Press, 1914).

bargains it involved were overspread with sentiment."[44] Or, as John Chamberlain puts it, the "Western farmer, often of moral New England origin, mistook his natural ally, the Southern slave owner, for an enemy; and while he was fighting to rid America from chattel bondage, the manufacturing interests ran away with the Republican party."[45] The great achievement of the Republican leaders was the unification of finance and industry of the North and East with the farmer of the West. Their antithetical interests often put severe strains on the bonds of unity, strains made manifest in many battles within the Republican Party. On the other hand, owing to the Republican policy toward the Negro, the old Whigs of the South were compelled to unite with the Democrats, and as a result no important segment of southern society was free to promote its interests by affiliation with the winning Republican combination.

The unity of the divergent elements supporting the Republican Party was based on a system of public policies, each element of which had the effect of cementing the beneficiaries to the party. The Homestead Act of 1862 which provided for practically free lands to actual settlers created a close tie between the ever-increasing number of western farmers and the party. To the manufacturing and industrial East and New England went higher tariffs; thus the policy that had been pursued by the Democrats was reversed.[46] In the midst of the Civil War a national banking system was established and, although the exigencies of war compelled the issuance of paper money, the sound money men were bound to the Republican Party. To the Union veterans of the Civil War went Federal pensions. This group could hardly look to the Democrats for their bounty. The encouragement of the construction of the western railroads was first designed to draw California into the Republican fold. A more important effect, perhaps, of the construction of railroads westward was to tie the West to the East through east-west land communications in substitution for the earlier North-South system of water transportation.[47]

[44] *Encyclopedia of the Social Sciences*, XI, pp. 598-599.

[45] *Farewell to Reform* (New York: Liveright, 1932), p. 6.

[46] See A. W. Crandall, *The Early History of the Republican Party* (Boston: Badger, 1930).

[47] It should be noted that the Republican Party, in name at least, did not have a continuous existence from 1856. During the Civil War the term "Unionist" came into use; in 1868 the title of the party was changed to the National Union Republican Party; in 1872 the term "Union" disappeared from the title of the party.—W. A. Dunning, "The Second Birth of the Republican Party," *American Historical Review*, 16 (1910), pp. 56-63.

From their southern stronghold the Democrats attempted to reach out for national power. In their efforts to form a durable majority coalition of interests they tried to force a wedge between the Republican West and the Republican East. Until 1932, however, Democratic victories came more from internal dissension among Republican leaders than from superior Democratic strategy. The Democrats first broke Republican control of the Presidency by the election of Cleveland in 1884. That shift in control had been preceded by internal dissension among Republicans, one of the causes of which had been various and sundry scandals during the Grant administration, although there also had been unrest in the western wing of the party, manifesting itself in such movements as the Greenback and Granger agitation.[48] In 1888 Cleveland was defeated, but he returned to the political wars successfully in 1892. In 1896 the Democrats under the leadership of Bryan carried the South, ten states in the more recently settled trans-Mississippi area, but his appeals failed to wean enough of the laboring groups from their alliance with the Republican Party to carry any of the manufacturing states of the North and Northeast. In 1912 a split in the Republican leadership, resulting in the nomination of Taft by the regular Republicans and of Theodore Roosevelt by the Progressives, gave the Presidency to Woodrow Wilson, who polled less than a majority of the total vote cast.[49]

In terms of the distribution of the popular vote, the Democratic victories of 1932 and 1936 "show only slight changes from the normal as reflected in the prevailing American political climate."[50] The Democrats were able to wean away enough western farmers and northern laborers from the Republican Party to win by overwhelming majorities in the electoral college, yet the Republicans were strongest where they had been strongest before, as were the Democrats. In victory the Democratic ranks were rent by the strife inevitable in a party of its diverse composition. The Republican Party has long had the problem of maintaining the unity of the industrial and financial East and the agricultural West. The Democrats similarly have the problem of keeping the peace between the southern

[48] See H. C. Thomas, *The Return of the Democratic Party to Power in 1884* (New York: Columbia University Press, 1919).

[49] The popular vote was: Taft, 3,486,720; Wilson, 6,296,547; Roosevelt, 4,118,571. The electoral vote was: Taft, 8; Wilson, 435; Roosevelt, 88.

[50] A. N. Holcombe in Logan, *The American Political Scene* (New York: Harper, rev. ed. 1938), p. 280.

TABLE 11

POPULAR AND ELECTORAL VOTES IN PRESIDENTIAL ELECTIONS, 1900-1940

CANDIDATES	POPULAR VOTE	ELECTORAL VOTE
1900		
McKinley (R)	7,218,491	292
Bryan (D)	6,356,734	155
1904		
Roosevelt (R)	7,628,461	336
Parker (D)	5,084,223	140
1908		
Taft (R)	7,675,320	321
Bryan (D)	6,412,294	162
1912		
Taft (R)	3,486,720	88
Wilson (D)	6,296,547	435
Roosevelt (Prog.)	4,118,571	8
1916		
Hughes (R)	8,533,507	254
Wilson (D)	9,126,695	277
1920		
Harding (R)	16,141,536	404
Cox (D)	9,128,488	127
1924		
Coolidge (R)	15,718,211	382
Davis (D)	8,385,283	136
La Follette (Prog.)	4,832,614	13
1928		
Hoover (R)	21,391,993	444
Smith (D)	15,016,169	87
1932		
Hoover (R)	15,758,901	59
Roosevelt (D)	22,809,638	472
1936		
Landon (R)	16,679,583	8
Roosevelt (D)	27,476,673	523
1940		
Willkie (R)	22,327,226	82
Roosevelt (D)	27,241,939	449

farmer, the rising manufacturing and financial interests of the South, and the northern urban dweller and laborer.

Although at the election of 1940 the Democrats retained control of the Presidency, they did so by a margin of victory smaller than that of 1936. Roosevelt's popular poll in 1940 was about the same as in 1936 while Willkie received over five million more votes than did Landon in 1936. The swing to the Republican banner from 1936 to 1940 affected all social classes, but it was least among farmers and skilled and semiskilled workers. Geographically the sharpest decline in Democratic strength from 1936 to 1940 occurred in North Dakota, South Dakota, Kansas, Colorado, Minnesota, Wisconsin, and Montana.

QUESTIONS AND PROBLEMS

1. Differentiate political parties and pressure groups.
2. How do you account for the differing approaches toward the solution of public issues by party leaders and pressure-group leaders?
3. What are the functions performed by political parties?
4. What factors have probably been important in conditioning the United States toward the two-party rather than the multi-party system?
5. How does the two-party system affect the nature of differences of views of the parties?
6. If it is assumed to be desirable to minimize social conflict, what is the best type of party system? Why?
7. Do you believe that the discussion in this chapter underestimates the differences between the Republican and Democratic parties? If so, why?
8. What are the prospects for the continuation of the two-party system in the United States?
9. Ascertain how your state has voted at each of the last ten Presidential elections. Can the results be reasonably attributed to a relationship between the predominant interests of the people of the state and the issues of each campaign?
10. Outline briefly the history of the major parties.

Chapter 10: THE ROLE OF MINOR PARTIES

THE GENERAL ANALYSIS of the two major parties indicates not only the diversity of views and interests that are incorporated in both but also the tendency of each of these parties to broaden its appeal in an effort to bring within its fold a cross section of the entire population. Yet the adaptability of the major parties has not been great enough to prevent the rise of third parties to advocate policies that neither of the two great parties would embrace. At times these third parties have split off from a major party that was unable to find a formula under which party unity could be maintained; at other times the minor party has not been generated by dissension within a major party but has grown up more or less outside the machinery of the major parties.

It would be expected that the upsurge of third-party activity would occur at times of deep-seated readjustments that strain the adaptability of the well-established parties. While it has been in such times that third parties have demonstrated their greatest strength, "the United States has never possessed for any considerable period of time the two-party system in its pure and undefiled form. It is a fact, easily demonstrated, that at least for the last hundred years one formidable third party has succeeded another with bewildering rapidity; and that, contrary to the customary view, these third parties have seriously affected the results of presidential elections, have frequently had a hand in the determination of important national policies, and have played perhaps quite as important a role as either of the major parties in making the nation what it is today." [1]

The foregoing view probably overestimates the significance of the minor parties, but their influence has undoubtedly been greater than might be supposed from the small number of votes which they

[1] John D. Hicks, "The Third Party Tradition in American Politics," *Mississippi Valley Historical Review*, 20 (1933), pp. 3-4. This article is an excellent statement of the significance of third parties.

poll.[2] Five per cent of the total vote is a high proportion for minor party candidates except under unusual circumstances, as in 1912 when over 34 per cent, and in 1924 over 13 per cent, of all votes were cast for minor party candidates. The candidacy of Roosevelt in 1912 and of La Follette in 1924 accounted for the exceptionally heavy vote for third-party candidates in those years. Generally the minor party vote is scattered among the candidates of several third parties. In compiling the Presidential vote from 1896 to 1932, Professor Robinson found that the minor party vote during this period was reported under 87 different party names. He reported: [3]

These different party designations appeared as follows: 17 in 1896, 14 in 1900, 12 in 1904, 13 in 1908, 11 in 1912, 11 in 1916, 15 in 1920, 12 in 1924, 15 in 1928, and 11 in 1932. Many of them were confined to one election and to one state. A few were nationally recognized—Gold Democrats in 1896 and Communists in 1932. Most were little known; for example, Sugar Planters, Union Reform, Continental, United Christian, American, Single Tax, Commonwealth Land, Independent Workers, Jobless, Liberty. Throughout the period there were the Prohibitionist, the Socialist Labor, and for the period since 1900, the Socialist parties.

It would be manifestly impossible, as well as fruitless, to trace here the development of each of the minor parties; nevertheless it is feasible to indicate the activities of some of the more important minor groups in an effort to ascertain their role in our national political life.

REPRESENTATIVE MINOR PARTIES

The Antimasonic Party.—A curious chapter in American political history is furnished by the story of the Antimasonic Party.[4] The origin of the party is often traced to the abduction in 1826 of Wil-

[2] The percentage of the total vote for Presidential electors cast for minor parties in recent elections has been as follows: 1896, 3.03 per cent; 1900, 2.78 per cent; 1904, 5.96 per cent; 1908, 5.35 per cent; 1912, 34.93 per cent; 1916, 4.68 per cent; 1920, 5.52 per cent; 1924, 17.13 per cent; 1928, 1.08 per cent; 1932, 2.93 per cent; 1936, 2.90 per cent. The figures, except for 1936, are from E. E. Robinson, *The Presidential Vote, 1896-1932* (Stanford, Cal.: Stanford University Press, 1934), p. 32.

[3] Robinson, *op. cit.*, p. 33.

[4] In this statement on the Antimasonic party I have relied on Charles McCarthy, *The Antimasonic Party: A Study of Political Antimasonry in the United States, 1827-1840* (Madison: University of Wisconsin, 1901). Although this monograph deals with an almost forgotten incident in our party life, it contains many acute observations on political behavior in general.

liam Morgan of Batavia, New York, who had been a Free Mason but became dissatisfied with the order and threatened to reveal its secrets. Of Morgan not a trace was found, and "the remarkable trial of his alleged abductors elicited the greatest interest, not only throughout New York but throughout the Union." Proposals in the New York Legislature in 1827 to investigate the affair, and the defeat of a resolution directed to this end, were followed by campaigns that brought about the election of fifteen Antimasonic candidates to the legislature.

The Morgan incident set off the agitation by fanatical and sincere Antimasonists, but soon the movement received recruits from various elements hostile to Jackson. In 1828 Thurlow Weed in New York and other leaders achieved "a considerable degree of success" in bringing the Antimasonic elements to the support of Adams against Jackson. But there were difficulties arising "from the fact that it was impossible to get perfect harmony between the extremists, who wished for nothing but the extinction of Masonry, and the machine politicians, who would manage this excitement to the interest of the old Adams party."[5] The Antimasonic leaders cast about for a candidate for the Presidency in 1832. They turned to Clay, a Mason, as a leader who could unite under the Antimasonic banner the opposition to Jackson, but Clay declined. The party finally selected William Wirt, a Mason himself, to head its ticket. Wirt accepted the nomination saying that he thought Masonry and Antimasonry "a fitter subject for farce than tragedy" and that he had "been grieved at seeing some of my friends involved in what appeared to me such a wild and bitter and unjust persecution against so harmless an institution as Free Masonry." Yet he did acknowledge that some harm had come from the activities of overzealous Masons. "Such equivocation and so entire a reversal of all they had been fighting for disgusted the more earnest Antimasons," said McCarthy.

The strongholds of antimasonry were Vermont, Massachusetts, Rhode Island, New York, Pennsylvania, and Ohio. In the movement were some of the "shrewdest leaders this country has ever seen." The party had a strong press. In 1832 there were 141 antimasonic papers. McCarthy concludes that "pure antimasonry had a slight and ephemeral existence politically, and that antimasonry as it appeared in the election of 1832 was a complex of political and social discontent guided by skilled political leaders. Political anti-

[5] *Ibid.*, p. 382.

masonry, disregarding the basic principles of the party, nominated a man for President who did not believe in its proscriptive basis, who had been a Mason and had never formally renounced the order. . . . The party in the political history of America has its chief importance in that it furnished the first solid basis for the Whig movement of the future." [6]

The life history of the Antimasonic Party furnishes an example of a pattern that is often repeated in other situations. Discontent may give rise to a political movement led toward a highly specific goal by zealous and fanatical agitators. As the group gains strength and momentum, its direction may be altered and the machinery of organization taken over by persons more skilled in organizational manipulation and maneuver than the original founders. In the process, control of the movement may be gained by persons either hostile or indifferent to its first objectives. It is not uncommon, in municipal politics especially, for reform movements to be captured and weakened by the dominant machine that they seek to undermine. When a single-issue group, such as the Antimasonic Party was at its inception, broadens its base to attract a larger following, the preservation of the integrity of purpose becomes more difficult.

The Prohibition Party.—The most persistent of the minor parties has been the Prohibition Party, which has had candidates for the Presidency and Vice-Presidency at every election since 1872. The formation of the party itself was preceded by temperance agitation dating from the earliest days of the Republic. In 1777 the Continental Congress adopted the following resolution: [7]

> That it be recommended to the several Legislatures of the United States immediately to pass laws the most effectual for putting an immediate stop to the pernicious practice of distilling grain, by which the most extensive evils are likely to be derived, if not quickly prevented.

The early temperance movement attracted to its ranks leading figures in the nation. John Adams, the second President, said that as a young man he was "fired with a zeal amounting to enthusiasm against ardent spirits, the multiplication of taverns, retailers, dramshops and tippling houses," and he was "grieved to the heart to see

[6] *Ibid.*, p. 550

[7] From D. L. Colvin, *Prohibition in the United States*, copyright, 1926, Doubleday, Doran and Company, Inc., p. 13. For material on the Prohibition Party I have relied mainly on Dr. Colvin's book, which is a competent although "official" history of the party.

the number of idlers, thieves, sots and consumptive patients made for the physicians in these infamous seminaries." [8]

Various types of state legislation relating to liquor were experimented with. Probably the first state law designed to reduce the consumption of liquor was the so-called Fifteen Gallon Law enacted in Massachusetts in 1838. This law prohibited the sale of ardent spirits in quantities under fifteen gallons, all of which had to be delivered and carried away at one time. Two years later the temperance movement took a forward spurt with the spectacular rise of "the Washingtonian Movement which started on Washington's birthday, 1840, among a group of reformed drunkards at Baltimore. It was a moral suasion pledge-signing movement with a special appeal to drinking men. It swept the country and hundreds of thousands, many of them heavy drinkers, signed the pledge." [9]

Experience with the Washingtonian movement caused renewed interest in the idea of legal prohibition. It "was found that of the many drinkers who had taken the pledge a large proportion lapsed into their former habits. Of the half million helped to their feet temporarily by the Washingtonian Movement it was estimated that two-thirds again fell." [10] The renewal of interest in legal prohibition, as a supplement to moral suasion, brought considerable state prohibitory legislation, which was adopted under the leadership of temperance societies. During the period 1851 to 1855 thirteen states passed prohibition laws, and the issue was close in several more states.

Even before the Civil War, among temperance leaders there was discussion of the advisability of forming a political party devoted to the cause of prohibition. After the Civil War it came to be thought that with the abolition of slavery the time was propitious for bringing forward another great issue. Some temperance leaders believed that new parties and new alignments should be formed as new issues arose. They had before them the experience of the Liberty, Free Soil, and Liberal Republican parties; and many of them had been abolitionists and were disposed to use the same political techniques for bringing the liquor issue to national attention.

At a meeting of the Right Worthy Grand Lodge of Good Templars, a temperance society, at Oswego, New York, in 1868, a call was issued for a national convention to form a party. Later in the year at Chicago the first national convention was held at which

[8] Quoted in *ibid.*, p. 14.
[9] *Ibid.*, p. 23.
[10] *Ibid.*, p. 26.

an organization was perfected and a platform adopted. The Chicago *Times*, commenting on the convention, foresaw only slight hopes for prohibition:

> When our Senators and Representatives come reeling to their desks in a state of intoxication and when all the avenues of political life are crowded with debauchees it is idle to hope that prohibitory laws could be enforced.

Undiscouraged by such comment, the Prohibition Party held its first nominating convention in 1872 to name candidates for the Presidency and Vice-Presidency. In an address of welcome to the delegates it was said:

> The dramshop is the supreme political power in the nation, and before it rulers and people, parties and politicians, bow the knee in servile homage and base subserviency. Our republic is fast verging to the precipice over which all the old republics reeled to destruction. It must be speedily saved, or it will be swiftly lost.

While the party made prohibition the primary issue, its platform makers even in the first convention broadened the program and showed remarkable prescience by advocating other policies which were eventually to be adopted. They favored the direct election of Senators, woman suffrage, and civil service reform. At each succeeding convention various other policies, in addition to prohibition, came to be advocated. In 1876 the party went on record for the abolition of polygamy and the social evil and in support of international arbitration as a means of settlement of international disputes. In 1892 the platform pledged the party, if elected, to grant pensions to disabled veterans, their widows and orphans. In 1916 the party committed itself to the support of public ownership of utilities. Within the party from time to time there has been dispute between the "narrow-gaugers" who insist that the party stick strictly to the issue of prohibition and the "broad-gaugers" who have desired to broaden the platform to include other worthy reforms and thereby to attract additional support.

The leaders of the party believed that they could gain greater concessions from the major parties as the vote for Prohibition candidates increased. In the campaign of 1884 the tactics of the Prohibition Party chairman were "to strike a crushing blow at one wing of the liquor army. He believed if the Republican party could be beaten it would show the strength of prohibition and lead to a later

alignment of the prohibition forces against the liquor forces." He concentrated the work of the party in pivotal states. In New York, Blaine, the Republican candidate, lost the state to Cleveland by 1047 popular votes and thereby lost the Presidency, while the Prohibitionists polled 24,999 votes. Whether the Prohibitionists were responsible for this turn of affairs is debatable; the result is more often attributed to the boomerang effect of the unfortunate reference of one of Blaine's ministerial supporters to the Democratic Party as the party of "Rum, Romanism and Rebellion." At any rate, the Prohibitionists found that, as their vote increased, state legislatures were more inclined to submit the question of prohibition to popular vote and to adopt restrictive measures short of complete prohibition.

The rise of the Anti-Saloon League, formed in 1893, brought a competitor into the field with a different strategy. The Prohibition Party was dead set against traffic with either of the major parties. Each of these parties contained a group of wet voters, the reasoning went, and "so long as a party depends for success upon retaining the votes of that element it will cater to and compromise with that vote —it cannot settle the liquor question." [11] If the issue was prohibition, there could really be no compromise. Furthermore, the Prohibitionists saw that our government was a party government and that the adoption of a policy was not enough; it was necessary to have temperance men in control of the government to enforce the policy. The only way to gain that end was to elect the ticket of the Prohibition Party.

The Anti-Saloon League, on the other hand, nominated no candidates and encouraged its members to support those individuals, regardless of party, committed to the league's policy. "There was an irreconcilable difference," says Dr. Colvin, "a great gulf between the low ideals of satisfaction with the rum-ridden old parties and perpetuation in office of low grade politicians on the one hand, and on the other the ideals of the Prohibition party which sought a regeneration of politics and statesmen to match the grandeur of the cause." [21] Although victory went to the Anti-Saloon League with its nonpartisan tactics, the wisdom of hindsight makes it plain that the Prohibition Party had its feet more firmly on the ground.

The Prohibition Party polls no impressive vote. In 1940 its candidate received less than 60,000 votes. But the party has kept the

[11] *Ibid.*, p. 381.
[12] *Ibid.*, p. 392.

issue alive and at times influenced legislatures and officials because it had the balance of power. Dr. Colvin, the party's historian and its candidate for the Presidency in 1936, says: "There needs to be a regeneration of our politics. There needs to be the transforming power of a great national political ideal which will purify politics and make it a worthy instrument of attaining the transcendent ideals of which the Prohibitionists long have dreamed—a nobler citizenship, a better world here and now, the coming nearer of the Kingdom of God on earth." [13]

The Liberal Republican movement.—The policies of the dominant leaders of the Republican Party regarding the problems of reconstruction alienated from the party those individuals who came to form the Liberal Republican movement. Or, to describe the process from another point of view, the party policies and practices were not resilient enough to maintain party unity. The Liberal Republican movement originated in Missouri as a reaction against a decision by a constitutional convention in 1865 and subsequent stringent executory legislation to exclude from the suffrage and the exercise of public office all southern sympathizers. An agitation looking toward the removal of restrictions against Southerners soon divided the Republicans into two factions: Liberals and Radicals. At the party's state convention in 1870 a split occurred in which 250 delegates, under the leadership of Carl Schurz, seceded from the party and nominated their own candidates and formulated their own platform. The Liberals stood for the repeal of laws placing political disabilities on the southern sympathizers, demanded civil service reform, and sought revision of the tariff. With the aid of the Democrats, the Liberal Republicans were able to elect their candidate for governor.[14]

The defections from the Republican ranks spread into other states, and many prominent Republicans joined the Liberal forces as dissatisfaction with the Grant administration increased. Prominent Republican leaders from all sections of the country who favored free trade, civil service reform, and a more lenient policy toward the South participated in the Liberal movement. Charles Francis Adams, Lyman Trumbull, Samuel Bowles of the Springfield *Republican*,

[13] *Ibid.*, p. 515. See also Roger W. Babson (Prohibition Presidential candidate in 1940), *Our Campaign for the Presidency in 1940* (Chicago: National Prohibitionist, 1941).

[14] F. E. Haynes, *Third Party Movements Since the Civil War, With Special Reference to Iowa* (Iowa City: State Historical Society of Iowa, 1916), pp. 9-10.

Horace White of the Chicago *Tribune*, Henry Watterson of the Louisville *Courier-Journal*, and a scattering of governors and other political leaders were attracted to the movement. As the agitation gained momentum, its high-minded, reformer composition came to be diluted with seasoned professional politicians and office seekers climbing on what seemed to be the bandwagon.

At the Cincinnati national convention of the party in May, 1872, the two leading possibilities for the presidential nomination were Charles Francis Adams and Horace Greeley. Adams was favored by the reform element under the leadership of Schurz, while Greeley, through a combination of circumstances, including the jealousy of Schurz's growing power by some of his fellow Missourians, had the support of the professional politicians turned Liberal. By "one of the most remarkable stampedes ever seen in a national convention" the delegates were swung to Greeley. Henry D. Lloyd, then an ardent young reformer, later described the scene: "As the voting wore on, Adams strengthened, and by the time the fifth ballot was reached Greeley was plainly on the decline. Then came the spontaneous rally which had been carefully planned the night before. The hall was filled with a mechanical, preordained, stentorious bellowing. Hoary-haired, hard-eyed politicians, who had not in twenty years felt a noble impulse, mounted their chairs and with faces suffused with a seraphic fervor, blistered their throats hurraying for the great and good Horace Greeley. The noise bred a panic. A furore, artificial at first, became real and ended in a stampede." [15]

The nomination of Greeley was the fatal error of the Liberal Republicans. "A tariff reform convention had nominated the most extreme protectionist living. A civil service reform convention had nominated a man less friendly to its demand than General Grant himself. Only in regard to the South was Mr. Greeley in sympathy with the Liberals, and even here his agreement was not complete." [16] Nevertheless, the Democratic leaders carried out their prior understanding with the Liberal Republican leaders and at the Democratic convention adopted the Liberal nominees and platform as their own. Greeley was overwhelmingly defeated by Grant in the election of 1872.

"The impossibility," says Professor Ross, "of reconciling large numbers of Democratic voters to Greeley's candidacy was probably

[15] Quoted by E. D. Ross, *The Liberal Republican Movement* (New York: Henry Holt, 1919), p. 99.

[16] Haynes, *op. cit.*, p. 15.

decisive in bringing about the overwhelming defeat of the coalition ticket. Most of the Democratic leaders carried out their part of the compact faithfully, if not cheerfully, but the rank and file of the party recognized no such obligation."[17] The leaders assured the Democratic voter "that Greeley's past denunciations of their party were merely the sounding utterances of a partisan editor in the heat of a forgotten conflict, exploded shells to be disregarded."[18] Incidentally, the difficulty of the Democratic Party organization in swinging the mass of the party to Greeley's support illustrates an important aspect of the power of the party organization. Leaders are likely to be captives of their followers who will follow them so far and no farther.

After the disastrous campaign of 1872 the Liberal Republicans did not nominate another candidate for the Presidency, but for the next few years the scattered Liberals retained considerable influence. Professor Ross believes that the most important influence of the Liberal movement was the acceptance by the Democrats of the Liberal platform and candidates which indicated clearly "the complete reconstruction of the old Democracy, [and] assisted it ere long in regaining control of the national government." Moreover, in 1876 the Republicans nominated Hayes, a candidate acceptable to the Liberal reform element of the party.[19]

The Populist Party.—In another connection the monetary, transportation, and crop conditions in the Northwest which gave rise to the agrarian movements of the 'seventies and 'eighties have been recounted.[20] The largest and most influential political party emerging from the agrarian unrest of that period was the Populist, or People's, Party. In the campaigns of 1890, independent and "People's" candidates, backed by the Farmers' Alliance and allied groups, working either through the Democratic Party in the southern states or through independent state and local parties in the northwestern states, met with success in a considerable number of instances.[21] But

[17] *Op. cit.*, p. 188.

[18] *Ibid.*, p. 144.

[19] Although tariff reform was a lost cause, civil service reform eventually became a reality with the adoption of the Pendleton Act of 1883. Schurz and other liberal Republican leaders played a large part in the work of agitation and education carried on by the National Civil Service Reform League. See Frank M. Stewart, *The National Civil Service Reform League* (Austin: The University of Texas, 1929).

[20] See above, pp. 39-43.

[21] See J. D. Hicks and J. D. Barnhart, "The Farmers' Alliance," *North Carolina Historical Review*, 6 (1929), pp. 254-280.

the experience with both these modes of operation pointed toward the necessity for a national party organization to fight for reforms on a nation-wide basis.

After considerable negotiation and conference among the divergent factions interested in a third party, a party was formed at a convention in Cincinnati early in 1892. Later in that year the Populists nominated for the Presidency General James B. Weaver of Iowa, who had had other experience in minor parties. He was the Greenback candidate for the Presidency in 1880. The party received a total of over a million popular votes and twenty-two electoral votes. The People's Party became "the first third party to break into the electoral college since the Civil War. The purely Populist delegation in the lower house was eight or ten strong, and the number who owed their election to deals of one kind or another with the Populists were even greater. Populist governors had been chosen in Kansas, North Dakota, and Colorado; and according to one computation not less than fifty state officials and fifteen hundred county officials and members of state legislatures would owe allegiance to the new party." [22] In the Presidential contest the strength of the Populists was greatest in the western and southern states. In no state east of the Mississippi and north of the Ohio did Weaver poll more than 5 per cent of the popular vote.[23]

Between 1892 and 1896 there was a struggle within the Populist Party over the silver issue. The faction favoring the free coinage of silver finally gained control, and in 1896 the Populists supported William Jennings Bryan, the Democratic candidate, who went down before the onslaughts of the Republicans ably managed by Mark Hanna. The Populists were not so unsuccessful in the state and local campaigns, but their day as an independent party was done. In 1900, 1904, and 1908 a few of the faithful convened to nominate Presidential and Vice-Presidential candidates, who, however, made no substantial showing in the campaign. Hicks concludes: [24]

Grief over the passing of Populism as an organization, however, was

[22] Hicks, *The Populist Revolt* (Minneapolis: University of Minnesota Press, 1931), p. 267. This volume is the standard work on the Populist movement. See also S. J. Buck, *The Agrarian Crusade* (New Haven: Yale University Press, 1920); Haynes, *Third Party Movements Since the Civil War*.

[23] The states of greatest Populist strength in the order of the percentage of the popular vote polled by Weaver were: Nevada, 66.7; Colorado, 57.0; Idaho, 54.6; North Dakota, 48.9; Kansas, 48.4; Wyoming, 46.1; Nebraska, 41.0; South Dakota, 37.5; Alabama, 36.6; Texas, 23.6; Washington, 21.7.

[24] *The Populist Revolt*, p. 403.

somewhat tempered by the firm conviction that Populist principles could never die. "Populism," said one delegate, "is written across the face of the Oklahoma constitution;" and he went on to observe, even more significantly that [Theodore] "Roosevelt's messages read like the preamble to the Populist platform."

Although Populist candidates failed to win the Presidency, many of their ideas have become law partly because of the persistent and intense agitation carried on by the Populists. One of their fundamental tenets, that the people should control the government, grew out of their seeing, on every hand, corrupt machines, often supported by the railroads, ignoring the public interest. To remedy the situation the Populists demanded the Australian ballot; they protested against the indirect election of United States Senators; they sought to substitute the direct primary for the convention system of nomination; they advocated the extension of the suffrage to women; and they urged the adoption of the initiative, referendum, and recall as means to achieve more popular control of government. These changes in the machinery and procedure of government have long since come about in part because of the original exertions of the Populists.

The Populists were not concerned alone with the machinery for the expression of the popular will. They agitated for the adoption of new policies. In the field of money and banking the Populists, viewed at the time by all the "best" people as cranks and crackpots, criticized the inadequate and inelastic currency and thought that the matter could be solved by the issuance of paper money. Later monetary legislation, in particular the Federal Reserve Act, created the basis for an elastic national currency, although by means different from that urged by the Populists. "The Populist diagnosis was accepted, and the Populist prescription was not wholly ignored." [25] The germ of the idea of the present extensive system of federally sponsored credit agencies for farmers was to be found in the Populist platform, and increased governmental control of the railway system found an important place in Populist principles. Antitrust laws were pushed by the Populists, and the tendency toward more strict Government control of business continued after the Populist Party disappeared from the scene. It is, of course, not to be contended that the Populists were solely responsible for the eventual adoption of all the policies that they advocated, but their party did serve as a chan-

[25] *Ibid.*, p. 414.

nel for the expression of discontent and for the propagation of ideas later taken up by the major parties and put into law.[26]

The Socialist Party.—American socialism, in its many varieties, is a transplanted growth that has failed to take political root in new soil. The great thinkers and philosophers of socialism have been Europeans; their ideas of objectives and of political strategy have been formulated from observation of European conditions. Almost all movements in socialist thought have been reflected in the formation of movements and organizations in the United States. Utopian socialism, guild socialism, Christian socialism, Marxian socialism, and revisionist socialism have had their effects in this country.[27] Yet none of the socialist sects has succeeded in establishing a formidable working political party; perhaps their influence has been greater in the propagation of ideas. Although several socialist parties have nominated candidates for national, state, and local office, the Socialist Party, formed in 1901, has polled the largest vote.

The first socialist party, the Socialist Labor Party, organized in 1877, nominated its first candidate for the Presidency in 1892. At first the Socialist Laborites frowned upon political action; they preferred rather to educate and propagandize and to exert pressure through the use of economic weapons, such as the strike. In 1899 a split in this party occurred over the issue of the attitude of the party toward trade unions. One faction desired to organize its own socialist unions since the party had failed in its efforts to take over the American Federation of Labor and the Knights of Labor. The other faction, led by Morris Hillquit, advocated cooperation with existing labor organizations.

Meanwhile, in 1897, another party, the Social Democracy of America, was formed. Its main hope was the promotion of a scheme of colonization of some western state with Socialists in order that they might take over the state and establish a socialist regime. In 1898 the Social Democracy of America split over this issue of colonization. One faction advocated abandonment of the scheme and the substitution of ordinary socialist propaganda and politics; the other stood by colonization. The anticolonizers, after defeat in the convention, bolted to form the Social Democratic Party of America, of which Eugene V. Debs was a prominent leader. In 1901 a unity

[26] See *Ibid.*, chap. 15, "The Populist Contribution," for a complete account of the effects of populism.

[27] For a survey of socialist ideas see H. W. Laidler, *A History of Socialist Thought* (New York: Crowell, 1927).

convention at Indianapolis managed to bring together most of the Socialists into the Socialist Party.[28]

The Socialist candidates for the Presidency polled their peak votes in 1912, 1920, and 1932. The Socialist vote rose steadily from only 94,000 in 1904 to 897,011 in 1912. Thus in 1912 Debs received almost a million votes. The distribution of that vote indicates a curious characteristic of the American socialist movement. In its origins the party was designed to be a party of the industrial proletariat, but its greatest electoral strength was in western agricultural and mining states, areas in which the Populists had earlier made the strongest showing. In 1912 the highest Socialist vote was in Oklahoma where 16.6 per cent of the voters indicated a Socialist preference. The states with more than 10 per cent of their votes Socialist were Oklahoma, Nevada, Montana, Arizona, Washington, California, and Idaho. Voters of the industrialized states were much less inclined to vote Socialist.[29] In Massachusetts, for example, the Socialist candidates polled only 2.6 per cent of the total vote cast. In 1920 the party candidates polled 919,799 votes; in 1932, 884,781. In neither instance was the vote so high a percentage of the total as in 1912.

The Socialist Party has been under the control of right-wing Socialists who have faith in parliamentary methods and institutions. Gradual achievement of a socialist society through the ballot box and through the instruments of representative government is the hope of the Socialist Party. In 1919 the left-wing faction split off and formed the Communist Party, which hoped to reconstruct the socialist movement on undefiled Marxist principles. Participation in political campaigns was purely a means for agitation and for education and not an acceptance of the doctrine of gradualism. The socialist society was to be achieved by a dictatorship of the proletariat set up by violent revolution.[30] The more extreme doctrines of the Communist Party have given respectability to the Socialist Party and to the moderate preachings of its leader, Norman Thomas, while Communists are now subjected to the repressions and discriminations that were the Socialists' in an earlier day.

[28] Those interested in the extremely complicated story of socialist politics may find the details in such volumes as Nathan Fine, *Labor and Farmer Parties in the United States, 1828-1928* (New York: Rand School, 1928); W. E. Walling, *et al*, *The Socialism of To-Day* (New York: Holt, 1916); Morris Hillquit, *History of Socialism in the United States* (New York: Funk & Wagnalls, 1910).

[29] Haynes, *Social Politics in the United States*, p. 206.

[30] See Gordon S. Watkins, "Revolutionary Communism in the United States," *American Political Science Review*, 14 (1920), pp. 14-33.

The dream of the Socialists that industrial workers might be brought to act in concert in a formidable political party has not materialized, but the idea of such a party dies hard. The same hope has animated the leaders of many third-party movements with a localized strength. The most recent of these movements is the American Labor Party, nominally organized on a state-wide basis in New York but with its principal strength in New York City. Its able leaders have been drawn chiefly from the ranks of union functionaries and its program has been that of traditional liberal reform rather than of revolution. It has been troubled by internal differences between left- and right-wing factions, but it has succeeded in electing a few local officials and exerting great influence in state- and city-wide elections. In the 1938 gubernatorial election, for example, Dewey, the Republican nominee, received 2,302,505 votes; Lehman, as the Democratic nominee, polled only 1,971,307 votes, but the 419,979 votes he received as the American Labor nominee were sufficient to give him a victory over Dewey. Similarly in the 1941 New York City mayoralty campaign La Guardia won by a vote of 1,183,394 to 1,052,553 polled by O'Dwyer, the Democratic nominee. La Guardia's total vote was made up of 668,763 as the Republican nominee, 434,297 as the American Labor nominee, and the remainder as the City Fusion and United City nominee. This technique of multiple nominations furnishes a means whereby minor parties may form a coalition with a major party without the danger of absorption inherent in an old-style fusion. Under the system of separate nominations the number of votes contributed by each party is reflected in the returns, and the victor cannot ignore the contribution made to his success by the minor group.

THE FUNCTION OF MINOR PARTIES

When discontent arises with the existing political order and a movement for or against some policy is born, its leaders have several alternative courses of action in striving toward their objective. They may form a pressure group and attempt to bring their influence to bear on both major parties. They may, as did the Anti-Saloon League, command a large enough popular following to hold the balance of power between the major parties and therefore have power enough to compel the candidates of both parties, at least for lower offices, to yield to their demands. They may choose to work within an existing party and seek to impress their policy upon it by "boring

from within." [31] Or they may form a third party and attempt to elect their own nominees for local, state, and national offices.

Under what conditions do third parties arise? The question is not easy to answer. The correct analysis probably is that different circumstances govern in each instance. In most important minor party movements neither of the major parties has been receptive to a point of view that commanded a rather large popular following. The leaders of dissident groups had no special desire to form a minor party but did so only when it seemed impossible to convert the dominant elements in one of the major parties to their views. But not all minority parties have resulted from splits of the major parties. Some minor parties have been formed, not by fission of a major party, but to propagate an idea or a philosophy that would not even be seriously considered by either major party. The Socialist and Communist parties, for example, exist to advocate philosophies which are hardly powerful enough to command the attention of either major party.

It is easier to state the function of minor parties than to isolate and define the conditions under which party movements arise. "Looked at from the social point of view the chief function of third parties has been to bring new issues before the people: they force new policies upon the older parties, and after accomplishing their work they pass away." [32] An assortment of examples of this role of the third party has been furnished in the foregoing pages. The agitation on the monetary question by Greenbackers and by Populists was a potent factor in laying the basis for serious consideration of the monetary system and its reform through the passage of the Federal Reserve Act. The Grangers and Populists also started the movement that gradually gained support in wider quarters and led to thorough regulation of the railroads.

Although the minor party has been a formidable method for bringing an issue to public attention, not all minor parties see their reason for existence disappear because their ideas have been taken over by one of or both the major parties. It may be, too, that the rapid development of channels other than political oratory and pamphleteering for reaching the public has lessened the efficacy of the third party as a medium for agitation and propaganda, or at any rate has made available other more readily usable channels of propaganda.

[31] On the difficulties of working from within an established party, see Paul H. Douglas, *The Coming of a New Party*, chap. 5, "The Case for Working Within the Old Parties."

[32] Haynes, *Third Party Movements*, p. 3.

Occasionally third parties have held the balance of power in Presidential elections. Hicks says that "in possibly half a dozen instances the third party vote has snatched victory from one major party ticket to give it to the other." [33] Minor party leaders assume that by building up enough popular support to hold the balance of power they can gain greater concessions on questions of policy from the leaders of the major parties. However, most instances in which it is suggested that a minor party threw an election one way or another are not susceptible of proof. Cleveland, for example, defeated Blaine in New York by slightly more than a thousand votes, won the New York electoral vote, and carried the nation. The Prohibitionists polled about 25,000 votes in New York. If these votes had gone to Blaine, the victory would have been his, but it is impossible to say whether the Prohibition strength came from voters who would have been Republican or Democratic in the absence of a Prohibition candidate. The election of Wilson in 1912, however, offers a clear-cut instance in which the third-party candidacy of Theodore Roosevelt as a Progressive divided Republican strength and gave the Presidency to Wilson. And, in a sense, the Progressives were the true victors, for the Wilsonian program brought the adoption of measures thoroughly in accord with the spirit of the progressive movement.[34]

In a few instances a minor party nationally has been a major party in local and state government in limited areas. When it becomes a major party locally it performs all the ordinary functions of party in relation to the state or local government. The Non-Partisan League in Dakota, the Farmer-Labor Party in Minnesota, the Socialist Party in Milwaukee are examples of third parties that have gained considerable state and local power, at least for a time. In earlier days the Populists, as well as others, gained control of many state and local offices. The development of a third party locally is often followed by a coalition of the Democratic and Republican parties within the state on local issues. This sort of realignment is indicative of the fact that the Republican-Democratic cleavage may be highly artificial when projected down to state and local government.[35] The maintenance of a third party with its power centered in a small area is

[33] *Mississippi Valley Historical Review*, *op. cit.*, p. 26.

[34] For a careful, statistical analysis of the role of minor parties in Presidential elections see C. A. M. Ewing, *Presidential Elections* (1940), chap. 3, "The Minor Party Mission."

[35] See the discussion of Republican-Democrat fusion against Farmer-Labor candidates in Minnesota by Joseph R. Starr, "Labor and Farmer Groups and the Three-Party System," *Southwestern Social Science Quarterly*, 17 (1936), pp. 7-19.

attended by no little difficulty. To exert influence in national affairs the party often fuses with one or the other of the major parties and is swallowed up in the process. In any case, whichever party is in power nationally is likely to use its patronage to maintain its own local organization. And skilled party workers are likely to be drawn to this sustenance.

Even when the minor parties have no perceptible effect on the policy of government, they may serve a useful social function. They operate as a channel for the expression of discontent, which is often dissipated and rendered harmless by the exertions of verbalization and electoral activity. Theodore Roosevelt must have had something of this notion in mind when he said that reformers "will get together in a large hall, will vociferously demand 'reform,' as if it were some concrete substance which could be handed out to them in slices, and will then disband with a feeling of most serene self-satisfaction, and the belief that they have done their entire duty as citizens and members of the community." [36] The "safety-valve" function of the minor party depends on a tolerance, by the majority, of the political deviates who seem to gravitate toward the minor party ranks.[37] Now and then a minor party serves a significant function by publicizing an issue which neither major party has the temerity to raise.

David Saposs argues that many of the third-party movements in the United States have been expressions of the middle-class anxiety and discontent. "The middle-class ideal is to prevent the concentration of economic life so as to limit it to the small business units, or at least make it possible for the small units to exist. Their slogan has been 'Bust the trusts' and tax the rich, so as to keep wealth distributed." The aspiration of the middle-class person is "self-employment: namely, a system of economy wherein the normal individual could save enough to go into business for himself." [38] The rise of giant business enterprises has challenged the middle-class ideal; and, the argument runs, middle-class resentment has found expression, among other ways, through third parties. The Populists

[36] Quoted by Ross, *op. cit.*, p. 3.

[37] When that tolerance disappears, extremist parties are likely to be suppressed. Witness the treatment accorded Socialists during the World War. In 1939 and 1940 numerous measures of official discrimination against Communists were adopted. See C. B. Swisher, "Civil Liberties in War Time," *Political Science Quarterly*, 55 (1940), pp. 321-347.

[38] David Saposs, "The Role of the Middle Class in Social Development," in *Economic Essays in Honor of Wesley Clair Mitchell* (New York: Columbia University Press, 1935).

were decidedly antimonopolistic. The Progressives under Theodore Roosevelt were fundamentally in the same tradition, and their spirit was evident in many of the enactments of the first Wilson administration. In 1924 the Farmer-Laborites, under the leadership of La Follette, continued the battle, and many of the measures of the New Deal have been middle-class measures. The middle class would regulate big business; the Socialists would place it under government ownership and operation.

Saposs' argument that many third parties have been actuated by a middle-class ideology, however, has to be modified to fit the fact that minor-party strength has generally had a sectional concentration. In terms of the percentage of the popular vote polled, the minor parties have flourished most in the West, least in the South. Professor Ewing has computed the percentages of the total popular vote polled by minor parties from 1864 through 1936. He finds that the states in which the highest percentages of votes went to third-party candidates in Presidential elections were Washington, South Dakota, North Dakota, Minnesota, Idaho, Montana, Wisconsin, Oregon, California, Wyoming, Nevada, and Kansas. The states in which the smallest percentages of the popular vote were cast for third-party candidates were New Mexico, Connecticut, Vermont, Tennessee, Kentucky, New Hampshire, Delaware, Mississippi, North Carolina, Virginia, Louisiana, and South Carolina.[39]

This distribution of minor party strength suggests a hypothesis about the conditions that permit and discourage minor-party activity. The strength of these parties was greatest in western states without strong and long traditions governing political behavior, with a social system in a state of flux, and with comparatively weak and unstable governing groups. In the South the third-party strength, over the entire period of 1864-1936, was at its weakest. Social stratification, political tradition, and the pressure to conform from the governing groups have been very different in the South from that in the West. One kind of condition may facilitate the operations of dissenting groups; the other definitely discourages such movements.

In the study of minor parties it is well to assign importance to the factor of the personality of leaders. Some minor parties have tended to be one-man affairs. For many years the Socialist Party was centered around the personality of Eugene V. Debs; in later years the Socialist Party has been Norman Thomas and Norman Thomas has been the

[39] Ewing, *Presidential Elections* (Norman: University of Oklahoma Press, 1940), pp. 127-128.

Socialist Party. The elder La Follette was the central figure of the Farmer-Labor Party, while Theodore Roosevelt gave life to the Progressive Party. "The Progressive party, in large measure, was the outward expression of the love and admiration, amounting almost to idolatry, that the overwhelming majority of its members felt for Theodore Roosevelt," says Harold L. Ickes, who was a minor Progressive leader. "They believed that by unfair tactics and crooked machinations he had been denied the Republican nomination in 1912. Personally or politically, with only a relatively few exceptions none of the people who took their political lives in their hands when they left the Republican and Democratic parties in 1912 to follow Roosevelt had a thing to gain. Yet they were willing to risk all, if necessary, to sacrifice all, because of their faith in one man." [40]

It should not be concluded that the minor party is either the only or the most effective channel for the popularization and eventual effectuation of a new policy. The range of diversity of views within both major parties is great, and under certain conditions it is feasible for a movement to exert a mighty influence within the party ranks. To work from within on national issues, the faction must at least be strongly entrenched within some area where it can control the state party organization. The La Follettes, for example, controlled the Republican machine of Wisconsin for many years against the efforts of the dominant elements of the Republican machine nationally to purge them from the party. In 1928, when Senator Robert M. La Follette, Jr., offered a minority platform to the Republican national convention he "prefaced it by reminding the hostile delegates that of the 35 planks which the left-wing Wisconsin delegation had offered to the Republican Party since 1908, only to be hissed and spurned, 32 had been enacted into law." [41]

Hicks has suggested that perhaps the day of the sectional third party is nearly done. Under the system of nominations by direct primary it is not necessary to organize a minor party to capture office. The leaders of protest movements of all shades and hues may, if their following is strong enough, capture the nominations of either major party for legislative and local offices. Neither party has any means for protecting itself from appropriation by groups that might otherwise form a new party.[42] This suggestion is undoubtedly

[40] "Who Killed the Progressive Party?" *American Historical Review*, 46 (1941), p. 329.

[41] Roy V. Peel and T. C. Donnelly, *The 1928 Campaign* (New York: R. R. Smith, 1931), p. 25.

[42] Hicks, *Mississippi Valley Historical Review*, *op. cit.*, pp. 3-28.

true, and in this respect the direct primary has facilitated the process of "boring from within" the major parties and made it less necessary for the leaders of movements of dissent to form new parties.[43]

Quite apart from these long-run trends affecting minor parties, certain immediate factors suggest greater difficulties ahead for minor parties during the next few years. The spirit of toleration of the extremist minor parties has been ebbing during recent years. That shift in opinion has been reflected in legislation designed to exclude Communist candidates from the ballot or to make it difficult for them to obtain places. Such legislation often affects all minor parties. The antipathy toward deviate groups was perhaps of some influence in the low minor-party vote in 1940. In the Presidential election the minor-party poll was the lowest since 1900. If the spirit of defense and of war continues to intensify, it can be predicted with confidence that the tolerance of minor parties will decline.

QUESTIONS AND PROBLEMS

1. Determine the percentage of the total Presidential vote in your state polled by third-party candidates at each of the last ten elections. Consider the causes of the variations in the percentages polled by minor candidates.

2. What kinds of personalities would you expect normally to become the leaders of minor parties?

3. Classify the conditions that may lead to the formation of minor parties.

4. In the promotion of a cause, what are the relative advantages of (*a*) working from within a major party, (*b*) organizing a minor party, and (*c*) forming a pressure group?

5. Account for the failure of socialism to gain substantial strength among American workers.

6. Of what significance have internal struggles within the major parties been in the formation of minor parties?

7. How has the direct primary affected the tendency to form minor parties?

8. Under what conditions are extremist parties likely not to be tolerated?

9. If there are important minor parties concerned with state or local matters in your state or city, trace and explain their growth.

[43] On the general question of third parties see A. N. Holcombe, *The Political Parties of To-Day* (New York: Harper, 1924), chap. 9, "The Function of the Minor Parties," and C. N. Everstine, *Selected Aspects of Minor-Party Movements* (ms. dissertation, Johns Hopkins University, 1938).

Chapter 11: PARTY ORGANIZATION

A POLITICAL PARTY, like any other well-developed group, possesses machinery of organization. In earlier discussions of associations, such as the American Federation of Labor, the Farm Bureau Federation, and the Chamber of Commerce of the United States, it was noted that these groups have created organizations for the expression of their wishes and for the performance of the functions of the group. In like fashion the political party has its machinery of action. The terms "machine" and "machine politician" are usually terms of reproach, but even a municipal reform league must have a machine if it is to be effective. A group cannot act as a whole; it must have its specialized organs of expression and action manned by competent personnel. The sort of competence required depends on the kind of job to be done. Thus, there is a semiprofessional class of trade association executives and there is a class known as professional politicians. The members of each of these classes possess the specialized skills required by the work of their respective organizations. In the major political parties the sense of group membership felt by the party followers is so slight that for all practical purposes the party machine is the party. This tendency of the leaders and functionaries of the organization to manage rather than to serve as agent of the group appears to be inherent in group action and is by no means limited to political parties. Churches, trade unions, and reform leagues also have their oligarchies.[1]

THE FORMAL PARTY ORGANIZATION

The problem of organization arises when a job is to be done that requires the services of more than one man. The total task has to be broken down into parts and each part assigned to those involved in the performance of the entire task. As assurance that each person

[1] In this connection consider Robert Michels' theory that oligarchy is inevitably associated with extensive organization. See his *Political Parties* (New York: Hearst's International Library Co., 1915), especially pp. 31-32.

does his part in the right way and at the right time, supervisory and directing authority must be centered in some individual. Hence there are created relationships of authority and responsibility between superior officers and their subordinates. By management, direction, and leadership the entire personnel of the organization may work together effectively in the achievement of group objectives. Organization is thus a condition precedent to the accomplishment of tasks that require the cooperation of many individuals. By organization each man may know his part in the whole, and appropriate sanctions are available to ensure that he does his part. But organization involves more than the mechanical assignment of duties and the definition of lines of authority and responsibility. A spirit of devotion to the common cause, common loyalties, and high morale must animate the organization if its personnel is to work together effectively.

The form of a particular organization will be determined by the nature of the task to be accomplished. The division of labor among the individuals in an organization for the manufacture of automobiles differs from the division of labor among the individuals of a department store organization. Yet each organization is adapted to its own ends. Similarly, party organization takes on the form and structure indicated by the nature of the job to be done. The major objective of the party organization is the winning of elections. Hence, the party organization is built around the divisions of the country for electoral purposes. The unit cell of the party organism is the precinct executive, who is immediately concerned with getting out the vote of the precinct to which he is assigned. The precinct executive, committeeman, or captain (the terminology varies from place to place) is the private of the party army. Next up the hierarchy comes the ward committeeman or the district leader in whose jurisdiction a number of precincts are grouped. From the wards or districts, councilmen or legislators are elected. The city or county party committee is built on a combination of wards or districts and is concerned with city- or county-wide matters. The party has a state committee, and, at the apex of the pyramid, a national committee.

On paper at least, there is a perfect party hierarchy based on the precinct executive and capped by the national committee, with special organs formed around each important electoral unit—ward, city, county, legislative district, state, and nation. That is, the form of organization is dictated by the function to be performed—which is, to campaign for candidates elected by the voters of wards, cities,

counties, legislative districts, states, and the nation. But, as will be shown presently, the party organization in actuality rarely coincides with the party organization on paper.

The capstone of the formal party hierarchy is the national committee. Both Republican and Democratic national committees consist of one man and one woman (the latter a precipitate of woman suffrage) from each state (plus a number of members from the possessions and dependencies). In form the national committee is elected by the national convention of the party to serve for the succeeding four years, but in practice the national committee members from each state are selected by the delegates to the national convention from the state. Election by the convention is mere formality. In turn, the state delegations, in nominating the committeemen, are often bound by the action of a direct primary, party convention, or party committee in their respective states.

The national committeemen may or may not be powerful in the politics of their states. Bankers and insurance men, lawyers, railroad and utility men, manufacturers, and publishers are the largest occupational classes on the national committee.[2] Some of these gentlemen are accomplished practitioners of the political art, but more often they are in fact overshadowed by other party leaders in their own states. Membership on the national committee may be a recognition by the state organization for financial support or an accolade for an elder statesman of the state organization. On occasion, the national committeeman may be the real chief of the state organization. The women members of the national committee usually play a secondary role.[3]

By its nature the functions of the national committee are limited. Its size alone binds the committee to a restricted sphere of activity. Probably its most important duty, as a committee, is to select the place and time and issue the call for the national convention. The kingpin of the national organization is not the national committee but its chairman who is designated by the Presidential nominee of

[2] See W. S. Sayre, "Personnel of Republican and Democratic Committees," *American Political Science Review*, 26 (1932), pp. 360-362; Odegard and Helms, *American Politics* (New York: Harper, 1938), pp. 287-289.

[3] On the origin of the national committees, Kleeberg says: "Although the early national conventions, like the first State conventions, usually elected a committee of correspondence, it was not until the Democratic convention of 1848, that a permanent national committee consisting of one member from each State was chosen, with power to call the next national convention."—*The Formation of the Republican Party as a National Political Organization* (New York, 1911), p. 193.

the party. The chief responsibility of the national chairman is the management of the Presidential campaign. At national headquarters he has under his supervision a staff of assistants. During campaigns the national staff mushrooms, and specials units are created to care for special phases of the campaign: a women's division, labor division, foreign language division, business and professional men's division, publicity division, research division, and others, as circumstances dictate. After the campaign is concluded, the electioneering machinery is dismantled and the national chairman is left with a small staff in his domain.

The national chairmanship is what the national chairman makes it, no more and no less. Men like Mark Hanna and James A. Farley invested the office with prestige and power. Farley's position as chief leader of the party workers rested partly on close ties of personal friendship with key figures in state and local organizations over the country. The mass of professional party workers had a deep affection for him. Sentimental ties of loyalty can be and often are powerful sources of cohesion within the organization. Although the national chairman may build up a following that enables him to operate a smooth-running organization, he remains in a sense a hired man subject to the party's real leader, the Presidential candidate. John Hamilton nursed the Republican organization through the dark days from 1936 to 1940, but when Willkie won the nomination in 1940 Hamilton was, as a matter of course, relegated to a subordinate position to be replaced by Willkie's designee, Representative Joseph Martin of Massachusetts. Similarly, Farley, apparently in disagreement with Roosevelt, resigned to make way for Edward Flynn as Democratic national chairman in 1940. In other words, no national chairman has succeeded in building himself up as national boss stronger than the Presidential nominee. This is in contrast with the role of superiority to mayors that local party leaders often play. The national chairman is, in effect, a technician, a specialist in campaign management and machine tending, who exercises his power only so long as he enjoys the confidence of the Presidential nominee.[4]

[4] The degree to which the national chairman may become a specialist in vote-getting without interest in issues is indicated by the division of labor between James Farley and Raymond Moley in the 1932 campaign. Farley was to manage the organization; Moley was to advise the candidate on issues of policy. Moley has recorded his conversation with Farley on their respective duties: "Jim Farley, with whom I had become acquainted in Chicago, called on the telephone when I returned to New York and asked me to come down to the Biltmore Hotel for a

During the periods between campaigns the role of the chairman of the victorious party differs materially from that of the chairman of the losers. The chairman of the winners usually becomes Postmaster General, a position that at an earlier time controlled the largest single respository of Federal patronage. Especially when there has been a change of party control of the Government the national chairman takes on importance. Applicants for patronage jobs usually must "clear" through his office, and their success in obtaining "clearance" depends on how their sponsors stand with the national chairman. The national chairman, in turn, must dispense patronage and favors in a manner that will keep peace and harmony in the organization, for there is always another election in the offing. He, furthermore, has to satisfy, in so far as practicable, those who hold liens on party action by virtue of their campaign contributions.

The life of the national chairman of the party out of power is beset by far fewer worries. Not long since, the national committee and the national headquarters of the minority party was practically nonexistent between campaigns, but the tendency of the past thirty years has been for the committee and its chairman to become more active in the period between Presidential campaigns in preparation for future congressional and Presidential elections. After the defeat of Smith in 1928, the latter suggested that the minority party carry on a positive educational program rather "than sit by and adopt a policy of inaction with the hope of profiting solely by the mistakes or failures of the opposition." In 1929, with the appointment of Charles Michelson as director of publicity for the Democratic national committee, the minority party took the offensive. The publicity division prepared statements to be released mainly under the name of Democratic senators and representatives in criticism of the policies of the majority party. The minority obtained a wide hearing

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'heart-to-heart' talk with him. This big, genial, straightforward man went directly to the point. The Governor had told him, he explained, what I was to do.

" 'I just want you to know that I'm interested in getting him the votes—nothing else,' he said. 'Issues aren't my business. They're yours and his. You keep out of mine, and I'll keep out of yours.' And, so far as policy was concerned, Jim meant that no matter what the candidate decided to campaign on, from the Lord's prayer to the Communist Manifesto, Jim would try to get the votes.

" 'All right,' I said.

"We shook hands on it. Each of us was to keep the promise made to the other. There was never the slightest suggestion of interference on policy matters from Jim Farley and I never meddled in matters relating to political organization." —*After Seven Years* (New York, 1939), pp. 36-37. Quoted by permission of Harper and Brothers, publishers.

for its attacks on majority policy, irritated Republican leaders, and seldom failed to take advantage of an error by the majority. The constant publicity helped lay the basis for Democratic victory in 1932.[5]

The Republican national committee profited by the Democratic precedent and in 1936 established at its headquarters a research and editorial division. The staff of this division prepared factual material for Republican members of the Senate and House, assisted "in a technical capacity" in the drafting of minority reports of congressional committees, coached Republican Congressmen on legislative subjects, issued propaganda material, prepared memoranda for "insertion in the Congressional Record and subsequent distribution to the electorate under frank," and, in general, served as a research agency for Republican leaders.[6] In addition to the management of the national headquarters, there usually falls to the national chairman of the minority the unpleasant job of raising enough revenue to pay off the debts left from the last campaign. His facilities for raising funds are much less adequate than are those of the chairman of the majority party.[7]

Next down the party hierarchy comes the state central committee of the party.[8] In most states the composition, method of selection, and duties of the state committees are determined by law in contrast with the national committee, which is created by and receives its powers from the national convention, an extralegal agency. The members of the state central committees represent various electoral units of the state. In some states each congressional district is repre-

[5] See T. S. Barclay, "The Publicity Division of the Democratic Party, 1929-30," *American Political Science Review*, 25 (1931), pp. 68-72.

[6] C. A. H. Thomson, "Research and the Republican Party," *Public Opinion Quarterly*, 3 (1939), pp. 306-313.

[7] A thorough study of the role of the national chairman remains to be written. See James A. Farley's *Behind the Ballots* (New York: Harcourt, Brace, 1938) for the story of one national chairman.

[8] Both parties maintain senatorial and congressional committees, whose function is the conduct of campaigns for Senators and Representatives. These committees are not subordinate to but work closely with the national committees. Their origin may be traced to the conflict between President Johnson and the Republican members of Congress in 1866. The party majority in Congress forced its will on the President and wrested from him the leadership and control of the Government. Since the President was influential with the national committee, the party in Congress formed a congressional committee to campaign for the election of Republican representatives in 1866. Later the Democrats created such a committee, and with the adoption of popular election of Senators the need for senatorial committees arose. See Jesse Macy, *Party Organization and Machinery* (New York: Century, 1904), pp. 31-32.

sented by one or more members on the state central committee; in other states each county has one or more members; in still others, judicial districts and state legislative districts are the basis of representation. The selection of the members of the state committee again varies from state to state. In some states selection is by direct primary, in others, by state conventions, in others by county or district conventions. At times county chairmen or committeemen from some other subdivision of the state collectively compose the state committee.[9]

Toward the base of the party machinery come the county and city committees. These committees, like the state committee, are built on electoral units. The county committee may be composed of members selected from townships, precints, or other subdivisions of the county; the city committee is often composed of ward representatives. At the base of the party hierarchy are precinct captains or committeemen, sometimes elected by the members of the party in the precinct through the direct primary, sometimes selected by precinct conventions or caucuses, and in some instances appointed by higher party authority. In addition to these committees, the state organization often includes congressional district committees, legislative district committees, and committees for judicial districts.

The determination of the structure of the formal party organization is a simple matter. The rules of the national conventions prescribe the powers and composition of the national committees, and state legislation or party rule does the same for the state organization. But the organization as it appears on paper has little or no relation to the organization as it actually functions. For aid in campaigning, the national chairman may depend on state leaders who occupy no position of importance in the state's formal party organization, and he may recognize them in the distribution of patronage. In turn, the state central committee and its chairman may exist largely on paper. The "real" chairman may be someone other than the titular chairman.[10] Within each party factional leaders of state

[9] The most complete recent account of the formal party organization in the states is by E. M. Sait, *American Parties and Elections* (New York: Appleton-Century, rev. ed., 1939), chap. 15. See also C. E. Merriam, "State Central Committees," *Political Science Quarterly*, 19 (1904), pp. 224-233; S. Lewis, *Readings in Party Principles and Practical Politics* (New York: Prentice-Hall, 1928), pp. 297-321.

[10] Colonel E. M. House, famed as personal adviser to Woodrow Wilson and experienced as a manager of state campaigns in Texas, wrote: "This is the only time in my political career that I openly assumed the chairmanship of a campaign. It has been my habit to put some one else nominally at the head, so that I could

wide importance may have their county managers and leaders, loyal to them but not necessarily occupying positions in the formal party hierarchy. The party machine that a national chairman, a state chairman, or a county chairman forms tends to be hierarchical with lines of influence and authority binding it into a closely knit unit. Yet the hierarchy in fact often does not coincide in many respects with the formal organization as outlined in the laws and regulations.[11]

DISCIPLINE AND DIVISION IN THE PARTY ORGANIZATION

From the foregoing account one gleans a conception of the skeleton of the party organizations, but one must go further to gain an understanding of how the party organization is wrought into a functioning and cohesive unit. A simple chart of the party hierarchy conveys the impression that the party machinery might be military in character with its generals, colonels, captains, lieutenants, sergeants, and privates all bound together and closely articulated by commands from above. While the military analogy has its usefulness, it conveys an inaccurate conception, for, although at times and in limited areas the party organization may be as well disciplined and as responsive to command as an army, there is during most of the time within each party organization a struggle for its control. This competition for power within the party organization at times reflects a difference of opinion within the party over issues of policy or principle, but more frequently it is simply a struggle between individuals seeking the prestige and power that comes from dominance in the party organization. The internal contests for power within the party structure resemble the battles between the parties for

do the real work undisturbed by the demands which are made upon a chairman. "The public is almost childish in its acceptance of the shadow for the substance. Each chairman of the campaigns which I directed received the publicity and the applause of both the press and the people during and after the campaign had been brought to a successful conclusion. They passed out of public notice within a few months, or at most within a year; and yet when the next campaign came around, the public and the press as eagerly accepted another figurehead. . . ."—Charles Seymour (ed.), *The Intimate Papers of Colonel House* (Boston: Houghton Mifflin, 1926), Vol. I, p. 31.

[11] Systematic information on actual party organization in the states and localities is limited. Studies of party machinery in a number of states and localities would illuminate aspects of party organization about which little is known. See, however, T. C. Donnelly, *Rocky Mountain Politics* (Albuquerque: University of New Mexico Press, 1940).

control of the government; perhaps there is a closer analogy between the internal politics of the party and the internal contests for the control of an association such as the American Federation of Labor.

National leadership.—From the formal structure of the party organizations it might be expected that the national committees and the national chairmen of the major parties would occupy positions, if not of command, at least of leadership in the party machinery. But the center of gravity or of power in the party is farther down the hierarchy and is vested in state and city committees, leaders, and bosses. "The national branch of the party is in reality superstructure, holding together as well as possible the major party units, the state, county, and city committees. . . ." [12] The party, nationally, tends to be a loose alliance of state and city leaders who work together chiefly during the Presidential campaign.

The nature of the power of the national committee may be illustrated by contrasting its role with that of a state or city committee. Although it is by no means the practice in every city, it is not uncommon for the city committee to form an "organization slate" of candidates which the organization will support for party nomination in the direct primaries. The national committee does not agree in advance on an "organization slate" which it will back in the national convention for the party nomination for the Presidency and Vice-Presidency. The points at which aspirants for the Presidential and Vice-Presidential nominations attack are the leaders of state organizations, who may be governors, senators, or party officials without governmental posts. The aspirant who succeeds in lining up the strongest bloc of state machines usually takes the nomination. As Professor Laprade says, the Presidential candidate "is chosen by state leaders who cooperate for no other purpose, and for this only once in four years." [13]

In the selection of candidates for national offices, the state leaders, "being primarily state politicians, . . . naturally favor a candidate who seems for the moment likely to add as much strength and to do as little harm" as possible in their local contests.[14] An illustration of this attitude is furnished by the point of view of J. R. Burton, leader of the Kansas delegation at the 1900 Republican national con-

[12] L. D. White and T. V. Smith, *Politics and Public Service* (New York, 1939), p. 28. Quoted by permission of Harper and Brothers, publishers.

[13] W. T. Laprade, "State Politics and National Government," *South Atlantic Quarterly*, 32 (1933), pp. 19-30.

[14] *Ibid.*, p. 29.

vention, who later went to the Senate. Burton announced, says Nicholas Murray Butler, that the Kansas delegation proposed to support Theodore Roosevelt for the nomination for the Vice-Presidency whether Roosevelt wanted the nomination or not. "Burton went on with undisguised impudence to say that he cared nothing about Colonel Roosevelt personally, but that with Roosevelt's name on the ticket he, Burton, would be sure of election to the Senate from Kansas." [15]

During the course of a national campaign the lines of authority and leadership from the office of the national chairman down to the state organizations are usually tighter than at other times. The mutual hope for victory induces a degree of discipline. Moreover, the national organization through its war chest, from which sums are doled out to state and local organizations, gains authority over the general conduct of the campaign. In the campaigns of 1932 and 1936 James A. Farley, chairman of the Democratic national committee, undertook to tie the local party committeemen in more closely with the national committee. A complete list of precinct committeemen was collected at the national headquarters, and campaign literature was sent directly to each of these workers in small quantities; this was in contrast with the previous practice of sending literature in bulk to state committees for redistribution to local workers. Mr. Farley observed that the "worker in the field who gets ten lithographs of the presidential candidate soon has them distributed, and he likes to 'jack up' headquarters by demanding more and insisting upon prompt delivery. . . . The county or precinct worker also seems to feel that he has a new standing in his home community if he gets his orders directly from the 'generals' who are directing the campaign against the political enemy. It gives him a sense of satisfaction to be let in as part of the show, and the degree of loyalty awakened by this simple gesture is truly gratifying. The fellow out in Kokomo, Indiana, who is pulling doorbells night after night and respectfully asking his neighbors to vote the straight Democratic ticket gets a thrill if he receives a letter on campaigning postmarked Washington or New York; and we made sure that this pleasure was not denied him." [16]

So long as the head of the national ticket lends strength to the state and local tickets, the state and local organizations can be ex-

[15] *Across the Busy Years* (New York: Scribner's, 1939), Vol. I, p. 288.

[16] James A. Farley, *Behind the Ballots* (New York: Harcourt, Brace, 1938), pp. 159-160.

pected to work in harmony with the national leaders. When the contrary circumstances prevail, the local ticket will be pushed; the national candidates sacrificed. Professor Salter quotes a letter from a Republican leader in Philadelphia concerning the 1936 campaign: [17]

> The result was such an overwhelming repudiation of the Republican party in our section that I have never seen the like of it, and hope never to see it again. In a normal Republican district of 9,000 votes Landon was able to get only 1300, a little over 7700 going to Roosevelt. I might say that as soon as I sensed the sentiment I considered it advisable to go easy in my efforts to push the candidacy of Landon and concentrated on the local ticket. In this I was successful to a degree, having a difference of nearly 500 votes in favor of the local candidates over the head of the ticket. Nevertheless I was not able to carry them because people were still afraid to split their vote on the machine.

The national party authorities have no very effective sanction to prevent the "knifing" of the head of the ticket by state and local machines. Moreover, the national organization is generally lacking in power to purge local organizations of elements that give the party a bad name nationally. Not infrequently a local organization elects a rogue on the strength of the popularity of the party's Presidential nominee. From time to time, to be sure, the national leaders of a party may exert some influence in the councils of a state organization and the party takes on a semblance of national unity. The national leaders of the Democrats in 1928, for example, persuaded Franklin D. Roosevelt to accept the nomination for the governorship of New York in order to strengthen the ticket in that state; and in 1936 the national leadership was influential in bringing about the renomination of Governor Lehman for the same purpose. In 1940 the New York state Republican convention acceded to the request of the Presidential candidate, Wendell Willkie, that Bruce Barton receive the New York senatorial nomination. Other like instances occur sporadically, but by and large the reins of the national leadership over state and local machines are loose.

The party in power nationally has much greater opportunity and much greater resources than the party out of power to construct a truly national party organization. The patronage in the hands of the

[17] J. T. Salter, "Letters from Men in Action," *National Municipal Review*, 26 (1937), p. 422.

national leaders is great enough to weld the state machines into a semblance of national unity. In the next chapter we shall study the actual mechanics of the patronage system, but here we shall look at it as one of the more important forces giving cohesion to the party. The power of patronage, among a great many other things, is reflected in the fact that a President can usually gain a renomination at the end of his first term.[18] The most striking example of the use of patronage in attaching state organizations to the national headquarters is to be seen in the behavior of Republican organizations in the southern states during the periods that the party controls the national Government. In those states the party has lacked substantial popular support; the control of the party organizations by small cliques of officeholders has, therefore, been quite easy. In turn, the officeholders may be readily controlled by the national headquarters of the party. The situation is, of course, somewhat different when the Republican Party is not in power nationally.[19]

Even when a particular party is in control of the national Gov-

[18] One of the famous examples of the exertion of patronage pressure is furnished by the statement of W. Irving Glover, Second Assistant Postmaster General, during the 1932 campaign to a convention of postmasters.

"Get out on the firing line in support of President Hoover. I'll be back in Washington Monday and I'll be glad at that time to take the resignation of any of you postmasters who don't want to do it.

"You are a part of this Administration. When you hear anybody assailing that man Hoover, remember what I said or go read a book and answer them. As long as you do that you are filling the job of postmaster.

"To make the world safe again for democracy, you must stand behind that man of peerless leadership—of brains, ability, and steadfastness. I ask your faith in God, that our country shall not fail."—Quoted by Peel and Donnelly, *The 1932 Campaign* (New York: Farrar & Rinehart, 1935), pp. 58-59.

[19] The following comment by George Fort Milton, liberal southern journalist, throws further light on southern Republicans: "The truth is that most of the South's so-called Republican leaders, despite such important party titles as national committeeman and state chairman, and despite the promise of the elections of 1920, 1924 and 1928 seem not to wish a strong, virile opposition party in the South. The very existence of a Republican party which would occasionally elect Senators, Governors, and Congressmen with their resultant 'rights' to a controlling voice in appointments would interfere with the bosses' customary dispensation of federal jobs, a profitable perquisite. Thus the southern Republican bosses generally prefer and seek to secure local Democratic success. This result they usually assure through unofficial alliances with Democratic machines, through failure to put nominees in the field against the Democrats, by sending forth candidates so ludicrously weak that independent Democrats could not possibly vote for them and by making Republican campaigns mere sham-battles." —W. T. Couch (ed.), *Culture in the South* (Chapel Hill: University of North Carolina Press, 1934), pp. 118-119.

ernment, the allocation of Federal patronage is generally guided by factors that tend to strengthen state and local machines rather than to build up a strong national organization. In the distribution of Federal jobs, Senators and Representatives have an important voice. Now, Senators and Representatives are not generally interested in building an organization with power centered in the hands of the national leaders, the President, and the national chairman. They are rather concerned with using the patronage to strengthen their own organizations or those state organizations with which they are affiliated. And when patronage appointments are made on the recommendation of Senators and Congressmen, the appointments will be such as to strengthen allegiance to the state and local organization.

The procedure for the distribution of patronage is illustrated by the following letter, signed by the members of Congress from Texas: [20]

Washington, D. C., June 9, 1933.

Hon. James A. Farley,
Chairman National Democratic Executive Committee,
Washington, D. C.

Dear Mr. Farley:

The Texas delegation in Congress has unanimously agreed upon the following:

The two Senators are to control the following patronage: District and appellate judges, district attorneys, United States marshals, internal revenue collectors, customs officers, postmasters in their respective home cities, all State-wide appointments, and all appointments requiring confirmation of Senate.

The Congressman in each district is to control subject to above, all postmasters in his district, all appointees in his district to be made by Mr. Morgenthau, the Reconstruction Finance Corporation, the Census Bureau, the Agricultural Department, the Treasury Department, and other appointments in his district not Statewide.

Until a successor for the Briggs district has qualified, appointments in that district, not controlled by Senators, are to be jointly controlled by the present three Congressmen-at-large.

Until January 1, 1935, the present Representatives of districts shall control in the counties of their present existing districts, and the redis-

[20] *Congressional Record* (daily edition), January 9, 1935, p. 225.

tricting is not to be recognized until January 1, 1935. We ask that this agreement be respected by all Departments and offices.

> Morris Sheppard, senior Senator; Tom Connally, junior Senator; Martin Dies, Thomas L. Blanton, Fritz G. Lanham, W. D. McFarlane, O. H. Cross, Jos. W. Bailey, Jr., Sterling P. Strong, Luther A. Johnson, Hatton W. Sumners, Marvin Jones, Ewing Thomason, R. M. Kleberg, Milton H. West, Joe H. Eagle, J. J. Mansfield, Wright Patman, Morgan G. Sanders, Geo. B. Terrell, J. P. Buchanan, Sam Rayburn, Texas delegation in Congress.

It can be inferred from the mode of distribution of Federal patronage that even when a party is in power nationally, the perquisites of power may be used to build up Federal organizations loyal to the Senators or Congressmen or to strengthen the state organizations with which they are affiliated rather than to construct a truly national organization.[21] Occasionally a President, at the congressional elections occurring at the middle of his term, will attempt to exert his power as national leader of the party. These efforts generally result in failure and demonstrate that the control of the party organization with its great influence over nominations rests with state rather than national party officials.

In the senatorial primaries preceding the election of 1938 President Roosevelt sought to exert his influence as the Party's national leader. Battles in Congress over the President's proposal to revamp the Supreme Court, over the administrative reorganization bill, and over the wages and hours bill had indicated sharp cleavages within the Democratic Party. The first primary of the year occurred in Alabama where J. Thomas Heflin was opposed by Lister Hill, a New Dealer. "The support of all three branches of labor," Professor Shannon concludes, "and the inferential blessing of the President, who allowed Hill to ride on his train across Alabama, together with the aid of Governor Bibb Graves' political organization seemed to have been decisive in Hill's victory." [22]

In Florida the sitting Senator, Claude Pepper, who had supported

[21] For an excellent case study see Edith Dobie, *The Political Career of Stephen Mallory White* (Stanford: Stanford University Press, 1927), chap. 8.

[22] J. B. Shannon, "Presidential Politics in the South: 1938," *Journal of Politics*, 1 (1939), p. 150.

the President on all his major measures, was opposed by Representative Wilcox, an anti–New Dealer, and by former Governor Sholtz, who professed friendship for the President. James Roosevelt, son of the President, announced that "we" desired the return of Pepper to the Senate, and the victory of Senator Pepper was followed by a bold declaration by the President:

As president of the United States, I am not asking the voters of the country to vote for Democrats next November as opposed to Republicans or members of any other party. Nor am I, as president, taking part in Democratic primaries.

As the head of the Democratic party, however, charged with the responsibility of carrying out the definitely liberal declaration of principles set forth in the 1936 Democratic platform, I feel that I have every right to speak in those few instances where there may be a clear issue between candidates for a Democratic nomination involving principles or involving a clear misuse of my own name.

Do not misunderstand me. I would certainly not indicate a preference in a state primary because a candidate, otherwise liberal in outlook, had conscientiously differed with me on any single issue. I should be far more concerned about the general attitude of a candidate toward present day problems and his own inward desire to get practical needs attended to in a practical way. We all know that progress may be blocked by outspoken reactionaries and also by those who say "Yes" to a progressive objective, but who always find some reason to oppose any specific proposal to gain that objective. I call that type of candidate a "Yes, but" fellow.

In Oklahoma the President made an address in which he spoke of "my old friend, Senator Thomas," who was seeking renomination against Governor Marland and Gomer Smith. Senator Thomas won the nomination. In Kentucky, Roosevelt supported for the senatorial nomination Senator Alben W. Barkley, the majority leader in the Senate. Governor Chandler mobilized his state organization in an unsuccessful effort to gain the nomination against Barkley who "had had twelve years in the Senate and before that twelve years in the House. He had built up a federal machine of employees in the state, for Kentucky has been especially favored by a large number of New Deal appointments." [23]

In Georgia the President supported Lawrence Camp against Senator George. In his Barnesville speech the President said that the Senator "is beyond question a gentleman and a scholar—but so also

[23] *Ibid.*, p. 165.

are other gentlemen for whom I have an affectionate regard but with whom I differ heartily and sincerely on the principles and policies of how the government of the United States should be directed." "To carry out my responsibility as President," said Roosevelt, "it is clear that there should be cooperation between members of my own party and myself. That is one of the essentials of a party form of government." In South Carolina the President indicated a preference for Governor Olin Johnston over Senator "Cotton Ed" Smith, who had voted against important administration measures. Senator Smith, supported by his own organization and by that of Senator Byrnes, won the nomination. In Maryland the President backed Representative Davey Lewis against Millard Tydings who "had shown himself more opposed to the President's program than many of the Republicans." [24] Again the national leader of the party was successfully resisted by an entrenched state leader, who called on all Marylanders to keep the Free State free.

After his survey of Presidential intervention in the Democratic primaries, Professor Shannon asks: [25]

> What conclusions may be drawn from this survey of an effort by a party leader to determine the composition of his party? First of all, it is clear that in the South all incumbent senators were renominated and reelected except Senator Berry of Tennessee, who had held office but a short time and was opposed by powerful local and federal organizations. It is evident, therefore, that a potent if not decisive factor in the primaries was the control of the local party organizations. A sitting senator, especially if he has held office for a long number of years, is well nigh invincible and not even a person as powerful and popular as Franklin Roosevelt can unseat him.

When the national party leader went up against a candidate backed by the state organization, the national leader went down to defeat.[26]

[24] *Ibid.*, p. 290.

[25] *Ibid.*, p. 295.

[26] In 1918 President Wilson appealed to the country for the election of Democratic Congressmen and failed. His appeal, unlike those of Franklin Roosevelt, was made in the election rather than in the primary campaigns. His statement of October 25, 1918, was: "They (the Congressional elections) occur in the most critical period our country has ever faced, or is likely to face in our time. If you have approved of my leadership, and wish me to continue to be your unembarrassed spokesman at home and abroad, I earnestly beg that you will express yourselves unmistakably to that effect by returning a Democratic majority to both the Senate and the House of Representatives. . . . The leaders of the minority in the present Congress have unquestionably been pro-war, but they have been anti-administration. At almost every turn since we entered the

Discipline within the Republican organization has been equally difficult to maintain. Spectacular revolts from national leadership have disrupted the national organization on several occasions. Theodore Roosevelt in 1912 carried out of the Republican Party several of its important state machines.[27] The insurgency of the Wisconsin Republican organization when it was under the leadership of the elder La Follette is well known. The national leaders attempted to prevent insurgency by using the sanctions of withdrawal of Federal patronage and exclusion from important congressional committees, but, as Professor Lindsay Rogers has pointed out, "these sanctions may be boomerangs."[28] Most of the insurgent movements within the Republican Party have been led by persons dominant in their respective state organizations, and these movements again illustrate the relative weakness of the control by the national party authorities over state and local machines.[29] In whatever manner one views the

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war they have sought to take the choice of policy and the conduct of the war out of my hands and put it under the control of instrumentalities of their own choosing. This is no time either for divided council or for divided leadership."

[27] E. E. Robinson points out that in 1912 Theodore Roosevelt's vote exceeded that of Taft in 762 counties and that in most of these areas the Roosevelt forces had succeeded during the Taft administration in obtaining control of the state Republican machines. "Most remarkable then is the influence of the state political organization as revealed in this division of the Republican party. The northern tier of counties in Pennsylvania gave majorities for Roosevelt, while the adjacent tier of counties in New York returned majorities for Taft. Similar divisions are shown on the boundaries between Maine and New Hampshire, Utah and Nevada, New Mexico and Arizona. The isolation of Wisconsin as a Taft state among the Insurgent Republican states is evidence of the strength of the state organization of La Follette. In addition to Wisconsin there were strong La Follette organizations in North Dakota, Oregon, and California, and these three 'Insurgent' states show a correspondingly weaker support for Roosevelt. In Ohio as early as the pre-convention contest Roosevelt had obtained control of the organization in the northern districts, while the Taft leaders held their control in the southern part of the state. The division of counties in the November election outlines this earlier disagreement within the state organization."—"Distribution of the Presidential Vote of 1912," *American Journal of Sociology*, 20 (1914), pp. 18-30.

[28] *Encyclopedia of the Social Sciences*, VIII, 115. See K. W. Hechler, *Insurgency: Personalities and Politics of the Taft Era* (New York: Columbia University Press, 1940).

[29] There are, of course, leaders of state organizations who ally to support the national leaders, but their support is not usually the result of authoritative direction by the national leaders. In speculation on the nature of the distribution of power between national and state leaders, a theory advanced by Michels is of suggestive value. He contends that centralization of power is the work of the majority of the moment in the party; minorities, on the other hand, demand decentralization in order that they may retain a degree of autonomy in their home areas. See his *Political Parties*, *op cit.*, especially pp. 196-197.

national party hierarchy, one is driven to the conclusion that the national party authorities have tended to be more or less figureheads and that the actual power of control over the party machinery with its tremendous influence in nominations has rested with state and local leaders.[30]

The impotence of the national executive owes its existence in part to our federal form of government. State and local organizations are built up around the patronage of state and local government, and these organizations, particularly in cities and states dominated by one party, have a continuous life regardless of whether the party is in or out of power in the national Government. As Norton Long has said, "The financial independence of the local branches of the party has operated as a powerful check on the centralizing tendencies of organization."[31] Senators and representatives may be allied with the state organization; if not, they may over a long period of service build up a personal organization through the operations of 'senatorial courtesy' in the patronage system. Quite apart from these considerations, the weakness of the national executive of the party has a basis in the fundamental cleavages within the parties. Each party, as has been indicated in another connection, encompasses groups with divergent views and aims. These conflicting interests often have their roots in and find expression through state and local party organizations. In the absence of agreement on common purposes toward which the party will work, there is no incentive for the party machines to accept the common discipline necessary for concerted action to achieve common ends.[32]

The influence of the national party leadership was probably further weakened by the passage of the Hatch Act in 1939. This

[30] Contrast the situation in England: "In the matter of candidatures the Central Offices have control. The Labour Party in its constitution requires that before any parliamentary candidate can be regarded as finally adopted for a constituency as a candidate of the Labour Party, his candidature must be sanctioned by the National Executive. This requirement goes farther than that of either of the two other parties but the practice is quite the same in all parties. A tory who is *persona non grata* is not likely to be nominated against the objection of the Central Office, and in normal times the same has been true of the Liberals."—J. K. Pollock, "British Party Organization," *Political Science Quarterly*, 45 (1930), pp. 164-165.

[31] "Party and Constitution," *Journal of Politics*, 3 (1941), p. 202.

[32] In some instances it is not improbable that the national party organization, through its influence over the Federal law-enforcing machinery, has been able to discipline and control state party machines. See the discussion by W. V. Holloway, "The Crash of the Long Machine and Its Aftermath," *Journal of Politics*, 3 (1941), pp. 348-362.

act forbids Federal employees, with the exception of the Chief Executive, heads and assistant heads of departments, and certain other policy-forming officials, to take any active part "in political management or in political campaigns." All persons employed in "any administrative position" are prohibited from exercising their "official authority for the purpose of interfering with, or affecting the election or the nomination of any candidate for the office of President, Vice-President, Presidential elector, Member of the Senate, or Members of the House of Representatives, Delegates or Commissioners from the Territories and insular possessions." [33] *Time* had the following comment on the passage of the bill: "The bill also had this practical appeal: while it grabbed the coat-tail of the Roosevelt Federal political organization, it laid no restrictive hand on State officers or State political machinery, which in the long run are the agencies that send men to Congress." [34]

The power of patronage in state and city.—It would be far from correct to say that in every state and city party leaders have perfect control of their respective organizations; nevertheless in states and cities party organizations are often more tightly knit than is the national organization. The difference between the discipline in the organization nationally and that within the states and cities is one of degree, but often of substantial degree. At times a city organization may be under absolute control of a city boss or city chairman; at other times the city boss may be merely a figurehead at the mercy of a coterie of ward leaders. And there are constant battles for supremacy within the state and city organizations. These contests do not always result in dominance of one leader or another but more often in a stalemate, different leaders holding dominion over different segments of the party organization.

An important factor in building up lines of command and internal cohesion and discipline within state and city party organizations is patronage. Some sage has observed that an army fights on its stomach. He who dishes out the subsistence gets the salutes. The aphorism is no less true of a party organization. Leaders of a political organization, the inner core of which is composed largely of persons dependent upon them for a livelihood, have a tremendous power. A large proportion of the officials of the party organization in many jurisdictions also hold public office, appointive or elective. Those not in public office may enjoy other perquisites or may be inspired

[33] Public No. 252, 76th Congress.
[34] *Time*, July 31, 1939, p. 10.

by a hope for public place. In a study of party committeemen in selected up-state New York cities, Professor Mosher found that 19 per cent of 3,618 committeemen had places on the public pay roll. In Albany, 35 per cent of the Democratic committeemen were also public officials, and in Syracuse and Auburn the figure was 28.[35] In Chicago in 1928, 59.2 per cent of the precinct captains had public jobs.[36] "In the 689 districts in Pittsburgh," it was said in 1926, "all the outstanding district leaders, people that like to work at the polls and are interested in politics, are on the city or county pay roll."[37]

Lines of control, of course, do not run directly from each individual in the organization to the state or city leader. The organization tends to assume the form of clusters of personal loyalties about nuclear individuals. The latter, in turn, are bound to persons higher up the hierarchy by materialistic ties eventuating in a more or less rigid control of the whole by a few individuals at the apex.[38] The result is an army amazingly responsive to commands, behind which rests a potent pecuniary sanction. This explains in part the strength, unity, and persistence of such groups in the face of movements carried on by unpaid and, hence, usually undisciplined volunteer campaigners.[39]

That the possibility of discharge from office is a potent factor in creating discipline in the party organization is obvious. The threat of discharge is well understood when there is likelihood of the exercise of this sanction, and it requires no verbalization to have its effect. Now and then the threat gets into writing. A few instances will suffice to give the atmosphere.

[35] W. E. Mosher, "Party and Government Control at the Grass Roots," *National Municipal Review*, 24 (1935), pp. 15-18.

[36] H. F. Gosnell, *Machine Politics: Chicago Model* (Chicago: University of Chicago Press, 1937), p. 54.

[37] Testimony of Charles C. McGovern, *Hearings before a Special Committee Investigating Expenditures in Senatorial Primary and General Elections*, U. S. Senate, 69th Congress, 1st Session, pursuant to S. Res. 195 (1926), Part 1, p. 109.

[38] For an excellent analysis of the New York organization, see Roy V. Peel, "The Political Machine of New York City," *American Political Science Review*, 27 (1933), pp. 611-618.

[39] An unusual system for the communication of commands is used in the Democratic organization in Chicago, according to John T. Flynn. In response to notification by mail the precinct workers gather when required at the ward headquarters to hear instructions and reviews of the campaign situation via telephone and loudspeaker from Pat Nash, Ed Kelly, and other city leaders. By this means the city leaders can simultaneously talk to all the precinct workers gathered at the party headquarters in each of the fifty wards of the city. See "These Our Rulers," *Collier's*, June 29, 1940, p. 43.

In a speech to a gathering of city employees, the Pittsburgh *Press* reported the late Mayor Kline as saying: [40]

> Let me tell you, ladies and gentlemen, it doesn't require any intelligence to cheat. But the only unfortunate part of it will be that it will take me only to May 19 to find out who did cheat, and if then I found out a man who has cheated—notwithstanding we have civil service in Pittsburgh I would not keep him five minutes after I have discovered it.
>
> This is Charlie Kline's fight. And I'm to fight to the bitter end.
>
> I'm going to ask every man on the pay roll to come to our aid and assist us, I never was so deeply interested in any struggle as I am in this struggle.

County Commissioner Armstrong, presented by the chairman as "our honored former mayor," was reported as saying at the same meeting:

> Joe Armstrong and E. V. Babcock represent the county and make the appropriations in the county. If you like Kline and like Armstrong and Babcock, you ought to hold up Kline's hands. Now, boys and women, love those that's loving you. . . . I want you to get behind the ticket.

Commissioner Babcock added:

> Now, we county commissioners are going to take care of those who take care of us. . . . Give us honest and full support, and you may expect our comfort, succor, and aid.

A front-page editorial in the *Public Service Leader*, the "Official Publication of the Regular Democratic Organization in Illinois," observed that the results of the November, 1932, election indicated that some precinct committeemen had failed in their trust. Two of the twelve Democratic candidates for the Municipal Court of Chicago had failed of election,[41] although the fact that in some precincts the recommendations of the bar association were "followed blindly" was admitted as an extenuating circumstance. "Men who allowed any of the Democratic candidates to be sacrificed in their precincts are unworthy to serve as precinct committeemen," it was declared. "There are thousands of loyal Democrats who are eager to take their places and share in the rewards which those who betrayed their trust have forfeited." A purge was promised.

Bernard W. Snow, former chairman of the Cook County, Illi-

[40] *Hearings before a Special Committee Investigating Expenditures in Senatorial Primary and General Elections*, op. cit., pp. 639-642.

[41] It later developed that at least one of the ten Democratic candidates elected received his office through election-day fraud.

nois, Republican central committee, contrasts the effectiveness of paid and voluntary organizations in this way: [42]

The Chairman (Senator Nye). Mr. Snow, do you not very often get as thorough service from volunteer workers as you do from those who are paid?

Mr. Snow. I think that any precinct committeeman or any ward committeeman will tell you that he has in his organization many people who are volunteers who do give exceptionally good service. But the ward committeeman must have an organization which will respond very quickly to the demands made upon it, and that is the reason why in the securing of registration, in the circulation of pledge cards, there is a legitimate expense.

How the organization is brought to "respond very quickly to the demands made upon it" is shown by the following speech by a Chicago ward leader to the precinct captains in his organization prior to a party primary: [43]

"I don't want applause; what I want first is pledge cards, but, more than that, votes. This is a real fight, and every man must do his share. Look at that chart—some of the precincts show no pledge cards at all. Who is the man from this precinct?"

"That's mine, Mr. ———. I have thirty cards at home and am just waiting to copy them before turning them in."

"You're expecting a raise in salary in your job, aren't you?"

"Yes, sir."

"Carry your precinct or you not only won't get it, but you'll lose your job altogether.

"I don't want to scold, but I believe I've been as good to this ward as it has to me. . . . I want to say to you that if any man does not carry his precinct on the thirteenth of April, he'll be fired on the fourteenth. If a man means anything in his precinct, he can carry it. If he doesn't mean anything in his precinct, he has no business in politics and holding a job. The reason that ——— is on the ticket for municipal judge in spite of the fact that he is a new man in the ward is that he had the banner precinct. . . . I promise that whoever turns out the biggest vote in his precinct will be on the next county ticket, if I sit on the state committee, and I think I will.

"What is more, any of you that don't get out the vote and have jobs

[42] *Hearings before a Select Committee on Senatorial Campaign Expenditures*, U. S. Senate, 71st Congress, 2nd Session, pursuant to S. Res. 215 (1930), Illinois, Part 2, p. 249.

[43] C. H. Wooddy, *The Chicago Primary of 1926* (Chicago: University of Chicago Press, 1926), pp. 7-8.

will lose them, and they'll go to those who do work and have no job. I'm looking at one right now that has no job, and he'll have one that someone else now has unless you get out the vote. Don't think I don't mean this. I've fired the ward committeeman and I've fired the president of this ward club, although he had a $6,000 job."

The upshot of all this is that the persons who control the patronage have a highly organized and well-disciplined army of voters and campaigners ready to go into any campaign and wield a powerful influence. Under ordinary circumstances when the party organization is not rent by internal dissension, it is almost futile to challenge its slate in the party primaries. And if one controls the primary, he has gone a long way toward controlling all. In the election itself the votes of the members of the organization, public employees subservient to it, and their dependents are not inconsequential in many jurisdictions. Walter Davenport says in speaking of New York: [44]

It is probably unnecessary to remind you that 148,000 people (all of voting age) are a considerable start toward a whacking victory at the polls. Multiply that by three, the average number of votes attaching to a single job, and you have something to celebrate even in New York City.

Yet La Guardia won over the organization candidate. On the other hand, when the Democratic Party does win, it is an organization candidate who wins.

Stress on the power of patronage is likely to give an exaggerated notion of discipline of the party organization. The element of patronage does not relieve the leaders of the organization of the necessity of paying heed to the sentiments of their subordinates in the party machinery. In some situations decisions on the distribution of patronage, and other matters as well, actually rest in the lower reaches of the party hierarchy. The location of the power of command and decision apparently tends to rise to the top of the hierarchy as the pressure on the organization or the intensity of the struggle in which it is involved increases. In times of stress autocracy becomes real, and the organization is perfectly articulated or it is wrecked. When the strain is relieved, the power of decision tends to gravitate downward although nominally and in form control from above persists. The relationship of leader and led involves reciprocal

[44] "The Tammany Touch," *Collier's*, January 28, 1933, p. 12. Mayor O'Brien, Tammany candidate in 1933, received 586,000 votes in the election. The product of Davenport's formula is 444,000.

interactions, the balance of power turning this way and that with the demands of the situation.[45]

Moreover, the ambitions of the more lowly within the party organization offer a continuous challenge to the power of those higher up in the machine. The precinct captains, for example,[46]

> . . . are rivals for the favor of the ward boss. Each of them hopes to control the ward some day. Each tries to spread out from his own precinct and pick up a personal following in the other precincts of the ward. . . . In due course some one of these precinct leaders wins his way to recognition as the right-hand man of the ward boss, while another, taking umbrage at this, begins to feel himself strong enough to 'buck the ward machine' as it is called. By and by a showdown comes. At primary election there is a pitched battle between the two. The old machine usually wins, and the precinct leader who has matched strength with it goes into the discard. Somebody else takes over the precinct in his place. Occasionally, however, the rebel wins the fight, supplants the boss, and takes that role for himself. Most of the young hopefuls are eliminated in these ward insurrections. It is only the most capable who survive them.

The same kinds of contest occur further up the hierarchy. Speaking of New York City in 1933, for example, Peel reported for Queens borough: [47]

> . . . the district leaders have frequently been on the edge of revolt. At the present time, the county leader there is but little stronger than his district leaders, and some of the latter are in turn hard pressed by the zone-leaders, regional lieutenants exercising authority over subordinate districts within the assembly districts. District leaders in Manhattan and in Brooklyn have frequently rebelled against the county leaders. Some of these insurrections have been put down by disciplining the district leader (depriving him of his job or his patronage); in other cases, the district

[45] Compare N. J. Spykman, *The Social Theory of Georg Simmel* (Chicago: The University of Chicago Press, 1925), pp. 124-125.

[46] From W. B. Munro, *Personality in Politics* (New York, 1924), pp. 50-51. Quoted by permission of The Macmillan Company, publishers.

[47] Peel, *American Political Science Review*, *op. cit.*, p. 614. The penalty for internal revolt is further illustrated by the following incident reported by the Baltimore *Evening Sun*, April 6, 1940: "Philip J. Wallace, for years the leader of Mayor Howard W. Jackson's political organization in the Twenty-first ward, was ousted from that post today in retaliation for his support of the Senate candidacy of Howard Bruce. [The Mayor had supported Bruce's opponent.] In his place, the Mayor's forces appointed John J. McMenamen, 28-year-old clerk in the office of Comptroller J. Millard Tawes and a political protege of Julian B. Carrick. The change was announced by the City Register Eugene H. Beer, who is the Mayor's representative in the campaign headquarters of Senator George L. Radcliffe."

leader has been conciliated by the grant of wider powers than formerly enjoyed.

By the struggles within the ranks the party leadership is renewed and maintained. The common assumption is, and it is probably true, that those individuals most competent in party warfare make their way to the top of the heap. No comprehensive studies have been made either of the process of the rise of party workers in the party hierarchy or of the effect of the struggle and compromise, the give and take, which seem to be necessary to reach points of prestige and leadership in the party organization. Without the analysis of many parallel political careers one cannot speak with certainty, but the impression is that powerful party leaders do not spring into power. With exceptions, they climb to the top of the ladder by arduous work. The career of the late A. J. Cermak, once mayor of Chicago, is a case in point. He became a precinct captain, secretary of the ward organization, and leader of the ward organization. He became a leader of the Bohemian groups, and in 1902 the Democratic organization sent him to the Illinois Legislature. He served four terms and became floor leader. He then went to the Chicago city council, was elected bailiff of the municipal court, and then back to the council. He ran for president of the Cook County board of commissioners and held that post from 1922 to 1931, when he became mayor of Chicago, leader of the Democratic Party in the state, and a power in national politics.[48] In seeking to understand what holds a party organization together, what gives it discipline and coherence, one must keep in mind factors such as the friendships and alliances formed through long careers like the one mentioned.

To offset further the impression that loyalty in the party organization is purely a pecuniary matter, it should also be remembered that personal loyalties develop in many other ways. "Persons young and unsophisticated, who knew of his power," it is said of Uncle George Aldridge former party leader in Rochester, "went to him for help. He usually rendered assistance. One young man wanted to study law. He needed a job in Albany to see him through the Albany Law School. Aldridge helped, even advanced money to him for a year. He never had causes to regret it. This man became his staunchest supporter."[49] "In a few cases," Gosnell says in his study of

[48] Chicago *Tribune*, March 6, 1933.

[49] C. G. Lanni, *Beat 'em or Join 'em* (Rochester, N.Y.: Rochester Alliance Press, 1931), p. 17.

Chicago precinct captains, "precinct captains were bound to their ward committeemen by personal ties of loyalty which grew out of crisis situations. When a ward boss could dramatically come to the rescue of some man who was in trouble with the police, he could count on that man for steady precinct work from that time on." [50] We have the testimony of no less an authority than James A. Farley that "those people who are inclined to imagine that patronage and patronage alone, is the only thing that keeps a political party knit together are off on a tangent that is about as far wrong as anything humanly could be. I am convinced," he says, "that with the help of a few simple ingredients like time, patience, and hard work, I could construct a major political party in the United States without the aid of a single job to hand out to deserving partisans." [51]

In addition to its uses within a party organization, patronage has been used from time to time in municipal politics to maintain a subservient opposition. By the feeding of a little patronage to trustworthy individuals in the minority camp, the enemy may be kept under control and the "good will," that is, the socially inherited voting strength, attached to the symbolism of the opposition party kept out of the hands of persons who might become really dangerous opponents. For example, before 1933 the Philadelphia Democratic organization was merely a subsidiary of the Republican machine. As Professor Salter said: "There is only one party organization in Philadelphia; the Democratic end is part of it under another name." [52] Even if bipartisan collusion is limited to municipalities and a few states, it probably has at times a strong influence on the vote in national elections in those areas.

LEADERSHIP AND PARTY COHESION

Among the elements that lend unity and cohesion to the party organization is the factor of leadership. The qualities of personality that make for leadership may operate both to hold together the inner core of the party organization and to reinforce the loyalties of the great mass of party followers. Leaders become symbols of their party; hence, both past and present leaders condition current attitudes of

[50] *Machine Politics: Chicago Model*, *op. cit.*, p. 67.

[51] *Behind the Ballots* (New York: Harcourt, Brace, 1938), p. 237.

[52] J. T. Salter, "Party Organization in Philadelphia: The Ward Committeeman," *American Political Science Review*, 27 (1933), p. 619. See also A. F. Macdonald, "The Democratic Party in Philadelphia," *National Municipal Review*, 14 (1925), pp. 293-299.

the party membership. Not always, however, is there found combined in the same person qualities that make him a leader both of the inner core of professional party workers and of the mass of party membership. Persons with those qualities that make them great leaders of the masses are likely not to be equally revered by the semipermanent core of the organization. On the other hand, the competent party boss often does not have the skill to arouse the loyalty and faith of people outside the narrow confines of the party organization. The capable popular leader, however, may compel his acceptance by the inner circle by the fact of his popularity in the ranks, ultimately by his vote-getting ability.[53]

What is this thing called leadership? Obviously the man who is in a position to distribute the loaves and fishes has a sanction to enforce and reward loyalty and to punish the disobedient. But leadership involves more than loaves and fishes. The sociologists point out that a leader, political or otherwise, exerts influence over a number of people. Certain traits of personality and the will to use them give the leader a position of ascendency; in turn, followers possess personality traits and inclinations tending to make them subordinate. Leadership is thus a set of social relationships.[54] The position of the leader may be formal or informal. A soda clerk may be made a top sergeant and exercise certain functions of leadership without possessing notable personal qualities. The creed of the army dictates that he act in certain ways and that his subordinates respond in certain ways. He fills a formalized post, "sergeant," and has all the machinery of army discipline to enforce his commands. In the battle, after all the officers are killed, a "natural" leader may rise and command obedience by his courage and his personal qualities without benefit of formalized status. In turn, his position of leadership will be recognized by his men.

In party organizations this "natural" leadership abounds. Recognition of this tendency aids considerably in the clearing up of the confusion surrounding formal party organization. It may be observed that a Democratic county chairman is a figurehead and nothing more; that the real chief of the organization occupies no formal

[53] Medill McCormick, in a platform conference, once said: "Fellows, we must remember that T. R. is great because he understands the psychology of the mutt."—Donald Richberg, *Tents of the Mighty* (New York: Willett, Clark & Colby, 1930), p. 34.

[54] See E. S. Bogardus, *Leaders and Leadership* (New York: Appleton-Century, 1934).

office but everybody accepts him as "the boss." The mayor may have been nominated and elected by the party organization, but he may be definitely subordinate to the leader of the organization. Sometimes the mayor is both mayor and master of the organization of his party. Sometimes the state chairman is what the state chairman purports to be, the real leader. But discrepancy between formalized and actual arrangements recur throughout our political system. A fundamental reason for this is that our formal governmental arrangements often are not in accord with the tendencies of human behavior. The custom of rotation in public office, for example, results in frequent changes in the post of Chief Executive, but positions of leadership in the party organization are built up usually over long periods of time. Since leadership is required to maintain the party structure, the "natural" leader may remain the same over long periods while the titular leader changes from time to time. Moreover, the method of recruitment of Chief Executives is such that the ladder toward natural leadership does not lead to titular leadership. The recruitment of prime ministers in Great Britain from the House of Commons, for example, usually assures that men who have fought their way to positions of natural ascendency and leadership in the house will also gain the formalized position of leader of the party. No such channel of recruitment or training ground in which competitors for leadership may be tested against each other exists in our mechanisms for the recruitment of Chief Executives.

The qualities that make for leadership have never been identified with exactness. Professor Zink analyzed the careers of twenty city bosses (organization leaders) and asked the question, "Is There A 'Typical' Boss?" He found no measurable characteristic in common that set bosses definitely apart from other people. All came to the top by long and persistent work, but luck helped some of them along. "Among the traits possessed by many city bosses," he found "generosity to the poor, loyalty to obedient henchmen, reasonable emphasis on high standards of personal morals, and interest in religion. A large proportion labored with persistence, displayed more than ordinary courage, and possessed intensely practical minds. . . . With very few exceptions they resided in their respective baronies from childhood years, entered politics as soon as they reached legal age, and became active in ward or district politics before they achieved the leadership. . . . They tended to be large in body, great in strength of muscles, and well able to take care of themselves. . . .

But in all the above cases sufficient exceptions can be found to make it dangerous to say that they are common to city bosses." [55]

Although the characteristics that account for the powers of an individual as a leader have not been isolated and calibrated with precision, it is possible to indicate a few of the striking aspects of the personalities of some political leaders. Skill in the use of words, oral and written, is often a basis for leadership. For popular leadership, oratorical power of a sort is almost essential,[56] although at times the real leaders are not orators. The orators are then merely facade. Woodrow Wilson, Theodore Roosevelt, Franklin Roosevelt, and William Jennings Bryan furnish examples of leaders whose popular following depended in part on oratorical skill. The capacity to capture popular imagination consists not only in the intonation of voice, the gesture, and the facial expression; the ability to turn a trenchant phrase, to coin a colorful slogan, to compress intricate ideas into simple figures is likely to be in the equipment of the orator. Point is added to this observation by recalling Lincoln's "This nation cannot endure half slave and half free"; Theodore Roosevelt's "lunatic fringe," "malefactors of great wealth"; Wilson's "new freedom," "to make the world safe for democracy," "pitiless publicity"; Bryan's "You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold." Phrase making can translate complex programs and policies into the language of the layman. The idea of "pump priming" can be more widely understood than Mr. Keynes's treatises on economics. The skill of the orator often moves over into dramatization and sometimes becomes sheer pantomime. The faculty of translating policies into the language of the masses is just as important in governing as in campaigning. The maintenance of popular support, in effect the retention of the power of leadership, is facilitated by the possession of the faculty of explaining simply yet persuasively what is being done, and why.

A notable characteristic of great leaders is the capacity to estimate the movements of attitudes and sentiments of the masses, as well

[55] *City Bosses in the United States* (Durham: Duke University Press, 1930), pp. 63-64.

[56] "In the opening days of the labour movement," in certain European countries according to Michels, "the foundation of leadership consisted mainly, if not exclusively, in oratorical skill. It is impossible for the crowd to escape the aesthetic and emotional influence of words. The fineness of the oratory exercises a suggestive influence whereby the crowd is completely subordinated to the will of the orator."—*Political Parties*, *op. cit.*, p. 69.

as to foresee developments that will affect those attitudes and sentiments. And this is supplemented by the knack of making decisions that capitalize on the trends observed and foreseen. Merriam calls these qualities "unusual sensitiveness to the strength and direction of social and industrial tendencies with references to their party and political bearings" and "acute and quick perception of possible courses of community conduct with prompt action accordingly."[57] In one sense these attributes are the same as the ability of a leader to forecast the reaction of his followers to any given course of action. A grievous error in this respect by a popular leader may alienate his following. The boss of the inner core of the party machine likewise succeeds by success, and glaring miscalculations may weaken his hold over the organization. These considerations suggest that the leader is to a degree the captive of his following. "One of the most noted leaders of German socialism," according to Michels, "said in a critical period of tension between the leaders and the masses, that he must follow the will of the masses in order to guide them. A profound psychological truth is hidden in this sarcasm. He who wishes to command must know how to obey."[58]

Effectiveness in face-to-face dealings with individuals and with small groups of individuals is a trait found in many leaders. In leadership within the more or less permanent core of the party organization this trait is of special importance since many persons seem to be bound to the leaders by ties of personal loyalty, affection, and gratitude. The grief of members of the party organization on the death of the boss is usually genuine and not due to fear of loss of perquisites. Furthermore, a high degree of courage and boldness tends to be associated with successful leadership. Particularly is courage evident among leaders of groups struggling for recognition. However, what passes for courage among leaders of groups trying merely to retain a status may be only stubbornness.[59]

[57] *Four American Party Leaders* (New York, 1926), p. xi. Quoted by permission of The Macmillan Company, publishers. See this volume for suggestive analyses of the traits of leadership of Lincoln, Bryan, Theodore Roosevelt, Wilson.

[58] *Political Parties*, *op. cit.*, p. 165. For a valuable analysis of the traits of leadership, see J. T. Salter, *The Pattern of Politics* (New York: Macmillan, 1940), chap. 5.

[59] The following observations by Michels are relevant in speculations on leadership: "Numerous and varied are the personal qualities thanks to which certain individuals succeed in ruling the masses. These qualities, which may be considered as specific qualities of leadership, are not necessarily all assembled in every leader. Among them, the chief is the force of will which reduces to obedience less powerful wills. Next in importance come the following: a wider

It is doubtful whether the characteristics of political leaders can be isolated and labeled with finality, for the sorts of persons thrown into positions of power and influence seem to depend on the conditions of the particular time and place. Under some circumstances the ruthless and unscrupulous may rise to power; at other times there may be benevolent and "easy" bosses. One time may be auspicious for the dash and boldness of a Wilson; another for the "normalcy" of a Harding. One man may have the characteristics necessary to make him a power in his ward, yet he may not have the capacity necessary to deal with the wider variety of people and circumstances essential for the leader of a city. The surrounding circumstances may determine the type of person who can ascend to positions of leadership. Indeed, under some conditions it is extremely difficult to "rise" to leadership, for in rigidly stratified societies there is likely to be a more or less hereditary class of leaders.[60] Certain studies also tend to indicate that possession of the education and training of the upper occupational groups tends to be necessary in contemporary times for leadership and that the recruitment of leaders tends therefore to be restricted to those groups.[61]

THE PARTY MACHINE AND THE PARTY MEMBERSHIP

Political reformers often observe that the party membership has only slight control over the party machine, and reformers with a me-

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extent of knowledge which impresses the members of the leaders' environment; a catonian strength of conviction; a force of ideas often verging on fanaticism, and which arouses the respect of the masses by its very intensity; self-sufficiency, even if accompanied by arrogant pride, so long as the leader knows how to make the crowd share his own pride in himself; in exceptional cases, finally, goodness of heart and disinterestedness, qualities which recall in the minds of the crowd the figure of Christ, and reawaken religious sentiments which are decayed but not extinct."—*Political Parties*, *op. cit.*, p. 72.

[60] Mosca observes, perhaps with some exaggeration: "Apart from brief periods of violent revolution, personal qualities are always less important, as regards attaining the highest positions in life, than birth or family. In any type of society, whether ostensibly democratic or otherwise, being born to a high station is one of the best claims a person can have to staying there."—*The Ruling Class* (New York: McGraw-Hill, 1939), p. 123. See also P. Sorokin, "American Millionaires and Multi-Millionaires," *Social Forces*, 3 (1925), pp. 627-640.

[61] In a study of 1,600 leaders of labor and radical movements Sorokin found that semiskilled and unskilled labor have furnished an insignificant percentage of the leaders while "the majority of the American and foreign leaders come from families in professional, business, and managerial occupations."—Sorokin *et al.*, "Leaders of Labor and Radical Movements in the United States and Foreign Countries," *American Journal of Sociology*, 33 (1927), pp. 382-411. No similar studies of the social origins of political leaders seem to be available.

chanical turn of mind have tried to devise ways and means of making the official structure of the party more responsive to the wishes of the mass of the membership. Students of social institutions will find it of interest to compare the oligarchical tendencies of social groupings of various kinds. It will be recalled from the earlier analysis of the government of the American Federation of Labor that labor organizations are not always democratically controlled. In probably every sort of group activity there is a tendency for the affairs of the group to be managed by a relatively small minority. The professional leaders and organizers and the paid bureaucracy of almost all groups make it their business to remain in control. They work at it. Certainly there may be a leadership responsive to movements of sentiment in the mass. Another leadership may attempt to ignore or suppress dissent. But the differences are differences of degree. It is not surprising, then, in political parties especially, where the sense of membership on the part of the rank and file is so weak, that the tendency toward oligarchy should make itself manifest. The organization leaders and their subordinate associates control the organization because they make it their business to do so. And they remain in control until ousted by another faction equally intent on devotion to the business of politics.

The power that the party machine possesses arises from the collaboration of a minority—the adherents of the machine—to control the entire party. "The power of any minority," says Mosca, "is irresistible as against each single individual in the majority, who stands alone before the totality of the organized minority. At the same time, the minority is organized for the very reason that it is a minority. A hundred men acting uniformly in concert, with a common understanding, will triumph over a thousand men who are not in accord and can therefore be dealt with one by one." [62]

The minority that gives the party machine its power consists of the members of the party hierarchy itself plus those persons whose vote can be controlled by the members of the hierarchy. This is the "organization vote." In the mustering and disciplining of this vote, the chief workers are the precinct committeemen whose labors are led and directed by the higher party officials. The precinct executive "is the actual connecting link between the people and the organization, and he is the only connecting link—the only man in the machine who has any point of direct contact with the voters, who knows anything about them, who has any real influence with

[62] *The Ruling Class*, *op. cit.*, p. 53.

them."[63] "These precinct officials are the backbone of any political machine, and upon them rests the responsibility for seeing and winning the voters."[64]

The precinct executive in recruiting the organization vote in his precinct can begin with the vote of himself and his relatives. In New Orleans, according to Reynolds, "every precinct leader had a personal following of at least ten voters made up of his family, relatives and close personal friends."[65] Add to this nest egg the votes of those whose support can be recruited through the distribution of election-day perquisites. The precinct executive can usually designate two or three precinct election officials and thereby annex their vote and their following. If he belongs to the majority party, he can usually designate the quarters to be rented for the polling place and thereby pick up more support. On primary and election days he has at his disposal funds allocated to him from the city or county campaign chest for election-day expenses. He may have from $25 to $100, depending on the prosperity of the party, to hire watchers, runners, and other persons to get out the vote. With each accession to his pay roll a vote or two or more is added to his little bloc.

The precinct captain, however, works throughout the year and adds to his strength by continuous service to the voters of his precinct. Especially in the poorer neighborhoods he is likely to become a sort of social service agency distributing food to the needy and from time to time paying their rent and furnishing them with coal. W. S. Vare, Philadelphia Republican boss, boasted:[66]

> In every precinct of the city there are two representatives of the Organization, elected directly at the Republican primaries and who are known as committeemen. They maintain contacts with the voters and are at their beck and call for 24 hours of each day of the year. In time of stress the poor or other unfortunates always turn to these Organization representatives to assist them. It is they that see that the sick are cared for and that the poor are provided for, and that even in death aid may be rendered. The Philadelphia Organization gives a real social

[63] Frank R. Kent, *The Great Game of Politics* (Copyright, 1923, Doubleday, Doran and Company, Inc.), p. 1.

[64] H. F. Gosnell, "The Political Party versus the Political Machine," *The Annals of the American Academy of Political and Social Science*, 169 (1933), pp. 21-28.

[65] G. M. Reynolds, *Machine Politics in New Orleans, 1897-1926* (New York: Columbia University Press, 1936), p. 114.

[66] Quoted by D. H. Kurtzman, *Controlling Votes in Philadelphia* (Philadelphia, 1935), p. 29.

service and one without red tape, and without class, religious, or color distinction.

Beyond services of this kind the precinct executive serves as a buffer between governmental agencies and the voters of his precinct. He steers the alien through the naturalization procedure. He aids in obtaining governmental employment for the people of his precinct and private employment as well. And it is through public and private patronage that he adds substantially to his following. He aids in contacts with public social agencies. He may see the judge and attempt to mix mercy with justice. In all these relationships the precinct captain may from time to time obtain treatment for his friends that amounts to favoritism, but in a substantial proportion of these services he is primarily a guide. Governmental agencies are so numerous and complex that the average citizen is bewildered and does not know to whom to apply for any given service. The precinct executive "knows the ropes" and can be of service even when no question of favoritism is involved. Yet when he can have the traffic ticket "fixed" he can create a greater obligation to himself.[67]

By these various means the working precinct executive can build up a substantial bloc of votes in his precinct, a bloc that can be swung to the support of the organization slate in the primaries.[68] And the organization power is probably of greatest importance in the primaries. If the machine can control nominations, it automatically captures in the election the "good will" attached to the party name—that is, the habitual Republican or Democratic vote. Estimates of the size of the vote controlled by precinct executives vary. Frank Kent says [69]

[67] See H. F. Gosnell, *Machine Politics: Chicago Model*, *op. cit.*, chaps. 3 and 4; Roy V. Peel, *The Political Clubs of New York City* (New York: Putnam's, 1935); Sonya Forthal, "Relief and Friendly Service by Political Precinct Leaders," *Social Service Review*, 7 (1933), pp. 608-618; *idem.*, "The Small Fry and the Party Purse," *American Political Science Review*, 34 (1940), pp. 66-76. For an interesting handbook see W. H. Fetridge, *So You Want to be a Politician! Or How to be an Effective Republican Precinct Worker* (Chicago: Young Republican Magazine, 1939).

[68] Many are the tales of prodigious feats of precinct leaders in swinging the voters as they wish. Kurtzman, for example, tells of two Philadelphia committeemen who had been pardoned through the efforts of a man who subsequently became a candidate for a judgeship. Out of gratitude to this man they delivered to him 450 of the 460 votes cast in their division. For accounts of other like incidents, see Kurtzman, *op. cit.*, pp. 33-34.

[69] From *The Great Game of Politics* (Copyright, 1923, Doubleday, Doran and Company, Inc.), p. 22.

. . . it is not far wrong to credit the precinct executive in any great city with sixty-five deliverable votes which he can swing in any direction and at any time he wants. Some of them have less than this number, but most of them have a good many more, and sixty-five is not far from the minimum. Multiply that by the number of precincts in any city and it is a pretty accurate estimate of the minimum machine strength when the machine is united, financed, and fighting.

In New Orleans, Reynolds estimated that the Choctaw, or regular organization, precinct leader [70]

. . . had over one hundred votes of which he was absolutely certain before election day. In some of the larger precincts, the number of certain votes might go as high as one hundred and seventy-five. In the average sized precinct of four hundred votes a leader controlled one hundred through his prerogatives and patronage. To carry the precinct such a leader had to have two hundred and one votes. The task then was to manage the campaign so as to get voluntarily one hundred and one more votes out of the three hundred remaining. Compared to the task of the opposition, which ordinarily had no patronage on which to build up advance commitments, this was comparatively easy.

By binding together workers in each precinct, each with his following, the city or county leader may form a compact minority to act in concert within the party. By so acting the party machine may control or have an important voice in the determination of the candidates to be chosen by the party as a whole either through direct primaries or conventions. If the party wins in the election, it will be through the party machine that favors are dispensed. Even if an antimachine man wins the party nomination in the direct primary, the same clique is likely to remain in control of the party hierarchy. And so the snowball-like procedure of machine building goes on.

How is the party organization to be kept in leash by the party membership? The answer is that it is not. The party machine, like the controlling clique of a reform league or an ecclesiastical body, is self-perpetuating. Usually the party officials are elected, directly or indirectly, by the voters registered as members of the party, but the accredited candidates of the regular organizations enjoy a great advantage in the contests for these posts. In an analysis of popular control of the party organization in Indiana, F. H. Guild observed that the law governing the party organization was "based upon the assumption that the proper place at which popular control should be applied" was the precincts. Provision was made for the election

[70] *Machine Politics in New Orleans, 1897-1926, op. cit.*, pp. 115-116.

by each party of precinct committeemen who, in turn, elected the county chairmen. The county executives met in each congressional district and elected members of the state central committee which selected the state chairman. But, at the point at which popular control was to be applied, the precincts, there was no popular interest. In most instances, Guild found, "the county chairman or other active party workers have to select someone in each precinct who can undertake the work of political organization necessary for party success in the election, and in many instances have to persuade that person to accept the position." In not over 10 per cent of the precincts were there contests for the position of precinct committeeman.[71] He concludes that "popular control of party organization through the primary does not exist in Indiana; has never existed; and, which is more important, has never even been attempted."

In Iowa, according to Horack, the law permits the voter to stick a paster on the ballot containing the names of precinct delegates to the county convention or to write in their names on the ballot. Horack concludes: [72]

> In practice, few voters find themselves able, on the spur of the moment, to write out a list of from ten to twenty names of persons whom they know to be residents of the precinct and members of the party designated. The result is that the party organization or some of its members distribute lists of delegates and candidates for party committeemen printed on gummed paper, in practically every voting precinct. The voter obediently licks this gummed slip of hand-picked delegates and pastes it on the proper place on the ballot, without knowing who they are or for what they stand. . . . Thus the party organization perpetuates itself and may often be altogether out of accord with the mass of the voters.

In Chicago the important functionary in the party hierarchy is the ward committeeman, elected by the voters of each party in each ward. The stability of the party organization is illustrated by the fact that out of a total of five hundred contests for the post of ward committeeman between 1928 and 1936, "only thirteen city committeemen were 'licked.' Their superiors might change, but the ward bosses clung to their posts in spite of economic and political storms." [73]

[71] F. H. Guild, "The Operation of the Direct Primary in Indiana," *The Annals*, 106 (1925), pp. 172-180.

[72] Frank E. Horack, "The Workings of the Direct Primary in Iowa, 1908-1922," *The Annals*, 106 (1923), pp. 148-157.

[73] Gosnell, *Machine Politics: Chicago Model*, op. cit., p. 27.

The task of the party organization in bringing about the continued re-election of its members to party posts is simplified by the fact that a relatively small proportion of the total registered membership of the party expresses a choice on these posts. In eighteen upstate New York cities, Mosher found that only 36 per cent of the registered voters voted for party committeemen. In eight of the eighteen cities "the percentage voting was 20 per cent or less. In two only 6 or 7 per cent found it worth while to vote for committeemen."[74] In Chicago between one-half and two-thirds of the registered voters express a choice for ward committeemen.[75] In an analysis of ten rural counties in Illinois, Weaver found that 82.5 per cent of the voters going to the polls voted for precinct committeemen; if the total party enrollment had been used as a basis for computing the percentage, the figure would have been considerably lower. For these counties the conclusion was that popular interest in party committeemen was not appreciably less than popular interest in the selection of the party nominees for public office. But in both instances the less the popular participation the greater is the probability that the wishes of the party organization will prevail.[76]

Some observers profess to see underlying forces operating to weaken the control of the party oligarchies over the affairs of the rank and file. They see the development of public social services that dwarf the charitable activities of the ward boss. Moreover, the public services are coming to be manned by a professionalized personnel that both resents and makes less necessary the activities of the party functionary as an intermediary between the citizen and the government. These trends, it is declared, are breaking down the group loyalties nucleated about each party worker. The gradual centralization of power, from local to state government, from state government to national, is encroaching upon the independence of state and local political machines. In another direction it is becoming more feasible for leaders to appeal effectively to the masses directly through such channels as the radio and the press rather than through the thousands of workers in the party organization. The declining significance of the mass of the party hierarchy, so the hypothesis goes, eliminates the real check of the party oligarchy

[74] W. E. Mosher, "Party Government and Control at the Grass Roots," *National Municipal Review*, 24 (1935), pp. 15-18.

[75] Gosnell, *Machine Politics: Chicago Model*, *op. cit.*, p. 34.

[76] Leon Weaver, "Some Soundings in the Party System: Rural Precinct Committeemen," *American Political Science Review*, 34 (1940), pp. 76-84.

upon the leaders at the apex of the party pyramid. These leaders are now coming to draw their power from their direct influence over the masses of the people without the aid of the party machine; and the masses of the people, unlike the party oligarchy, are unable to control those whom they have catapulted to power. In a somewhat larger context Norton Long has stated some of the consequences of these tendencies: [77]

A characteristic of recent times, however, is the emergence into political consciousness of voting masses, still divided to be sure into groups, but no longer meekly and unquestioningly loyal to their customary group leaders. . . . The political meaning of the masses is to be found in the existence of a political power in the community capable of raising its representatives to power but incapable of controlling them. That there should be masses, rather than groups, available for direct organization behind a novel leadership is a sign of the decay or collapse of existing institutions. That infinite gradation of social authority leading from the smallest social nucleus to the highest command in the state is disrupted. The destruction of intermediate leadership, although by some, especially by liberals, viewed as a genuine emancipation of popular energies, is what Burke saw as the creation of a dangerous social vacuum. . . . In view of Italian, German, and Russian experience, however, it seems at least as likely that a fatal choice, that is, fatal to the chance of further choice, may be made. For the commitment to a leadership not held in check by powerful interests within it which are capable and ready to moderate its action and resist the drive toward dictatorship may result in the destruction of any alternative leaderships to which the mass may turn. . . .

From scattered events and straws in the wind it is difficult to determine the degree to which American party organization is being affected by these tendencies. Certainly the party machines do not possess the potency that used to be attributed to them. Some great local machines have crumbled away. Others have preserved themselves and even prospered, particularly Democratic ones, but only at the cost of surrendering to the national leadership of the party. But machines have always been disintegrating and re-forming. Whether we are undergoing a fundamental change in which the "intermediate leadership" of the party organization is being squeezed out of existence by the closer communion of national leadership and the masses can be determined better in retrospect than in prospect.

[77] "Party and Constitution," *Journal of Politics*, 3 (1941), p. 203.

QUESTIONS AND PROBLEMS

1. What is meant by the term "organization"?

2. Determine from the statutes the legal structure of party organization in your state.

3. Interview a precinct captain with reference to his duties and methods of operation.

4. What are the functions of the national chairman of a party?

5. What is the nature of the control exercised by national party leaders over state organizations of their party?

6. How has our federal system of government influenced the character of our party organization?

7. Collect information on the nature of the dominant party organization in your community.

8. Is it possible to determine what makes one person a leader, another a follower?

9. What are the methods by which the mass of party adherents control the party leaders and how effective are they?

10. Defenders of the party machine argue that it lends stability to government and prevents the precipitous adoption of erratic policies. Do your observations of the party organization in your state support this contention?

Chapter 12: THE PARTY MACHINE AS INTEREST GROUP

IN EARLIER CHAPTERS the idea was put forward that the great organized social interests—business, labor, agriculture, religion, reform—are concerned with the acquisition of political power and influence in order that they may promote public policy or administrative action favorable to their interests or block action deemed unfavorable. The inner core of the party—the machine or the party organization—may be considered in one respect to be on the same plane as the pressure group. The party machine, like the Chamber of Commerce of the United States, wants to obtain certain types of governmental action and to prevent others. It is a compact, well-organized group of individuals with fairly well defined group objectives.

From one point of view the party machine is one of the chain of interests that coalesce to gain by alliance power to control a community. From another point of view the party machine is one of the many interest groups that the public official must placate, satisfy, or discredit in order to retain community confidence and consent to govern. The party machine seeks many things from government, but the end that concerns the largest proportion of its members is public employment.[1] The machine, in effect, may be considered as a pressure group that desires to control the selection of as many public employees as possible and to control the distribution of

[1] Kurtzman reports that a Philadelphia ward leader remarked to a gathering of Republican committeemen: "Every vote should go to the Organization candidates. The Organization must exist if you want jobs for yourselves and your friends. Every city and county office from the Mayor down should be occupied by Organization men. We must have the county offices so that we may be able to give jobs to the political workers and to our constituents."—*Methods of Controlling Votes in Philadelphia* (Philadelphia, 1935), p. 25. Note especially what was not mentioned—that is, public policies to be applied if victory came.

other favors and perquisites in which members of the party hierarchy have an interest.[2]

The character of the personnel of the party machine as an interest group was long ago demonstrated by A. Lawrence Lowell. He investigated statistically the voting behavior of the Pennsylvania Legislature to ascertain the degree of cohesion by party members in voting on measures before the legislature in the palmiest days of Republican bossism in that state. He found that on only a few issues did the legislature divide along party lines. The machine meddled "very little with general legislation." But the party leaders rallied and held together the party's representation on measures affecting the electoral machinery or touching the interests of persons from whom the machine drew its revenues.[3] In other words, generally on questions of public policy the organization had no "interest," but in legislation endangering the revenues and perquisites of the party as a party, the members of the organization had a common interest and acted in concert to protect that interest.

The object of this chapter is to describe the principal matters with which the party machine is concerned as an interest group. The chief of these is control or influence over appointments to public places—in which the party organizations have been more and more circumscribed by civil service laws. But the party machine is also interested in a great variety of public perquisites as a means of party sustenance.

THE PATRONAGE SYSTEM

The patronage system may be viewed in several ways. From one angle it may be considered as the response of government to the demands of an interest group—the party machine—that desires a particular policy in the distribution of public jobs. That policy is

[2] Samuel Seabury concluded from his investigation of Tammany-dominated New York: ". . . in a very large measure the affairs of the City of New York are conducted, not with a view to the benefits which can be conferred upon the residents of our city, but for the profit which the dominant political organization in the City and its satellites can make out of the running of it. The consequence is that widespread inefficiency and sloth are tolerated in politically appointed and protected city employees, and every subterfuge is availed of to furnish excuses for the spending of money, not because the spending thereof is necessary, or even desirable, in the public interest, but because of the opportunities for graft incident thereto."—Quoted by New York City Commissioner of Accounts, *Investigating City Government in the La Guardia Administration* (1937), p. 7.

[3] "The Influence of Party Upon Legislation in England and America," American Historical Association, *Annual Report*, 1901, Vol. I, p. 349.

phrased by the more moderate party men in some such terms as these: "Other things being equal, a party worker in our party should be appointed to public appointive office." The more extreme adherent of the spoils doctrine would omit the phrase, "Other things being equal," from the statement of policy.

Looked at from another direction the patronage system may be considered as a method of financing party activity. The operation of a party organization requires the services of many men and women. The social and friendly functions of the organization go on the year round, and during campaigns the work reaches its peak when literature must be distributed, the electors canvassed, meetings organized, voters brought to the polls, and many other campaign chores done. Much of this work is performed by unpaid volunteers, but their efforts are not adequate. In effect, a considerable part of party expenses is met by the public treasury, and the chief means of diverting public funds to party purposes is through the appointment of party workers to public office.

From still another point of view the patronage system, with the rotation in office which it involves, has been considered as a means of filling offices peculiarly in keeping with democratic theory. Andrew Jackson was the great proponent of this conception of the patronage system. He argued:

> 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. Their integrity may be proof against improper considerations immediately addressed to themselves, but they are apt to acquire a habit of looking with indifference upon the public interests and of tolerating conduct from which an unpracticed man would revolt. 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. Corruption in some and in others a perversion of correct feelings and principles divert government from its legitimate ends, and make it an engine for the support of the few at the expense of the many. The duties of all public officers are, or at least admit of being made, so plain and simple that men of intelligence may readily qualify themselves for their performance; and I cannot but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience. I submit, therefore, to your consideration whether the efficiency of the government would not be promoted, and official industry

and integrity better secured, by a general extension of the law which limits appointments to four years.

Because of his expression of this doctrine, Jackson is generally given more credit than he deserves for the introduction of the spoils system. It appears, in fact, that the roots of the patronage system antedate Jackson. "It is admitted now that President Jefferson removed about the same proportion of office-holders as did Jackson, and further that the principles governing his removals were essentially the same as Jackson's," says E. M. Eriksson. Eriksson concludes: "If one would be just in his estimate he must admit that the development of the spoils system was a gradual process for which no one man or administration can be blamed." [4]

However the system started, it has been the source of continued pressure on Presidents, department heads, governors, and others in executive positions to make appointments in the administrative agencies of government as a reward for party service. President Polk, for example, in January, 1847, recorded in his diary that many persons had called on "the contemptible business of seeking office for themselves or their friends." He felt that in making appointments he was unable to rely on the recommendations of Congressmen and others of "high station" who imposed on him and induced him "to make bad appointments." [5]

Succeeding Presidents were subjected to the same sort of demands. In Cleveland's first administration the demands on the President's time by office seekers was so great that he issued a public announcement stating that he would no longer "grant interviews to those seeking public positions or their advocates." In explanation of this policy he stated that a large part of his time during the first eight months of his term had been devoted to the consideration of applications for office. The public welfare, he thought, required that "the time of the President should be differently occupied." [6]

In the present century the pressure on the President for appointments has been reduced to some extent by civil-service legislation,

[4] "The Federal Civil Service under President Jackson," *Mississippi Valley Historical Review*, 13 (1927), pp. 517-540.

[5] Allan Nevins (ed.), *Polk, The Diary of a President, 1845-1849* (New York: Longmans, Green, 1929), pp. 183-184.

[6] Allan Nevins (ed.), *Letters of Grover Cleveland, 1850-1908* (Boston: Houghton Mifflin, 1933), pp. 88-89.

but it has by no means been eliminated. James A. Farley described the movement of would-be officeholders on Washington following the Democratic victory in 1932: [7]

> I had anticipated quite a rush of deserving patriots who were willing to help F. D. R. carry the burden. But, to be frank, I had never had the slightest conception of what was about to happen. They swarmed in and flocked in by the hundreds and thousands until it seemed as though they must have been arriving by special trainloads. . . . For two or three months I was compelled to hand over the running of the Post Office Department to my worthy assistants. . . .

In the filling of Federal offices not within the competitive civil service, the formal authority is vested in the President and in the heads of the administrative departments and agencies. The chief spokesmen for party workers in quest of jobs are Representatives and Senators, and usually there exists some sort of system to apportion the appointments more or less fairly among the faithful. The Postmaster General is traditionally the patronage secretary, but the President usually has also in his immediate entourage a secretary who deals with patronage matters. Early in the Roosevelt administration it was reported that patronage seekers "cleared" through the offices of Democratic national chairman Farley, who was aided in this work by Emil Hurja. According to newspaper accounts, Hurja maintained records showing for each Democratic Senator and Representative the appointments made at their request. When Democratic leaders demanded jobs for their followers it was a simple matter to determine whether they had already received a disproportionate share of the patronage or whether they were equitably entitled to additional appointments. Hurja's records were also reputed to include election figures so arranged that the justice of claims for patronage on the basis of success in delivering the vote to Roosevelt could be readily

[7] *Behind the Ballots* (New York: Harcourt, Brace, 1938), pp. 226-227. William Jennings Bryan, when he was Secretary of State, contributed a famous phrase to our political vocabulary in the following letter to the Receiver of Customs in San Domingo: "Now that you have arrived and are acquainting yourself with the situation, can you let me know what positions you have at your disposal, with which to reward deserving Democrats? . . . You have had enough experience in politics to know how valuable workers are when the campaign is on; and how difficult it is to find rewards for all the deserving. . . . Let me know what is requisite, together with the salary, and when appointments are likely to be made." Letter of August 20, 1913; published in the New York Sun, January 15, 1915. Quoted by Charles Seymour (ed.), *The Intimate Papers of Colonel House* (Boston: Houghton Mifflin, 1926), vol. 1, p. 178.

determined.[8] Systematic arrangements for the division of the spoils may contribute to party harmony by preventing disaffection based on the feeling that some party leaders are receiving more than their fair share of the patronage.

The degree of actual control that a member of Congress exercises over appointments depends to a considerable extent upon his position within the party organization in his state or district. If he is master of his own organization, he may be free to make his own decisions upon recommendations that he will make to the appointing authority. If he owes his election to a powerful machine, he will perforce accept and forward the recommendations of the organization within his district. Under these conditions the Congressman may be merely a channel for the transmission of the wishes of the party organization. Sometimes, however, members of Congress may be practically ignored by the party leaders who make their recommendations directly to the officials with the power to appoint.

In those states and districts where the administration has no Congressmen the distribution of patronage is handled by the party organization or by the faction "recognized" by the President, if there happen to be competing factions, as there often are. In making his decisions for appointments the head of the state organization generally advises with the interested county or city organizations. The Republican national committeeman from Georgia told a Senate committee that when, during the 'twenties, a vacancy arose in a post office in his state the Post Office Department would furnish him and the chairman of the state central committee with a list of eligibles and they would make the choice. He said that in reaching a decision he would "inquire of the county organization, the district organization, and in some cases, where it was not convenient to hear from them, sometimes I would ask the Congressmen; . . . and I would ask others sometimes. I would inquire—if it was in some settlement where I did not think it was safe for my folks to have

[8] Paul Mallon in the Chicago *Daily News*, August 10, 1934. Newspapermen described Hurja's system as if it were novel. It was not actually new. W. D. Foulke has given an account of an investigation of the Census Bureau many years ago in which the patronage records were inspected. In a ledger the names of the employees were classified under the names of the Congressmen charged with the appointments. "In the left-hand column were the numbers of the files containing the recommendations and credentials, then followed the names of the appointees and the grades and salaries. By means of this book the relative rights of members of Congress could be adjusted and it could be seen at a glance whether any particular member had overdrawn his account."—*Fighting the Spoilsmen* (New York: Putnam's, 1919), pp. 73-74.

anything to do with it, I would ask some white man that I knew in the settlement." [9]

During the same period the procedure of appointment to Federal offices in Texas was systematized by the Republican organization. A printed form was furnished to those persons applying for appointment on which they indicated their education, business experience, previous Federal service, age, marital status, and other relevant facts. A blank was provided for the endorsement of the Republican county chairman and of the member of the Republican state executive committee of the senatorial district in which the county was located. After these endorsements were made, the form was checked and approved by the state director of organization and then by the national committeeman.[10]

In states the process of distribution of patronage bears a close resemblance to the Federal procedure. In Illinois, for instance, after the inauguration of Governor Horner in 1933, the county organizations of the down-state counties prepared recommendations which were passed upon by John H. Stelle and Bruce A. Campbell, both high in the party ranks in that section of the state, before presentation to the governor. Recommendations from Cook County originated with the Chicago ward committeemen and were presented to the party leaders of the county who in turn made the final set of recommendations to the governor.[11] In states where little integration of the administrative system or of the party organization exists, there is a tendency for a series of parallel organizations of a personal character to develop around the patronage controlled by each elective state officer.

In cities the tendency is to divide the mass of patronage among the leaders—committeemen or whatever title they bear—of the larger political divisions of the city. Thus, in Chicago the patronage appears to be largely in the hands of the ward committeemen, the number of jobs under the control of each varying with the population of the ward, with the ramifications of the committeeman's power beyond his ward lines, and with the esteem in which he is held by the higher party leaders. A similar practice was inaugurated

[9] Testimony of Benjamin J. Davis, *Hearings before a Subcommittee of the Committee on Post Offices and Post Roads*, U. S. Senate, 70th Congress, 2nd Session, pursuant to S. Res. 193, Part 1, p. 7.

[10] *Ibid.*, Part 2, p. 311.

[11] "Democrats Get Ready to Shake Big 'Plum' Tree," Chicago *Daily News*, December 19, 1932.

by Croker when he became chief of the Tammany organization in New York. His predecessors had personally dispensed patronage, but he delegated to the assembly district leaders the control of all appointments within their respective districts. This change, Croker said, made the district leaders "more powerful, and at the same time relieved me of infinite worry and left me free to attend to other business." [12]

Sometimes practically all patronage will be handled personally by a city leader or boss. When patronage is centralized, frequently the leader will delegate the task of dispensing jobs to an immediate subordinate, who becomes in effect a personnel agency for the party. Mayor Thompson's patronage committee in Chicago maintained offices in the Hotel Sherman across the street from the City Hall where the prospective job holder called. "If he was found to be deserving, and the quota from his ward was not already full, he was given a card which was good for a job when presented to the proper department head." [13] In this sort of procedure the appointing officer may reject the name submitted or may be given a choice of two or three individuals nominated by the organization.

From these outlines of the procedure of the distribution of patronage it is plain that the patronage problem is not solved for the party when it wins an election. Procedures have to be established to allocate patronage according either to fairness or to the strength of the factions of the party machine. These procedures are also designed to insure that applicants will be vouched for by the proper functionaries of the party. In general, recommendations for appointments go from the lower reaches of the party hierarchy toward the top, being communicated to the appointing official at the appropriate level of government. The formal appointing authority possesses a widely varying discretion—ranging from complete freedom from his party leaders to complete abdication to them.[14]

[12] W. T. Stead, *Satan's Invisible World Displayed* (New York: R. R. Fenno & Co., 1897), p. 293.

[13] J. B. Kingsbury, "The Merit System in Chicago from 1915 to 1923," *Public Personnel Studies*, 4 (1926), pp. 313-314.

[14] Patrick Nash, chairman of the Cook County Democratic Committee, made the following statement after the election of Edward J. Kelly as mayor of Chicago by the city council in 1933: "Before Mr. Kelly was definitely selected he promised that all jobs would be filled through the ward committeemen. We all want jobs. But I know that no ward committeeman wants a job at the expense of another ward committeeman or of the taxpayers. For that reason there will be no one chasing Mr. Kelly around. All applications will come through the ward committeemen."

The stake that the party machines have in the game of politics through their control over patronage appointments has not been estimated in any accurate way, but certainly the annual cost runs into the millions. In 1932 Raymond Moley estimated that "roughly half" of the cost of support of the magistrates' courts of New York City at that time went "either to political work or to utter waste and inefficiency."[15] In May, 1933, the New York Civil Service Reform Association found that the annual pay for positions exempt from civil service requirements in New York City was "only $7,000,000, but about half of this sum" the association estimated to represent "sheer waste of public funds." Most of the exempt positions were "passed around to the district leaders and their henchmen."[16] Professor Pollock found in 1937 that in Michigan the annual turnover of public employees, owing to the patronage system in the main, was 25 per cent. He estimated the annual cost of breaking in new employees at around half a million dollars.[17]

The cost of the patronage system is, of course, not to be measured in the salaries of inefficient employees alone. The effects of the errors of the incompetent employee may be extremely costly. For example, a Chicago building inspector, appointed through party channels, inspected a water tank atop a building. The 40,000-gallon tank later collapsed and fell through six floors of the building, killing five men and injuring six others en route. The inspector's testimony before the coroner's jury follows:[18]

Q. How long have you been a building inspector?
A. Nine months.

Q. What were you before that?
A. I was a malt salesman.

[15] Raymond Moley, *Tribunes of the People* (New Haven: Yale University Press, 1932), p. 263.

[16] In recent years the efforts of the La Guardia administration in New York City to wipe out certain unessential county offices has been blocked by the party organization. "The county offices contain 834 exempt positions which are used for the most part for rewarding political henchmen. The city pays to this group of 834 exempt employees $2,300,000 a year. Since they are nearly all chosen by the direct orders of county and district political leaders, the city is in effect sustaining the political machine by feeding its officers."—New York City Commissioner of Accounts, *Investigating City Government in the La Guardia Administration* (1937), p. 9.

[17] J. K. Pollock, "The Cost of the Patronage System," *The Annals of the American Academy of Political and Social Science*, 189 (1937), pp. 29-34.

[18] Chicago *Tribune*, June 2, 1934.

Q. When you were made a building inspector did you know anything about the work?
A. No. I didn't know anything about it.
Q. When did you inspect the building and the tank?
A. It was in January.
Q. Did you find anything wrong with the tank?
A. No. It looked all right to me.
Q. Are you in a position to know whether it was all right or not?
A. No. I'm just the same as you or anybody else who might inspect it.
Q. Did you inspect the anchor plates?
A. Well, I looked at them.

It is not to be concluded, however, that all appointees who owe their jobs to the party organizations are unfitted for the duties of their office. "Party committees," according to White and Smith, "may and often do endorse and secure the appointment of men and women of first-class ability, genuinely interested in the public service, blessed with a capacity for hard, sustained work and an abiding interest in the goal toward which they are working." [19]

POLITICAL NEUTRALIZATION OF THE CIVIL SERVICE

The existence of a large body of civil employees of federal, state, and local governments active in support of the party in power supposedly tips the scales in favor of the party that controls the electioneering activities of these employees. Often the party in power is tempted to improve on this advantage by increasing the number of patronage employees. While the party out of power does not have the advantage of the public treasury to support its workers, it has the activities of workers anxious to obtain office as a result of future electoral victory. And the hungry sometimes work harder than the well fed. Whichever party wins an electoral victory under the patronage system, the public pays the cost of the system. Hence, there has arisen a persistent effort to remove the public employee from political activity. By political neutralization of the government service, technical merit may be established as the basis for the selection of public employees. The forces contending for political power will no longer need to form alliances with machines formed primarily of public employees; and the control of govern-

[19] *Politics and Public Service* (New York, 1939), p. 86. Quoted by permission of Harper and Brothers.

ment may be shifted from party to party without the disruption of the public service attendant upon large-scale turnover in subordinate administrative positions.

The neutralization of the civil service requires that the civil servant serve with equal loyalty whatever party is in power. A high degree of permanence of tenure of office is in one respect a condition of neutrality, in another respect a consequence of political neutrality. Political neutrality is an essential condition precedent to permanence of tenure, since no party can be expected to retain in the public employ individuals who have actively campaigned against it. On the other hand, when civil servants refrain from active participation in electoral campaigns the government of the day may be stronger in its effort to resist the demands of party workers that a clean sweep be made of the administrative services to provide places for those who have loyally served the party.

The principal type of public policy to neutralize politically the great mass of administrative employees of government has been the so-called "civil service" or "merit system" laws. The Pendleton Act of 1883 created the Federal Civil Service Commission and provided for the recruitment of persons to fill positions in the "classified service" by competitive examination. By "classified service" was meant the aggregate of positions covered by the legislation; those positions outside the "classified service" remained subject to the patronage system. Included in the excluded class of positions were such offices as United States marshal, collector of internal revenue, Federal district attorney, and (with modifications from time to time) postmasters. Since 1883 the scope of the "classified service" gradually has been increased, with the defenders of the patronage system fighting a slowly losing fight.[20]

A corollary of appointment through competitive examination and tenure during good behavior is neutrality in political campaigns. In practice the doctrine of political neutrality has been somewhat difficult to enforce, but here again the tendency in the long run in the Federal service has been to make more stringent the rules against partisan activity by employees in the classified service. The original rule of the Civil Service Commission provided: "No person in the said service shall use his official authority or influence either to coerce the political action of any person or body or to interfere with

[20] For an account of the civil service reform movement, see F. M. Stewart, *The National Civil Service Reform League* (Austin: University of Texas Press, 1929).

any election." Apparently this rule did not adequately cover the situation, for President Cleveland in 1886 issued an executive order to Federal officeholders exhorting them to refrain from "obtrusive partisanship." When Theodore Roosevelt was a member of the United States Civil Service Commission he observed excessive partisanship among Federal employees and was moved to write, for the 1894 annual report of the commission:

> A man in the classified service has an entire right to vote as he pleases, and to express privately his opinions on all political subjects; but he should not take any active part in political management or in political campaigns, for precisely the same reasons that a judge, any army officer, a regular soldier, or a policeman is debarred from taking such an active part. It is no hardship to a man to require this. It leaves him free to vote, think, and speak privately as he chooses, but it prevents him, while in the service of the whole public, from turning his official position to the benefit of one of the parties in which the whole public is divided; and in no other way can this be prevented.

Almost the same language was used in 1907 when the rules under the Civil Service Act were amended to provide: "Persons who by the provisions of these rules are in the competitive classified service, while retaining the right to vote as they please and to express their opinions on all political subjects, shall take no active part in political management or in political campaigns." [21] In the application of the rule against taking "active part in political management or in political campaigns" fine distinctions have to be made between what is and what is not permissible behavior by a civil servant. He may express his views "privately" but not in public places or by the publication of a letter or article in favor of any party or candidate. He may make political contributions, but only to persons not in the service of the United States and to them only "voluntarily." A fine jurisprudence separates the "voluntary" and the "involuntary" contribution. He may be a member of a political club, but he must not be an officer of the club. He may not be a candidate for elective office. He may attend a political convention as a spectator but not as a member. He must not wear campaign badges or buttons.

In 1939 Congress, in the Hatch Act, adopted another method of bringing about political neutrality of Federal employees. As has been noted, the provisions of the rules and regulations under the

[21] For a full account of the evolution of Federal policy, see Wei-kiung Chen, *The Doctrine of Civil Service Neutrality in Party Conflicts in the United States and Great Britain* (Chicago: University of Chicago Libraries, lithoprinted, 1937).

Civil Service Act applied only to those persons in the Federal classified service. The exclusion of the unclassified employees from the provisions of the regulations left a substantial number of Federal employees free to engage in political activities. The Hatch Act declared it

> . . . unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

Certain policy-forming officials, such as the President, the Vice-President, the heads and assistant heads of departments, and other high officials whose business it is to make and defend governmental decisions, are, of course, excluded from the prohibition of political activity. But the main effect of the Hatch Act was to extend to most of the employees outside the classified service the rules that have long governed those in the classified service.[22]

Quite apart from legislative enactments, such as the Civil Service Act and the Hatch Act, the employment by the Government of specialized professionals has tended to create a more or less permanent, expert body of civil employees relatively unconcerned with the changing of administrations. The assumption by the Government of highly technical functions requiring the services of these professional classes had made it "bad" politics for the party to apply the patronage system to many departments and agencies. While Congressmen, for example, often bring pressure on administrative officers to appoint loyal party workers as clerks, stenographers, messengers, or other routine workers, they will keep hands off the professional and expert groups. Such a rule is not universally followed, but the extent of its observance indicates a recognition by political leaders that it is not to their interest to use a certain class of positions to reward party workers.

[22] See H. Eliot Kaplan, "Political Neutrality of the Civil Service," *Public Personnel Review*, 1 (1940), pp. 10-23; L. V. Howard, "Federal Restrictions upon the Political Activity of Government Employees," 35 (1941), *American Political Science Review*, 35 (1941), pp. 470-489; J. R. Starr, "The Hatch Act—An Interpretation," *National Municipal Review*, 30 (1941), pp. 418-425.

Parallel to the Federal enactments has been the trend toward the adoption of the competitive method for recruitment to state and municipal offices, with the accompanying limitations on partisan activity. It is probably correct, however, to say that, on the whole, state and local laws and rules against the participation of civil servants actively in political campaigns have been less effective than have the Federal regulations. In some states and municipalities the rule of neutrality in politics is stringent, but in practice the legislation is consistently ignored.[23] Sixteen states have civil service commissions or like agencies which conduct competitive examinations for the selection of the employees for most of the state departments and agencies. Much less movement toward the substitution of merit for patronage has occurred in the counties. Of the 3,053 counties of the country, 173 are under some form of merit-system rule, either by local charter provision or by state statute. A total of 869 cities have adopted the merit system for all or part of their employees.[24]

A large and important group of state and local employees has been brought under merit-system provisions by conditions attached to Federal grants to states. Many state activities are financed in part by grants from the Federal Government, and nearly all these grants are accompanied by a degree of Federal supervision respecting the personnel employed by the states to do the aided work. Consequently these conditions have tended to encourage employment on the basis of technical competence rather than party service. Probably the most thorough-going requirements of this kind are those enforced by the Social Security Board concerning state and local employees in charge of public-assistance and employment-security programs. An amendment to the Social Security Act provided that after January 1, 1940, all state agencies in these fields should, as a condition of receiving Federal grants, make provision for "the establishment and maintenance of personnel standards on a merit basis."

In 1940 the limitations of the Hatch Act were extended to a substantial proportion of state and local employees. Normally, of course, Congress would have no power over these persons, but since many state activities have come to be financed in part by grants from the federal government, it was possible for Congress to extend the

[23] Key, "Methods of Evasion of Civil Service Laws," *Southwestern Social Science Quarterly* (March, 1935).

[24] See, for detailed information, Civil Service Assembly, *Civil Service Agencies in the United States* (Pamphlet No. 16, Chicago, 1940).

prohibitions to state employees by virtue of the power of the purse. The provision of the statute that applies to these employees reads as follows:

> No officer or employee of any State or local agency whose principal employment is in connection with any activity which is financed in whole or in part by loans or grants made by the United States or by any Federal agency shall (1) use his official authority or influence for the purpose of interfering with an election or a nomination for office, or affecting the result thereof, or (2) directly or indirectly coerce, attempt to coerce, command, or advise any other such officer or employee to pay, lend, or contribute any part of his salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes. No such officer or employee shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. . . .

If the appropriate state authorities fail to remove from office a person found by the United States Civil Service Commission to have violated the act, a sum equivalent to two years' compensation of the violator is deducted from grants to the state concerned. There is some doubt about the efficacy of a limitation on political activity that is not accompanied by permanence of tenure and opportunity for a career in the administrative service. The affected state and local employees, Senator Thomas pointed out in the debate on the extension of the Hatch Act, "remain patronage employees. . . . Their tenure of office depends upon the success of their party at successive elections." Others may campaign, he said, "for the sole purpose of succeeding the Hatch mutes in office." When an employee knows that if his party loses the election he will lose his job, the temptation to engage in political activity in violation of the law is great.[25]

Over a considerable period of time the patronage system has undoubtedly been reduced in scope. That a large number of positions in Federal, state, and local services remain to be used for the rewarding and the supporting of party workers is still true. The degree of prevalence of the patronage system, taking the country as a whole, is impossible to estimate. The situation certainly varies sharply from place to place. In some cities almost the entire municipal service consists of persons who gained their positions through party channels

[25] Key, "The Hatch Act Extension and Federal-State Relations," *Public Personnel Review*, 1 (1940), pp. 30-35.

and who devote a portion of their time to the work of the party machine. In a few cities, at the other extreme, the number of patronage employees is extremely small. Some states have developed civil services that serve loyally and impartially whatever party is in power and refrain from partisan activity; other states have an almost completely new set of employees, from the lowliest messenger to the department head, when a new party comes into power.

DIVERSE PARTY SPOILS

Public jobs are the objective in which the largest number of party workers are interested. There are other perquisites of power, however, that are at times considered to be more or less legitimate spoils to be distributed among the leaders of the victorious party organization. These prizes—ranging from contracts for public construction to concessions for operating soda stands in the public parks—affect a small number of machine leaders.[26] The past thirty years have seen an effort to deprive the party machine of these perquisites and to substitute factors of public interest in their distribution, as there has been in the sphere of public personnel. It would require much space to list and describe the many kinds of spoils that from time to time go to party leaders. Only a few types may be mentioned.

In all political organizations lawyers are to be found in prominent positions, and in some localities the lawyers affiliated with the dominant party machine are favored in the appointment by the courts of masters in chancery, receivers, trustees, and other judicial functionaries. The board of managers of the Chicago Bar Association reported in 1934: [27]

> Recently, in exercising their discretion in the appointment of masters, certain judges have deferred to the wishes of politicians. The appointment of a master in chancery as one of the political spoils belonging to a successful political party, regardless of the qualifications of the master, is a subversion of the judicial powers of the court. As a result of this

[26] H. F. Gosnell reports, for example, that in Chicago "Of the seven Democratic ward committeemen who were not employed by some governmental agency in 1928, three were in occupations which enabled them to have many dealings with public authorities. One was in the sewer contracting business; the second was in a law firm which had many political ramifications; and the third was in the insurance business."— *Machine Politics: Chicago Model* (Chicago: University of Chicago Press, 1937), p. 40.

[27] Report by the Board of Managers, Chicago Bar Association, February 1, 1934.

system, many masters in chancery have been nominated by politicians and appointed by the courts, who are wholly unfit to perform the functions required of them.

Similar comments would be applicable to such appointments by the courts in many other localities, and the Federal district courts have not been completely free from like practices. The large, sometimes exorbitant, fees drawn by receivers and similar officers acting in a fiduciary capacity under the supervision of courts make these appointments especially desirable in the eyes of the legal lights of the party machine.

Most urban machines are likely to have several construction contractors occupying important posts in the organization; frequently the contractor may not be a district leader or a ward committeeman but a silent and inconspicuous member of the organization. Contracts for public works may flow to the organization contractors, often at unreasonable figures. In turn, the contractor may use a part of his profits to aid in financing the campaigns of the party machine.[28] The many jobs available on public works incidentally furnish an opportunity to allocate employment to the adherents of the machine. The purchase of supplies for public departments and agencies may likewise be used for the benefit of members of the party organization. If one examines the records of early city machines, flagrant cases of corruption in the award of contracts for buildings and supplies may readily be discovered. During the Tweed days in New York, for example, a board of audit of three members had the power to approve for payment bills rendered to the city. It arranged with persons from whom supplies were purchased, Tweed said, to "advance bills for work purporting to be done for the city; more particularly for the county, and they should receive only fifty per cent of the amount of the bills." [29] Later the ante to the politicians was raised to 55 per cent and finally to 65 per cent. When payment was made, the city auditor would receive back the excess and distribute it among the members of the ring. Under such a regime items, such

[28] "This reputable firm of architects received $778,000 on four contracts awarded in the Walker administration, and in one case was so bold as to charge a $10,000 contribution to the Democratic organization on its books as an expense item for work on Riker's Island Penitentiary under the bookkeeping title 'Work in progress, job 394—Riker's Island Penitentiary.' "—New York City Commissioner of Accounts, *Investigating City Government in the La Guardia Administration* (1937), p. 132.

[29] Quoted by M. R. Werner, *Tammany Hall* (Garden City, N. Y.: Doubleday, Doran, 1928), p. 185.

as note paper at $14 a ream, $1,294,684.13 worth of repairs on $531,-594.22 worth of plaster, and $41,190.95 for "brooms, etc." for the county courthouse, were to be found by examination of the records. Such crude practices are rare now; prima-facie felonious bookkeeping is at any rate avoided.

Modern reform movements and the general improvement in the quality of municipal administration have reduced greatly the grossness of spoils in contracts and purchasing. In many localities the "organization" contractor has a great advantage in obtaining awards, but he is more likely on the whole to do approximately what he is paid for than he was a few decades ago. The tendency has been to attempt to award public contracts on the basis of free competition, but legislation requiring awards on the basis of competitive bidding can readily be evaded. The economic circumstances are often such that free competition is either discouraged or not feasible. In a thoroughly corrupt municipality the natural limitations on competition in public construction (through the small number of contractors and their own tendency to combine in limitation of competition) may be supplemented by the actions of officials calculated to favor the organization contractor. Those actions may be in the formulation of specifications so as to exclude all save the favored contractor or they may be in the inspection after the award of the contract. Inspection may be strict or lax.

To illustrate: a Philadelphia contract for piling let to Edwin H. Vare called for piles twelve inches in diameter at the top. There can be little debate about what a pile twelve inches in diameter is, but when alterations required the withdrawing of the piles it was found that of the first 488 piles removed "possibly two per cent fairly met the specifications."[30] ". . . Senator Vare practically dictated the specifications, performed only that part of the work called for which it pleased him to perform, virtually appointed the inspectors, who, acting like automatons, passed the work and approved the bills as rendered. . . ." It was stated that if the contract had been let under "proper and ordinary conditions" the work would have cost from $600,000 to $750,000 less than was actually paid out.[31] This incident, of course, occurred many years ago and is by no means to be taken as typical of municipal construction practices today.

The purchase of real estate for public improvements has fur-

[30] *Report of the Director*, Department of Public Works, Philadelphia, 1914, p. 80.

[31] *Annual Report*, Department of Public Works, Philadelphia, 1913, p. 26.

nished opportunity from time to time for members of the upper strata of the party organization to enrich themselves. This practice, incidentally, contributed one of the classic phrases of the argot of politics, "honest graft." The late Senator Plunkitt, a godsend to authors of textbooks, is reported to have said: [32]

> There's an honest graft, and I'm an example of how it works. I might sum up the whole thing by sayin': "I seen my opportunities and I took 'em."
>
> Just let me explain by examples. My party's in power in the city, and it's goin' to undertake a lot of public improvements. Well, I'm tipped off, say, that they're going to lay out a new park at a certain place.
>
> I see my opportunity and I take it. I go to that place and I buy up all the land I can in the neighborhood. Then the board of this or that makes its plan public, and there is a rush to get my land, which nobody cared particularly for before.
>
> Ain't it perfectly honest to charge a good price and make a profit on my investment and foresight? Of course it is. Well, that's honest graft.

A somewhat different light was put on the matter by Leonard Wallstein in an investigation of real estate purchases by the Tammany administration in New York City during the 'twenties. He found that persons with inside information on the land needs of the city acquired land in the names of dummies with "no apparent financial means, but who produce substantial sums of cash from safe deposit boxes or office safes, buy up property and turn quick profits, which are again immediately converted into cash and vanish. Clearly these operators have been merely the dummies or puppets for influential undisclosed principals." The extent of the profits may be gauged by the instances gathered in Table 12 from Mr. Wallstein's data. In very short periods of time tremendous profits were made on a relatively small cash investment.

A widely prevalent perquisite of power is control over the bonds that public contractors and officials are required to furnish to insure their fidelity. An excellent example that occurred around 1913-1916 in Boston during the first Curley administration may be used for illustrative purposes. The practice continues in a goodly number of jurisdictions yet. One of the Mayor's political supporters and friends who was engaged in the business of selling butter, cheese, and eggs from a cart found the time propitious to go into the bonding business after the inauguration of Curley. Persons who had contracts

[32] Quoted in W. L. Riordan, *Plunkitt of Tammany Hall* (New York: McClure, Phillips, 1905), pp. 4-5.

TABLE 12

INCREASES IN VALUE OF REAL PROPERTY IMMEDIATELY PRIOR TO ACQUISITION BY THE CITY OF NEW YORK

TRACT	TOTAL PURCHASE PRICE TO PRIOR OWNER	CASH PAYMENT TO PRIOR OWNER	AWARD PAID BY CITY ON CONDEMNATION	TIME BETWEEN NEXT PRIOR SALE AND VESTING OF TITLE IN CITY
1	$ 25,000	$ 8,000	$ 65,800	1 year, 10 months
2	38,350	12,550	51,425	10 months
3	15,350	4,500	36,000	4 months
4	41,000	7,500	51,230	6 months
5	162,250	27,275	229,500	3 months
6	76,250	27,250	118,026	4 months

SOURCE: Compiled from the illustrative cases described by Leonard Wallstein, *Report on Law and Procedure in Condemnation Applicable to Proceedings Brought by the City of New York* (January, 1932).

with the city were requested by department heads and other city employees to furnish bonds on their contracts by the National Surety Company, which was represented by the Mayor's friend. Table 13 shows the extent to which the surety business was transferred to this company during Curley's administration, most of its bonds having been sold through the agency of Curley's friend. The slight decline noted in the table for 1916 occurred after an investigation had been inaugurated by the Boston Finance Commission.

The Mayor's frank testimony on this matter furnishes a revealing insight into this type of situation generally. He stated that contractors were affected by the same "psychology" as were city employees, who also furnished bonds written by the same agency. They wanted to be "in right" with the administration.

Q. How about contractors? A. Why, contractors are affected by the same psychology.

. . . . . .

Q. Why should contractors be affected? A. There isn't any reason—no reason except that they labor under an impression that unless they are friendly with the friends of the administration they will be in bad odor at City Hall.

. . . . . .

TABLE 13

TRANSFER OF CONTRACTORS' SURETY BONDS TO NATIONAL SURETY COMPANY DURING ADMINISTRATION OF MAYOR CURLEY OF BOSTON, 1913-1916

COMPANY	PERCENTAGE OF TOTAL LIABILITY			
	1913	1914	1915	1916
National Surety Company	6.8	38.8	76.0	65.9
All other companies	93.2	61.2	24.0	34.1

Q. You were paying a political debt to Daly, weren't you? A. You might call it that.

Q. Wouldn't you call it that? A. I might say that would be as good a name as any other.

Q. A political debt for what he had done for you in your election? A. I wouldn't say it was in that election. . . . It was personal and political.

. . . . . .

Q. Did you communicate to any of the contractors that you would like to have them give bonds to the National Surety Company? A. I don't recall having communicated with any of them. They are even more keen than the city employees.

. . . . . .

Q. You didn't communicate with any contractors that you would like to have them give their bonds to the National Surety Company? A. I would say I did not.

Q. Would you say positively? A. I wouldn't say positively. If there was occasion, I would, but I don't remember I did.

Q. In other words you gave out the impression that it would be very agreeable to the administration? A. It wasn't necessary.

Q. But you were willing to if it was necessary? A. If it was necessary I would, or send for them.

The commission interpreted the testimony as meaning that if contractors were in "good odor" at the City Hall they would not be unduly interfered with by inspectors on their work. If they made the

error of offering bonds from the wrong agency, they would be harassed by the inspectors.[33]

An old source of revenue to party leaders, for personal or party purposes or both, was the interest paid by banks on deposits of public moneys. The original custom in many states and cities was to consider the interest paid by the depository banks as a legitimate perquisite of the state or city treasurer. Gradually the principle developed that the interest yield belonged to the public treasury, whereupon methods were devised to evade this rule. The extent of the evasion in one instance may be gauged by the recovery by the State of Illinois of $650,000 from Len Small, former state treasurer and Republican leader. This sum represented a compromise payment after the state had sued for $802,992 in interest paid on public deposits but not credited to the state.[34] The yield of interest has declined greatly because of the development of rules governing deposits and changes in banking practices and conditions. Yet banks with party affiliations may be favored in the deposit of funds.[35] "If you control public funds to the extent of millions," Merriam observes, "and may determine where they shall be deposited and on what terms (within limits) and for how long, you can deal with some bankers; and you will find allies among them. Not with all but with some, and they may render you powerful assistance." [36]

Other types of perquisites that have been considered the legitimate spoils of party victory could be mentioned, but the foregoing classes are some of the more important. Since these practices are not carried on in a goldfish bowl, it is impossible to make any satisfactory estimate of their present significance. Extensive perusal of the literature of political corruption, of the reports of investigating bodies, and of the decisions of the courts leads to the conclusion, however, that the grosser forms of perversion of public trust to party interest have declined in incidence during the past thirty years. The exposures by the muckrakers following 1900 had a cleansing effect, and the general upward movement of the level of administrative capacity

[33] See Boston Finance Commission, *Reports*, XIII, 163-74 (1918). It could be noted that similar practices in private business are considered perfectly legitimate. For example, mortgage and finance companies quite generally insist that insurance on properties which they finance be placed with specified companies.

[34] *People v. Small*, 319 Ill. 435; Chicago *Tribune*, June 4, 1927.

[35] On the general problem, see M. L. Faust, *The Custody of State Funds* (New York: National Institute of Public Administration, 1925).

[36] From *Chicago, A More Intimate View of Urban Politics* (New York, 1929), p. 51. Quoted by permission of The Macmillan Company, publishers.

has had a similar result. The use of these perquisites as reward for party effort has either declined or come to be much more effectively concealed than it was several decades ago.

THE FUNCTION OF SPOILS

The patronage system and various other types of spoils tend to be treated as an unfortunate manifestation of the innate perversity of man; and many specific instances of peculation, fraud, and nepotism in the public sphere are no different in motive or effect from departures from the code of proper conduct for persons in positions of trust in ecclesiastical, commercial, and labor associations. Yet the patronage system in the large is something more than a collection of unrelated cases of individual venality. The spoilsman has his own code of ethics,[37] and the patronage system as a whole may occupy a significant position in the configuration of political power.

From one standpoint the patronage system and, to a certain extent, other types of spoils may be considered a means to aid in financing the elaborate party machinery that seems to be necessary under our form of government. With our innumerable offices filled by popular election and our multiplicity of elections, it seems almost indispensable that a large number of men devote their time to the work of the party machine. What men shall devote their time to this work? Only those who have adequate private means to permit them to dedicate themselves to the service of their party? That solution would hardly be in keeping with the spirit of American democracy and the doctrine of equality of opportunity. Carl Russell Fish argued that "the true cause for the introduction of the spoils system was the triumph of democracy." The work of the party "requires the labor of many men: there must be captains of hundreds and captains of tens, district chiefs and ward heelers. . . . It is an essential idea of democracy that these leaders shall be of the people; they must not be gentlemen of wealth and leisure, but they must—

[37] An interesting example of this code of conduct is furnished by a quotation from the official organ of the Republican organization in Philadelphia. It was announced that steps were to be taken "to comb out of city and county offices the social and fraternal and 'pull' appointees, so that places can be made for the men who pull doorbells and produce majorities. . . . This is Senator Vare's idea and comes direct. Men who can't produce are to 'walk the plank.' This will be good news to the men who deliver."—Kurtzman, *Methods of Controlling Votes in Philadelphia*, *op. cit.*, p. 43. A sort of "patronage system" apparently had been grafted on to the patronage system in violation of the merit principles of the party organization.

the mass of them at any rate—belong to the class that makes its own living. If, then, they are to devote their time to politics, politics must be made to pay." [38] Fish contended that the spoils system served in the period of its establishment "a purpose that could probably have been performed in no other way, and that was fully worth the cost." Without the inducement of public jobs and other perquisites, the formation of party organizations becomes difficult. However, from place to place effective local machines of a middle-class character have been constructed without benefit of spoils.

Looked at from another point of view the entire spoils system serves to maintain discipline within the party organization. There may be, of course, internal contention over the distribution of the spoils, but a powerful and skillful party leader may maintain his authority by the adroit allocation of rewards. The usefulness of jobs for this purpose is obvious, but other types of spoils may be employed in the same fashion. A rebellious district leader or ward committeeman may discover that his printing contracts or his fire-hose business has been cut off by the men higher-up in the organization. The spoils system as a whole may serve as a method of consolidating into a cohesive and disciplined group the persons constituting the machine. Without the tradition of a responsible governing elite bound together by ties of tradition and class interest, patronage serves to integrate the activities of individuals bound together by no other tie.

The spoils of power are used to gain support of individuals and groups under regimes in nondemocratic countries. Many commentators find the like use of spoils in the United States for this purpose to be monstrous and unparalleled; but the practice is as old as human government. The governors of all regimes use the perquisites bound together by ties of tradition and class interest, patronage at their disposal to command the support and loyalty of those susceptible to purchase in this fashion. The striking difference about American practice is the moral reprobation that generally accompanies the practice; matters which elsewhere would be accepted as a matter of course are here considered not quite cricket.[39]

[38] *The Civil Service and the Patronage* (New York: Longmans, Green, 1905), p. 156. Quoted by permission of the President and Fellows of Harvard College.

[39] On the use of patronage to maintain party discipline, the following comment by Professor J. K. Pollock is relevant: "It has often been contended that patronage is a necessary aid to political leadership in this country. But it is interesting to note that many of our greatest governors—Grover Cleveland, Robert Marion La Follette, Judson Harmon, Hiram Johnson, and Albert Ritchie, to

Nor can the spoils system be considered or understood in isolation. In a thoroughly machine-ridden city the observer, to comprehend the nature and function of the system, must look for the allies of the machine. "The major interests," says Odegard, "are content to leave minor spoils, such as jobs in the public service, to the party agents as long as these agents direct the affairs of state in a manner to promote the interests of the powerful oligarchies which control the economic and social destinies of the community." [40] If one examines a corruptly governed city of about the beginning of the century, he will observe a powerful political machine utilizing to the utmost the spoils opportunities. But allied with the machine probably would be found the telephone, traction, and power interests which sought franchises and privileged treatment at the hands of the city, underworld syndicates controlling gambling and prostitution, industries that existed by governmental toleration, and perhaps other interest groups that required for their profitable existence a favorably disposed city administration. It was by the combination of the party machine, the utilities, and the underworld that control of the city could be gained, and by that control each of the segments of the power combination could obtain what it wanted.

Thus it came about that important interests outside the party machine itself were content to leave unlimited spoils to the party organization in order that their own interests might be advanced. When all the franchises had been awarded, when privileges sought had been legally granted, the important business interests associated with the party machine were apt to become converts to the doctrine of economy and efficiency in government. Consequently, a sharp decline in the scope of the spoils system has occurred in many American jurisdictions. Where the spoils system still exists unchallenged and unashamed, it may usually be found that the power combination controlling the jurisdiction contains important elements in addition to the party machine itself—elements that seek to gain, through toleration of their machine allies, governmental action or inaction that might not readily be obtainable in any other way.

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name a few—men whose political leadership was undoubted and of a high order, were not merely advocates of civil service but were responsible for its establishment in their respective states. In Great Britain political leadership is all the stronger for being relieved of the sordid patronage duties which bog down the average American political leader. Gladstone was grateful that the only job he could fill was that of his own private secretary."—"The Cost of the Patronage System," *The Annals*, 189 (1937), pp. 29-34.

[40] "Political Parties and Group Pressures," *ibid.*, 179 (1935), pp. 69-81.

The widespread prevalence of graft has had a curious effect on American political campaigns. It has given campaigns, mainly in state and local jurisdictions, a strong moral tone in which the principal issue often turns on the "honesty" of the contending candidates. The concentration of popular attention on the relative degree of probity of the contenders for office diverts attention from their position on economic and social issues. By the distraction of attention from issues that involve matters of great import, the sharpness of social cleavages has probably been kept down. Moreover, the moral tone of campaigns reinforces the doctrine that all "honest" men would arrive at the "right," and the same, solution of any public question. It is, of course, untrue that all "honest" men are of the same view. An "honest" labor sympathizer can take one position; an "honest" middle-class leader may take another. By wholehearted attention to the relative "honesty" of candidates, however, public discussion and recognition of the very real differences that may occur on questions of public policy between equally "honest" men is minimized.

The interest of the party in patronage and in other perquisites encounters opposition from other social groups. The party hierarchy is in this respect like any pressure group; the unlimited prosecution of group interests may meet a countermovement from people adversely affected. In this process the long-term trend has undoubtedly been to limit more and more the perquisites of the party hierarchy. Merit-system protection has been extended to most Federal employees and to a substantial proportion of state employees. Many kinds of party spoils have been made illegal. Public services have come to be manned to a higher degree by a professionalized personnel animated by a higher professional ethic than prevailed in the past. Yet the party machines resist encroachments on their ancient prerogatives, and movement toward weaning them away from their perquisites is slow and halting.

QUESTIONS AND PROBLEMS

1. In what respects may the party machine be considered to be similar to a pressure group?

2. What was Andrew Jackson's theory about rotation in office?

3. What would be the probable consequences if American parties were deprived of patronage?

4. Trace the development of legislation to prevent partisan activity by Federal civil servants.

5. Ascertain the nature of the laws and regulations with reference to political activity by civil servants of your state and city. How effective are these rules in practice?

6. Consider in connection with the problem of the political neutralization of the civil service the discussion in chapter 7 of the activities of administrative agencies with respect to public policy. Could the legal limitations there also be classified as a part of the effort to neutralize the civil service?

7. Classify types of spoils other than jobs sought by party machines.

8. Which of the types of practices included in the preceding question prevail in your state or city?

9. How does the spoils system divert popular attention from social and economic issues?

Chapter 13: THE NOMINATING PROCESS

THE PRIME FUNCTION of the political party is the nomination of candidates for public elective office. Indeed, the great achievement of party government has been the development of pacific means, as a substitute for the earlier methods of violence and inheritance, for determining the succession to positions of power. It has been indicated that the American political party tends to be weak in the formulation of principles, that on the ground of principle the major parties are more alike than unlike, that new principles, new policies, and new ideas are likely to be first championed by pressure groups or minor parties. Yet the party remains unchallenged in the field of the selection of government personnel. It is an elementary observation that in large constituencies it is necessary to have a winnowing process to sift out a few persons from whom the entire electorate may choose; it is equally elementary that various coalitions will agree in advance on individuals whom they will support both for the party nomination and for election. How the party hierarchy or machine prepares "slates" which it supports in the nominating process has previously been indicated. In this chapter the evolution of the nominating process in the United States will be traced. The trend of its development will incidentally throw considerable light on the evolution of democracy in America.

THE RISE AND DECLINE OF THE LEGISLATIVE CAUCUS

In reality the development of nominating methods has consisted in the adaptation, to larger areas and to more complex situations, of the techniques of the caucus that met in Tom Dawes' garret in colonial Boston. The informal caucus of local leaders was a means whereby the inner core of the party could agree in advance on candidates to be supported in the formal election. This type of agreement to work in concert seems to be more or less inherent in "group"

action; indeed, it is said that "parlor caucuses" were employed even in the selection of the judges of Israel.[1] The caucus, as it was known in colonial Boston, however, was best adapted to the selection of candidates for small areas from which the leaders or inner core of the party could readily and conveniently assemble to carry on their work. The nomination of candidates for state-wide and nation-wide offices was a matter which the caucus in its primitive form could not easily handle, such were the hardships and inconveniences of travel at that time.

Various methods were used to nominate candidates for district or state offices after the Revolution. In some instances "the views of the inhabitants of various counties were . . . ascertained by means of a very extensive correspondence; a number of circulars were despatched, and from the replies received a list was drawn up of the candidates who had received the most votes, and it was returned by the same channel for ratification by the counties. These consultations were led by a few public-spirited men with a taste for election work, who made themselves into a committee of correspondence for the occasion." [2] In certain states after the adoption of the Constitution full-fledged conventions, as they later developed, were used for a time. In some states candidates for governor were nominated by meetings of party voters held at the chief city of the state. "Owing to the difficulty and expense of travelling in those days, the number of persons from distant parts of the State was necessarily small, and hence the gathering was in reality a State convention composed of the political leaders in the different sections. In Pennsylvania, for a short period, the two parties held regularly called conventions composed . . . of delegates chosen by the party voters in the different counties." [3]

The difficulties of assembling a convention at a central point in the state permitted the assumption of the function of nomination for state-wide offices by the members of the party in the state legislature. The legislators had to gather at the state capital anyway to carry out their legislative duties and they were, of course, men of influence in their respective constituencies. Obviously here was a group of men that could readily assume the function of the selection of candidates

[1] F. W. Dallinger, *Nominations for Elective Office in the United States* (New York: Longmans, Green, 1897), p. 3.

[2] M. Ostrogorski, "The Rise and Fall of the Nominating Caucus, Legislative and Congressional," *American Historical Review*, 5 (1900), pp. 255-256.

[3] Dallinger, *op. cit.* (New York: Longmans, Green, 1897), pp. 25-26. Quoted by permission of the President and Fellows of Harvard College.

to be offered by the party to the voters of the state. "This reflection occurred to the public, and in particular to the members of the state legislatures themselves, and they laid hands on the nomination of the candidates to the state offices." [4] The meetings of the members of the party in the legislature to make nominations consisted of a joint session of the members in both houses and came to be known as legislative caucuses.[5] The decisions of the caucus were formulated as proclamations or addresses by the participants in their capacity as individuals and not in their official capacity as legislators. Ostrogorski finds that the first instance of the use of the legislative caucus was in 1790 in the nomination of candidates for governor and lieutenant governor; by 1800, according to Dallinger, the legislative caucus was the prevailing mode of nomination in the states. The same method came to be used in making nominations for the Presidency beginning in 1800, when "the candidates of both the Republican and Federalist parties were nominated at a caucus of the party members of the two Houses of Congress." [6]

The reign of "King Caucus" was to be short. The legislative caucus had hardly become firmly established in the states when modifications began to be made to meet certain apparent shortcomings. The caucus was unrepresentative in that a legislative district was unrepresented in the party legislative caucus if that district was controlled by the opposite party. To remedy this defect in the system of nomination the "mixed caucus" came into use from place to place. In the "mixed caucus" special delegates sat to speak for the party members in those legislative districts represented in the legislature by the opposite party. In 1817 in New York, for example, a mixed caucus was held "composed of the Republican members of the legislature, together with delegates chosen by the Republican voters in

[4] Ostrogorski, *op. cit.*, p. 257.

[5] Ostrogorski (*Democracy and the Party System in the United States* [New York: Macmillan, 1910], p. 3) gives the following etymological note on the word "caucus": "According to some the term 'caucus' is supposed to come from the Algonquin Indians, from the word kaw-kaw-was, which in their language meant to talk, to give advice, to instigate. Another theory derives 'caucus' from the English word 'calker' or 'caulker.' According to some it referred to the caulkers in the Boston dockyards, who, when seeking redress against the English soldiers with whom they came in conflict, held meetings, at which, it would appear, delegates were chosen to bring their grievances before the authorities. According to others the nickname of 'caucus' has been given to private gatherings of politicians in Boston by a modification of the word 'caulker,' because they held their meetings in the caulker's club or in a room which had formerly been used as a meeting place for the caulkers."

[6] Dallinger, *op. cit.*, p. 14.

those counties represented in the legislature by Federalist members." [7] It was not any devotion to the abstract notion of representation for all that led to the introduction of the "mixed caucus"; it was the practical fact that the pure legislative caucus might bring one result, the mixed caucus another. "The real reason for the calling of this mixed convention," in New York in 1817, Dallinger tells us, "was the fact that the friends of De Witt Clinton, who was the real choice of the people, feared that on account of the opposition of Van Buren and the Albany Regency, their favorite might be defeated in a Legislative Caucus, especially as Clinton was especially strong in the Federalist counties." [8]

In other states similar alterations in the composition of the legislative caucus were made after about 1810. The course of evolution is often traced in the following way. The legislative caucus was replaced by the "mixed caucus," which, in turn, gave way to the "mixed convention." In the mixed convention, legislators were permitted to sit only if a delegate especially elected by their county or district to serve in the convention was not present.[9] Finally, the pure convention came to prevail. It is not necessarily to be supposed, of course, that the nominating process uniformly went through all these phases in each of the states, but there was a tendency for it to follow this pattern of development.

The fall of the congressional caucus as the means for making Presidential nominations gave the *coup de grace* to the legislative caucus in the states. The congressional caucuses made the nominations in 1800, and the last was held in 1824. Yet the caucus was the subject of intermittent attack during its entire existence. Commenting on the Federalist caucus of 1800, Benjamin Austin, a leading Republican of Massachusetts declared:[10]

> If anything will arouse the freemen of America it must be the arrogance of a number of members of Congress to assemble as an electioneering caucus to control the citizens in their rights. . . . Under what authority did these men pretend to dictate their nomination? . . . Do

[7] *Ibid.*, p. 28.

[8] *Ibid.* Quoted by permission of the President and Fellows of Harvard College.

[9] Ostrogorski, "The Rise and Fall of the Nominating Caucus, Legislative and Congressional," *American Historical Review*, 5 (1900), p. 279. At the national level the steps in the evolution of the nominating process were not exactly the same as in the states. In the Federalist Party a secret national convention seems to have replaced the congressional caucus prior to the open establishment of the national convention. The matter is discussed below, chap. 14.

[10] Quoted by Dallinger, *op. cit.*, p. 16.

we send members to Congress to cabal once in four years for President? Or are we arrived at such a pitch of Congressional influence that what they decide on is to be binding on the United States? Is there any paragraph in the Constitution which gives them such an authority or even countenances such a proceeding? After Congress have accomplished their legislative business have they a right to dictate in the choice of an executive? If so, what an imposition on "the people" to talk about the freedom of election, or what consequence is it that the State legislature should concern themselves in the mode of choosing electors.

The congressional caucus fell before the onslaughts of Andrew Jackson, the hero of New Orleans, the idol of the West, the symbol of a rising spirit of democracy and egalitarianism. As an aspirant for the Presidential nomination in 1824, Jackson could hardly hope to gain the nomination at the hands of an unsympathetic congressional caucus. His backers inaugurated a campaign to discredit the caucus itself. Niles, the editor of an important journal of the day, observed:

"As my soul liveth" I would rather learn that the halls of Congress were converted into common brothels than that caucuses of the description stated should be held in them. I would rather that the sovereignty of the States should be re-transferred to England, than that the people should be bound to submit to the dictates of such an assemblage. But the people will not succumb to office-hunters. . . . The great mass of the American people feel that they are able to judge for themselves; they do not want a master to direct them how they shall vote.

A meeting of citizens of Jefferson County, Ohio, late in 1823 resolved: [11]

The time has now arrived when the machinations of the *few* to dictate to the *many*, however indirectly applied, will be met with becoming firmness, by a people jealous of their rights . . . the only unexceptional source from which nominations can proceed is the people themselves. To them belongs the right of choosing; and they alone can with propriety take any previous steps.

The friends of Jackson boycotted the 1824 Republican caucus which was attended by only about one-fourth of the Republican members of Congress. William H. Crawford received the caucus nomination. The results of the election in November, 1824, indi-

[11] Both quotations are from Ostrogorski, "The Rise and Fall of the Nominating Caucus, Legislative and Congressional," *American Historical Review*, 5 (1900), pp. 272-273.

cated that the caucus as an institution had been discredited.[12] The nominations for the election of 1828 were made by "State legislatures, State legislative caucuses, public meetings, and by irregular conventions of the people." [13] Only in 1831 did the convention method of nomination take on final form at the national level.[14]

The decline and disappearance of the legislative caucus, of course, represented more than a mere change in the method of nomination. The adoption of the new form of nomination reflected a far-reaching shift in political power. The broadening of the suffrage which was occurring at this time, the increasing influence of the West, and the rise toward political influence of the less affluent classes all combined to wipe out the legislative caucus, the instrument and symbol of government by an aristocratic elite. The old system had its mourners. In 1843, for example, a Whig convention in Illinois offered a nomination to Governor Duncan of that state who rejected it with these words: [15]

> This convention system, if adopted by both parties, will make our government a prize to be sought after by political gamblers. It throws the chains of slavery and degradation around its votaries, prostrates the fine feelings of nature, extinguishes every spark of patriotism, creates jealousies, distrusts, and angry divisions in society, and will ultimately make us an easy prey to some fiend, or despot, at the head of an army or church, whose followers, like themselves, love the spoils of power better than the liberty of their country. . . .
>
> In fact, I look upon the convention system as designed by its authors to change the government from the free will of the people into the hands of designing politicians, and which must in a short time drive from public employment every honest man in the country. Is it not so to a great extent already?

[12] For the minutes of the 1824 caucus, see C. L. Jones, *Readings on Parties and Elections in the United States* (New York: Macmillan, 1912), pp. 44-46. The proceedings contain this recitation: "Resolved, That, in making the foregoing recommendation, the members of this meeting have acted in their individual characters, as citizens; that they have been induced to this measure from a deep and settled conviction of the importance of union among republicans, throughout the United States, and, as the best means of collecting and concentrating the feelings and wishes of the people of the union, upon this important subject. The question being put upon these resolutions, they were unanimously agreed to."

[13] Dallinger, *op. cit.*, p. 20.

[14] See H. J. Ford, *The Rise and Growth of American Politics* (New York: Macmillan, 1898), chap. 16, on the origins of the convention system.

[15] Quoted by C. E. Merriam and L. Overacker, *Primary Elections* (Chicago: University of Chicago Press, 1928), p. 256.

THE CONVENTION SYSTEM

The convention system that was gradually substituted over the entire country for the legislative caucus as a method for nominating party candidates was essentially an indirect selection of nominees by the entire party membership. For the nomination of candidates for offices filled by a state-wide vote, the state convention came everywhere to be used. In practice the state convention consisted of delegates chosen directly by the party membership in local units, towns, cities, or counties; or it consisted of delegates chosen by county conventions, the delegates to which had been selected by the party membership in smaller local units. The procedure for setting in motion and conducting the state convention resembled in its general outlines that now followed with respect to the national nominating convention.[16] The convention procedure was initiated by the issuance by the state central committee of a call for a convention; the call indicated the time and place for holding the convention and the number of delegates that each city, town, or county was entitled to send to the convention. Each local unit would then select its delegates to go either directly to the state convention or to the county convention which would in turn select the delegates to the state convention. The meetings of voters or party members to select their delegates were called variously "precinct conventions," "caucuses," or "primaries." The delegates assembled from the entire state in convention would proceed to nominate the party candidates. Similar procedures and practices prevailed in the nomination of candidates for city, county, and state legislative offices, and for the national House of Representatives. The convention was adapted to whatever territorial unit served as the area for the selection of public officials.[17]

In spirit the convention system marked a sharp break with the tradition represented by the legislative caucus. The convention mechanism constituted a means for transmitting, from local assemblies of the rank and file of party membership, the wishes and impulses of the mass of party membership to a central point where the selection of nominees was made. The adoption of the convention system thus reflected a profound change in the distribution of political power. The aristocratic leadership working through the legislative caucuses was gradually deposed, and the notion that the "general

[16] The national conventions are discussed below, chap. 14.

[17] For a full description of the convention system, see Dallinger, *op. cit.*, chap. 3, "Nominations for State Office."

will" of the mass of party membership should govern in the selection of party nominees became dominant.[18] The convention system was the means for the expression of that general will; it was a type of representative government of the party.

In the previous consideration of the general nature of party and of party organization the possibility and, in fact, the tendency for groups to be controlled by small cliques of men working on concert toward a common end were indicated. The convention system was susceptible to control and management in this fashion, and party organizations and factions soon set about to determine the outcome of the representative process within the party. Moreover, coincident with the introduction of the convention system certain developments occurred which greatly increased the burden of parties. The broadening of the suffrage through the reduction or elimination of property-holding and tax-paying qualifications increased the number of persons eligible to vote and to participate in party affairs. The convention system and the broadening of the suffrage, in a way, were parallel results of a common cause. In addition to the broadening of the suffrage, in the 'thirties and 'forties other elements enlarged the task of the party system. Jacksonian democracy had its repercussions in state constitutions, city charters, and local government law in general; officers formerly appointed were made directly elective by the people; terms of office were shortened. These developments increased the volume of work which the party had to perform.

Moreover, the conditions of party operation came to be profoundly changed by the growth of urban communities. The predominantly rural character of the nation at the time of the establishment of the convention system prevented, through the force of community sentiment, abuses that came to be prevalent as cities grew in size and number. After the Civil War the control of government became an even more valuable prize, and to gain that control men were willing to introduce abuses into the party convention system. The process of concentration of wealth, of gaining control over natural resources, and of gaining monopoly rights or franchises within the rapidly growing cities all required a complacent or friendly government.[19]

[18] For an account of the deposition of the aristocracy in one state, see W. R. Fee, *The Transition from Aristocracy to Democracy in New Jersey, 1789-1829* (Somerville, N. J., 1933).

[19] For a picture of this trend, done in broad strokes, see Matthew Josephson, *The Robber Barons* (New York: Harcourt, Brace, 1934).

In the workings of the convention system certain abuses became widespread. These practices that brought the system into disrepute occurred at either of two points: in the caucus or primary—the initial gathering of voters in precincts or other small units to select their delegates or representatives—and in the convention itself. In the primaries or caucuses there was no assurance in the cities that attendance would be limited to members of the party concerned. In Baltimore, it was said: "The roughs of both parties unite to carry for each other primaries in their class interest, to drive away the respectable element, and when not numerically strong enough, to stuff the ballot box with 'pudding tickets,'—one ticket sometimes enclosing some twenty slips,—which the rascally election judges deliberately open and count for their nominee." [20]

In Boston it was said that the Democratic caucuses were "simply meetings to ratify the dictates of the ward committees. In each ward the ward committee, composed of ten or a dozen men, make a 'slate nomination' of those whom they desire to be the party candidates for representatives in the legislature from that ward. These slate nominations are sure to be victorious at the caucus, no matter what the vote may be." [21]

Another practice designed to facilitate machine control of the primary was the so-called "snap" primary or caucus. The organization in control of the party machinery would give only a short notice of the time and place for the meeting of the primary; the controlling faction, ready, informed, and alert, would have the advantage in managing the caucus; minority elements of the party, taken by surprise, would lose the day.

If the controlling faction within the party did its work well in the caucus, that is, brought about the selection of men in their camp as delegates to the convention, control of the convention itself was assured. This method was not the sole reliance in controlling conventions; abuses and frauds occurred in the conventions as well as in the primaries. The faction in control of the temporary organization of the convention at times unfairly refused to seat duly elected delegates and recognized contesting delegations affiliated with the organization faction. At other times the convention, instead of being a high-minded deliberative body coolly choosing the ablest leaders as candidates, became completely subject to control by the state or city

[20] Quoted by Dallinger, *op. cit.*, p. 112.

[21] *Ibid.*, p. 117. Quoted by permission of the President and Fellows of Harvard College.

boss. Conventions, in fact, became a symbol for bossism.[22] Professor Charles E. Merriam records his experience as a delegate to a nominating convention: [23]

I recall my last local convention under the old "deliberative" regime. The delegates had been chosen on the day before, and as soon as the returns began to come in the bosses gathered and began to appraise their strength in terms of the new battle. All night long the leaders counting their blocks of delegates had been sitting in high conclave, dividing the places on the ticket, trading back and forth, combining and recombining, bluffing and finessing. There were so many commissioners here and so many there, a county office here and another there, the patronage value of each carefully calculated in the bargain, sub-jobs, arrangements, understandings in regard to a wide variety of perquisites and privileges, all nicely calculated in determining the equitable balance. Over all hung the shadow of possible war in the convention, possible combination for control between some two or more of the trading powers.

We assemble at high noon, a restless multitude of delegates; half-past twelve comes and nothing happens; one o'clock and we become impatient; but we are told that "They" have not arrived. "They" have not finished the slate. "They" will soon be here. "They" are coming and finally "They" arrive, and the convention solemnly opens. A motion is made here and there. A vote is called for and there is a murmur of voices. Many voices, for they must all be named by roll-call and the incantation continues. Another and another. Who was named then? And finally we hasten out, buying copies of an evening extra, and learn the names of the nominees. The ritual is over. And this is sometimes called "deliberation."

The tendency toward machine domination of the convention arose because of several factors. There is, in truth, in almost all kinds of assemblies a tendency for a minority to guide and manage the course of events. That minority control is especially necessary and particularly noticeable in *ad hoc* gatherings which meet for a single purpose and then disperse. Furthermore, the magnitude of the task before the convention—the nomination of a long list of candidates—stimulated oligarchic tendencies by necessitating many carefully weighed bargains and a skillful allocation of honors to maintain discipline and unity in the party.[24] Perhaps the factor which contributed most to

[22] In the foregoing discussion I have relied principally on Dallinger, *op. cit.*, chap. 5, "Abuses of the Caucus or Primary," and chap. 6, "Abuses of the Convention System."

[23] Merriam and Overacker, *op. cit.*, pp. 259-260.

[24] Mayo Fesler says: "Why, in that same county in Indiana the party bosses

oligarchical control of the convention system was the simple fact that various interests were willing and anxious to spend time and money to control it. The party organization itself had an obvious interest in seeking to retain control. Affiliated with the machine were interests which furnished the sinews of war. In some states it was the railroads that dominated the machines; in most states the insurance companies had a hand in party policy; in cities the most common cluster of interests was made up of the public utilities, the party machine, and the underworld.

An attempt was made to control the abuses of the convention system by public regulation. Originally the party was legally a private association; it was no more illegal to commit fraud in the party caucus or primary than it would be to do so in the election of officers of a ladies sewing circle. Beginning in California in 1866, regulation of caucuses and conventions by law, at first optional with the party and later compulsory for all parties, was attempted.[25] By the time that regulation was fairly general, the convention system was on the way out. Popular revolt against control by the groups and interests that managed the conventions was directed also against the convention itself, an instrument of domination by the "interests."

The substitution of the direct primary for the convention system as the principal mode of nomination did not wipe out the convention entirely. The convention remains, on the national level, as the method for the nomination of Presidential candidates. In those states not using the Presidential primary, the state convention generally is used to select delegates to the national convention. In state and local politics the convention has been almost entirely wiped out, although in a few instances the direct primary has been adopted only to be replaced by the original convention system. Only two states, Connecticut and Rhode Island, retain the convention method of making nominations for all state offices.[26] Certain other states, how-

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had the nominations distributed from six to ten years in advance. It was well understood that Jones from Jackson township would receive the nomination for sheriff this year; Brown from Butler township two years hence; and Smith from Monroe township two years later. The party members were practically left out of the picture. They were not choosing the candidates. The leaders were naming them and using the nominations for trading purposes."—"The Primary or Convention—Which?" *National Municipal Review*, 15 (1926), p. 525.

[25] See E. C. Campbell, "Party Nominations in California (1860-1909)," *Southwestern Social Science Quarterly*, 12 (1931), pp. 245-257.

[26] Louise Overacker, "Direct Primary Legislation, 1936-1939," *American Political Science Review*, 34 (1940), pp. 499-506.

ever, notably Indiana and New York, use the convention for the nomination of officers elected by vote of the entire state.

THE DIRECT PRIMARY

The convention system went the way of the legislative caucus and for fundamentally the same reason. "King Caucus" abdicated before the advance of the triumphant Jacksonian democracy, which erected the convention system in its stead as a means whereby the mass of party membership could express its will on party candidacies. Hardly had the convention system been established when it became apparent that the inner core of the party, the party organization, would play an important role in the determination of the choices to be made by the conventions. The advantages enjoyed by those with time and money to devote to politics under the convention system were countered by state regulation of the convention system. But state regulation of the convention system hardly had a trial before there arose the demand for the direct primary, the system by which the party membership votes directly on aspirants for party candidacy rather than indirectly through the selection of delegates to conventions.

As early as 1842 the direct primary was employed by the Democratic Party in Crawford County, Pennsylvania; other counties in Pennsylvania soon adopted the system. The Crawford *Democrat* in November, 1845, gave the following reply to an inquiry about the Crawford County system: [27]

> Meadville respectfully suggests the adoption of the "Crawford County System" as it is generally known by that name in this state. . . . We consider it the most fair and honorable system that the Democratic party can do battle under. Under its provisions, every member of the party is heard; there can be no intrigue or corruption used. . . . the sovereign voters themselves declare who shall be their candidates, and the cry of bargain and sale, packed conventions, disobeying instructions, &c., will be hushed.

The arguments for the primary advanced in Crawford County in the 1840's were in essence the same as those put forward when the direct primary made its greatest gains, but the widespread use of the primary was to await more propitious circumstances.

In the post–Civil War era the party organizations in many states

[27] Quoted by James H. Booser, "Origin of the Direct Primary," *National Municipal Review*, 24 (1935), pp. 222-223.

and cities came to be under the control of plutocratic elements. The elements controlling the state organizations were often the railroads, while in the cities corrupt machines allied with public utilities and other privilege seekers manipulated the convention system to suit their ends. The dominance of the party organizations and the interests affiliated with them was simplified by the fact that in many states, both northern and southern, nomination by the major party was equivalent to election. If the party organization controlled the convention system, it controlled, in effect, the election. The growth of population, particularly in the cities, laid the basis for some of the dissatisfaction with the convention system. "When the population was small, the number of delegates sent to county, district, or state conventions was, relatively to the population, large, and nearly every citizen knew personally the delegate who was to represent him; but when the population increased, the number of delegates became relatively small, their personal relations to most of their constituents were remote, and the delegates came to be what the members of the legislative caucus had been before them, a small ruling class." [28]

New leaders rose to head movements challenging the power of the party machine and of those interests associated with it. The diagnosis of the dissenters was that the "interests" were able to retain their power because of the ease of manipulation of the convention system; therefore, the elimination of the convention system and the substitution of the direct primary were advocated. The Farmers Alliance, the Populists, and, later, the Progressives sought the abolition of the convention system and the establishment of the direct primary. In the cities middle-class reform groups, angered by the abuses of the convention system by the party machine, championed the direct primary.

In South Carolina the direct primary system "first reached logical completeness." [29] In that state "Pitchfork" Ben Tillman, even before the Farmers Alliance was formed, had "laid his plans for the overturn of the reigning Bourbon dynasty and for the control of the Democratic party by the hitherto inarticulate rural whites." He had "convinced himself" that the misdeeds of the Bourbon rulers of the state "had much to do with the economic distress of the back-country

[28] C. B. Spahr, "Method of Nomination to Public Office: An Historical Sketch," *Proceedings*, Chicago Conference for Good City Government, 1904, pp. 323-324.

[29] *Ibid.*, p. 325.

farmers." [30] The triumph of the Tillmanites in South Carolina in 1891 was followed by the replacement of the convention system in the choice of nominees for all public offices, including United States Senators, by the voters at the primaries.[31]

Although in various states and localities the direct primary was experimented with in a tentative and cautious way, the system did not come into wide use until the Progressive movement swept the country. The Progressive movement set off factional strife within the parties, between the progressives and the standpatters, for control of the party machinery and for control of party nominations. In Wisconsin in 1903 the Progressives under the leadership of the late Senator La Follette brought about the passage of the first state-wide direct primary law. Other states, mainly in the West where the Progressive movement was strongest, soon followed. "The years 1907, 1908, and 1909 were banner years for the direct primary movement. In 1907 Iowa, Nebraska, Missouri, North Dakota, South Dakota, and Washington passed such laws; in 1908 Illinois, Kansas, Oklahoma, and Ohio followed; and finally, in 1909, Arizona, Arkansas, California, Idaho, Michigan, Nevada, New Hampshire, and Tennessee were added to the list." [32] By 1917 all the states except Utah, Connecticut, New Mexico, and Rhode Island had adopted the direct primary method of nomination for some or all offices filled by state-wide election. However, in 1921, New York and in 1929 Indiana returned to the convention system for the nomination of candidates for offices filled by state-wide election. In 1937 Utah adopted the direct primary for all nominations. New Mexico followed in 1938. Thus, for nominations of party candidates for state and local offices and for United States Senators and Representatives the direct primary is the predominating method. The offices to which the primary laws apply and the details of the operation of the law vary greatly from state to state.[33]

Party organization and the primary.—The advocates of the direct primary had a simple faith in democracy; they thought that if the people, the rank and file of the party membership, only were given

[30] J. D. Hicks, *Populist Revolt* (Minneapolis: University of Minnesota Press, 1931), pp. 143-144.

[31] Spahr, *op. cit.*, p. 325.

[32] Merriam and Overacker, *op. cit.*, p. 62. This volume contains the most comprehensive account of the direct primary.

[33] For an excellent brief survey of the problem of nominations, see Louise Overacker in E. B. Logan (ed.), *The American Political Scene* (New York: Harper, 2nd ed., 1938), chap. 5.

an opportunity to express their will through some such mechanism as the direct primary, candidates would be selected who would be devoted to the interests of the people as a whole. They failed to foresee that within the party some winnowing process would occur to narrow the range of choice in the primary. The inner core of the party, the party organization with its functionaries in the precincts, wards, counties, and the state, has in many jurisdictions acted in advance of the primary to agree on a slate of candidates to back in the primary. In Cook County (Chicago), Illinois, for example, it is the custom to present to the party membership a slate supported by the party organization for nomination in the primary. The Democratic slate in the 1932 primaries was entitled "Candidates Endorsed by the Democratic County Central Committee and the Democratic State Central Committee." This slate included forty-three persons supported for nomination for Federal, state, and local offices. At the April, 1934, primaries forty-eight persons were listed as "Regular Republican Candidates, Recommended by the Cook County Republican Central Committee." At the same primary a list of "Candidates Endorsed by the Regular Democratic Organization of Cook County" was circulated.[34]

In New York City in 1941, to furnish an additional illustration, the five Democratic leaders of the City—Edward J. Flynn of the Bronx, Frank J. Kelly of Brooklyn, Christopher D. Sullivan of Manhattan, James A. Roe of Queens, and William T. Fetherston of Richmond—named a city slate. After their action Mr. Kelly announced: [35]

> At a conference attended by the chairmen of the executive committees of the several Democratic county organizations it was agreed to recommend to the executive and county committees in each county that the Hon. William O'Dwyer, District Attorney of Kings County, be chosen as the Democratic designee for the nomination for Mayor, David H. Knott of Manhattan for Controller and M. Maldwin Fertig of the Bronx for President of the Council. It is expected that the several committees will take the necessary steps to make Judge O'Dwyer, Mr. Knott and Mr. Fertig the regular Democratic designees and that their action will be approved at the ensuing primaries.

Ratification by the county committees was principally a matter of form. The New York County Democratic Committee, more gener-

[34] The quotations are from "slates" circulated as campaign literature.
[35] *The New York Times*, July 17, 1941.

ally known as Tammany Hall, the press reported, "took about a half hour to endorse the city-wide ticket selected by the five county leaders two weeks ago." [36] Ratification of the party action by the voters at the primary followed. The Republican organization was unable to reach unanimous agreement on its nominee; two of the five county leaders opposed the nomination of Mayor LaGuardia. His lead in popular vote in the primary in the three counties in which the Republican county leaders supported him was enough to give him the nomination. It should not be supposed, however, that the New York practice is universal in direct-primary jurisdictions. In many areas intraparty differences are not ironed out before the primary, and the action of the voters in the primary is a genuine selection, not a mere ratification.

When one identifies the individuals influential in the determination of the make-up of the organization slate, he locates the controlling element in the machine. In some city organizations a single city leader may hold enough power to determine the names to be included on the party slate. Thus, when Vare was the Republican leader in Philadelphia he dominated in the making of these selections.[37] In another type of situation the organization choice may rest in a small group of city leaders which arrives at its decisions by a process of trading that is tempered by estimates of the vote-pulling power of those persons prominent enough to be considered for the party slate. The bargaining and compromise within the party organization in connection with the preparation of the slate to be backed by the organization in the direct primary very much resembles the process of trading that went on within the conventions.[38]

[36] *The New York Times*, July 30, 1941.

[37] D. H. Kurtzman, *Methods of Controlling Votes in Philadelphia* (Philadelphia, 1935), p. 15.

[38] The existence of the primary, however, makes it more difficult to maintain discipline over dissentient factions which, if they disagree with the recommendations of the majority of the organization, may appeal to the rank and file of the party in the primary. In Pennsylvania in 1938, for example, Senator Joseph Guffey broke away and supported for the nomination a candidate who had been rejected by the Democratic State Committee. In 1940 the Democratic State Committee met in Harrisburg to agree on a slate to support for nominations for the Senate and for state offices. Senator Guffey sought the endorsement of the State Committee, but he had the support of only about 30 of the 103 members. The anti-Guffey faction, unable to agree on an opponent to Guffey for the nomination, suspended the rule requiring organization endorsement and ordered a "free and open" primary.—*The New York Times*, February 4, 1940. When Guffey won the nomination he "found himself in undisputed command of the Pennsylvania Democratic organization."—*Ibid.*, April 25, 1940.

The significant question about the direct primary is whether the use of the primary instead of the convention alters the results of the nominating process. Does the use of this device make it possible for a faction that might be suppressed under the convention procedure to capture the nomination? [39] The evidence on this point is far from complete. One index, however, may be found in the degree of success with which the "organization" candidates win the nomination in the direct primary, if it is assumed that the organization could almost invariably control the outcome of conventions. It should be said that no trustworthy data are available on the extent to which the party organizations over the country as a whole prepare slates in advance of the primary. Information is available only for scattered localities.

The late R. S. Boots, in a study of the use of the direct primary system for state and local nominations in New Jersey, published in 1917, concluded that "in almost all of the important primary contests the party organization puts up a slate of candidates for the lucrative offices." He found that "in an overwhelming majority of cases the organization slate is successful," and that "in a large number of cases there is no contest against the organization slate." [40]

From a study of the primary system in Indiana, F. H. Guild concluded that [41]

. . . in most instances the party organization has seemed to keep a rather secure hold on the reins. In some of the larger counties, the organization regularly prepares its slate for the primary, and it usually goes through. In the smaller counties the successful candidates are frequently

[39] Merriam has stated the issue as follows: "The real question is not whether the nominal campaign expenditures are larger in one system than the other, but whether plutocratic tendencies control more easily under one system than another. On the whole, the elaborate mechanism of delegates and conventions is more easily managed by special interests than is the primary."—"Nominating Systems," *The Annals of the American Academy of Political and Social Science*, 106 (1923), pp. 1-10.

[40] *The Direct Primary in New Jersey* (New York, 1917), p. 347.

[41] F. H. Guild, "The Operation of the Direct Primary in Indiana," *The Annals*, 106 (1923), pp. 172-180. In another study of the primary in Indiana, Charles Kettleborough assumed that when there was only one candidate for a nomination that this candidate was named by or was acceptable to the organization and ascertained the number of uncontested primary nominations. "An examination of the primary election returns in Indiana shows that for the years 1916, 1918 and 1920, out of a total of 1,049 offices for which candidates were to be nominated, there were 623 or 59 per cent in which no contest developed; in which just enough candidates were produced to fill the ticket at the ensuing general election; in which the voter was afforded no range of choice; and in which voting was purely a matter of supererogation. Out of a total of 489 offices

amalgamated with the old order, unless in a few cases they are strong enough to force compromises in their interest. Control of city, state and federal patronage continues to command for the organization a respect and obedience, so that party responsibility has not been altered as greatly as would first appear.

F. E. Horack reports on Iowa as follows: [42]

Indeed, party organization really controls the primary election to a considerable extent. In theory, anyone is free to circulate his own petition and contest any nomination; but in practice, it is usually futile to oppose the organization slate unless public sentiment is aroused, as was the case in the senatorial primary of 1922. The failure of the organization to control at all times is one of the chief causes for the demand for the repeal of the law by it.

During the period of use of the direct primary for state-wide nominations in New York, each year of a state election the major parties held "conferences" or "unofficial conventions." In no instance, said Professor Boots, did an independent candidate defeat "the recipient of a conference endorsement, that is, the regular organization candidate. Can it be that no equally fit candidate has entered the lists against the 'slate,' or is it possible that organization support is so overwhelmingly decisive that successful opposition becomes hopeless?" [43]

In a great many jurisdictions, however, the party organization is moribund and plays no significant role in the primary; and in some instances organization endorsement is not complete assurance of nomination. The Democratic State Central Committee of California, for example, in 1922 suggested a list of "candidates for all state offices (except governor) for United States Senator and for members of Congress and the state legislature. These 'suggestions' were not generally accepted. . . . But in a number of districts there were no

for which nominations were made by the Democratic party, there were 287 or 59 per cent for which there were no contests; out of a total of 507 offices for which nominations were made by the Republican party, there were 289 or 57 per cent for which there were no contests; and out of a total of 53 offices for which nominations were made by the Progressive party, there were 47 or 89 per cent for which there were no contests."—"The Direct Primary in Indiana," *National Municipal Review*, 10 (1921), pp. 166-170.

[42] F. E. Horack, "The Workings of the Direct Primary in Iowa, 1908-1922," *The Annals*, 106 (1923), pp. 148-157.

[43] "The Trend of the Direct Primary," *American Political Science Review*, 16 (1922), p. 423. Apparently, however, the party organizations did not always endorse candidates for all state-wide offices.

candidates in the Democratic primaries except those named by the committee. Doubtless there are other cases of the same sort of thing, some perhaps not so open. But those who allege the existence of widespread machine domination of the primaries have yet to prove their case." [44]

Occasionally the party officials, from precinct committeemen to state chairman, selected at the primaries are opposed to a candidate nominated by the same voters at the same primary election; this divergence gives a measure of the significance of the primary as a nominating process. In Indiana, for example, "Mr. Beveridge won the nomination for United States senator in the Republican primary in 1922. But it was unquestionably Senator Watson who secured a dominant control of the party organization through the election of a state chairman and consequent control of the state central committee." [45] In Iowa in one instance the standpat element of the Republican party controlled the state convention which met after the primary at which Brookhart was nominated for the United States Senate. "The convention refused to call upon Mr. Brookhart for a speech, or to indorse his candidacy, demanded the repeal of the primary, and inserted a plank against socialists and demagogues." [46] A newspaper organ of the standpat wing of the party spoke of the convention as "the voice of the people speaking through their accredited representatives chosen by the primary to attend the state convention and it adequately and correctly represents the views and wishes of the Republican voters of this state." Certainly the situation indicates the process of refinement of the voice of the people as it passes through the convolutions of the convention system. Former Senator James E. Watson, Republican wheel horse and Senate leader, said of the direct primary: [47]

Senator John C. Spooner was generally recognized as the greatest lawyer and debater in the United States Senate, and yet Senator Robert M. La Follette literally ran him out of public life because of the primary system. La Follette had the ear and heart of the people of Wisconsin to such an extent that even a man of such really great ability as Spooner did not dare attempt to be nominated at a primary. And that has been one

[44] Victor J. West, "The California Direct Primary," *The Annals*, 106 (1923), p. 122.

[45] Guild, *op. cit.*, p. 179.

[46] Horack, *op. cit.*, p. 149.

[47] *As I Knew Them* (Indianapolis: The Bobbs-Merrill Company, copyright, 1936), p. 59. Used by special permission of the publishers.

of the disastrous, if not fatal, results in many other states of the primary. . . .

If the testimony of an experienced organization leader is to be accepted, the direct primary may make a difference.

The career of Governor "Happy" Chandler of Kentucky throws light on the effects of the primary system. In 1935 it was a foregone conclusion that the next nominee for governor by the Democratic convention would be Thomas S. Rhea, supported by Governor Laffoon, whose administration controlled the Democratic state organization. Chandler, the lieutenant governor, took advantage of the Governor's absence from the state to convene a special session of the legislature to adopt a mandatory primary law. Governor Laffoon rushed back to the state; the legality of the special session was unsuccessfully challenged; and, after various maneuvers, a primary law was adopted providing for a runoff primary to determine the nominee in case no single candidate received a majority. "It would seem," predicted Henry G. Hodges, "that Kentucky's initial try at the double-barreled primary may lead to a defeat of the Democratic organization candidate, a thing which would have been impossible under the Kentucky convention system of nomination."[48] It did lead to a defeat of the organization candidate for the nomination, and gave "Happy" Chandler a boost in his astonishing political career.[49]

Even though the organization slate is nominated in the primary, there is a likelihood that the picking of the slate will have been influenced to some degree by the knowledge that the slate would have to be defended before the entire party membership in the primary rather than before a small hand-picked convention. Professor Merriam says:[50]

The character of the nominations is determined not only by open and successful resistance to organization nominees, but by the possibility and probability of resistance which is anticipated or discounted or thwarted by the character of the nominations made by the organization itself. A wise machine will make many concessions in order to prevent the raising

[48] "Kentucky Gets A Primary Law," *National Municipal Review*, 24 (1935), pp. 478-480.

[49] See J. B. Shannon, " 'Happy' Chandler: A Kentucky Epic," in J. T. Salter (ed.), *The American Politician* (Chapel Hill: University of North Carolina Press, 1938).

[50] "Recent Tendencies in Primary Election Systems," *National Municipal Review*, 10 (1921), pp. 87-94.

of the standard of revolt by an opposing faction or by unorganized insurgents. Resistance is generally more readily made under the direct primary than under the convention system. There is always a certain protest vote, and a certain disgruntled vote, and there are always groups within the apparently united machine that are ready to take advantage of any insurgency for the sake of advancing their own ends.

Charles Evans Hughes in 1921 observed that the victory of organization candidates was often declared to be an objection to the primary system. "Why should they not win? If a party organization is clean, vigorous and efficient, if it has the confidence of the party members, as such an organization should have, it will be influential in advising candidacies, and those who are presented as candidates with the approval of such an organization will in all probability be men who ought to be selected." Mr. Hughes conceived of the direct primary as a "weapon in the hands of the voters which they can use with effect in case of need. They are no longer helpless. This fact puts party leaders on their best behavior. It is a safeguard to the astute and unselfish leader who is endeavoring to maintain good standards in line with sound public sentiment. It favors a disposition not to create situations which are likely to challenge a test." [51] Or, as Charles Kettleborough observed with reference to Indiana: [52]

An inspection of the primary election returns in Indiana and a casual familiarity with the adventitious political processes employed, shows conclusively that these powers are vested as securely in the party managers as they formerly were. However, as the party managers are perpetually constrained by the potential powers of retribution which the primary possesses, they probably exercise these functions with more appropriate caution.

In a few instances the role of the party organization in presenting slates has been formalized through the adoption of a pre-primary convention. Always when the party machine presents a slate there must be some sort of informal pre-primary conference or convention of party leaders,[53] but in some instances these conventions are prescribed by law and operate under rules laid down by law. In Colorado the law provides for a pre-primary convention at which one

[51] "The Fate of the Direct Primary," *National Municipal Review*, 10 (1921), pp. 23-31.

[52] "The Direct Primary in Indiana," *National Municipal Review*, 10 (1921), pp. 166-170.

[53] The only attempt to ascertain the extent of this practice has been by S. C. Wallace, "Pre-Primary Conventions," *The Annals*, 106 (1923), pp. 97-104.

ballot is taken and the name of every person receiving 10 per cent or more of the votes in the convention is placed on the primary ballot. In South Dakota a pre-primary convention system was in operation from 1917 to 1929 under which majority and minority candidates were named for inclusion on the primary ballot. In Massachusetts such a system was adopted in 1932 under which candidates endorsed by the convention were placed on the ballot, but other aspirants for the nomination could be added by petition. The Massachusetts scheme was abandoned in 1937.

To arrive at valid conclusions on the significance of the adoption of the direct primary is difficult in the absence of more firsthand studies of its workings in different states and cities. It is apparent that the direct primary system makes more difficult the domination of the nominating process by the political organization. That the party organization has greatest difficulty in winning the nominations for its candidates for the more conspicuous posts, such as governor and United States Senator, also seems obvious. Furthermore, that the effects of the primary system on the power of the party machine have differed from place to place is a patent conclusion.

The variation from state to state suggests that one must look deeper than the nominating process to ascertain the factors accounting for the pattern of political power in a particular state. The factions battling the old machines had to win under the old convention system before they could bring about the adoption of the direct primary. This new nominating method was presumably adopted on the theory that the faction could retain control of the party more readily under that method than under the convention system. Consequently, the adoption of the direct primary might be said to be result rather than cause. The varying power of the party organizations in securing the selection of candidates in the direct primaries suggests further inquiries. In direct primary states like Illinois, Ohio, and Pennsylvania, there are powerful organizations or factions in each party, and often the word of the organization is final. On the other hand, in the direct primary states of the Far West the veriest political tyro frequently gains the nomination without any organization support; as a matter of fact, "regular organization" slates are not always offered.

Why is there a strong party organization in one instance and not in another? Obviously the existence or nonexistence of the direct primary has little to do with the situation. Strong party organizations, with their orderly and effective distribution of favors and

penalties, are firmly rooted in the fabric of society. The accepted gradations of rank and status, the habituation to a scale of social priorities, the acknowledgment of the prerogatives of an oligarchical leadership, all depend on factors other than the nominating process.

It is only somewhat easier to challenge the power of the closely knit party leadership by the organization of a competing party faction under the primary system. But the importance of ease of challenging this power is not to be underestimated. As a measure of self-interest, "regular organizations" and the interests associated with them have been behind most efforts to repeal the direct primary and to return to the convention system. Sometimes a good index of the probable effect of a particular procedure is to identify the interests for and against it. During the wave of reaction following the First World War—the era of Harding and normalcy, of Mellon and reduced income taxes in the upper brackets, of Daugherty and injunctions to liquidate labor—a determined effort to repeal direct primary laws was made. The spirit of the movement was expressed in an address in 1924 by the president of the National Association of Manufacturers. He traced the woes of business back to the "unhappy day when the direct primary became a tragic fact." He argued that the direct primary had "caused a pronounced degeneration in the type of men attracted to the public service." Moreover, he added, the direct primary had "diminished the number of those who know the right and have courage to follow its course, regardless of the cost to themselves." The primary and other devices had, he believed, "almost transformed the legislative department of our government into a mere sounding-board to catch and throw back the babble of the voices of the mob." By the continuation of the direct democratic trend represented by the primary he thought that the way would "be prepared for the triumphal entry of the Soviet King just waiting outside the gates." [54] The president of the National Association of Manufacturers apparently thought that the direct primary handicapped the manufacturers in defending their status against the long-run tendency toward more efficacious public regulation of business. The "cause" of the tendency toward regulation does not go back to the "tragic fact" of the direct primary; rather, social movements in the direction of greater regulation happened to find expression through the primary and probably would have found expression through whatever nominating process existed.

[54] An extract from the speech is quoted by Merriam and Overacker, *op. cit.*, p. 226.

Commentators on the direct primary often generalize broadly for the entire country, forgetting that in a great many jurisdictions the primary is really the election. Merriam estimated in 1927 that about one-half of the 3,000 counties and about one-half of the 48 states are one-party jurisdictions in which nomination by the majority party almost always results in election.[55] In one-party states the primary must be thought of, then, not as a means of nomination, but virtually as a means of election. In the South the one-party system exists as a means for the maintenance of white supremacy. Without the primary there could be no effective expression of popular choice within the dominant racial group. In the one-party states, both northern and southern, there tend to develop, within the shell of the dominant party, factions which are virtually parties that fight out their disputes within the primary system.

Perhaps the possibility of forming factions within the dominant party, without the necessity of weaning the electorate from quite irrational attachment to the symbolism of the older party, has, as Professor Macmahon says, "dulled the appeal of avowedly separate movements." [56] It has hindered realignment between parties within state politics but has facilitated what amounts to the same thing within the confines of the major party. There have been few penetrating analyses of factional division within the dominant parties of one-party states. Nevertheless, the possibility of factionalism within the primary has permitted discussion, dispute, and settlement of state issues within the dominant party in some states without the danger of altering the attachment of the state to one or the other of the major parties nationally—an attachment which may be based on historically precipitated sentiment or on the reflection of a real, preponderant interest of the state.[57] On the other hand, primary struggles within the dominant party often have no relationship to real issues. Respecting the southern states, S. D. Myers, Jr., concludes: "Politics has become chiefly a matter of personalities; the larger questions of state either go unnoticed or receive only slight attention. . . . Without any real issues, election campaigns commonly degenerate into a mad scramble for office in which candidates pander to the fears and prejudices of the voters." [58]

[55] "The Direct Primary," *American Federationist*, 34 (1927), pp. 155-164.

[56] *Encyclopedia of the Social Sciences*, XI, 601.

[57] For a study of the primary in one one-party state, see O. Douglas Weeks, "The Texas Direct Primary System," *Southwestern Social Science Quarterly*, 13 (1932), pp. 95-120.

[58] "Politics in the South," *Arnold Foundation Studies in Public Affairs* (1934), p. 27.

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Technical aspects of the primary.—There remain to be mentioned, for the sake of comprehensiveness, certain problems and variations of the direct primary. One problem that framers of direct-primary legislation have had to deal with is the question of nominations by a minority of those participating in the primary. If there are three or more aspirants for the nomination, the vote polled by the leading candidate may fall short of a majority. Should the nomination go to the man with a plurality, or should some device be used to require a majority vote within the party to win the nomination? To prevent plurality nominations and to achieve formal majority decision, some eleven states have at one time or another employed a system of preferential voting in the primary. "Preferential voting is a device whereby a voter in a primary or general election may indicate on his ballot a first and second choice, and, it may be, more choices as to candidates for a particular office with a view to combining or transferring choices when the votes are counted in such a way as to produce at least a nominal majority in favor of a particular candidate."[59] The preferential vote leads to complications in voting and in counting the vote, and for this reason, as well as because of local political circumstances, it has been abandoned in all state primary systems.[60]

An alternative method of preventing nominations by less than a majority of voters participating in the primary is the runoff or second primary. Under this system, if no person obtains a majority at the primary, a second primary is held at which the choice is between the two persons who polled the two highest votes at the first primary. Most of the states that have used the runoff primary are one-party southern states in which the winner of the primary almost always wins the election. In a one-party state the possibility of a nomination by a minority is thus a matter of considerably greater importance than in a two-party state. Even in the southern states the adoption of the runoff system has been connected with local situations in which an outstanding nonorganization personality had developed a following great enough to give him a plurality in the primary. His opponents sometimes brought about the adoption of a runoff device as a means whereby they could unite after the first primary to bring

[59] Weeks, "Summary of the History and Present Status of Preferential Voting in State Direct Primary Systems," *Southwestern Social Science Quarterly*, 18 (1937-1938), pp. 64-67.

[60] At various times the preferential voting system has been used in the direct primaries of Washington, North Dakota, Idaho, Wisconsin, Florida, Maryland, Minnesota, Alabama, Indiana, Louisiana, Oklahoma.

about his defeat. Sometimes when this personality disappears from the scene, the runoff goes out of use.[61]

The ease with which aspirants for nominations may have their names placed on the primary ballot has at times resulted in long lists of persons from whom the voter has to choose at the primary. The usual procedure for placing a name on the ballot is by petition signed by a relatively small number of voters. In Michigan, Dorr says, "the circulation of nominating petitions and the ensuing campaigns are viewed by many as a convenient method of advertising business and professional wares, by others as an opportunity for disseminating social, economic, political, and religious doctrines and theories." In that state the general agreement was, he says, that "some system must be devised which would discourage frivolous candidates without imposing undue penalties upon those who were genuinely sincere." The Michigan Legislature enacted a law creating alternative methods of getting a name on the ballot for state legislative nominations. The petition method was retained but a larger number of signatures was required. As an alternative the aspirant might pay a fee of $100 which would be returned if a substantial number of votes was received. A charter amendment in Detroit established the fee method as the exclusive way of placing a name on the primary ballot for city offices, with provision for return of the fee if the aspirant polled half as many votes as the person receiving the nomination. Professor Dorr feels that the excessive number of candidacies for nominations under the primary in Michigan creates a serious problem for the voter,[62] but elsewhere the matter is not viewed so seriously. Although there may be a dozen candidates for the nomination for an office, only two or three attract great attention.

A more important technical aspect of the direct primary is the type of test to establish membership in the party and, hence, the right to vote in the primary. Primary systems, with reference to this

[61] See, for example, Harry Barth, "Oklahoma Adopts Preferential Voting in the Primary," *National Municipal Review*, 14 (1925), pp. 410-413; L. V. Murphy, "Two Trials of Oklahoma's Run-Off Primary," *Southwestern Social Science Quarterly*, 14 (1933), pp. 156-174; Joe Park, "That Elusive Majority," *National Municipal Review*, 29 (1940), pp. 675-678. States that have used the runoff system include Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Texas, Arkansas. Most of these states still use it.

[62] H. M. Dorr, "Tightening the Direct Primary," *American Political Science Review*, 30 (1936), pp. 512-522. For information on the effect of the fee system, see H. M. Dorr, "Tightening the Direct Primary in Michigan; First Applications of the Fee System," *ibid.*, 31 (1937), pp. 56-65.

question, are classified as "closed" and "open." In the closed primary certain tests are applied to determine party membership. The most common method is for the voter to indicate at the time he registers as a voter his party affiliation. At the time of the primary he can participate only in the primary of the party that he affiliated with at registration. In the open primary, on the other hand, the voter may participate in the selection of the nominees of whatever party he chooses. He may vote in the Republican or Democratic primary, as he chooses, without meeting any test to establish that he is a Republican or Democrat, as the case may be. In the state of Washington the open primary has been carried a step further so that the voter may participate in all primaries; that is, he may express a choice for the Republican nominee for governor, for the Democratic nominee for the Senate, and so on, down through the list of offices for which nominations are to be made. An incidental feature of the open primary is that it permits secrecy of party affiliation.

The major difference between the open and closed primary is the greater ease with which voters may shift from party to party in the primaries. Such changes of affiliation are possible under the closed primary, but they are much easier for the voter under the open primary. He has to take no special steps to alter his affiliation under the latter system. Thus voters may be attracted into the party primary in which there is the hottest contest or in which one of the aspirants for the nomination is a popular figure who engenders deep loyalties and hates. Or, in some instances, it is said, the voters of one party may "raid" the primary of another. If a state is traditionally Democratic, Republicans may enter the Democratic primary to support a conservative Democrat for the nomination or vice versa.

The critics of the open primary charge that it destroys party responsibility by its permitting voters free and easy movement from party to party. The regular party organization, in other words, is likely to find its slate defeated in the primary by an influx of persons not regularly affiliated with the party.[63] In few states, however, do there exist clear-cut issues between the parties on state matters, and it seems that the open primary tends to be adopted where the traditional party loyalties have weakened and the electorate has a greater

[63] "Raiding" was not impossible under the convention system. Senator Guffey has said that in 1910 the late Senator Penrose, Republican leader of Pennsylvania, took indirect control of the Democratic convention and nominated, as Guffey put it, a "stooge" as the Democratic candidate for governor.—*Congressional Record*, March 9, 1940, p. 3988.

awareness of issues. In other instances, the open primary, it seems, has been adopted as a part of short-term, factional maneuvers for advantage. Idaho, Michigan, Utah, North Dakota, Minnesota, Wisconsin, Washington, and Montana are the chief states using the open primary, and most of these states are not noted for party regularity. Moreover, most of them have produced leaders whose following is gathered from all parties.[64]

A special type of closed primary prevails chiefly in certain southern states. In these one-party states the test for participation in the party primary is often associated with a pledge to support the party nominees in the general election. Printed on the ballot in Texas, for example, is this pledge: "I am a Democrat and pledge myself to support the nominees of this primary." In Alabama the statement is: "By casting this ballot I do pledge myself to abide by the result of this primary election and to aid and support all the nominees thereof in the ensuing general election." It might be supposed, and fundamentally it is probably true, that such efforts to maintain party unity after the nominations rests on the peculiar nature of the one-party system in the southern states. Differences between whites may be fought out in the primary, and unity among whites can prevail at the general election. Yet the controversy in these states over "bolting" from the party and supporting the nominee of another party in the general election seems to have little relationship to the issue of white supremacy. In Alabama the tests for party membership and the pledges to support the nominee revolved around Thomas J. Heflin; in Texas, around the Ferguson family. The Ferguson faction sought to bind persons to their pledge and to exclude from the party in the future, particularly as candidates, those who had violated the pledge. Definitions of party membership in the closed primary may thus become a part of the maneuvers of one faction of the party for control of the party machinery. If an opposing faction may be excluded from the primary, it need not be feared.[65]

Still another variation of the direct primary is the nonpartisan primary. In this type, each party does not have its primary, but there is one general primary open to all. The persons polling the

[64] In California, among other states, there is an approach to the open primary; in that state the candidate may seek the nomination of all the parties. Hiram Johnson, in 1940, won both the Democratic and Republican senatorial nominations.

[65] See S. D. Myres, Jr., "Party Bolting," *Arnold Foundation Studies in Public Affairs* (1932).

first and second highest votes become candidates at the election. In some jurisdictions if a person receives a majority of all votes cast at the primary he is declared elected. The nonpartisan primary is used mainly in municipal, judicial, and various other local elections. The chief factor motivating its adoption is a desire to eliminate national party labels and national party organizations from local elections. The old saying is that there is no Republican or Democratic way to build and maintain a city street. City offices should be filled from the standpoint of local issues rather than national, the argument runs. By the elimination of national party labels in local affairs, the proponents of the nonpartisan primary believe, truly local issues will predominate in local contests.

The workings of the nonpartisan primary depend entirely on the prevailing circumstances in each locality in which it is used, since the primary is only a channel through which prevailing forces will find expression. In some cities with nonpartisan primaries the Republican and Democratic machines are so powerfully organized that they work through the nonpartisan primary unhandicapped by the absence of the party label on the ballot. In other instances municipal groups have been formed to advance candidates committed to certain municipal policies which could be advocated without the embarrassment of attachment to a particular national party label. In some instances the nonpartisan primary has perhaps stimulated realignments on local issues different from alignments in national campaigns. In Seattle, says McKenzie, the "forces which under the old system were concealed in political party organizations, now reveal themselves to public observation. . . . The non-partisan system of election brings into relief many of these forces which were formerly obscured under the partisan system." [66] In Detroit, according to W. P. Lovett, there have been "groups, controversies and alignments, purely local and legitimate, concerning municipal ownership of street cars, preservation or disruption of our clean election system, enforcement of law, honesty as against graft in city government, preservation of real non-partisanship in elections, economy or extravagance in administration of public schools, and maintenance of an efficient municipal court." [67]

It must be recognized that many of the advocates of the non-

[66] R. D. McKenzie, "Community Forces: A Study of the Non-Partisan Municipal Elections in Seattle," *Social Forces*, 2 (1923-1924), p. 266.

[67] "Detroit Pleased with Non-Partisan Ballot," *National Municipal Review*, 12 (1923), pp. 221-223.

partisan primary have no understanding of the function of organized groups in politics. Many of them seem to think that by making the primary nonpartisan, machines and "politics" will be eliminated. But in truth an organized group is necessary to win elections, partisan or nonpartisan, and to govern. Such groups will arise regardless of the form of the nominating machinery. Moreover, many advocates of the nonpartisan primary believe that there are really no issue in local politics save those of "honesty" and "ability." And that is a point of view not difficult to understand when it is remembered that the nonpartisan primary is urged mainly by middle-class reformers. There are, however, important issues in urban politics, although they are not always made explicit. It is another question whether people divide in the same way on these local issues as they do in national politics. If they do, the nonpartisan primary is unnecessary. Charles E. Merriam says: "the lines that divide men in national affairs do not run in the same direction in local questions, and the attempt to force them to do so has been a conspicuous failure in this country." [68] Charles A. Beard, on the other hand, concludes: [69]

Viewing the subject from a practical angle we may inquire whether the issues which divide men and women into national politics are issues which have any relation to municipal questions as such. The facile reformer usually answers in the negative. It is true that there seems to be no connection between ship subsidies, tariff, labor legislation, farm loans, and kindred matters and the problems that arise in our great urban centers. Superficially there is none. But I cannot be too emphatic when I say that not a single one of our really serious municipal questions—poverty, high cost of living, overcrowding, unemployment, low standards of life, physical degeneracy—can be solved, can be even approached by municipalities without the cooperation of the state and national government, and the solution of these problems calls for state and national parties. No big vision of this mighty nation as it is to be can exclude from its range an economy which is both urban and rural, one and truly indivisible.

NOMINATIONS AND THE NATURE OF POLITICS

A survey of the evolution of nominating methods illuminates the general nature of political behavior and indicates, as well, an impor-

[68] *Chicago, A More Intimate View of Urban Politics* (New York, 1929), p. 99. Quoted by permission of The Macmillan Company, publishers.

[69] C. A. Beard, "Politics and City Government," *National Municipal Review*, 6 (1917), pp. 201-206.

tant long-run tendency in American politics. It may be observed that, whatever the nature of the nominating process, a relatively small, cohesive group tends to take the lead in organizing support for candidates. Under the system of the legislative caucus it was the party leaders in the legislative body who did so. Under the convention system the party organization, with its precinct, county, city, and state functionaries, constituted the group guiding and managing conventions. Under the direct primary the party organization remained and changed its methods so as to adapt them to the new machinery of nominations. Whatever the form of nominating machinery, its operation has required the collaboration of men working in concert toward common ends. And these men are usually professional politicians who perform a task that has to be accomplished to operate government. In speculation about the workings of the nominating process, the following comment by H. J. Ford is relevant: [70]

> One continually hears the declaration that the direct primary will take power from the politicians and give it to the people. This is pure nonsense. Politics has been, is and always will be carried on by politicians, just as art is carried on by artists, engineering by engineers, business by business men. All that the direct primary, or any other political reform, can do is to affect the character of the politicians by altering the conditions that govern political activity, thus determining its extent and quality. The direct primary may take advantage and opportunity from one set of politicians and confer them upon another set, but politicians there will always be so long as there is politics.

Although the tendency toward leadership and control by the closely knit inner core of the party may prevail, the conditions under which it works may be seriously altered by changes in the nature of the nominating process. The adoption of the convention system marked a revolt against the "autocratic" character of the caucus system. The tendency toward democratization found expression in a new nominating form. Under the convention system there would be, it was thought, a means for the ready expression of the wishes of the mass of party membership. As it developed, the convention system itself was soon labeled with the brand of "bossism." The direct primary was turned to as a means of obtaining a direct expression of choice of the party membership on nominations. Although the machine remained, in the formation of its slate for the primary it apparently has had to be more solicitous of the sentiment of party

[70] "The Direct Primary," *North American Review*, 190 (1909), pp. 1-14.

membership than it was under the convention system. Under this scheme the machine candidates have to run the gantlet of the primary, and this is an obstacle in the road to election that is taken quite seriously by the candidate. But all three methods of nomination have marked further obeisance to the doctrine that the will of the rank and file of party membership should prevail. Yet a change in the system of making nominations does not eliminate the function of the organized minority in leading party opinion; it may, however, make it possible for a different minority to prevail. "We are always pulling down bosses," Ford observed, "because transient combinations of would-be bosses and reformers may develop strength enough to overthrow a particular boss or a particular machine. But while bosses and machines come and go, the boss and the machine are always with us." [71]

QUESTIONS AND PROBLEMS

1. Account for the early assumption by legislative caucuses of the function of making nominations.

2. In what respects was the movement to abolish the legislative caucus mode of nominations similar to the later movement to abolish the convention system?

3. Does the evolution of the nominating process throw any light on the theory that groups tend to be controlled by oligarchies?

4. With what political movements was the rise of the direct primary associated?

5. In terms of effects on the outcome of the nominating process, what is the significance of the type of nominating procedure used?

6. Distinguish the open from the closed form of the direct primary.

7. It could be said that the evolution of the nominating process reflects the tendency toward increased democratization of American politics. Comment.

8. Ascertain the form and as much as you can about the actual practice of nominations in your state or city.

[71] *Ibid.*, p. 4.

Chapter 14: NATIONAL CONVENTIONS

THE FACT that the founding fathers did not foresee in detail the development of political parties left a gap in the constitutional procedure for the selection of the President. It became apparent that the cleavages between broad sections of the population over the ratification of the Constitution would be projected into the battle over the control of the personnel and policies of the new Government. Hence it became necessary to improvise means by which the scattered parts of each faction, the Federalists and the anti-Federalists, could unite on a candidate whom they would support in the election. Thus first the caucus and then the national convention evolved extralegally to meet a need not provided for in the formal machinery of government established by the Constitution.

The use of the congressional caucus to make nominations has already been mentioned. As long as the congressional caucus of the party included the more important leaders of the party from each state, its decision on a person on whom their forces would be concentrated for the Presidency was acceptable. Very early, however, the Federalists lost control of Congress, and their minority representation there became actually unrepresentative of the party as a whole. The party caucus could not speak for, nor could it in fact, bind the party as a whole. The Federalists had to devise other means for coming to agreement on a candidate whom the party as a whole would support. In 1808 at a secret meeting of Federalist leaders in New York Pinckney and King were nominated for the Presidency and Vice-Presidency. "This was," says S. E. Morison, "the original national nominating convention."[1] In 1812 Federalist leaders again met in New York to agree on nominations. The sessions "were held privately and there were no reports printed."[2] Eventually the congres-

[1] "The First National Nominating Convention, 1808," *American Historical Review*, 17 (1912), pp. 744-763.

[2] T. M. Plaisted, "Origins of National Nominating Committees and Platforms," *Social Studies*, 30 (1939), pp. 199-206; J. S. Murdock, "The First National Nominating Convention," *American Historical Review*, 1 (1896), pp. 680-683.

sional caucus became unrepresentative of the rank and file of the anti-Federalist party, and in 1831 under the leadership of Jackson the first full-fledged national convention was held by a major party.

It is important to note a feature of the early Federalist conventions. These gatherings served the same purpose as the present-day convention—the nomination of a candidate—but they were composed of self-appointed leaders who convened on their own motion. Their character reflected the nature of the Federalist politics of the day. The gentry ruled and they gathered at a central place to speak for themselves. In the evolution of the convention a profound change has occurred. In theory it has become a representative body to speak the will of the mass of the party membership. In the 1808 and 1812 versions it consisted of men who could make their own decisions and bind the party thereby. It has now become a body of delegates who, in form, speak for the party in their states. The broadening of the suffrage and the general tendency toward democratization thus altered the nature of these national gatherings. Consequently aspirants for the Presidential nomination attempt to appeal to the party membership in advance of the convention for the support of delegates in the convention itself. The process of nomination of a Presidential candidate begins, thus, not in the convention, but in campaigns and maneuvers to sell a potential candidate to the party and to obtain instructed delegates long before the convention meets.[3]

THE PRECONVENTION CAMPAIGN

Aspirants for the Presidential nomination begin to lay the ground work for the convention a year or more before the convention itself meets. The preparatory work may be viewed from two directions. In one respect the preconvention campaign of those who hope to be

[3] The student may well supplement this chapter by the examination of accounts of individual conventions, such as the following: H. L. Mencken, *Making a President* (New York: Knopf, 1932); W. A. White, *A Puritan in Babylon, The Story of Calvin Coolidge* (New York: Macmillan, 1938), chaps. 19 and 27; James A. Farley, *Behind the Ballots* (New York: Harcourt, Brace, 1938), chap. 2; W. A. White, *Politics: The Citizen's Business* (New York: Macmillan, 1924); Nicholas Murray Butler, *Across the Busy Years* (New York: Scribner's, 1939), Vol. I, chap. 10; R. S. Baker, *Woodrow Wilson, Life and Letters* (Garden City, N. Y.: Doubleday, Doran, 1931), Vol. III, chap. 6; Roy V. Peel and T. C. Donnelly, *The 1928 Campaign* (New York: R. R. Smith, 1931), chap. 2; *idem.*, *The 1932 Campaign* (New York: Farrar & Rinehart, 1935), chap. 4; Paxton Hibben, *The Peerless Leader: William Jennings Bryan* (New York: Farrar & Rinehart, 1929), chap. 26.

President involves rounding up the delegates, principally a matter of gaining the support of the leaders of the party's state organizations. From another viewpoint the preconvention campaign consists in creating a widespread favorable sentiment among the rank and file of party members. The success in the manipulation of the attitudes of the mass of the membership of the party has much to do with success in gaining the support of the leaders of the state organizations.

How is a candidate for the nomination to make such an impression on the county and the party leaders that he can go into the convention with enough pledged delegates to put him in sight of the nomination? Harry Daugherty, who managed the preconvention campaign for Harding in 1920, described the process in the following terms: [4]

> We live in a hard-boiled age. No man in this country is ever called to the presidency by the clamor of millions. No man is so great in our democratic society that his name excites the masses.
>
> All Presidents are made by organization. Our system of party government makes this inevitable.
>
> And I believe in our system of government. I believe it is a great advance on the old world methods of governing by a combination of factional groups.
>
> Our candidates for the highest office in the gift of the people usually select themselves. Or a political leader sees in his favorite statesman a presidential possibility, grooms him quietly for the office, and springs him on the party at the right moment.
>
> The idea that Presidents are made by a spontaneous outburst of public opinion is no longer believed except by a few amateur political writers.

The Presidential bee strikes many of the party leaders, but only a few possess the characteristics that make it worth while for them or their friends to make a strenuous campaign for the nomination. These characteristics are lumped under the term "availability." What is it that makes a man "available" or, better, makes him considered as a possible serious contender for the nomination? One factor to be taken into account is residence. A party leader in a state with a large electoral vote that might be thrown one way or the other in the election is in a much better position to fight for the Presidential nomination than a party leader in a state that is traditionally attached

[4] H. M. Daugherty and Thomas Dixon, *The Inside Story of the Harding Tragedy* (New York: The Churchill Co., 1932), p. 8.

to one party. Since the Civil War, twenty-two of the thirty-eight Presidential nominees of the major parties have been furnished by New York and Ohio.[5] To be a serious contender, a man must have accomplished something spectacular enough to attract the attention of party leaders over the country. Robert A. Taft claimed Republican attention in 1939 and 1940 after he had won the Ohio senatorship over Democrat Bulkley and had matched radio oratory with the fluent and suave New Dealer, T. V. Smith.[6] In 1930 when Franklin Roosevelt was re-elected governor of New York by a tremendous majority and carried normally Republican territory in upstate New York he immediately became eligible for the 1932 nomination. "In the South and West particularly, Democratic leaders were hoping some leader without Smith's handicaps would appear to lead the party in 1932. Roosevelt seemed a god-send." [7] Thomas Dewey's spectacular prosecutions of racketeers in New York, the national center for the manufacture and distribution of news, gave him nation-wide publicity, and his strength in the race for governor of New York against Lehman in 1938 made him a possibility for the 1940 Republican nomination.

Mere possession of the qualities of a candidate does not make of a man a contender; it is necessary to establish an organization to familiarize the country and the local political leaders with a potential candidate's personality and abilities. The manager of the campaign for the nomination publicizes his candidate, keeps in touch with the party leaders in the various states, arranges speeches at appropriate times on major issues, and in general attempts to make it appear that his man is the person who can win for the party. The candidate's backers may spend several hundred thousand dollars in selling their man to the party; sometimes the preconvention campaign is on a scale that makes it a rehearsal of the Presidential campaign itself.

It is extremely important that the leaders of the party machines in the various states be cultivated, since they often can make the decisions of their state delegations. The manager for the candidate early attempts to impress on these men that his candidate would make a strong head of the ticket; not infrequently the candidate

[5] The number of nominees from each state, 1868-1940, has been: New York, 14; Ohio, 8; Nebraska, 3; New Jersey, Illinois, Indiana, California, 2 each; Pennsylvania, West Virginia, Maine, Massachusetts, Kansas, 1 each.

[6] See Walter Davenport, "Bashful Buckeye," *Collier's*, April 6, 1940.

[7] Peel and Donnelly, *The 1932 Campaign*, *op. cit.*, p. 31.

himself meets with small groups of these leaders in order that they may look him over. James Farley's travels before the 1932 convention carried him over 30,000 miles. For months before he started his journey, he said: [8]

I had been writing hundreds of letters a day to people in all those States, and so my way was more or less prepared. But that was some trip. I travelled every way except by airplane—even by horse and buggy and by skiff, as well as by train and motor car. All I did was to drop into a town and meet the people I had written to, usually at a luncheon or something of the sort, and then just give them a plain heart-to-heart talk, the kind everybody understands—no highfalutin stuff, but just man to man—telling them why I thought Roosevelt was the best man to nominate, and why he had the best chance to win.

My line seemed to go over pretty well, if I do say it myself. People seemed to think that I meant every word I said and that it was on the level. I covered the whole route in six weeks and such sleep as I got was snatched on trains. When I got back I wrote to some man in every town I had visited and asked him to send me a complete list of every man and woman I had met. When I got that list, there were six or seven thousand names on it. I sat down and wrote a personal letter to every one of them.

A special aspect of rounding up support from state leaders is that of dealing with southern Republican leaders. Since they lack appreciable popular support in that area, the Republican leaders there are practically free to do as they like with their convention delegations. In November, 1939, for instance, it was reported that Taft's "boss wrangler" in the South had just returned from a "delegate hunt" south of the Mason and Dixon line and reported already "in the bag" for Taft the delegations of North and South Carolina, Georgia, Florida, Louisiana, Alabama, and Mississippi.[9]

The leading candidates for the nomination usually make speeches on important current issues at widely separated points in the country for the purpose of letting themselves be seen and heard, of impress-

[8] Quoted by Hugh Bradley, "Jim Farley: An Elk on a Tour," *American Mercury*, September, 1932. As the pre-convention campaign progressed, Farley reported to Roosevelt: "I am satisfied, Governor, that the leaders want to be on the bandwagon. I have also discovered that there are a lot of Democratic candidates for Governor and state offices who believe there is a real chance of winning with you as the nominee, and they feel there is absolutely no hope if anyone else is named; so these potential candidates are your strongest boosters because they believe with you as the nominee, they can win. This group of men in every section will be very helpful in getting solid Roosevelt delegations."—James A. Farley, *Behind the Ballots* (New York: Harcourt, Brace, 1938), p. 85.

[9] Baltimore *Sun*, November 14, 1939.

ing local leaders, and of gaining national attention. In 1940, for example, John W. Cowles and Gardner Cowles, Jr., powerful western Republicans and publishers of newspapers in Des Moines and Minneapolis, heard a speech by Willkie in New York. "They thought my philosophy was right and that I had the power to advocate it, but they didn't know how much discount to give me as a resident of New York City, a public-utility man, and a former Democrat," Willkie said later. Accordingly arrangements were made for Willkie to speak before a group of western Republican leaders in Minneapolis; he made a favorable impression and became a candidate for the nomination.[10]

Dewey's heavy schedule of preconvention speeches in 1940 was deliberately arranged to impress Republican leaders with the popularity of the candidate, to make them believe that with him they could win, and thereby to gain their support in the selection of convention delegates. The magnitude of Dewey's stumping tour may be indicated by mention of a few of his speeches. On December 6, 1939, he attacked New Deal defeatism at Minneapolis. On December 17, before the Pennsylvania Society he advanced a philosophy of governmental relationship to private enterprise not unlike that urged by Mr. Willkie later in the campaign. On January 23 in Boston he criticized New Deal fiscal policies. On February 16 at Cheyenne he declared that the "bureaucrats" were "grinding out propaganda in mass production." On March 27 at St. Louis he accused the administration of "a fundamental lack of integrity—a cynical disregard of the principles of common honesty." In Milwaukee on March 29 he charged that the administration had a "vested interest in continued unemployment." On April 20 in Los Angeles he outlined his views on social security. Dewey's speeches and travels were more extensive than the usual preconvention campaign, but the aspirants who take their prospects seriously generally manage to get around the country to be seen and heard. Not infrequently one speech is enough to demonstrate that the man cannot capture popular favor, and the boom is deflated early in its career. And if the aspirant misjudges the public sentiment or the trend of public sentiment, he may ruin his chances by his preconvention pronouncements. In 1940, for example, Dewey's vigorous isolationist stand expressed during the "phony" period of the European war seriously injured him as the trend of sentiment for aid to Britain rose.

[10] Janet Flanner, "Rushville's Renowned Son-in-Law," *New Yorker*, Oct. 12, 1940.

A question of strategy that vexes managers of would-be nominees is to enter or not to enter the Presidential primaries that are held by about half the states from March to May to select convention delegates. An early victory in a pivotal state may win the delegation and impress the party in other states with the aspirant's vote-pulling power. On the other hand, a defeat may bring the boom to a premature end. Yet a refusal to enter the primary may be interpreted as timidity and lack of courage, as well as a manifestation of lack of confidence. Since the primary choice is to a large extent governed by the wishes of the state organization, it would be rash to enter a primary unless the candidate has the support of the organization or of an important faction, or felt that he could defeat the state machine.

The "morning-glory" candidacy—one that blooms early—of Dewey in 1940 was boosted by his early victories in Presidential primaries. In April he piled up leads over Vandenburg in both Wisconsin and Nebraska; thus he commanded attention in other states and practically ended the boom for Vandenburg, whose forces had been unable to muster the vote. The Taft managers avoided direct collision with Dewey, who was unopposed in the Illinois Presidential primary. The Dewey leaders maintained a poll organization that informed them of the popular sentiment toward their candidate. When their tests indicated a Dewey majority in New Jersey and Maryland, they challenged both Vandenburg and Taft to enter the primaries in those states. Taft and Vandenburg avoided defeat by staying out of these primaries on the assumption that it would be better to go into the convention without a record of defeat in the primaries of these two states.

As the preconvention campaign unfolds a few serious contenders emerge, and their managers are faced by the necessity of deciding what to do about "favorite son" candidates. A "favorite son" candidate is an aspirant for the nomination who has the support of the delegation from his own state and no other. He is put forward usually to hold the delegation free for negotiations when the convention meets and on the long chance that the lightning might strike and he would become the nominee.[11] Should the leading contenders challenge the favorite sons in their own states? To do so might antag-

[11] Governor James of Pennsylvania was in 1940 a typical "favorite son." He modestly announced: "If the delegates find I'm the available man to carry on the fight this year, I'd be untrue to myself, my party and my country if I did not accept the responsibility and the duty to carry on the fight this year."

onize men who will control delegates in the convention. One approach is to ask for second choice support after the favorite son. In 1939 this was the strategy of the McNutt managers who said, "In no State that has a favorite son are we asking for more than second choice." By such an approach leading candidates hope to keep on good terms with the lesser contenders and perhaps gain their support in the convention. Yet the favorite sons are kept in the running. In 1940, for example, Senator McNary was Oregon's favorite son. His supporters hoped for "a deadlock at the convention between the two dominant candidates" at the time, Mr. Dewey and Senator Taft. "They believe the hour for the Oregon aspirant will strike if this develops." [12]

The candidate who early develops significant strength is sometimes faced by a combination of other candidates who desire to prevent the settlement of the nomination prior to the convention. If a leading contender can be "killed off," the way is left open for a negotiated nomination in the convention, and other contenders will at least have a chance in the process. One technique is not to oppose openly the prominent aspirant in his fights for delegates but to ask for the selection of uninstructed delegates. The state leaders then will also be in a better bargaining position in the convention. In 1932, to illustrate, the Smith forces desired to head off the Roosevelt movement, and Jouett Shouse, a Smith supporter, suggested that "it would be wiser not to instruct delegates to the Democratic convention in favor of any candidate save where such instructions are necessary under the law. The convention should be unfettered by instructions." [13] By this means the Smith faction hoped to stop Roosevelt.

In the months preceding the convention many Presidential booms are launched. Most of them start with a loud pop and then fizzle out. A few contenders get out in front; the others are either completely eliminated or remain only remote possibilities. The samplings of sentiment by the American Institute of Public Opinion furnish a picture of the preliminary, preconvention sifting of aspirants. The figures in Table 14 show the preconvention trend of sentiment among Republican voters regarding the aspirants for the nomination. In the table observe, first, how the booms of the minor candidates sputtered and died out. Publisher Gannett's noisy campaign for the nomination had only a slight popular response. Governors Bricker,

[12] Richard L. Neuberger in *The New York Times*, May 5, 1940.
[13] Peel and Donnelly, *The 1932 Campaign*, *op. cit.*, p. 66.

Bridges, and James had no greater success in arousing popular favor. Dewey's vigorous speech making brought him to the attention of the rank and file, but his popular support wilted when military events in Europe took a more serious turn. The astonishing aspect of the trend of sentiment shown in the table is the spectacular rise in Willkie sentiment. Seven weeks before the convention only 3 per cent of the Republican voters supported him, but so effective was his campaign and so responsive were the party voters that his strength exceeded that of any other aspirant at the time of the nomination. Study of the trends in the table indicates the importance of timing in campaigns. Had the convention been held early in May, Dewey might have been nominated. His strength reached its peak long before the convention.

TABLE 14

PREFERENCES OF REPUBLICAN VOTERS FOR PRESIDENTIAL NOMINEE, 1939-1940

CANDIDATE	1939			1940								
	Aug. 12	Oct. 12	Nov. 9	Jan. 7	Feb. 11	Mar. 24	May 7	May 17	May 31	June 12	June 20	June 27
Dewey	45%	39%	39%	60%	56%	53%	67%	62%	56%	52%	47%	29%
Vandenburg	25	27	26	16	17	19	14	13	12	12	8	...
Taft	14	17	18	11	17	17	12	14	16	13	8	13
Willkie	...	...	...	...	...	...	3	5	10	17	29	44
Hoover	6	5	5	5	3	5	2	2	2	2	6	...
Landon	3	4	3	1	...	...	...	...	...	1	...	...
Borah	2	3	3	1	...	...	...	...	...	...	...	...
Lindbergh	...	1	1	...	...	...	...	...	...	...	...	...
Lodge	...	...	1	...	...	...	...	...	...	...	...	...
Bricker	2	1	...	1	...	...	...	...	...	...	...	...
James	...	...	...	1	...	...	...	...	1	...	...	...
Gannett	...	...	...	...	1	1	...	...	...	...	...	...
Bridges	...	...	...	...	...	...	...	1	...	...	...	...
Others	3	3	4	3	6	4	2	2	2	2	2	14

SOURCE: American Institute of Public Opinion.

The campaign for the Democratic nomination in 1940 warrants special attention because of its unusual character and result. The preconvention campaign resolved itself into a struggle primarily between the conservative and liberal factions of the party with cross-currents of considerations of national policy in times of crisis. Soon after the election of 1936 various aspirants began to try to build themselves up to (and their friends tried to build them to) Presi-

dential stature in the public mind, but they were dwarfed by the figure of the President. The outbreak of the European war in September, 1939, gave an entirely different color to the campaign. Each time the tension in Europe heightened, according to the polls of the American Institute of Public Opinion, public sentiment in favor of a third term for Roosevelt increased. In 1939 leaders of the Roosevelt faction of the party began moves to nominate him for another term. In November former Senator McAdoo announced his support of Roosevelt for a third term. Secretaries Wallace and Ickes at about the same time issued similar statements. Joseph P. Kennedy, home from his post as ambassador at London, urged the President to run again on the basis that the international crisis overshadowed any "possible objection to a third term." In January, 1940, Mayor Kelly of Chicago claimed that the third-term supporters already had 250 convention delegates pledged for Roosevelt.

Meanwhile the President maintained silence on his own intentions, but he did nothing to check the enthusiasm of the promoters of renomination. The conservative wing of the party sought to stop Roosevelt. Vice-President Garner was the "white hope" of the conservative faction for a time; he announced in December, 1939, that he would "accept the nomination for President." McNutt had been definitely a candidate for the nomination since 1936, but in December Ickes expressed opposition to him for the liberal faction of the party. The candidacy of James A. Farley was looked on with favor by the right-wing faction. Garner was definitely eliminated as the spearhead of the anti-Roosevelt drive in the early Presidential preference primaries. Roosevelt's name was entered, without his consent, in the Wisconsin primary, and his popular vote far exceeded that of Garner in that state, as well as in Illinois. By mid-April preceding the convention the conservative faction of the party had not been able to produce a candidate able to command impressive popular support. The trend of sentiment, as shown by the American Institute of Public Opinion, is shown in Table 15.

After the early primaries the Roosevelt strength was increased in state after state by the action of conventions and primaries. Late in April the Democratic state executive committee in Georgia refused to hold a primary, optional in that state, and pledged its delegates to Roosevelt. Early in May the Iowa convention pledged its delegates to him if he should decide to run. A few days later the New Jersey convention urged the President to run for a third term. Early in June the Connecticut convention threw its sixteen convention

votes to Roosevelt. In July the Massachusetts delegates, earlier pledged to Farley, were now promised to Roosevelt. By the time the convention met, sufficient delegates were pledged to assure the re-

TABLE 15

PREFERENCES OF DEMOCRATIC VOTERS FOR PRESIDENTIAL NOMINEE, 1939-1940

CANDIDATE	Nov. 5 '39	Jan. 2 '40	Feb. 25 '40	June 30 '40
Roosevelt	83%	78%	78%	92%
Garner	8	13	10	2
McNutt	3	4	2	1
Hull	3	2	6	3
Farley	1	1	1	1
Murphy	...	1	..	...
Wheeler	...	...	1	...
Others	2	1	2	1

SOURCE: American Institute of Public Opinion; answers to the question, "Whom would you like to see elected President this year?"

nomination of Roosevelt, yet even at that time his intentions had not been announced. The pledging of a majority of the delegates to an unavowed aspirant for the nomination was unprecedented.

THE APPORTIONMENT AND SELECTION OF DELEGATES

In the determination of the composition of the national conventions it is necessary to adopt rules apportioning the total voting strength of the convention among the different states. During the greater part of the history of the national conventions the total voting strength of the conventions has been apportioned among the states in accordance with their respective strength in the electoral college. This rule was adopted by the Democratic national convention in 1831.[14] Each state was thus entitled to one vote for each of

[14] S. R. Gammon, Jr., *The Presidential Campaign of 1832* (Baltimore: The Johns Hopkins Press, 1922), p. 100.

its two Senators and one vote for each member of the House of Representatives from the state. Presently the general practice came to be to allow each state twice this number of votes.[15] Stated in the terms used in the party rules, this means four delegates-at-large from each state (double the number of Senators from the state), two delegates-at-large for each Representative elected at large from the state, and two delegates for each Representative in Congress elected by districts. This rule remained in use in unmodified form by the Republicans until their convention of 1916 and by the Democrats through the convention of 1940.

The rule of apportionment has presupposed that actual party strength would be more or less evenly spread over the entire country; as a matter of fact this has not been true, and solidly Democratic areas have had relatively as great strength in Republican conventions as have states with heavy Republican majorities. The application of the rule has not led to serious difficulties in the Democratic party, but its use led to party disaster for the Republicans and a consequent modification of the rule. In the states of the Solid South the Republican vote has been, with the exception of the election of 1928, extremely light; and the rule of apportionment gave a strength in the national convention much greater than the strength of party in these areas warranted. "Under that practice South Carolina, which gave Taft 3,963 votes in 1908, was entitled to two more delegates than Connecticut, which gave him 112,815. The average vote for Taft in ten of the Southern States, in 1908, was less than 4,500 to a congressional district." [16]

Under these circumstances the Republican organizations in the southern states have come to exist for the distribution of Federal patronage—when the party controls the national Government—and for the control of delegates in the national convention. The two

[15] The number of delegates may exceed the number of votes to which the state is entitled, in which case each delegate has a fraction of a vote. In the 1940 Democratic convention one Mississippi district, entitled to two votes, sent 54 delegates to cast them; each delegate was entitled to 1/27 of a vote. Texas sent 132 delegates to cast 46 votes. This practice, says Warren Moscow, has been "an effective way of getting good seats on the convention floor for the 'boys from home,' as well as a patronage device."—*The New York Times*, July 19, 1940. The 1940 Democratic convention adopted a rule that no state should be entitled to send more than twice as many delegates as it had votes. The primary consideration was the problem of seating the delegates. In 1940 the managers of the Democratic convention had to seat 1800 delegates to cast 1100 votes.

[16] Edward Stanwood, *A History of the Presidency from 1897 to 1916* (Boston: Houghton Mifflin, 1916), p. 241.

operations have not been unrelated. The skeleton organization in the South has been relatively easy to control through Federal patronage when the party is in power nationally.[17] During those campaigns when the party is not in power nationally the managers of aspirants for the nomination may solicit delegates from the "rotten borough" states by questionable means,[18] although it is not clear that the support of these states is always an advantage.

Although the equity of the system of apportionment was questioned as early as the Republican convention of 1860, it was not until 1912 that a combination of circumstances occurred to bring about an alteration in the rule. The Republican national committee in 1883 considered changes in the rule so as to grant proportionally greater weight in the convention to the states with heavier Republican votes, but retained the old scheme of apportionment.[19] At the convention of 1900 a proposal was submitted

> . . . to change the system of representation by allowing each State to send four delegates at large and "one additional delegate for each ten thousand votes, or majority fraction thereof cast at the preceding presidential election for Republican electors." The proposed change was intended to reduce the representation of South Carolina and Mississippi each from 18 to 5; of Louisiana from 16 to 6; and of Texas from 30 to 21. It was opposed by the members from the Southern States, and was withdrawn, after a brief discussion.[20]

In 1912 the system of apportionment of delegates, which was partly responsible for Taft's control of the convention, led to the disastrous split in the Republican Party, with Taft as the regular nominee and Theodore Roosevelt as the standard bearer of the rebel-

[17] No monographic study seems to be available covering the role and significance of the delegates from the Southern states in the Republican national convention. On the general subject, see S. Lewis, *Readings in Party Principles and Practical Politics* (New York: Prentice-Hall, 1928), pp. 582-607.

[18] The tendency in practice may be inferred from the following statement on the 1912 convention by an "old guard" leader: "A shrewd manipulator could have nominated Roosevelt at that Convention. The Roosevelt group had all the men of wealth, including George Perkins, Bill Flynn, the two Pinchots, and others equally rich and devoted to the Colonel. The negroes and some white delegates from the South had to have their expenses paid at the Convention, and our fellows ran out of money by Friday night. There was lively scurrying around to try to get funds to sustain them through the next week if we had to remain that long."—J. E. Watson, *As I Knew Them* (Indianapolis: The Bobbs-Merrill Company, copyright, 1926), p. 157. Used by special permission of the publishers.

[19] Stanwood, *A History of the Presidency from 1788 to 1897* (Boston: Houghton Mifflin, 1928), pp. 420-421.

[20] *Ibid.*, pp. 45-46.

lious Progressive faction. The split in the Republican Party gave the election to the Democrats, and the Republican national committee in 1913 took steps to reduce the inequities in the apportionment of delegates by submitting a new plan of apportionment for approval by the state conventions. The rule, approved by the state conventions and used in the selection of the convention of 1916, provided that the convention should consist of "four delegates-at-large from each state; two additional delegates-at-large for each Representative-at-large in Congress from any State; one delegate for each Congressional District in each state; and one additional delegate for each Congressional District in each State in which the vote for any Republican elector in the last preceding Presidential election, or for the Republican nominee for Congress in the last preceding Congressional election shall have been not less than 7,500" plus certain delegates from the territories. In presenting this rule to the convention, Charles B. Warren, the chairman of the committee on rules and order of business, observed: "The weakness in the method has long been recognized, but no change has been made because the contest for the nomination for the great office of President has over-shadowed, in National Conventions, all other questions and has prevented the unprejudiced consideration of this important subject." [21] The change decreased the representation of the Solid South by 76 votes.

The new rule left the weak Republican areas overrepresented in proportion to their Republican strength. The 1920 convention, "to inspire a greater effort to erect and maintain substantial party organizations in all the states" directed the national committee "within twelve months from the date of the adjournment of this Convention to adopt a just and equitable basis of representation in future National Conventions, which basis shall be set forth in the call for the next Convention and be binding upon the same and all other future conventions until otherwise ordered." [22] The national committee issued a drastic reapportionment rule within the prescribed time, but shortly before the issuance of the call for the 1924 convention it rescinded its earlier action and substituted a milder rule. The rule, under which the 1924 convention was selected, made two changes in the existing practice. It awarded a bonus of three delegates to each state "casting its electoral vote, or a majority thereof, for the Republican nominee for President in the last preceding Presidential elec-

[21] *Proceedings*, Republican National Convention, 1916, p. 73.
[22] *Proceedings*, 1920, p. 233.

tion." It raised from 7,500 to 10,000 the number of Republican votes necessary for a congressional district to have two delegates.[23]

The system of apportionment remained unchanged until 1940 when the national convention amended the rules to reduce further the representation in the convention of 1944 of those areas in which the Republican popular vote is light. The rule as amended in 1940 follows:

Delegates at Large

1. Four delegates at large from each state.

2. Two additional delegates at large for each representative at large in Congress from each state.

3. Three delegates at large each for Alaska, District of Columbia and Hawaii, and two additional delegates if the delegate to Congress elected at the last preceding election was the Republican nominee.[24] Two delegates at large each for Puerto Rico and the Philippine Islands.

4. Three additional delegates at large from each state casting its electoral vote, or a majority thereof, for the Republican nominee for president in the last preceding presidential election. If any state fails to cast its electoral vote or a majority thereof for the Republican nominee for president in the last preceding presidential election, and thereafter at the next succeeding election elects a Republican United States Senator, then in that event such state shall be entitled to such additional delegates at large.[25]

District Delegates

1. One district delegate from each congressional district casting one thousand votes or more for any Republican elector in the last preceding presidential election or for the Republican nominee for Congress in the last preceding congressional election.[26]

2. One additional district delegate from each congressional district casting 10,000 votes or more for any Republican elector in the last preceding presidential election or for the Republican nominee for Congress in the last preceding congressional election.

[23] *Proceedings*, 1924, p. 90.

[24] The bonus of two additional delegates was granted by the 1940 convention.

[25] The last sentence was added in 1940. It gives the state, in effect, an additional chance to earn its bonus of three delegates in the convention.

[26] This section contains the important change made in 1940. Before the adoption of this phraseology each congressional district was entitled to one delegate in the convention. Under the new provision the district must have polled at least 1,000 Republican votes to have the right to one delegate. In the 1938 congressional elections there were eighty-one southern congressional districts in which less than 1,000 Republican votes were cast.

Under the application of the apportionment rules the total number of delegates fluctuates from convention to convention; in 1936, the total number of delegates was 1,003; in 1940, 1,000.

The Democratic Party has been more fortunate than the Republican Party in the matter of apportionment. It has been able to follow the practice of allowing each state a delegation twice the size of its congressional representation without serious controversy because of the lack of a problem such as the Solid South of the Republicans.[27] Yet the 1936 Democratic convention, to offset to some degree southern sentiment against the abrogation of the two-thirds rule, adopted a resolution directing the national committee to submit to the 1940 convention "a plan for improving the system by which delegates and alternates to Democratic National Conventions are apportioned." The committee was ordered, in formulating this plan, to "take into account the Democratic strength within each State, District of Columbia, and Territory, etc. . . ." [28] The 1940 convention adopted a modification of its rules to grant to states that went Democratic in the preceding Presidential election an additional two votes in the succeeding national convention. The rule will, in operation, give only slight additional strength in the convention to the states of the Solid South.

In about half of the states the choice of delegates to represent the state in the national convention is made by state or district conventions. The call for the 1936 Republican convention indicates the methods employed in the selection of delegates to both conventions. The national committee directed that delegates should be elected in the following manner:

1. By primary election, in accordance with the laws of the state in which the election occurs, in such states as require by law the election of delegates to national conventions of political parties by direct primary. . . .

2. By congressional or state conventions, as the case may be, to be called by the congressional or state committees, respectively. . . . In a congressional district where there is no Republican District Committee, the Republican State Committee shall issue the call. . . .[29]

[27] The territories and other like areas had the following representation in the 1936 Democratic convention: District of Columbia, Hawaii, Puerto Rico, Alaska, and Canal Zone, six delegates each; Virgin Islands, two delegates.

[28] *Proceedings*, Democratic National Convention, 1936, p. 190.

[29] The Republican Party has generally insisted on the right of districts to select their own delegates. If all the delegates from a state are selected by the state convention, the entire delegation may consist of adherents of the Presidential

3. By the Republican State Committee or Governing Committee in any State in which the law of such State specifically authorizes the election of delegates in such manner.

4. All Delegates from any State may, however, be chosen from the State at large, in the event that the laws of the state in which the election occurs so provide.[30]

The chief difference in Republican and Democratic procedure in the selection of delegates is that the Republican national convention and committee have generally sought to regulate the conditions under which the delegates are selected while the Democratic national authorities have usually left to state decision the mode of selection of delegates. But this difference is more formal than real. The call for the 1936 Republican convention, for example, set out in some detail the rules under which delegates should be elected. Only "legal and qualified voters" were to participate in caucuses or primaries held for the "purpose of selecting delegates to a county, district or state convention." Delegates to conventions were required to "be apportioned among the counties, parishes and cities of the state or district having regard to the Republican vote therein." Delegates to the national convention were to be "duly qualified voters" and residents of "their respective states." The call for the Democratic convention, on the other hand, merely indicated the number of delegates to which each state was entitled.

The development of state laws regulating the selection of delegates to the national convention has created the possibility of conflict between the regulations of the Republican national convention and the laws of the state, and the party rules have been altered in general to recognize the power of the state to govern the mode of selection of delegates. The Republican rules provide, however, that in any Presidential primary state "in which Republican representation upon the Board of judges or inspectors of elections for such primary election is denied by law, Delegates and Alternates shall be elected" by convention under party rule. The Republican rules also provide that in the selection of delegates "no state law shall be observed which hinders, abridges or denies to any citizen of the United States, eligible under the Constitution of the United States, to the office of

aspirant whose managers dominate the state convention, whereas if district conventions select delegates the state delegation is more likely to be split among several candidates. In earlier calls for Republican conventions the selection of district delegates was permitted by district subdivisions of the state convention.

[30] *Proceedings*, 1936, p. 13.

President or Vice-President, the right or privilege of being a candidate under such State law for the nomination for President or Vice-President; or which authorizes the election of a number of Delegates or Alternates from any State to the National Convention different from that fixed" in the call by the national committee.[31]

About one-half of the delegates to the national conventions are selected by state and district conventions,[32] while the remainder are selected through the Presidential primary. The adoption of the Presidential primary, in one form or another, by over one-third of the states occurred at about the same time, for the same reasons, and under the leadership mainly of the Progressives, who were active in bringing about the substitution of the direct primary for the convention method of nomination of candidates for state offices. It will be recalled that the conventions were thought to be, and probably were, readily susceptible to manipulation and management by the leaders of the party organizations. Abuses and unfair practices outraged the sensibilities of a substantial minority, which was able to convert itself into a majority and impose the direct-primary method. Similar conditions and circumstances prevailed in conventions for the selection of national convention delegates. It was thought that party leaders could manipulate the convention so as to select delegates committed to the support of Presidential aspirants unacceptable to, or at least not desired by, the majority of the members of the party within the state.

Although Wisconsin in 1905 and Pennsylvania in 1906 adopted laws providing for the direct election of delegates—all delegates in Wisconsin and district delegates in Pennsylvania—the birth of the full-blown Presidential primary is usually traced to an Oregon law adopted by popular vote in 1910.[33] That law provided for a preference vote by the voters on Presidential aspirants as well as the direct

[31] *Proceedings*, 1936, pp. 13-14.

[32] The mode of selection of the delegates to the 1940 conventions, according to a tabulation by the Associated Press, was:

	Democratic	Republican	Total
To be selected by primaries	492	448	940
To be selected by conventions	534	532	1,066
To be selected by committees	68	20	88
Totals	1,094	1,000	2,094

[33] Louise Overacker, *The Presidential Primary* (New York: Macmillan, 1926). Dr. Overacker's volume is the standard work on the subject.

election of all delegates to the convention. Between 1910 and 1916 the Presidential primary spread so rapidly among the states that it was freely predicted that within a short period the old-time convention would disappear and that the national convention would become, like the electoral college, a mere mechanism for recording decisions already arrived at by the electorate. The drive for the Presidential primary, however, was soon spent, and the Presidential primary reached its peak in 1916, since which time several states have abandoned this method.

The wide range of variations in Presidential primary laws—partially the result of compromises in their passage because of the opposition of the party organizations [34]—makes it somewhat erroneous to speak of the Presidential primary. There are, rather, a variety of Presidential primary systems. The only common element among the different varieties is an intent, accomplished with varying degrees of effectiveness, to allow the party membership to express a choice for the Presidential nominee and to select delegates who will seek to bring about the nomination of the popular preference in the national convention.

One type of Presidential primary consists simply of the election of the delegates to the convention; this method is used in New York for the district delegates; the delegates at large are selected by the state convention. Unless a spirited contest prevails, and the electorate is thereby informed of the preferences of the prospective delegates, the voters have no effective way of expressing a choice for the Presidential nomination indirectly through their vote for the delegation candidates. Another method is followed in Maryland where there is a preference vote for President in which the party members make a choice among Presidential aspirants, but the delegates to the national convention are selected by the state conventions. From what has previously been said about the difference in ease of control of conventions and of primaries by party organizations, the likelihood of conflict between popular preference and the preference of delegates chosen by the convention under this system becomes apparent.

[34] The opponents of the Presidential primary went so far as to contend that the state had no power to regulate the selection of delegates. In New Jersey, for example, the following statement was made in opposition to the law: "New Jersey has no more right to attempt to fix by law the method of selecting delegates to a national convention than it has to attempt to fix the method of selecting delegates to a Knights of Columbus convention or a Knight Templar conclave."—Quoted in *ibid.*, p. 19.

It is not a matter for surprise, then, that four states have abandoned this combination of convention and preferential vote.[35]

The largest group of primary states combine a preferential vote on Presidential candidates with the election of delegates. There are several varieties of this general class of primary system; under all of them confusion may arise because of conflict between popular Presidential preference and the preferences of delegates popularly chosen. In one primary of this general type there is a Presidential preference vote coupled with the election of delegates without knowledge by the voters of the delegates' preferences. For example, in North Dakota, which formerly operated under this scheme, the Republican ballot in 1924 had the names of Johnson and Coolidge for President and the names of thirty-nine candidates for the convention delegation of thirteen, without any indication of which delegates were pledged to Johnson or to Coolidge. Under this system in North Dakota in 1932 General Coxey of Ohio and Dr. Joseph I. France of Maryland were entered in the Republican Presidential preference race but no delegates favorable to either were on the ballot. There were two slates of delegates entered, one uninstructed, another favorable to the renomination of Hoover. The voters preferred France over Coxey, "but nine of the eleven delegates favored Hoover, and none of them supported France." [36] North Dakota has since repealed the primary law and only Nebraska now uses this particular form.[37]

A second variation of the combination of preference vote with election of delegates involves a statement on the ballot whether the candidates for delegate agree to support the popular preference for President, without any indication of their real loyalties. This arrangement prevails in Pennsylvania and was formerly used in West Virginia.[38] A third variety couples the Presidential preference vote with the election of delegates, after whose names on the ballot is

[35] In 1920 the North Carolina Republican convention selected delegates prior to the Presidential primary and instructed them for a favorite son. The voters at the primary chose Hiram Johnson, but at the convention only one delegate followed the people's preference on the first vote and most of the delegation soon swung to Lowden.—*Ibid.*, pp. 61-62.

[36] Overacker in *The American Political Scene* (New York: Harper, rev. ed., 1938), p. 264.

[37] Iowa and Montana at one time had similar systems.

[38] In 1916 and 1920 the Penrose delegates in Pennsylvania "did not hesitate to have printed after their names on the ballot 'Does not promise the popular choice of a party in ..... District for President.' "—Overacker, *The Presidential Primary*, *op. cit.*, p. 69.

indicated their preference for President. The assumption is that the voters will cast their votes for the delegates pledged to support their Presidential preference but that does not always occur. In the 1936 Republican primary in Illinois, for example, the state-wide preference vote went for Knox and against Borah, but Borah delegates won in thirteen congressional districts.[39]

In a final group of Presidential-primary states the greatest success in obtaining the selection of delegates whose preferences agree with the popular preference has been achieved. In these states—California, Massachusetts, and New Hampshire—there is no separate vote on preference for President. On the ballot, candidates are listed with their preference for President. By voting for the Roosevelt slate, for example, the voter may, in effect, express a preference and at the same time express a choice for delegates pledged to that candidate. In California, where all delegates are elected at large, it is possible to vote for all the delegates pledged for a particular candidate with one cross mark, the effect of which is to reduce the likelihood of split delegations.[40]

When the Progressive movement was at high tide after the fiasco of the Republican convention of 1912, the prediction was generally made that the national convention would soon become merely an agency to record the choice of the party arrived at through the Presidential primary.[41] The Presidential primary, however, has been on the decline since 1916; the choice of the primaries has not been the choice of the convention. Observing the seven Presidential contests in the Democratic Party since the introduction of the primary, Overacker sees only "two cases in which the choice of the conven-

[39] Overacker in *The American Political Scene*, pp. 264-265. In the 1920 Republican primary in Illinois, the 10th district elected a Johnson delegate, cast a preference vote for Wood, but the state as a whole preferred Lowden.—Overacker, *Presidential Primary*, p. 74.

[40] The foregoing classification of Presidential primaries follows that of Dr. Overacker. The states listed in the discussion have mandatory primary laws. In a few states there are optional laws under which the state committee of the party may, if it desires, set the Presidential primary procedure in motion. In Georgia, without legal authorization, primaries are sometimes held under party regulation and at party expense.

[41] For example, the Baltimore *Sun* said: "Senator Bourne's prediction that the political exhibition, which has been on view in Chicago for some days past, will so strengthen the presidential primary idea that the conventions of 1912 will be the last we shall ever hold to nominate presidential candidates may not be fulfilled to the letter, but it is likely to be realized in substance."—Quoted by Overacker, *The Presidential Primary*, *op. cit.*, p. 175.

tion clearly reflected the choice of the primaries," [42] and even in those it is not clear that nomination was gained because of victories in the primaries. In 1928 Smith won in the primary states and carried the convention; in 1932 Roosevelt won most of the primaries and gained the nomination. In the Republican Party only in 1924, when Coolidge won over Johnson in the more important primary states, did the preferential vote agree with the convention choice. In other instances the nomination was either a foregone conclusion or the convention went counter to the primary verdict.

The reasons for the failure of the primary to become of greater importance are fairly clear. From the description of the different types of primary laws, it is obvious that many of the laws are defective. They make it difficult for the voters to express their choice unequivocally; it is not without significance that most of the states that have abandoned the system had defective laws. In a sense the Presidential primary has never been given a trial; the outcome might have been different had all, or practically all, the states adopted the primary. With incomplete coverage, the aspirants for the nomination have been able to ignore or sabotage the system. Not infrequently the leading candidates refuse to permit their names to be entered in some of or all the state primaries.[43] Often this refusal is coupled with the fact that the state organization is running a favorite son; the outside candidate hesitates to antagonize the organization, which hopes by obtaining the preference vote for a favorite son to be left free to negotiate in the convention and to throw its strength where it will do the state organization the most good. The leaders of state organizations have not generally been enthusiastic about the primary, and in the conventions they have often paid little heed to the preferences expressed through the primary.[44] Interest and participation of the electorate in Presidential primaries has on the whole tended to be less than in primaries for nomination to state offices, although there have been some notable exceptions to this generalization.

When the memory of the Republican convention of 1912 was

[42] *The American Political Scene, op. cit.*, p. 267.

[43] Although the laws are not always clear, the general practice is not to place on the ballot the names of presidential aspirants who object.

[44] Catledge, an able political reporter, remarks: "Political leaders do not relish primaries as a rule. The primaries are necessarily limitations upon their strength and prowess and the leaders would prefer to go to the national conventions unfettered by ironclad instructions from back home, unless the tide is running so much in one direction as to place them in an odd position if they insisted on a free hand."—Turner Catledge, "Presidential Primaries a Doubtful Barometer," *The New York Times*, February 18, 1940.

fresh, numerous proposals were made for the establishment of a nation-wide preference primary, which perhaps would have required a constitutional amendment. President Wilson, in his first message to Congress, urged the national system in these words: "I turn now to a subject which I hope can be handled promptly and without serious controversy of any kind. I mean the method of selecting nominees for the Presidency of the United States. I feel confident that I do not misinterpret the wishes or the expectations of the country when I urge prompt enactment of legislation which will provide for primary elections throughout the country at which the voters of the several parties may choose the nominees for the Presidency without the intervention of nominating conventions." [45] Congress did not act on the recommendation. In 1920 there was renewed interest in the question, and in 1924 the La Follette platform contained a plank favoring a nation-wide primary. But the proposal has become a dead issue.[46]

THE ORGANIZATION OF THE CONVENTION

On the appointed day the delegates convene to play their parts in our great national quadrennial political drama. The city fathers of the convention city [47] deck out the city in bunting and flags as

[45] Quoted by Overacker, *The Presidential Primary*, *op. cit.*, p. 188.

[46] The introduction of the straw poll has imposed a sort of nation-wide preference primary. In February, 1936, for example, Landon was favored by 43 per cent of the Republicans for the Presidential nomination according to the Gallup poll. His managers, however, did not cease their solicitation of state leaders for delegates and trust to the popular preference to win the nomination. Whether their hunt for delegates was made simpler by the Gallup tests, one does not know. In January, 1940, Dewey, according to the same poll, was running ahead of Landon at a comparable time in 1936, yet Willkie won the nomination. Popular preference, however, shifted to Willkie by the time of the nomination, although the poll indicating that fact was not released until after the nomination had been made.

[47] The place of the convention is designated by the national committee of the party. Esoteric considerations of party advantage are usually said to have a part in the selection. It is said, for example, that the Republican convention of 1928 was held in Kansas City on the theory that the farm belt was a potential center of disaffection from Republican leadership and that to hold the convention in that region would help to keep the wheat farmer in the Republican ranks. It is extremely doubtful whether the location of the convention has a perceptible effect on the vote cast. Prime considerations are that the convention city have adequate hotel facilities and that it possess a suitable auditorium for the convention itself. Beyond these requirements the bonus offered by the local chamber of commerce or like organization is influential. The Republican national committee received $200,000 from Philadelphia for selecting that city as the meeting place for the

if a huge county fair were in progress. Great banners identify the headquarters of the Presidential aspirants.[48] Their managers issue optimistic predictions of their first-ballot strength and work frantically behind the scenes to try to approach in fact their predictions. By badges, armbands, and buttons the delegates and visitors announce their allegiance. The convention itself gathers in a great auditorium—such as the Stadium in Chicago, the Cleveland Municipal Auditorium, Madison Square Garden in New York—the main floor of which seats the delegates and their alternates, more than two thousand in all; the galleries seat thousands of spectators, both local and visiting, fortunate enough to receive tickets of admission.[49] The heat is usually stifling, the noise deafening, the confusion astonishing to foreign observers. The convention hall is equipped with voice-amplifying apparatus so that the officials and delegates may be heard.[50] The radio broadcasting chains have their announcers, technicians, and equipment on hand to describe and transmit the happenings to tens of millions of people listening throughout the nation. In effect, almost the entire nation is in the galleries.

The convention is opened by the chairman of the national committee who presides until the temporary officers are elected.[51] The national committee presents to the convention a slate of temporary officers, of which slate the temporary chairman is, of course, the most

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convention in 1940. Chamber of Commerce officials in that city estimated that the delegates and visitors, directly and indirectly, spent about $12,000,000 in the city. The Democratic national committee received a bonus of only $150,000 from Chicago for the 1940 convention.

[48] At the 1940 Republican convention the Dewey headquarters consisted of 78 rooms in the Hotel Walton. Senator Taft's forces engaged 102 hotel rooms. Frank E. Gannett rented the Harvard Club in addition to 48 hotel rooms. Senator Vandenberg's convention staff was housed in 48 rooms in a half dozen hotels. Willkie's headquarters, at the outset, consisted of a double room.—*The New York Times*, June 16, 1940.

[49] Tickets are usually allotted to the leaders of state delegations, with a considerable block retained by the committee on arrangements.

[50] The strategic position held by the technicians manning the voice amplifiers may be inferred from an incident that occurred in 1932 when the Republican delegates sullenly met to renominate Hoover. Mr. Sandblast, a delegate from Oregon "came upon the rostrum, faced the microphone, and nominated Dr. Joseph I. France of Maryland. Strangely enough, as soon as Mr. Sandblast began speaking, something went wrong with the amplifying devices. A suspicion seized some persons in the audience that the technicians were Hoover men."—Peel and Donnelly, *The 1932 Campaign*, *op. cit.*, pp. 88-89.

[51] It should be mentioned that each daily session of the convention is opened with prayer usually by local clergymen carefully selected so as to be representative of all the leading faiths.

important.[52] Generally the temporary chairman nominated by the national committee receives the approval of the convention, but at rare intervals the election of temporary chairman is made the occasion for a test of strength of contending factions within the convention. In the Republican convention of 1912, for example, the national committee and the Taft forces successfully backed Elihu Root for the temporary chairmanship over the opposition of the Roosevelt and La Follette supporters who lined up for Governor McGovern of Wisconsin.[53] In the same year Bryan opposed Judge Alton B. Parker, the national committee nominee for the Democratic temporary chairmanship. Judge Parker, Bryan said, was backed by Wall Street. "He asked if such a man should be 'forced on the convention to open a progressive campaign with a paralyzing speech that will dishearten every man in it?'" [54] Parker won mainly through the support of delegates pledged to Harmon and Underwood, while Bryan's strength came from Wilson delegates.

The chief function of the temporary chairman is to deliver the keynote speech, which is usually designed to arouse the enthusiasm of the delegates to a high pitch, as well as to set the general tone of the convention. The keynoter inveighs against the opposition party,[55] recites the great achievements of his own party, and invokes the memory of the great party leaders of the past. In 1936 the Republican temporary chairman was Senator Frederick Steiwer of Oregon who denounced the New Deal: "For more than three long years we have had a government without political morality." "After three long years of complete control of every branch of the Federal Government they have failed to provide a permanent farm program." He called his hearers to do battle: "To preserve our country we must get into the American stride again." He forecast victory in November: "This wholesome recommendation will be made in

[52] The other temporary officers—who are usually made permanent—include the secretary, sergeant-at-arms, parliamentarian, chief tally clerk, chief reading clerk, doorkeeper, and various other assistants and officials necessary for the operation of the convention.

[53] The fight over the temporary chairmanship probably causes good Republicans to blush yet. Taunts of "liar," "robber," "thief," punctuated the debate.—See the *Proceedings*, 1912, pp. 42-60.

[54] Stanwood, *A History of the Presidency from 1897 to 1916*, *op. cit.*, p. 256.

[55] A sample of the extravagant criticism of the opposition is furnished by Senator Barkley's 1932 keynote speech in which he said: "No, my countrymen, there is nothing wrong with this republic except that it has been mismanaged, exploited and demoralized for more than a decade by a statesmanship, incapable even now in the midst of its fearful havoc of understanding the extent of its own mischief."

January, by an oath-keeping Republican President." He invoked the aid of the Almighty: "To Him let our prayers be offered that an aroused America, casting out all doubt, will vindicate the faith of the fathers." "At the end of the address," the secretary of the convention solemnly records, "the Temporary chairman received a great ovation, delegates, alternates and visitors rising, standing on chairs, cheering, waving hats and flags." [56]

Senator Alben W. Barkley's keynote speech set the Democratic convention in motion in 1936. He displayed the party saints, Jefferson, Jackson, Wilson, and borrowed Lincoln from the Republicans; he put Franklin D. Roosevelt "in glorious companionship with these great spirits." He pointed with pride and in detail at New Deal achievements. He tied the opposition to the Liberty League: ". . . the Republican battalion of death and its illegitimate brother, the American Liberty League. . . ." He compared past Republican and Democratic achievements: ". . . by 1932 both political parties had recognized the agricultural problem not as local but as national. . . . The difference was that the Democratic platform meant what it said. . . ." He, like Steiwer, claimed an affinity with the thread of American destiny: "It is here again, in the midst of these historic scenes [in Philadelphia], that we invoke the spirits of departed patriots, rekindle our belief in the nobility of their cause, and rededicate ourselves to its complete fulfillment." And, as Steiwer had done, Barkley allied himself with the Infinite.

An early step in the convention is the designation of the four great standing committees of the convention: (1) credentials, with the function of examining credentials, hearing delegations contesting for seats, and recommending to the convention; (2) permanent organization, with the function of recommending a set of permanent officers for the convention: (3) rules, with the duty of reporting to the convention a set of rules to govern its procedure, and (4) resolutions, with the task of drafting and presenting a platform to the convention.[57] In practice each state and territorial delegation names

[56] *Proceedings*, 1936, p. 46.

[57] In 1940 the resolutions committee of the Republican convention was selected and began its labors before the convention itself met. John Hamilton, chairman of the national committee, in a letter to the state leaders had suggested this course of action. His letter to them said, among other things: "This year we approach the adoption of the party platform under circumstances materially different than in former years. There is already at hand the report of the Republican program committee which has been widely distributed among party leaders and will be sent to the delegates and alternates as they are selected. . . . Obviously neither the report nor the supporting data which accompanies it can receive

a person to sit on each of these committees of the convention.[58]

The first committee report disposed of by the convention is usually that of the committee on credentials, but for convenience, the report of the committee on permanent organization may be mentioned first. The chief item in the report of this committee which may give rise to controversy is its recommendation for the post of permanent chairman. The factions aligned behind each aspirant for the Presidential nomination have a definite interest in the selection of a permanent chairman, if not friendly, at least not hostile to their candidates. Moreover a minority report from the committee on permanent organization may furnish the occasion for a test of strength between the opposing candidates for the nomination. In 1932, for example, the majority of the committee on permanent organization nominated Jouett Shouse, affiliated with the anti-Roosevelt bloc, for the permanent chairmanship; the Roosevelt forces were able to rally a majority of the convention to support the late Senator Walsh of Montana as permanent chairman. The permanent chairman, when he takes over the gavel from the temporary chairman, usually delivers a speech which may be a smaller edition of the keynote speech. Bertrand Snell's speech as permanent chairman at the Republican convention in 1932 aroused more enthusiasm among the delegates than that of Senator Dickinson, the temporary chairman.[59]

The formal organization of the convention consists of the permanent chairman, the standing committees, and all the functionaries necessary for the work of the assembly; but, as with congresses and

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the consideration to which they are entitled if the members of the resolutions committee have but two or three days for that purpose. Since each State delegation selects its own members of the resolutions committee I believe that, without infringing upon the prerogatives of the convention, we can obviate some of the difficulties encountered in the past. It is my thought that the State delegations might hold preliminary caucuses as soon as feasible after the delegates have been elected and select their representatives on the committee on resolutions. If this could be done it would then be possible for most, if not all, of those who would constitute the resolutions committee to assemble at Philadelphia an appreciable time before the national convention and undertake to consider and discuss together all suggestions for the platform. . . ."—Baltimore Sun, April 23, 1940.

[58] In 1940 the Democratic convention doubled the membership of its resolutions committee by adding to it one woman from each state and territory.

[59] The exigencies of radio timetables compelled Senator Joseph T. Robinson, 1936 Democratic permanent chairman, to deliver his speech before he had been formally elected as chairman. The temporary chairman said that "it was expected that the permanent chairman would be elected by this time and deliver an address over the radio. . . ." Senator Robinson was presented as "the gentleman who is scheduled a little later to be elected as your permanent chairman, but who now speaks in the capacity of a delegate at large from the State of Arkansas."

parliaments, there tends to be also an informal organization of the blocs and factions seeking to steer the deliberations of the convention. Before the 1932 Democratic convention, for example, there was held at Hyde Park a caucus of the Roosevelt leaders for the purpose of agreeing on how to run the convention. There it was decided that Walsh would be permanent chairman, that Arthur Mullen would be the floor manager for the Roosevelt forces, that Senator Hitchcock would be chairman of the committee on resolutions, and that Judge Mack would nominate Roosevelt. Farley goes on to tell us: [60]

> On the night before the convention opened we had another general meeting at headquarters during which we organized our "field" forces for the convention floor itself. I wanted to make sure that the key men would be recognized immediately by all the Roosevelt delegates. As each man's name was called, he stepped down front so that all those in attendance had a good look at him. Those introduced included Floor Leader Arthur Mullen and his assistants. I also introduced Bill Howes of South Dakota, and a couple of other trusted lieutenants who were to act as emissaries in carrying messages and instructions. Those present were asked to have their delegations go along with whatever these men requested. We were anxious to ensure good teamwork and to avoid the mistakes, which often prove so costly, that come about because of the excitement and confusion on the convention floor.

Similarly, Governor R. E. Baldwin of Connecticut was floor leader of the Willkie forces in the 1940 Republican convention.

When the convention meets to renominate a sitting President for a second term the leaders for the President generally have the convention proceedings thoroughly in control. In 1924 Coolidge's leader, William M. Butler, was the "Mark Hanna" of the convention. "He took orders from no one, and the old guard, that is to say, those in charge of the United States Senate—Lodge, Curtis, Watson, Lenroot and Smoot—had to breathe on a meter read by Butler and take out a sunshine license to cast their own shadows." [61] Similarly in 1932 not the least of the arrangements for the Republican convention was "a private telephone wire from a room in the Congress Hotel to the President's desk at the White House." Turner Catledge reports: [62]

[60] James A. Farley, *Behind the Ballots* (New York: Harcourt, Brace, 1938), p. 122.

[61] William Allen White, *Politics: The Citizen's Business*, p. 24.

[62] Catledge, "The National Conventions of 1932," *Current History*, August, 1932, p. 522.

That wire was to make convention history. It started on its history-making mission on Sunday, June 12, when Lawrence Richey, private secretary to the President, and Walter Newton, his political secretary, who incidentally was a delegate from the State of Minnesota, arrived to take up the liaison between those theoretically running the convention and "the Chief." The private wire spoke, not loudly but finally, on every controversial subject before the convention or any of its committees, including the prohibition problem, and was given credit for saving the Vice Presidential nomination for Charles Curtis of Kansas.

In such conventions practically every item of procedure is laid out in advance, even to the allocation of the honors of seconding motions for adjournment and of presenting resolutions of gratitude to the committee on local arrangements.

The national convention is the judge of the qualifications of its own members. In the early history of the convention, examination of delegates' credentials was quite informal. On occasion when no formally elected delegation represented a state, chance visitors from the state concerned were allowed to cast its vote in the convention. With the regularization of convention procedure, a substantial body of jurisprudence and precedent has been developed to govern the determination of the right to delegations to convention membership. Prior to the opening of the convention, the national committee of each party prepares a temporary roll or list of the delegates duly selected to sit in the convention.[63]. In the determination of which names are to be placed on the temporary roll, the national committee must make a preliminary decision on contested elections, if any, and

[63] The Republican rules provide: "Twenty days before the time set for the meeting of the National Convention, the credentials of each Delegate and Alternate shall be filed with the Secretary of the National Committee for use in making up the temporary roll of the Convention, except in the case of Delegates or Alternates elected at a time or times in accordance with the laws of the State in which the election occurs, rendering impossible filing of credentials within the time above specified. Notices of contests shall be filed in the same manner and within the same limit. Where more than the authorized number of Delegates from any State, Territory, Territorial Possession, or District of Columbia are reported to the Secretary of the National Committee, a contest shall be deemed to exist and the Secretary shall notify the several claimants so reported, and shall submit all such credentials and claims to the whole Committee for decision as to which claimants reported shall be placed upon the temporary roll of the Convention; provided, however, that the names of the Delegates and Alternates presenting certificates of election from the canvassing board or officer created or designated by the Law of the State in which the election occurs, to canvass the returns and issue Certificates of Election to Delegates to National Conventions of political parties in a primary election, shall be placed upon the temporary roll of the Convention by the National Committee."—*Proceedings*, 1936, pp. 98-99.

to that end it hears the parties to such contests.[64] When the convention meets, the documents and papers used by the national committee in preparing the temporary roll are delivered to the committee on credentials. It hears the claims of the contesting delegations anew and reports to the convention, which accepts or rejects the recommendations.

The importance of the decision on contests arises from the fact that one delegation claiming to be duly authorized and elected to represent a state may be pledged to one candidate for the Presidential nomination; the other delegation, likewise claiming to be duly authorized and elected, may be pledged to another aspirant for the nomination. In some circumstances the convention in deciding which delegation to seat may be deciding which candidate will have enough support to gain the nomination. Hence the managers for each candidate take a keen interest in the contests and marshal their forces to bring about a decision to their advantage, occasionally without much regard to the facts or equities of the contest.

The Republican convention of 1912 furnishes the most significant example of the importance of the settlement of contests. The national committee, in the preparation of the temporary roll, seated delegations pledged to Taft rather than the contesting delegations supporting Theodore Roosevelt. The committee on credentials and the convention itself followed in general the decisions of the national committee. The temporarily seated delegations were entitled to vote on all contests save their own; the action of the national committee and of the convention in seating Taft rather than Roosevelt delegates gave the nomination to Taft. The Roosevelt forces challenged seventy-four seats at the convention. The fact that a substantial segment of the strength of the Taft "steam roller" came from southern states where the Republican Party had small membership created deep bitterness[65] and was influential in subsequent steps toward a more equitable apportionment of voting strength in the convention.

[64] The student may find stenographic transcripts of these proceedings before the Democratic national committee printed and bound with the proceedings of the Democratic national convention.

[65] A statement by the Roosevelt minority of the credentials committee referred to the situation in these words: "This convention was called to contain 1,078 delegates. Of this one-quarter were to come from States and Territories which have no part in Republican affairs, cast no Republican vote, and are practically destitute of Republican voters. Such delegates are always controlled by Federal officeholders or others interested in the management of Federal office. As they live by politics, they form an efficient political machine."—*Proceedings*, 1912, p. 240.

At any rate the success of the Taft machine in organizing the convention and in seating its delegates led to the split in the party, to the candidacy of Roosevelt under the Progressive Party banner, and to the election of Woodrow Wilson.

An incidental outcome of the convention of 1912 was the adoption in 1916 of a rule that the "names of the Delegates and Alternates presenting certificates of election from the canvassing board or officer created or designated by the Law of the State in which the election occurs, to canvass the returns and issue certificates of election to Delegates to National Conventions of political parties in a primary election, shall be placed upon the temporary roll of the Convention by the National Committee." The national committee thus cannot question the certificate of the state election officials in such cases as it did in one instance in 1912.

The Democratic conventions have not been without contests, but in no instance has the decision on contests been fraught with such serious consequences for the Democratic Party as for the Republican Party in the convention of 1912. In 1932, for example, two contests concerning the Louisiana and Minnesota delegations were decided by the convention. The supporters of Franklin Roosevelt for the nomination rallied to seat the delegations from these two states pledged to his candidacy.[66] In both instances the question was, as it generally is in such instances, which authority that named delegates to the convention from the state was the duly constituted organ to speak for the party within the state.

THE PLATFORM

The platform, a statement of the broad program that the party proposes to carry out if its candidates are elected, is presented to the convention by the committee on resolutions.[67] Although this com-

[66] See the debates on these contests in the *Proceedings*, 1932, pp. 52-79.

[67] It is said that the Democratic convention of 1840 adopted the first full-fledged platform. The resolutions of that convention "involved the three essential factors of a modern platform,—a statement of fundamental party principles, policies to be pursued under the pending circumstances, and pledges that these principles and policies would be carried out."—G. S. P. Kleeberg. *The Formation of the Republican Party as a National Political Organization* (New York, 1911), p. 163. The fundamental idea of the platform antedates even the convention system. The Republican congressional caucus of 1800 passed resolutions stating the principles of Jefferson. The early national conventions often adopted resolutions on questions of policy, although these resolutions were not so comprehensive nor were they in the same form as the present-day platform.—See H. J. Ford, *The Rise and Growth of American Politics* (New York: Macmillan, 1898), p. 205.

mittee holds hearings, at which representatives of various pressure groups present their demands for its consideration, the actual writing of the platform is done by a few party leaders who may or may not be members of the committee on resolutions. In the Republican convention of 1928 Senator Reed Smoot was chairman of the committee on resolutions. He "arrived in Kansas City several days before the opening of the convention bringing the platform completely written out with the exception of the planks on prohibition and farm relief." [68] Similarly in 1932, although James R. Garfield was chairman of the resolutions committee, "Secretary of the Treasury Ogden Mills brought the entire platform from Washington, with the exception of the plank on prohibition, which was written in Chicago by men who knew" Hoover's desires.[69] The Democratic platform of 1932 was prepared "chiefly, by A. Mitchell Palmer, former Attorney-General of the United States, after a series of conferences with Roosevelt supporters in Congress and in the various states." [70] The Democratic platform of 1936 was written out by Roosevelt and sent to the convention resolutions committee for approval, according to Raymond Moley.[71]

Although various leaders may come prepared with proposed drafts of the platform, the work of the committee on resolutions is rarely mere formality. It often engages in bitter debate and discussion in the effort to arrive at a wording on which its members may agree.[72]

[68] Peel and Donnelly, *The 1928 Campaign*, *op. cit.*, p. 24.
[69] Peel and Donnelly, *The 1932 Campaign*, *op. cit.*, p. 86.
[70] *Ibid.*, p. 100.
[71] Moley says that the only change made in the Roosevelt draft by the resolutions committee involved a sentence that in the original draft read: "We have begun and we shall continue the successful drive to rid our land of kidnapers, bandits and malefactors of great wealth." The committee rebelled against classifying the malefactors of great wealth with bandits and kidnapers and the revision was phrased: "We have begun and shall continue the successful drive to rid our land of kidnapers and bandits. We shall continue to use the power of government to end the activities of the malefactors of great wealth who defraud and exploit the people."—Raymond Moley, *After Seven Years*, p. 346-347. Quoted by permission of Harper and Brothers.
[72] In preparation for the work of the Republican convention of 1940 an unusual procedure was followed in the creation of a program committee to lay the groundwork for the platform. The program committee was established by the Republican national committee in November, 1937, and Glenn Frank was designated chairman. It consisted of some two hundred Republican leaders, who were divided into regional groups. The program committee was aided by a small research staff working at the national headquarters of the party. Its report, released in February, 1940, was not designed to serve as a platform but to set out facts and, Chairman Frank said, "to discuss, to clarify, and to present the fundamental principles of approach to the various fields of policy." The report was published as

The work of the resolutions committee and the parallel discussion among the delegates usually is centered on the one or two questions that are currently foremost in public discussion. On all matters save a few controversial issues there is likely to be substantial agreement in the platform committee. The convention leaders exert themselves to bring about harmony within the committee on these controversial matters so as to avoid an open fight on the floor of the convention. When these efforts to reconcile differences within the committee fail, the minority submits a separate recommendation to the convention on the bitterly contested items in the platform. In the 1928 Republican convention, for example, a minority plank on agriculture, proposed by Earl C. Smith, a delegate from Illinois and president of the Illinois Agriculture Society, was supported by fifteen states in the committee on resolutions. The minority foresaw a defection of midwestern farmers from the Republican Party: "We come to you within these four walls pleading with the delegates not to drive the farmers of the Republican States out of their party." [73] "The farmer furnishes the banquet, but like Lazarus sits at the feet of industry and finance and commerce and picks up the crumbs." [74] Industry and finance were in the saddle. The minority plank was rejected, but it was not until 1932 that the midwestern farmers rebelled against commercial and industrial domination of Republican policies. In the same convention Nicholas Murray Butler offered as a substitute for the plank on prohibition a plank asking "the earliest possible repeal of the 18th Amendment to the Federal Constitution." His proposal was voted down by the convention without serious debate.

Other examples of debate on minority platform proposals are furnished by the Democratic convention of 1932. The majority of the resolutions committee reported a plank advocating "the repeal of the Eighteenth Amendment." The minority plank, proposed by Cordell Hull, merely advocated submission of the question of repeal to the states. The minority proposal set off a debate lasting until midnight. Hull and other minority speakers met boos and catcalls from the galleries; Al Smith, Albert Ritchie, and other speakers were

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A Program for A Dynamic America. In addition to this pamphlet the committee and its staff also produced unpublished materials to assist the resolutions committee in its work. See Ronald Bridges, "The Republican Program Committee," *Public Opinion Quarterly*, 3 (1939), pp. 299-306. For additional discussion of platform formulation, see E. P. Herring, *The Politics of Democracy* (New York: Norton, 1940), chap. 16.

[73] *Proceedings*, 1928, p. 150.

[74] *Ibid.*, p. 154.

greeted with resounding cheers. The minority proposal was defeated. Governor William H. ("Alfalfa Bill") Murray, of Oklahoma, submitted a minority report, a miscellany of ideas. He wanted immediate payment of the veterans' bonus "as a matter of common justice." He was against "government by injunction" and wanted in future wars to conscript "men and property." He demanded a mortgage moratorium and favored the repeal of the tax on state banks "passed by a Congress, a willing tool to Wall Street." William G. McAdoo submitted a plank urging advocacy of insurance of deposits in member banks of the Federal Reserve System, a proposal that had been defeated in the committee by 27 to 22. All the minority reports were defeated, except one offered by Caroline O'Day of New York favoring "continuous responsibility of government for human welfare, especially for the protection of children." [75]

The work of both Republican and Democratic resolutions committees in 1940 illustrates the tendency for a single great issue to dominate in platform deliberations. In both committees the center of attention was the foreign-affairs plank. The members of the Republican resolutions committee met in Philadelphia in advance of the convention to begin work on the platform. The reporters on June 17 saw, under the leadership of Alfred M. Landon, a "strong current toward a declaration of sympathy for the forces still battling Nazi domination of Europe." The next day Landon was selected as chairman of a subcommittee to draft a plank on defense and foreign affairs. On June 20 the announcement that Republicans Knox and Stimson would join Roosevelt's cabinet brought the hope from the isolationists that a "more definite declaration against American intervention" might go into the platform. On June 21, according to the reporters, the drive to commit the party to "some declaration of aid to the Allies recovered quickly." "Cooler" heads had warned "against giving undue offense to many in the party who wanted to aid the Allies and wanted to express this desire publicly." On June 22 the Landon subcommittee had not yet reached agreement. It was rumored that the foreign-policy statement might be left to the candidate to be selected by the convention. On June 23 the subcommittee was said to have reached unanimous agreement "in principle." On June 24, it was said, the resolutions committee had practically agreed on the foreign-policy plank which would declare for nonintervention, pledge adequate national defense, and

[75] The student is referred to the convention discussion of the platform in *Proceedings*, 1932, pp. 150-206.

promise aid to oppressed peoples without violation of international law or danger to the United States. On June 25 the foes of intervention forced a reformulation of the foreign-affairs plank. The noninterventionists, according to the newspaper stories of the day, had succeeded in persuading the full committee to support a sharper anti-intervention plank, and the advocates of aid to the Allies salvaged only an expression of sympathy for oppressed peoples. Finally on June 26 the completed plank was agreed upon by the full committee and accepted by the convention.[76] In the Democratic convention the interest of the platform committee was similarly concentrated on the foreign-policy plank. At other conventions the general tendency to concentrate interest on a single great issue is apparent.

The resolutions committee holds hearings at which spokesmen for groups concerned about specific platform planks urge the viewpoints of their organizations. Before the Democratic resolutions committee in 1940 appeared Philip Murray, vice-president of the C.I.O., and William Green, president of the American Federation of Labor. Walter White, secretary of the National Association for the Advancement of Colored People, demanded a plank promising the repeal of legislation discriminating against the Negro. Joseph Cadden, executive secretary of the American Youth Congress, asked for a $500,000,000 program of youth assistance. Clark Eichelberger, secretary of the Committee to Defend America by Aiding the Allies, recommended aid to the British. Dr. Francis E. Townsend sought specific endorsement of the Townsend plan for old-age pensions. Louis J. Tabor, of the National Grange, urged schemes to send "American farm surpluses to the starving populations of Europe." Neville Miller, head of the National Association of Broadcasters, asked for greater privileges for broadcasters. A. G. Davis, of the Investment Bankers Association, suggested revision of securities legislation. Representatives of the National Woman's Party and the National Women's Trade Union League took conflicting positions on a proposed equal rights amendment to the Constitution. A similar parade of pressure-group representatives passed in review before the Republican resolutions committee.

[76] The final plank firmly opposed "involving this Nation in foreign war." "Our sympathies," it read, "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."

The platform, as finally adopted by the convention, speaks with boldness and forthrightness on issues that are already well settled; it is likely to be ambiguous, vague, and general on contentious issues. Indeed, new and growing issues may not be mentioned at all until a nonparty organization or pressure group has conducted so thorough an agitation that the parties cannot ignore the question. The characteristic lack of courageous and bold statement in the platforms calls forth criticism from those of both conservative and liberal tendencies alike. But the criticisms of party platforms on grounds of ambiguity on controversial issues overlooks the very real political function of the platform. The vague pronouncements of the platform serve as a formula on which the divergent interests and groups within the party may unite for the duration of the campaign; the real settlement of the issue is left until later. To win the campaign it is necessary to unite; to speak forth boldly when majority sentiment is undecided is to invite division. The essential similarity of platforms likewise comes in for criticism; the voter has no choice, it is said. But similarity of platforms may be interpreted as an indication of a healthy body politic, or perhaps, more accurately, as an indication that the governing "classes" of our capitalistic democracy are in firm possession of power. In a sense, the continuation of democracy as we know it depends on the absence of extremely abrupt shifts in government policy with each change in party control. With the knowledge that there would be such a swing, it is questionable whether we would have the tolerance, self-restraint, and "democratic discipline" necessary to permit fundamental nonviolent changes.

If the party wins, the platform may be treated in a cavalier fashion. By the naive the platform is considered to be a solemn covenant between party and electorate that the specified policies will be adopted. By the practicing politician, the immediate circumstances when in power are governing; the platform is cited in debate only to taunt the opposition or to defend a course which would have been followed anyway.

It is customary to attribute disregard of platform pledges to the innate perfidy and wickedness of the politician, but, as is usual, the easy explanation does not explain much. A simple fact is that conditions change between the time the platform is drafted and the time the party takes power. Between June, 1932, when the Democratic platform was adopted, and March, 1933, when Franklin Roosevelt was inaugurated, the banking system of the nation completely collapsed. An extreme example, to be sure, but it is indicative of

the significance of the general proposition. Other factors—if not more recondite, perhaps more involved—have greater significance than do changed circumstances in the nullification of platforms. The party platform has a multiple appeal; Senators and Representatives are, in effect, elected, not because they subscribe or do not subscribe to the platform but rather because of their adherence to a particular party policy or plank, because they have constructed a strong local organization, or for other reasons. The platform then may be the lowest common denominator on which all segments of the party may unite, but in Congress the bloc strongly attached to a particular plank may be definitely in the minority.

Beyond these matters is the practical difficulty of an extralegal, and extraconstitutional body—the national convention—binding its members of Congress and the President—who is nominated after the platform is adopted—to a specific course of action. Carried to its logical conclusion, this process would result in a Congress of automata, at least on those matters on which the platform had spoken. The President and the party in Congress can hardly be reduced to this subordinate role; they become the Government and, for the welfare of the nation as well as for the welfare of their party, must act as the Government and not as the rubber stamp of a party organ. In England, where a much sharper distinction is drawn between the party in Parliament and the party organization outside the Government, the parliamentary party has refused to be bound and has demanded that it not be embarrassed by specific and binding instructions—or platforms—adopted by the national organs of the party outside the Government.[77] Probably something of the same fundamental tendency—that is, a cleavage between the extragovernmental party organization and the party as government—has operated in this country, although if it has there has been no systematic rationalization of that factor.[78]

The generalities of the platform are amplified by the Presidential candidate in his speeches during the campaign. Occasionally the candidate proceeds to amend the platform before the convention has adjourned. In 1904 the Democratic convention, still suffering from

[77] On this point, see F. A. Ogg, *English Government and Politics* (New York: Macmillan, 1929), chap. 24.

[78] Ford observes, however: "The Whigs, a party of political odds and ends, did not formally present a platform either in 1840 or in 1848. The prepossessions in favor of parliamentary control which clung to the Whig party made the laying down of platforms in connection with presidential nominations a disagreeable duty."—*op. cit.*, p. 205.

the blight of its espousal of the free coinage of silver in 1896, nominated Parker, a conservative Easterner for the Presidency, and said nothing about coinage in the platform. Parker telegraphed: [79]

I regard the gold standard as firmly and irrevocably established, and shall act accordingly if the action of the convention to-day shall be ratified by the people. As the platform is silent on the subject, my view should be made known to the convention, and if it is proved to be unsatisfactory to the majority, I request you to decline the nomination for me at once, so that another may be nominated before adjournment.

In 1928 the Democratic convention pledged "its nominees to an honest effort to enforce the Eighteenth amendment." As the convention was about to adjourn, the following telegram from Al Smith, the nominee, was read: [80]

It is well known that I believe there should be fundamental changes in the present provisions for national prohibition, based, as I stated in my Jackson Day letter, on the fearless application of the principles of Jeffersonian democracy. While I fully appreciate that these changes can only be made by the people themselves, through their elected representatives, I feel it to be the duty of the chosen leader of the people to point the way which, in his opinion, leads us to a sane, sensible solution of a condition which, I am convinced, is entirely unsatisfactory to the great mass of our people.

The prohibition plank was, in effect, erased from the platform.

Governor Landon, in 1936, telegraphed the convention before he was nominated expressing his views on several planks of the platform. The platform favored state laws on child labor and on hours, wages, and working conditions of women; Landon favored, if it was found necessary, a constitutional amendment to permit Federal action. The platform promised "a sound currency to be preserved at all hazards." Landon interpreted that to mean "a currency expressed in terms of gold and convertible into gold," with certain hedging sentences. The convention pledged the party to "the merit system"; Landon concretized the generality by promising to include

[79] Quoted by Stanwood, *A History of the Presidency from 1897 to 1916*, op. cit., p. 125. The convention telegraphed Parker that since the platform was silent on the subject, "there is nothing in the views expressed by you in the telegram just received which would preclude a man entertaining them from accepting a nomination on said platform."

[80] Apparently the convention leaders withheld the telegram until the moment of adjournment so as to avert controversy.

within the merit system "every position . . . below the rank of assistant secretaries of major departments." [81]

THE NOMINATION

After the platform has been disposed of, the convention reaches the main job before it: the making of Presidential and Vice-Presidential nominations. Meanwhile, the leaders for each Presidential contender, since the latter, our political etiquette has traditionally dictated, should remain away from the convention,[82] have been engaged in interminable conferences, maintaining the morale and loyalty of the faithful delegations, trying to induce the wavering enemy to join their ranks, and angling for promises of support from delegations pledged to other candidates if their man develops no following early in the balloting.[83] Each campaign manager has his espionage agents to ascertain the strength of the opposition, to gain advance knowledge of their strategy, to avoid being taken by surprise.[84]

[81] For the text of Governor Landon's telegram, see *Proceedings*, 1936, pp. 149-151.

[82] This custom was broken wholesale at the 1940 Republican convention. "It has been a sort of unwritten rule for years past for such aspirants to keep away from the actual ringside. Concealing their fierce itching under a pretense of lofty indifference, and even when that rule has been broken, as at Chicago, in 1920, it has not been broken by all hands. But this time each and every one of the boys will be on the scene, including even the Hon. Herbert Hoover, whose best showing in the straw polls is two votes, and the Hon. Alf M. Landon, who is himself predicting that he will not get as many as one vote on any ballot short of the thirteenth."—H. L. Mencken in the Baltimore *Sun*, June 23, 1940.

[83] Colonel House wrote to Woodrow Wilson before the Democratic convention in 1912:

"I am afraid that if thorough organization is not had, we will find fifty of our friends working upon one delegation and perhaps no one attending to another delegation of equal importance.

"I have suggested that the forty men from Texas be divided into four units of ten, and each given one of the doubtful Southern States. The same methods should be pursued with New Jersey, Pennsylvania, Wisconsin, and other loyal delegations. In this way the work becomes effective and good results follow.

"I have urged them to make friends with the delegations to which they are assigned, to influence and entertain them in one way and another until the convention is ended. . . ."—Charles Seymour (ed.), *The Intimate Papers of Colonel House* (Boston: Houghton Mifflin, 1926), Vol. I, p. 66.

[84] Daugherty, manager of Harding's 1920 campaign, says: "When the Convention assembled we had made personal contact with nearly every delegate. Our organization was working to perfection. Reports from our agents in each of the forty-eight state delegations gave us an accurate summary of the strength of each candidate. When the first ballot was cast Friday morning the actual record did not vary five per cent from our advices."—H. M. Daugherty and Thomas Dixon, *op. cit.*, p. 41.

The roll of states is called in alphabetical order for nominations. Generally a state at the top of the list will yield to a state farther down the line that has a serious contender. For example, Alabama may yield to New York to permit it to place its candidate in nomination. The nominating speeches represent convention oratory at its most extravagant; it must be heard to be appreciated. In 1928 Franklin Roosevelt's speech nominating Alfred Smith concluded with the following climax:

> America needs not only an administrator but a leader—a pathfinder, a blazer of the trail to the high road that will avoid the bottomless morass of gross materialism that has engulfed so many of the great civilizations of the past. It is the privilege of Democracy not only to offer such a man but to offer him as their surest leader to victory. To stand upon the ramparts and die for our principles is heroic. To sally forth to battle and win for our principles is something more than heroic. We offer one who has the will to win—who not only deserves success but commands it. Victory is his habit—the happy warrior, Alfred E. Smith.

In 1928 John McNab nominated Hoover at the Republican convention:

> I nominate him for his lofty character as a man and citizen; for his broad and kindly human sympathies; for his wholesome heart that rejoices above all things else that he has been useful to the people of his native land.
>
> And now, engineer, practical scientist, minister of mercy to the hungry and the poor, administrator, executive, statesman, beneficent American, kindly neighbor, wholesome human being, I give you the name of Herbert Hoover.

The custom is, as in the quotations, to describe some mythical character, to extoll his virtues, to demonstrate that he can be victorious, and, at last, to reveal, what everybody knew all through the discourse, his name. The name of the candidate is the signal for bedlam to break loose. The supporters of the candidate start processions through the aisles; the bands play the campaign song; the delegates and spectators yell themselves hoarse; and organized disorder prevails.

These demonstrations are by no means wholly spontaneous; they are merely synthesized in varying degrees. On the day Hoover was scheduled to be nominated in 1932 the delegates to the Republican convention found whistles, horns, other noise-making devices, and bags of confetti in their chairs. When the time came they were

equipped for action. The length and exuberance of the demonstration may, of course, vary with the genuineness of the joy of the convention. In 1936 after the demonstration for Franklin Roosevelt, the chairman of the convention announced that the seventy-minute demonstration had not only broken the record "of this convention but of all other conventions. It has also," the chairman continued, "broken the instrument on the left of the Chairman designed for registration of applause."

The length of the demonstration and the intensity of the applause give a rough index of the strength and popularity of the various candidates, but no votes are changed by the noise. The pageantry and the demonstrations give the delegates something to do while their leaders bargain behind the scenes and determine the course of the convention.[85]

After the nominating speeches have been made, the roll is called again by states for speeches seconding the nominations already made. These speeches are shorter, but on the same order as the nominating speeches. Finally, with the completion of the seconding speeches, the convention is ready to vote, and the roll of states is called. The chairman of each state delegation announces the vote of the state; the announcement may be the occasion for huzzas or for boos. The custom now is simply to announce the vote, but in earlier and more flowery days a short speech was delivered with the vote. Thus in 1868 when the name of Montana was called: "The mountains of Montana, from whence flows the waters of the Columbia and the Mississippi, are vocal with the name of Grant, to whom she gives two votes."

If no majority results from the first ballot, other ballots are taken until a decision is reached. The change of a pivotal state on subsequent ballots may mark the turn of the tide. In 1932 when McAdoo

[85] Nicholas Murray Butler, a prominent delegate to many Republican conventions, says: "It is at these gatherings that political enthusiasm as well as political bitterness reach the boiling point. Only a small portion of what really takes place appears in the newspapers or on the printed page of the published official reports of the proceedings of these conventions. The work of the convention is really directed, and the results arrived at are really planned and achieved, by a substantially unbroken series, or several series, of private conferences which go on, now here, now there. It is at such times that men whose names are little heard by the public, but who hold important posts in the party organization in various states, come into their own. Time and again such men influence and have influenced the outcome of a convention far more than any holder of high public office. With no inconsiderable public reputation to support them, these high public officers are used as figureheads by the really controlling participants in the drama which is being enacted."—op. cit., Vol. I, p. 208.

cast California's vote for Roosevelt on the fourth ballot the nomination was in fact made and other states rushed to the bandwagon.[86] The nomination is often made on the first ballot; the convention tends in these instances merely to record the accomplished victory of the leading aspirant—the one who has gathered to his support enough state organizations to command a majority of the convention. The Republicans have had fewer internecine struggles than the Democrats. Since the Civil War about two-thirds of the Republican Presidential candidates (twelve out of nineteen) have been nominated on the first ballot. Only half of the Democratic candidates during the same period were nominated on the first ballot. The Democrats hold the record with the 103 ballots required to break the deadlock between Smith and McAdoo in 1924. Since the Civil War the highest number of ballots required to nominate in a Republican convention has been 36, in 1880 when Garfield was nominated as a compromise candidate after a deadlock between the supporters of Grant, Blaine, and Sherman.[87]

The better discipline in the Republican organization has various bases. The party has been in power during most of the period and hence has had the cohesion that accrues from the control of patronage. But probably more important has been the fact that the more divergent interests of the component parts of the Democratic Party have furnished a basis for conflict. A factor of some significance also has been the necessity, until 1936, of reaching a two-thirds majority to gain the nomination in Democratic conventions.

When more than one ballot is required to nominate, the decisions by state leaders to throw their support to one candidate or another become important. When no candidate has a majority on the first ballot, the way is left open for "negotiated" nominations or nominations determined by conferences between state leaders at the convention. Or, as an alternative, a lesser contender or even a "dark

[86] Hearst and California had supported Garner. Hearst's "reasons for causing Mr. Garner's support to be shifted to Mr. Roosevelt was several. His long enmity toward Al Smith in New York politics, his unwillingness to see Tammany Hall get the credit for the nomination, and his fear of the selection of Newton D. Baker, whose international policies he bitterly disapproved, all played a part in his decision. Roosevelt leaders virtually threatened him with Mr. Baker, so the latter consideration was probably the most decisive of those entering into the making of his decision."—Peel and Donnelly, *The 1932 Campaign*, op. cit., p. 102.

[87] The figures for the Democratic conventions requiring more than one ballot are: 1868, 22; 1876, 2; 1880, 2; 1884, 2; 1896, 5; 1912, 12; 1920, 44; 1924, 103; 1932, 4. For the Republicans: 1876, 7; 1880, 36; 1884, 4; 1888, 8; 1916, 3; 1920, 10; 1940, 6.

horse" may make such a strong appeal to the delegates and to the public that the leaders of the various delegations are practically compelled to support him.

The 1940 Republican convention is a recent example of a convention that did the unexpected. Dewey came to the convention with the largest bloc of pledged votes, with Taft next. In the few weeks preceding the convention an effective publicity campaign had been carried on in behalf of Willkie, but the number of delegates pledged to him was small. In the face of the probable renomination of Roosevelt by the Democrats, a world crisis, and a split in his own New York delegation, Dewey began to look like a poor bet for the Republican nomination. Even before the convention formally convened, the break to Willkie began when Connecticut announced that its fourteen votes would go to him, and when scattering support from other delegations was pledged to him. During the first days of the convention editorial and popular sentiment turned to Willkie. Kenneth F. Simpson, New York County Republican county chairman, announced that in the twelve days preceding the convention he had received 100,000 telegrams, letters, and postal cards urging the nomination of Willkie. This was probably an exaggeration, but all the delegates were subjected to like pressures.

Came the balloting. Dewey, according to prediction, led on the first ballot, but all conceded that he had lost before the balloting began. Then came frantic efforts to unite on Taft in order to stop Willkie, but the galleries cried, "We Want Willkie"; and the leaders and managers of state delegations had greater difficulty in keeping their followers in rein. Bitter denunciations of Willkie came from many quarters, and even McNary, later to be the Vice-Presidential nominee, joined in questioning the advisability of nominating Willkie. On the second, third, fourth, and fifth ballots the Taft strength increased but not so rapidly as that of Willkie, who took the lead on the fourth ballot and was nominated on the sixth. Table 16 summarizes the vote at this convention.

Willkie's nomination has been described by political commentators as an astonishing triumph of the will of the people over that of the professional politician. Perhaps it was in part, but Willkie was not without the support of professionals early in the convention; and, as matters proceeded, others joined his ranks. Yet perhaps the majority of the professionals in the convention would have preferred either Dewey or Taft. The Willkie nomination could be called almost a dark-horse nomination. He was, before the convention, a

more serious contender than, say, Harding in 1920, but he was by no means the sort of person ordinarily nominated for the Presidency.[88]

TABLE 16

SUMMARY OF BALLOTS ON PRESIDENTIAL NOMINEE AT 1940 REPUBLICAN CONVENTION

CANDIDATE	FIRST	SECOND	THIRD	FOURTH	FIFTH	SIXTH
Dewey	360	338	315	250	57	8
Taft	129	203	212	254	377	312
Willkie	105	171	259	306	429	659
Vandenberg	76	73	72	61	42	...
James	74	66	59	56	59	1
Martin	44	26	...	...	...	1
MacNider	34	34	28	26	4	3
Gannett	33	30	11	4	1	1
Bridges	28	9	1	1	...	...
Capper	18	18	...	...	...	...
Hoover	17	21	32	31	20	9
McNary	13	10	10	8	9	...
Bushfield	9	...	...	...	...	...
La Guardia	...	1	...	...	...	...

SOURCE: *The New York Times*, June 29, 1940.

The two-thirds rule and the unit rule are features of the nominating procedure peculiar to Democratic conventions. Until 1936 the Democratic conventions followed the rule that a two-thirds majority of the convention was required to nominate. In the first Democratic convention, that of 1831, the nomination of Jackson for the Presidency was a foregone conclusion, but the two-thirds rule was adopted to govern decision on the Vice-Presidential nomination. In the convention of 1835 the committee on rules recommended that "a majority of two-thirds shall be required to elect the candidates for

[88] Without suggesting a parallel between Lincoln and Willkie, the following comment from *The New York Times*, May 19, 1860, in its story on the nomination of Lincoln is of interest: "Great inquiry has been made this afternoon into the history of Mr. Lincoln. The only evidence that he has a history as yet discovered, is that he had a stump canvass with Mr. Douglas, in which he was beaten. He is not very strong at the West, but is unassailable in his private character."

President and Vice President." "The two-thirds rule was vigorously attacked as unrepublican. Mr. Saunders, of North Carolina, who reported it, defended it. He explained that it was designed to create 'a more imposing effect.' Continuing, he said that 'it was to be presumed that no one had the most remote desire to frustrate the proceedings of the convention; and provided a majority should, on the first or second ballot, fix upon an individual, it was reasonably to be expected that the minority would be disposed to yield and unite with the majority, so as to produce the effect contemplated.' " [89]

The continuance of the two-thirds rule has been the subject of debate in Democratic conventions from time to time; until 1936 it was difficult for conventions to consider the rule on its merits, since the question of its readoption was usually tied up with the fate of particular aspirants for the nomination. Furthermore, the two-thirds rule was supplementary to the unit rule by which the entire vote of a state delegation is cast for the candidate supported by a majority of the delegation. It was argued that the vote of a few large states, actually almost evenly divided but cast as a unit, could give the nomination to a person actually supported by only a minority of the convention. The two-thirds rule made such a result less probable.[90] Moreover, the Solid South, where the greatest consistent Democratic strength has been concentrated, has viewed the two-thirds rule as operating to its advantage by giving it a veto on candidates unfavorable to the desires of that area.

In 1932 an attack, destined eventually to be successful, was begun against the two-thirds rule by the forces seeking the nomination of Franklin D. Roosevelt. The Roosevelt managers were, prior to the convention, sure of a majority for their candidate, but, lacking enough committed delegates to assure a two-thirds majority, they undertook to change the rules of the game. The committee on rules, by a vote of 30 to 20, decided to propose a resolution to the effect that the two-thirds rule be followed for six ballots. If no nomination were made within that time, the convention would vote on whether to make its decision by a simple majority. It presently became apparent that, if presented, the proposal would be defeated; and the defeat would, of course, have constituted a serious blow to the Roosevelt candidacy. The Roosevelt managers hastily reconvened the rules committee which rescinded its action and adopted a report

[89] Stanwood, *A History of the Presidency from 1788 to 1897*, *op. cit.*, p. 182.
[90] Carl Becker, "The Unit Rule in National Nominating Conventions," *American Historical Review*, 5 (1899), p. 62.

recommending that the 1936 convention "consider" the abolition of the two-thirds rule. In 1936 the report of the committee on rules, presented to the convention by Bennett Champ Clark, whose father had lost the nomination in 1912 because of the operation of the two-thirds rule, recommended the specific abrogation of the two-thirds rule. With Roosevelt the certain nominee, the consideration and adoption of the change was unmixed with the interests of any potential nominee.[91]

The Democratic unit rule requires that the entire vote of a state delegation shall be cast as the majority of the delegation desires, if the delegation has been so instructed. In other words, if the Alabama state convention instructs its delegates to the national convention to abide by the unit rule, the convention will recognize the instruction as binding upon it. The unit rule, then, is not imposed on the state delegations by the national convention; the convention merely enforces the instruction of the duly constituted agencies of the party within the states. The Republican national convention, on the other hand, does not recognize as valid a state instruction to its delegation to operate under the unit rule.

The importance of the unit rule in Democratic conventions has considerably diminished during this century with the increase in the number of states failing to instruct their delegations to act as a unit. As an indication of the practical degree of departure from the unit rule, it may be noted that on the first ballot for the Presidential nomination at Chicago in 1932, the votes of the delegations from Illinois, Indiana, New York, North Dakota, Pennsylvania, Wisconsin, and Alaska were divided among two or more candidates.[92]

The selection of the Presidential nominee marks the beginning of another demonstration. These demonstrations have probably become a bit less riotous as time has passed, at least certain picturesque features, such as the firing of cannon, have been eliminated. *The New York Times* described the nomination of Lincoln: [93]

> Intelligence of the nomination was now conveyed to the men on roof of the building, who immediately made the outside multitude aware

[91] *Proceedings*, 1936, p. 191. To mollify the Southern delegates who feared loss of strength by the change, however, the convention also instructed the National Committee to formulate and to recommend to the next convention a plan "for improving the system by which delegates and alternates to Democratic National Conventions are apportioned," such scheme to "take into account the Democratic strength within each State. . . ."

[92] *Proceedings*, 1932, pp. 288-289.

[93] May 19, 1860.

of the result. The first roar of the cannons soon mingled itself with the cheers of the people, and at the same moment a man appeared in the hall bringing a large painting of Mr. Lincoln. The scene at this time beggars description—11,000 inside and 20,000 or 30,000 outside were yelling and shouting at once. Two cannon sent forth roar after roar in quick succession. Delegates tore up the sticks and boards bearing the names of the several states and waved them aloft over their heads, and the vast multitude before the platform were waving their hats and handkerchiefs. The whole scene was one of the wildest enthusiasm.

The custom has been to appoint a committee to notify both the Presidential and Vice-Presidential nominees that they have been nominated. The speech of notification and the speech of acceptance have usually been important campaign documents. However, the acceptance-speech custom may be dying out. In 1932 Roosevelt flew to Chicago to accept the nomination and address the convention,[94] and in 1936 Roosevelt accepted at notification ceremonies held on the evening of the last day of the convention at Franklin Field in Philadelphia. In 1940 he delivered his acceptance address to the Chicago convention by radio before it adjourned. Wendell Willkie, however, in 1940 made his acceptance speech a major campaign affair; and, it was estimated, 200,000 persons gathered at Elwood, Indiana, his childhood home, to attend the acceptance ceremonies.

Energies and enthusiasm are exhausted by the strain of the nomination of the Presidential candidate; the convention, in a state of emotional deflation, then proceeds hurriedly and without much relish to finish its business by the nomination of a candidate for the Vice-Presidency. The factors governing the selection of the running mate for the head of the ticket are numerous, but a few patterns recur. A frequent persuasive consideration is the necessity of "balancing the ticket." In this matter a party faction or a geographical section of the nation other than the one represented by the Presidential candidate is recognized.[95] Thus, in 1912 the Democrats nomi-

[94] In the speech Roosevelt said: "The appearance before a National Convention of its nominee for President, to be formally notified of his selection, is unprecedented and unusual, but these are unprecedented and unusual times. I have started out on the tasks that lie ahead by breaking the absurd traditions that the candidate should remain in professed ignorance of what has happened for weeks until he is formally notified of that event many weeks later."

[95] "In the thirty-three elections since the adoption of the Twelfth Amendment, it is difficult to find even one Vice-Presidential nomination that was not made primarily from the standpoint of its utility in carrying a doubtful state or region, or in satisfying a disgruntled faction of the party. The choice of Mr. Coolidge in 1920 is as near an exception as any; the Republicans were sure of success

nated Wilson of New Jersey and Marshall of Indiana; the Republicans, Taft of Ohio and Sherman of New York. In 1880, after the nomination of Garfield, "some of the prominent leaders of the Grant movement were sullen and discontented." The Vice-Presidential nomination was conceded to the Grant faction, and Senator Conklin, the chief leader of that faction, named Chester A. Arthur of New York.[96]

In 1928 the Democratic convention selected Senator Robinson of Arkansas as the running mate of Alfred E. Smith. "Robinson was a Southerner, a Protestant, and a Dry, and his selection was dictated by the northern Democracy's desire to divide honors with the South and hold it in line for Al Smith. Thus, as one writer remarked, 'The Democratic donkey with a wet head and wagging a dry tail left Houston.'" [97] In the same year the Republicans named Curtis of Kansas, a "farm senator with an unrivalled record of party regularity. Being a favorite with the farmers of Kansas and the corn belt, it was believed his nomination would cause the farmers to 'swallow' Hoover, while his record of party consistency was counted upon to placate the party regulars who looked with disfavor upon the Commerce Secretary's shifty party connections." [98]

The nomination for the Vice-Presidency occasionally is connected with the nomination for the Presidency. In the 1932 Democratic convention the California delegation, pledged to Garner, swung the Presidential nomination to Roosevelt. The convention next day unanimously placed Garner on the ticket with Roosevelt. The Vice-

beforehand and permitted the delegates to have their own way in taking Mr. Coolidge rather than the one who had been slated by the leaders."—L. C. Hatch and Earl L. Shoup, *A History of the Vice-Presidency of the United States* (New York: American Historical Society, 1934), p. 415.

[96] Stanwood, *A History of the Presidency from 1788 to 1897*, op. cit., p. 408.

[97] Peel and Donnelly, *The 1928 Campaign*, op. cit., p. 34.

[98] *Ibid*, pp. 29-30. It is extremely doubtful whether the doctrine that the "balancing of the ticket" swings support to the party has real validity. Consider the nomination of McNary by the Republicans in 1940. In May preceding the convention the American Institute of Public Opinion found that the greatest G.O.P. gains since 1936 were in the midwestern and Great Lakes states. In May Dr. Gallup reported that 16 per cent of the Oregon voters had moved over to the Republican ranks since 1936; in the election, 15 per cent transferred their allegiance. In May Dr. Gallup estimated that 10 per cent of the Iowa voters had since 1936 returned to their traditional Republicanism; in November, 8 per cent did so. McNary's presence on the ticket did not swing enough Oregon support to put that state in the Willkie column, nor did Iowans consider the nomination of Wallace enough of a compliment to dissuade them from their Republican leanings of the spring. Apparently the Vice-Presidential nominees had little or no influence on the vote in their own states.

Presidential nomination then becomes something of a consolation prize to the unsuccessful Presidential aspirant, who allies his forces with the winner. In 1900 the primary factor in the nomination of Theodore Roosevelt for the Vice-Presidency by the Republicans seems to have been a desire of the controlling elements of the Republican Party in New York to be rid of him as governor, or "to kick him upstairs" as the political saying goes." [99] In 1940 Willkie asked that McNary of Oregon be nominated as his running mate. "McNary," said *Life*, "is a specific antidote for all political handicaps the No. 1 member of the ticket carries into the campaign, particularly west of the Mississippi." McNary had been one of the original advocates of farm relief; he was a Westerner; he was a supporter of public development of hydroelectric power.[100] In the Republican convention there was only a slight disposition to revolt against Willkie's selection of his running mate. The Democratic convention, however, very reluctantly and with loud manifestations of displeasure ratified Roosevelt's designation of Wallace as the Vice-Presidential nominee. After Garner had unsuccessfully sought the Presidential nomination, it was probably more or less inevitable that he would be denied a renomination as Vice-Presidential candidate.

THE ROLE AND FUNCTION OF THE CONVENTION

How is the national convention to be evaluated? A favorite critique of the national convention is that by Ostrogorski who called the convention a "colossal travesty of popular institutions"; the platform "a collection of hollow, vague phrases." He quotes the saying: "God takes care of drunkards, of little children, and of the United States!" [101] In a similar fashion, David F. Houston, Wilson's Secretary of Agriculture, commented on his visits to the national conventions: [102]

[99] Roosevelt said: "I have found out one reason why Senator Platt wants me nominated for the vice-presidency. The big moneyed men with whom he is in close touch and whose campaign contributions have certainly been no inconsiderable factor in his strength, have been pressing him very strongly to get me put in the vice-presidency, so as to get me out of the state."—Quoted by H. F. Gosnell, *Boss Platt and His New York Machine* (Chicago: University of Chicago Press, 1924), pp. 117-118.

[100] "McNary of Fir Cone," *Life*, August 12, 1940.

[101] See his complete statement in *Democracy and the Party System in the United States* (New York: Macmillan, 1910), pp. 159-160.

[102] From *Eight Years with Wilson's Cabinet* (Copyright, 1926, by Doubleday, Doran and Company, Inc.), Vol. I, pp. 191-192.

I came away from these conventions with a feeling of depression. They are not edifying spectacles, and they are an offense to the ear and to reason. They seem to indicate that the nation is still in the boyhood stage of its development. They are distinctly inartistic, not to say common and vulgar. The speeches delivered before the audiences are full of the same sort of "bunk" which characterizes and mars most of our political meetings. The conventions are, in fact, the fountain sources of "bunk." The demonstrations as a rule are forced, childish, and trivial, and the extravagant utterances do not arouse the partisan and they do repel the independent.

The sensitive soul may be troubled at the sight of the lack of dignity, the noise, and the confusion of the national convention; but the ultimate tests of the convention are whether it works and how well it works. Obviously it works. Without it the presidential system could not be operated; it is difficult to conceive of a practical substitute. Criticisms of the convention system are sometimes based on the contention that the convention is not an accurate reflector of the wishes of the people with respect to the nominee. Lurid pictures of conferences in "smoke-filled" rooms and of secret caucuses and bargaining characterize this type of criticism. Sessions of this kind do go on behind the scenes, but it is probably erroneous to attribute them to a desire to thwart the will of the rank and file of the voters. It is a difficult matter to foist off on the voters a candidate whom they positively dislike; for pure self-interest, if for no other reason, the politicians who steer the work of the convention earnestly consider the question of the probable reaction of the voters to those under consideration for the nomination. If the wrong nomination is made, the election is lost. In a very broad sense the kinds of nominations made by conventions are governed by the conditions of the time and the estimates by political leaders of the temper of the people.

Scholarly critiques of the convention system are often at bottom criticisms of the presidential system as contrasted with the cabinet system, in which the chief leaders are thrown up by the process of struggle within the party group in the parliament. The general drift of this type of argument is that under the cabinet system potential prime ministers receive long training and testing in national affairs through their experience in parliament and in minor ministerial posts. By a practical demonstration of ability, prime ministers more or less select themselves. Under the presidential system, on the other hand, the presidential nominee may have had no experience in national

affairs. The channel for political advancement is different under the presidential system. It is not, the argument runs, a channel that permits practical testing and demonstration of capacity. The test of this kind of criticism of the presidential system (of which the convention is a part) is an estimate of the men who have come up through the selective machinery. It can be contended with considerable force that the convention system has yielded results quite as satisfactory as those of the cabinet system.[103]

From another point of view the national convention is part and parcel of the magic by which men rule. It is a great ceremony in which the forms of the expression of the will of the mass of party membership are followed. It is a miracle play from which the hero emerges triumphant to fight the battles of the party. It is a drama played in terms which the simplest spectator can understand and hiss the villain and applaud the hero. That the convention may not, in fact, constitute a precision instrument for gauging and expressing the "will" of the rank and file of the party is, in one sense, immaterial. It works; it arrives at acceptable decisions. It works in a measure because most people believe it is what it may not be. And he who breaks the illusions of a people may undermine the regime and thereby necessitate the creation of new institutions and procedures in which people may have faith.

QUESTIONS AND PROBLEMS

1. What characteristics make a person "available" as a Presidential candidate?

2. What are the specific objectives of a preconvention campaign?

3. Outline the history of the problem of the apportionment of delegates to the Republican national convention among the states.

4. Analyze the law and practice of selection of delegates to the national convention from your state.

5. What problem of strategy does the "favorite son" create for a leading aspirant for the Presidential nomination?

6. What sorts of controversies occur over the report of the committee on permanent organization?

[103] Harold Laski, "The Conventions and the Presidency," *Harpers Magazine*, July, 1940, pp. 166-171. See also his *The American Presidency* (New York: Harper, 1940).

7. What is the importance of the action of the convention on the recommendations of the committee on credentials?

8. Convention interest tends to be concentrated on one or two planks of the platform. Why?

9. Why does not the winning party follow more closely the program laid down in its platform?

10. Examine the 1940 platforms (reprinted in the appendix to this volume). Determine the differences. Compare the Democratic platform promises with the subsequent action by the Democratic administration.

11. What was the origin of the two-thirds rule in Democratic conventions? Why was it retained so long?

12. Can you devise any method other than the national convention to perform the functions of the convention?

Chapter 15: PARTY FINANCE

THAT HE who pays the piper calls the tune is often said to be the entire story of party finance in a democracy. But in politics there are different pipers competing for power and pay; there are people with divergent tastes in tunes often paying the same piper. The repertoire of the pipers is limited and there are arias beyond purchase; but no performer likes an empty house, and the piper may choose to be governed by the tastes of his impecunious listeners. Undoubtedly the parable of the payer and the piper correctly describes a recurring pattern, but the matter of campaign finance is more complex than the saying would indicate. The climate of American political opinion, especially during the past forty years, has been one of hostility toward plutocratic influences. The tendency has been toward an avoidance of the appearance of plutocratic control; and if campaign contributions at times seem to govern official decision, the policy must be made to appear in harmony with the general welfare.

The examination of party finance furnishes an insight into many aspects of political activity. The cost of campaigns and the purposes for which money is expended give us a notion of the magnitude of campaign efforts and an impression of the relative importance of different methods of campaigning. The sources of campaign funds show to some extent the differences in the composition of the parties and help in the identification of the groups clustered about each party banner. Analysis of efforts to regulate and control campaign funds illuminates one segment of the whole struggle between interests and groups for political power.[1]

[1] On the general subject of party finance the most comprehensive work is Louise Overacker, *Money in Elections* (New York: Macmillan, 1932). An earlier, but still useful, study is J. K. Pollock, *Party Campaign Funds* (New York: Knopf, 1926). On European practices consult Pollock, *Money and Politics Abroad* (New York: Knopf, 1932). On regulatory measures, see E. R. Sikes, *State and Federal Corrupt-Practices Legislation* (Durham: Duke University Press, 1928).

WHAT CAMPAIGNS COST

The total costs of particular political campaigns can be ascertained only approximately. The completeness of our information depends on the scope of laws requiring campaign costs to be reported, on the degree of compliance with these laws, and on the thoroughness with which investigations of campaign expenditures are conducted.[2] Furthermore, in the computation of costs, a complication is introduced by the fact that almost every political organization has at its disposal volunteer workers and also receives contributions of materials and quarters. The evaluation of these items is seldom attempted; hence, an organization which depends in large measure on volunteer services of campaign workers may appear to be able to carry on a campaign at a much lower cost than another. Statements of party expenditures are almost always understatements of actual cost.

In Presidential election years party expenditures reach a peak. Prior to the conventions, as we have seen, the aspirants for the Presidential nominations carry on campaigns in the primary states to seek the Presidential preference vote; in the convention states their emissaries work in quest of favorable delegates. In 1928 the preconvention campaigns in the major parties involved an outlay of almost $900,000. The largest outlays were allocated as follows: [3]

Hoover	$395,254
Smith	152,622
Lowden	87,415
Willis	66,534
Reed	52,982

After the conventions have met and the Presidential campaign itself gets under way, expenditures mount. In Table 17 the election-year outlays of the national committees of the major parties since 1916 are given. It will be noted that the expenditures in the campaign of 1936 set a new high. The outlay of $14,000,000 far exceeded

[2] Moreover, the available information is scattered in thousands of courthouses and scores of state offices. The resources of students of campaign finance have been sufficient to bring together only a small proportion of the data on file in public offices. The compilation, analysis, and publication of these data by widely scattered scholars would make our information for the country as a whole much more complete.

[3] Roy V. Peel and T. C. Donnelly, *The 1928 Campaign* (New York: R. R. Smith, 1931), p. 20.

the previous peak of 1928 established in times of piping prosperity and was more than double the amount expended in the depression campaign of 1932. The abrupt drop in the 1940 figures in the table is misleading since it was balanced by a sharp rise in expenditures by party organs other than the national committees. This shifting of financial responsibility was necessary to meet the limitation of $3,000,000 placed on the financial operations of any single party committee by the Hatch Act, a matter that will be explained in detail later in this chapter.

TABLE 17

EXPENDITURES OF THE NATIONAL COMMITTEES OF THE MAJOR POLITICAL PARTIES DURING PRESIDENTIAL ELECTION YEARS

YEAR	DEMOCRATIC	REPUBLICAN
1916	$2,284,590	$2,441,565
1920	1,470,371	5,417,501
1924	1,108,836	4,020,478
1928	5,342,350	6,256,111
1932	2,245,975	2,900,052
1936	5,194,741	8,892,972
1940	2,438,091	2,242,742

SOURCE: 1916-1936, Overacker, *Money in Elections*, p. 73, and her articles in *American Political Science Review*, 27 (1933), p. 770, and in *ibid.*, 31 (1937), p. 476. 1940 figures from Senate Report No. 47, 77th Congress, 1st Session, pp. 10-11.

Expenditures by the national committees (which include subventions to state and other subsidiary organizations) do not reflect the total financial picture. Other committees and agencies raise and spend money to promote the cause of one or the other of the candidates. In 1936, for example, nonparty organizations favoring Roosevelt, including the Good Neighbor League, Labor's Non-Partisan League, and the Roosevelt Agricultural Committee, expended $760,176, of which $327,073 had been received from the Democratic national committee. On the Republican side, a total of $653,879 was spent by the Independent Coalition of American Women, the Lib-

erty League, and the Women's National Republican Club.[4] In addition to these national organizations, the state committees of the parties make large expenditures. The outlays of the state committees are not, of course, chargeable in their entirety to the Presidential campaign. The state committees usually are working in support of both the national and state tickets, but to gain a notion of the total outlay during a Presidential year it is necessary to know the expenditures of the state party organizations. During 1936, according to a compilation of reports by a Senate committee, the Democratic state committees spent about $2,700,000; the Republican state committees, almost

TABLE 18

EXPENDITURES OF NATIONAL COMMITTEES, STATE COMMITTEES, AND MISCELLANEOUS NON-PARTY ORGANIZATIONS, 1936 AND 1940

ORGANIZATION	1936	1940
Republican national committee	$8,892,971.53	$2,242,742.47
Democratic national committee	5,651,118.40	2,438,091.88
Communist Party	162,040.45	89,548.26
Socialist Party	24,962.43	.....
Socialist Labor Party	31,659.28	.....
Union Party	65,696 28	.....
Prohibition Party	13,081.67	.....
State committees for all parties	7,876,533.74	11,896,992.00
Miscellaneous political organizations	1,255,266.04	6,072,938.81
	23,973,329.82	22,740,313.42

SOURCE: 1936 figures, *Lonergan Report*, p. 27; 1940 figures, Senate Report No. 47, 77th Congress, 1st Session, p. 142. The 1936 figure is somewhat inflated since some amounts given by the national committees to state committees are recorded twice. In the 1940 figures the Senate committee apparently made some allowance in the total for transactions between committees.

[4] Overacker, "Campaign Funds in the Presidential Election of 1936," *American Political Science Review*, 31 (1937), p. 478. Among the nonparty organizations supporting the Republican ticket in 1940 were the following: Associated Willkie Clubs of America, National Committee of Democrats for Willkie, Peoples Committee to Defend Life Insurance and Savings, National Committee to Uphold Constitutional Government, Writers for Wendell L. Willkie, Independent Business Men's Committee for Willkie, Anti-Third Term Association of New York City, We The People, Clearing House for National Interest.

$5,000,000. In both instances not all state committees reported.[5] Expenditures by national and state committees of all parties and by nonparty organizations reached a total of more than $20,000,000 in 1936, according to the Senate investigating committee. Additional sums were, of course, raised and expended by county and city committees. The totals arrived at by the Senate committees for 1936 and 1940 are shown in Table 18.

Figures on total expenditures mean nothing unless they are related to the size of the task of campaigning. A rough measure of the magnitude of the job of campaigning is furnished by the total vote cast. According to Dr. Overacker's figures, the expenditure per vote by the national committees in Presidential years has been as follows:

Year	Expenditure Per Vote
1912	$0.19
1916	.19
1920	.20
1924	.15
1928	.20
1932	.13
1936	.32

These figures furnish a better notion of the amounts expended to bring out the vote than do the gross totals. Yet the comparison of the figures from election to election must be taken with reserve, for it cannot be known to what extent the variations reflect fluctuations in expenditures or varying degrees of completeness of data.

The available information on the cost of senatorial and congressional campaigns is much less complete than the figures on expenditures during Presidential election years. Special investigations often have been made of campaigns involving extraordinary expenditures. About $190,000 was spent on behalf of Truman H. Newberry in his successful primary campaign against Henry Ford for the Republican senatorial nomination in Michigan in 1918.[6] In 1926 Frank L. Smith was nominated for the United States Senate in an Illinois Republican

[5] Senate Report No. 151, 75th Congress, 1st Session (Report of the Special Committee to Investigate Campaign Expenditures of Presidential, Vice Presidential, and Senatorial Candidates in 1936, pursuant to S. Res. 225, 74th Congress and S. Res. 7, 75th Congress), p. 27. Cited hereafter as *Lonergan Report*.

[6] For a thorough analysis of the campaign and the subsequent events, see Spencer Ervin, *Henry Ford vs. Truman H. Newberry* (New York: Richard R. Smith, 1935).

primary that involved the expenditure of slightly more than $1,000,000, about equally divided between Smith and his opponent.[7] In the Pennsylvania Republican primary in 1926 a total of $2,265,000 was spent in the fight for the nominations for governor and United States Senator. In this campaign the Pepper ticket expended $2.42 for each vote it received; the Vare ticket, $1.40. The Pepper supporters set the highest recorded figure for expenditures per vote received.

The foregoing examples are illustrative of the spectacular campaigns in which huge sums have been spent. Such campaigns, however, appear to be exceptional. The great majority of Senators and Representatives are nominated and elected without the necessity for huge expenditures. In Table 19 outlays on behalf of candidates for the Republican nomination for governor and United States Senator in Oregon for a period of eighteen years are shown. In forty-three of the fifty-one cases over this period the recorded expenditure of the candidate for the nomination was less than $10,000. In the classification of candidates spending over $10,000, the highest reported figure was $18,936.

TABLE 19

EXPENDITURES ON BEHALF OF CANDIDATES FOR REPUBLICAN NOMINATION FOR UNITED STATES SENATOR AND GOVERNOR IN OREGON, 1910-1928

RANGE	NUMBER OF CASES		
	Senator	Governor	Total
$10,000 and over	7	1	8
5,000 to $9,999	2	4	6
1,000 " 4,999	6	12	18
Less than $1,000	9	10	19
Total	24	27	51

SOURCE: Overacker, *Money in Elections*, *op. cit.*, p. 67.

[7] See C. H. Wooddy, *The Case of Frank L. Smith* (Chicago: University of Chicago Press, 1931).

Only scattered information is available on the expenditures of party state committees. In his book *Party Campaign Funds*, Professor Pollock presents certain figures that he assembled for the states of Ohio and New York. Expenditures by the state committees cannot be allocated to individual candidates: the outlays are made for the benefit of the entire state ticket of the party and, during Presidential years, they also aid the national candidates of the party. Although the figures are old, they are reproduced in Tables 20 and 21 to furnish an indication of the outlays that have been made in these states.

TABLE 20

DISBURSEMENTS OF OHIO DEMOCRATIC AND REPUBLICAN STATE COMMITTEES

YEAR	DEMOCRATIC	REPUBLICAN
1914	$51,166.32	$ 30,000.00
1916	56,106.82	372,351.98
1918	44,698.27	43,799.29
1920	69,925.54	360,547.22
1922	28,837.67	116,314.20
1924	31,725.27	147,698.28

SOURCE: Pollock, *Party Campaign Funds*, op. cit., p. 38.

TABLE 21

DISBURSEMENTS OF NEW YORK DEMOCRATIC AND REPUBLICAN STATE COMMITTEES

YEAR	DEMOCRATIC	REPUBLICAN
1914	$115,375.18	$104,437.00
1916	195,000.00	405,000.00
1920	59,935.86	504,666.72
1922	39,685.77	429,271.94
1924	45,103.00	408,517.00

SOURCE: Pollock, *Party Campaign Funds*, op. cit., p. 38.

The Lonergan committee compiled reports of expenditures by state committees during the 1936 campaign. Of the eighty-one state committees on which information was obtained, thirty-five reported disbursement of less than $25,000; forty-six, less than $50,000; fifty-six, less than $75,000; sixty-five, less than $100,000. The largest outlays reported were as follows:

State	Democratic	Republican
California	$317,156	$86,587
Massachusetts	93,964	768,037
New Jersey	23,843	316,643
New York	176,472	730,083
Ohio	263,213	268,062
Pennsylvania	439,563	1,153,374

These figures, for a Presidential year, are considerably higher than those when elections to fill state offices alone are involved, as may be inferred from the prior tables on Ohio and New York state committee disbursements.

In addition to campaigns to fill offices, there are in the states and cities campaigns for and against constitutional amendments, measures proposed to the electorate by the initiative, and legislative acts brought to a popular vote by referendum procedure. In campaigns to enlighten the electorate on the merits of these matters, party committees are generally inactive; the burden of campaigning is borne by pressure societies concerned with the policies in question. Information relating to expenditures on issues is available for California. The highest campaign cost recorded on any single measure in that state was a total of $1,207,000 spent for and against the referendum on a chain-store tax passed by the 1935 legislature. The California Retail Chain Stores Association and associated groups reported that they had expended $1,142,033 to defeat the measure. The Anti-Monopoly League, representing the nonchain group, spent $65,731 in a vain attempt to retain the statute. The largest previous expenditure on an issue in that state was a sum of $661,595 spent in the campaign on the proposed establishment of a state water and power system in 1922; of this amount, slightly over $500,000 was spent by the utilities and allied interests against the proposal. The initiative act of 1930 to adopt daylight-saving time involved total expenditures of $183,000; another water and power proposal of 1924 led to reported expenditures of slightly more than $150,000. Campaign expenditures on an initiated proposal to grant to the City of Huntington Beach certain state-owned oil-bearing tidelands exceeded $125,000. In 1936 $170,000 was expended in the referendum contest on a measure designed to tax and regulate the sale of oleomargarine. The opponents of this tax reported expenditures of $115,000, whereas the dairy and creamery interests spent $55,000 in its support. These, like the specific examples of campaigns for office, are the exceptional cases. About

one-half of the questions voted on in California on which information is available involved expenditures of less than $25,000.[8]

WHAT THE MONEY GOES FOR[9]

The mere listing of the huge sums disbursed by party committees during campaigns may lead to the inference that much corruption is involved in campaigns. This does not necessarily follow, for the conduct of a national campaign on an adequate scale is comparable to the advertising of a product in a national market. To make known the virtues of cigarettes, laxatives, or cereals to the nation entails enormous expenditures.[10] Similarly, a political party has a product to sell on the national market. The expenditures by the party may be classified as: (1) general overhead, which includes salaries for headquarters staff (such as stenographers, clerks, research workers), postage, telephone, rentals; (2) field activities, under which item would be included payments to speakers, their transportation, and like activities; (3) publicity—the largest item—including radio costs, payments for direct-mail campaigns, literature, photographs, billboards, newspaper advertising, and the like; (4) grants to subsidiary committees, such as payments by the national committee to aid state committees and to aid special organizations, such as the Good Neighbor League, set up for the duration of the campaign; and (5) election-day expenses, including outlays for watchers, run-

[8] See V. O. Key and W. W. Crouch, *The Initiative and the Referendum in California* (Berkeley: University of California Press, 1939), chap. 5.

[9] On this subject, see Pollock, *Party Campaign Funds*, *op. cit.*, chap. 6, "How Campaign Funds are Expended"; Overacker, *Money in Elections*, *op. cit.*, chap. 2, "Why Money Is Spent."

[10] Interesting is a comparison of campaign expenditures with advertising outlays by the larger corporations. The following figures include only expenditures for radio, magazine, and farm-paper advertising. Expenditures for newspaper advertising are over and above. In 1939 Proctor & Gamble Company spent $11,256,212 to publicize Ivory Soap, Crisco, and their other products. General Foods Corporation spent $7,339,272; over $700,000 of this total was credited to Jell-O; over $500,000 to Grape Nuts; almost $900,000 to Maxwell House Coffee. The total outlay by General Motors was $7,176,453. American Tobacco, Liggett & Myers, and R. J. Reynolds Tobacco each spent over $4,000,000. The Lambert Company (Listerine) used more than $2,000,000 worth of advertising space and radio time; The Pepsodent Company, over $1,000,000. The expenditures of the forty-one advertisers spending more than $1,000,000 in 1939 aggregated over $116,000,000. The 1939 advertising outlay of the four large concerns interested primarily in soaps totaled well over $22,000,000, or about the sum spent during a Presidential election year by all parties and all party agencies. (The figures on advertising are from *Printers' Ink*, January 26, 1940, p. 111.)

ners, election-day workers, and the conveyance of voters to the polls.

The breakdown of total expenditures into these general categories is not known accurately. Dr. Overacker estimates that "from twenty to forty per cent" of the expenditures of national committees and of state committees is devoted to the item of "general overhead." The payroll for publicity experts, research workers, stenographers, clerks, and other personnel in the national headquarters is large. Seemingly inconsequential items, such as telephone, telegraph, and express, amount to huge sums. In the 1936 campaign, for example, the Democratic national committee paid $206,000 for postage, or 4.6 per cent of all their expenditures; the Republican disbursement for this purpose was $264,000, or 3.9 per cent. In 1920, according to Pollock, the Republican outlay for the maintenance and operation of national headquarters was $800,000; in 1924, $450,000.

The category of expenditures for "field activities" covers items for "organization" and "contact work," and hence it is likely to include expenditures shading into bribery—not the bribery of voters but the purchase of the services of individuals thought to be influential enough to "swing" particular groups to the party. It also covers the services and expenses of speakers and expenses of special trains for the candidate and his entourage. The nature of organization and expenditures for field work may be illustrated by the field organization for the noted campaign of Truman H. Newberry for the Republican senatorial nomination in Michigan in 1918: [11]

. . . there were six so-called "field men" with the title of Assistant Secretary. James F. McGregor was in charge of the Upper Peninsula counties; James R. Davis of the southern tier of counties east and west from Monroe to Cass, inclusive; Rolla E. Prescott of four counties in northeastern Michigan; Ben F. Reed of all the northeastern counties except the four under Prescott; Judge John M. Harris of the northwestern counties in the "Grand Traverse" region; and Terry Corliss, of the "thumb" counties. These field men were instructed to visit the several counties in the territory assigned to them; to confer with active Republicans there and obtain their assistance in developing and perfecting an organization in each county; and to report to Mr. King daily the names of the men they had talked to, their attitude toward Mr. Newberry's candidacy, and the progress being made. What might be called special field men, some of whom also had the title of "Assistant Secretary," were assigned to particular classes of voters: A. K. Moore to railroad men; Captain Charles Tufts and E. O. McLean to marine men (life-saving

[11] Ervin, *op. cit.*, pp. 10-11.

crews and fishermen along the lake shores); Roman F. Glocheski to the Polish communities; Angus E. MacEachron to traveling salesmen; Charles A. Campbell to colored men; F. O. Gilbert to Masons.

In almost all campaigns that involve a serious contest, field organizations something on the order of that in the Newberry campaign have to be created and financed.

The largest of the categories is that for publicity in its various forms. The long-term trend in the distribution of campaign expenditures appears to be toward the use of a larger and larger proportion of available funds for publicity. This development has, of course, paralleled the rise of new media for propaganda, such as the radio, and the development of more refined modes and techniques of propaganda. County and city organizations have probably not been so seriously affected as have the national organizations, for in state and local campaigns it is likely that a larger proportion of the money goes for field activities and election-day expenses than the national committee expends for these purposes. Dr. Overacker estimates that 50 per cent of campaign expenditures go for publicity.

The use of the radio for campaigning has introduced a new and expensive type of publicity. In 1936 the Democratic national committee spent $582,327 for radio time, or 12.9 per cent of their total outlay; the Republicans, $757,737, or 11.1 per cent. Or, to put it another way, about one dollar out of every eight dollars spent by the national committees in 1936 went for radio time. In 1932 the Democratic committee expended $551,972, or about 17 per cent of their total, for radio; the Republicans, $551,972, or more than 20 per cent. The total 1932 funds were much smaller than those in 1936; apparently party managers regard outlays for radio as essential, and if money is scarce they will reduce other expenditures before they will pare the radio bill.

Newspaper advertising quickly runs into money. A full-page advertisement in a metropolitan daily may cost as much as $3,000. Payments to lesser newspapers are sometimes said to be for editorial support. The foreign-language press has especially gained the reputation of being susceptible to offers of advertising in exchange for editorial support in the campaign. Billboard rentals require considerable sums. The amount required for national coverage may be gauged from the fact that the Wood managers spent $10,800 in the 1928 preconvention campaign for seventy-four billboards in the single state of Illinois. Extensive use of the mails for circulars and letters is

extremely costly. The postal costs alone to send a postal card to 1,000,000 voters would be $10,000; to send a first-class letter to the same number of voters would cost about $30,000. To print, address, and fold the same number of circulars for mailing would cost an additional $16,500. In a national campaign a party may spend around $500,000 for the printing of pamphlets and leaflets. And in local campaigns the preparation and printing of campaign literature may be costly.

The item of subventions to subsidiary and auxiliary committees varies from campaign to campaign, but it has usually been a considerable sum. In 1936 the Democratic national committee paid to the Roosevelt Agricultural Committee, for campaign work among farmers, $244,087, to the Young Democratic Clubs of America, $10,750, to the Good Neighbor League, $34,750. Contributions are made by the national committees to state committees. These payments arise in part because the campaign funds are more plentiful in the wealthier areas. Funds are collected in these places and subventions are then made to states in which the party is financially weak or in which additional funds might turn the tide. Similarly, state committees make contributions to county committees. In 1936 the Democratic national committee gave $50,000 to the Kansas state committee; $40,000 to the New York state committee. The Republican national committee contributed $15,000 to Kansas; $166,000 to Missouri; $155,000 to Ohio; $225,000 to Pennsylvania. State committees, if the race does not seem to be close in the state or if it is hopeless, may contribute to the national organization for use in more necessitous areas. The Florida Democratic committee in 1936 gave $28,500 to the national committee; Louisiana gave $61,845; Mississippi, $65,000; Texas, $179,000.[12]

Election-day expenses are heavy for city and county organizations. The polls must be manned with watchers; runners are needed to bring out the voters; men and women to distribute literature and sample ballots must be near the polling places; automobiles must be on call to transport the lame, the blind, and the lazy to the polls. The precinct captains and their assistants, sometimes on the public

[12] Figures from Lonergan Committee report. Subventions by the national committees to state and other subsidiary organizations declined sharply in 1940 through the operations of the Hatch Act, which limited to $3,000,000 the expenditures to be made by each national committee during an election year. Funds could no longer be funneled through the national committee to the state agencies without violating this limitation. Contributors, therefore, came to divide their contributions between national and state committees.

pay roll, are assigned election-day duties, but helpers are employed to aid them in their precincts on election day. Lavish expenditures for election-day work at times shades off into bribery. Some observers, notably Frank R. Kent, attribute great significance to the funds available for election-day work in the determination of the outcome of the balloting, for an invariable condition of election-day employment is that the party worker cast his vote right and bring out his family, friends, and relatives for the same purpose. The employment of watchers in Pennsylvania in former times has been described by the Hon. James A. Walker: [13]

A watcher was chosen primarily because he had enough influence with a certain number of voters to guide and direct them into voting for the ticket which . . . appointed the watchers. So that if a man was, as we would say, good for ten votes, or if he came from a house where there was a group . . . of men, and he had influence with those men, it was worth something to get his good will and have him get those men out and vote your ticket. On the other hand, where you found a man identified by marriage or blood relationship with a number of people in a division, in a precinct or district, he was a good man to have around, because he may get twenty or thirty votes for you, get them all to thinking the way he did, hence he was appointed a watcher. The case of watching the ballots meant nothing. That was not in the deal at all.

Of course, as another witness added, one does not go to a man and say to him,[14]

. . . "I will pay you $10 for your vote"; but they simply hire him as a watcher, and take on watchers, or messengers, or an unlimited working force; and, it is understood that the man votes. This term "cheater" is a very technical term in Pittsburgh. You are supposed to vote for the man you work for, and if you do not vote for him you are a cheater; a very low type of individual in political morals in Pittsburgh.

The level of election-day expenditures differs enormously from place to place. In "sure" states and cities where the contest is more or less a formality these disbursements are nonexistent or at a minimum; in closely fought races the outlay is likely to be at a higher level. In some states and cities the custom of heavy election-day spending is more deeply rooted than in others.

[13] Hearings before a Select Committee on Senatorial Campaign Expenditures, pursuant to S. Res. 215. U. S. Senate, 71st Congress, 3rd Session, (1930-1931), Pennsylvania, Part 3, p. 390.

[14] Testimony of F. K. Beutel, instructor in the University of Pittsburgh, *ibid.*, p. 358.

Two contrasting methods are employed in paying election-day workers. The older method is to make an allotment to each precinct or division leader of sums varying from a meager $25 to a generous $100 and to charge the precinct leader with the responsibility for selecting and paying the workers from his allotment. In the days of "Honest John" Kelly and Richard Croker in New York the Monday before election day was known as "Dough Day," for at that time the party workers received the money that was to be spent the following day.[15] This technique of disbursement had its disadvantages, since the subordinate leaders might judge it unnecessary to spend the entire sum for getting out the vote.[16] Although the method is still widely used, another technique has been employed from time to time in Pennsylvania. There the division leaders give vouchers to the workers who then call, after election day, at a central place to receive payment. After one primary fight the payment of the long lines of party workers by the central paymaster required three days.[17]

WHO GIVES

Systematic knowledge of the sources of campaign funds is limited mainly to the funds of the national committees. That information is not obtained automatically from the official reports filed by the national committees; it is available because those reports have been carefully and painstakingly analyzed by Dr Overacker, from whose work this section is primarily drawn. Of the sources of state and local campaign funds, our systematic information is extremely limited. The reporting of these contributions is not nearly so complete as it might be, and the reports on file in public offices have not been analyzed and published in usable form.

The classification of contributions of over $1,000 to the national committees during the campaigns of 1932, 1936, and 1940 according

[15] M. R. Werner, *Tammany Hall* (Garden City, N. Y.: Doubleday, Doran, 1928), p. 293.

[16] The following example illustrates the possibility: "Robert Dougal, a candidate for committeeman in the 34th ward on the Igoe ticket in the April primary, was found guilty of campaign-finance cheating by Judge Thomas A. Green in State street court today and placed on probation. Martin Moloney, 2141 Richmond street, said Dougal received $300 expense money to pay precinct workers, but 'blew in' part of it and paid several of them, including Moloney, in 'rubber checks.' Dougal pleaded he had a wife and seven children and was out of a job. Judge Green gave him six months to make restitution."—Chicago *Daily News*, June 10, 1932.

[17] See Overacker, *Money in Elections*, *op. cit.*, pp. 37-40.

to the economic interests and affiliations of the contributors serves to indicate the nature of party cleavages, as well as to furnish a clue to the composition of the upper brackets of each party. The available information for these three campaigns is presented in Table 22. Regarding the interpretation of the figures in the table it should first

TABLE 22

PERCENTAGE DISTRIBUTION OF CONTRIBUTIONS OF $1,000 OR MORE TO NATIONAL COMMITTEES ACCORDING TO ECONOMIC INTEREST OF CONTRIBUTORS

ECONOMIC INTEREST	DEMOCRATIC			REPUBLICAN		
	1932	1936	1940	1932	1936	1940
Bankers and brokers	24.2	3.3	3.1	20.5	14.7	13.7
Manufacturers	10.5	13.6	7.4	26.3	29.6	34.0
Mining and oil	4.4	6.9	5.3	9.7	5.3	5.9
Railroads, steamships, airways, utilities	6.1	2.5	1.8	4.1	3.5	1.3
Merchants: wholesale and retail	...	2.3	1.9	...	1.9	2.6
Retail stores	2.4	...	...	2.2	...	...
Publishers, advertising	7.1	2.6	4.5	1.4	3.3	1.8
Professional people	12.2	12.7	8.6	7.4	4.4	4.1
Brewers and distillers	...	5.7	3.9	...	0.2	0.7
Lumber, building materials	...	1.2	1.2	...	1.1	2.1
Real estate	...	1.6	...	...	1.5	...
Motion pictures	...	2.4	...	...	...	...
Officeholders	...	12.6	19.3	...	...	...
Organized labor	...	10.2	15.9	...	...	...
Unclassified	10.2	2.4	5.6	8.7	5.1	5.9
Unidentified	22.9	20.0	21.5	19.7	29.4	27.9
TOTAL [a]	100.0	100.0	100.0	100.0	100.0	100.0

[a] The total absolute figures were: Democrats, 1932, $1,242,996; 1936, $1,275,033; 1940, $520,377; Republicans, 1932, $1,638,942; 1936, $3,923,958; 1940, $1,234,127.

SOURCE: Compiled from materials tabulated by Overacker, *American Political Science Review*, 27 (1933), p. 776; *ibid.*, 31 (1937), p. 485; and in *ibid.*, 35 (1941), p. 723.

be pointed out that in all three campaigns the total contributions received by the Republicans in excess of $1,000 each were greater than those of like amount received by the Democratic fund in each instance. The difference was not extreme in 1932 when the Republicans received $1,683,942 in sums of over $1,000 and the Democrats, $1,242,996. In 1936, however, the gap widened. The Republicans were given $3,923,958 in amounts of over $1,000; the Democrats, only $1,275,033. In the campaign of 1936 and 1940 people able and willing to donate sums of over $1,000 to the campaign were more highly concentrated on the Republican side than in 1932.[18]

Not all the contributors of over $1,000 were in the Republican camp. Are there any significant differences between generous Democratic and Republican givers? In 1932 bankers and brokers gave heavily to both the Democratic and Republican funds, but in 1936 they were almost solidly Republican. Only 3.3 per cent, or $42,000, of the large Democratic contributions came from this source in 1936, whereas 14.7 per cent, or $578,910, of the Republican contributions came from bankers and brokers.

The manufacturers in 1932 contributed 10.5 per cent of the large Democratic gifts; 26.3 per cent of the Republican. In 1936 the adherence of the manufacturers to the Republican banner was more striking. Their gifts of more than $1,000 each to the Republicans totaled $1,162,923, or 29.6 per cent of the aggregate of gifts of this size; they gave only $173,600 to the Democrats, which sum amounted to 13.6 per cent of the total. In 1940 the relative importance of manufacturers in Republican finance was even more marked. Makers of iron and steel and manufacturers of chemicals and explosives were important in the category of Republican manufacturer contributors.

In the Democratic ranks were the brewers and distillers, who gave 5.7 per cent of the amount contributed in large sums in 1936. The professional people—principally lawyers—bulked larger in the Democratic Party than in the Republican in 1936 and 1940, as they had in 1932. Motion-picture producers and theater owners, as well

[18] In the 1940 campaign the Democrats received $853,590 in gifts of over $1,000, of which sum $445,666 was received by the national committee. The Republicans received $4,324,246 in gifts of over $1,000, of which sum $857,133 was received by the national committee. These figures were compiled from lists in the Gillette report (Senate Report No. 47, 77th Congress, 1st Session) and include gifts to state and other committees as well as the national committee. One effect of the Hatch Act of 1940 was to cause persons who had formerly given large sums to the national committee to divide their contributions among several committees. Hence the national committee figures for 1940 are in a sense not comparable with those for earlier years.

as organized labor, in 1936 threw their financial strength to the Democrats. The emergence of organized labor as an important source of campaign funds was a striking feature of the 1936 campaign. If we extend the analysis beyond the receipts of the Democratic national committee and include labor contributions to Labor's Non-Partisan League, the Progressive National Committee, and the American Labor Party, we find that the trade unions contributed over $770,000 to the 1936 campaign. Most of the labor contributions were made by unions affiliated with John L. Lewis' C.I.O.[19] The sources of the larger trade-union contributions to the 1936 campaign are shown in Table 23. In will be noted that more than half of the labor contributions came from a single great industrial union, the United Mine Workers of America, which did not repeat the performance in 1940.

TABLE 23

TRADE-UNION CONTRIBUTIONS TO THE 1936 PRESIDENTIAL CAMPAIGN

United Mine Workers of America	$469,870[a]
Amalgamated Clothing Workers of America	81,682[b]
International Ladies' Garment Workers' Union	60,736
Cap and Millinery International Union	11,940
International Alliance of Theatrical Stage Employees and Motion Picture Operators	16,100
International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers	7,700
Brewery Workers (locals)	5,834
All other	116,356
TOTAL	$770,218

a Includes loans of $50,000 to the Democratic national committee.
b Includes loans of $35,000 from the Amalgamated Bank to the American Labor Party of New York.

SOURCE: Overacker, "Labor's Political Contributions," *Political Science Quarterly*, 54 (1939), p. 59.

From her analysis of the 1936 campaign funds, Dr. Overacker concludes:[20]

. . . it seems clear that the program of the Roosevelt Administration has served to sharpen the division on economic lines. The drastic reduction

[19] For an extended analysis of the matter, see Overacker, "Labor's Political Contributions," *Political Science Quarterly*, 54 (1939), pp. 56-68.
[20] *American Political Science Review*, 31 (1937), p. 497.

in contributions made by banks to the Democratic party, the increased support which the Republicans received from manufacturers, labor's support of Roosevelt, and the very large contributions which certain wealthy families gave the Republican party all point in this direction. The Republicans became more definitely than in the past few campaigns the party of "big business." Their campaign was the most extravagant, and probably the most wasteful, in campaign history. Captains of finance and industry poured their dollars into the fund without stint.

The size of individual contributions to the campaign funds is a matter of importance. The predominance of large gifts arouses criticisms on grounds of plutocratic control of party; consequently the party managers have sought to offset this criticism by stimulating smaller contributions. The extent to which the national committees of both parties rely on the wealthy for funds is shown in Table 24, which indicates the percentage of campaign funds attributable to donations of over $25,000. It is worth noticing that the relative im-

TABLE 24

PERCENTAGE OF TOTAL RECEIPTS OF NATIONAL COMMITTEES FROM DONORS OF OVER $25,000

	1920	1924	1928	1932	1936	1940
Democratic	0.0	6.1	18.6	14.1	4.1	0.0
Republican	0.0	2.9	16.8	7.9	3.1	0.0

portance of the very large contribution has been greater in the Democratic funds than in the Republican. Likewise, when the opposite extreme of campaign donors is examined, it appears that contributions of less than $100 also are of greater relative importance to Democratic than to Republican funds. The figures for the period since 1920 are shown in Table 25. These figures are based on incomplete evidence, since considerable sums were impossible to allocate among the different classes of donors. If labor contributions are classified as gifts of less than $100, on the theory that they represent small contributions by each union member although given in a lump sum by the union officials, the proportion of the Democratic revenues in 1936 given in amounts of less than $100 rises to 23.6 per cent and to 29.5 per cent in 1940.

On the other hand, the middle group of contributors giving less

TABLE 25

PERCENTAGE OF TOTAL RECEIPTS OF NATIONAL COMMITTEES FROM DONORS OF LESS THAN $100

	1920	1924	1928	1932	1936	1940
Democratic	22.1	18.0	12.5	16.0	18.5	23.3
Republican	15.3	11.1	8.2	9.1	13.5	13.4

than $5000 but more than $100 were of greater relative importance to the Republicans than to the Democrats in 1936. Of the Republican revenue, 50.7 per cent came from this class, which contributed only 37.4 per cent of the Democratic funds.

To gain independence from the few individuals donating large sums to campaign funds both party committees have attempted to increase the number of contributors of small sums. In the campaign of 1936 the Democratic managers persuaded a large number of individuals to become "nominators" by giving a minimum of $1.00 to the campaign fund. Over $1,000,000 was raised in this way, but it is impossible to say how many individuals contributed to the fund.[21] The Democratic committee in recent years has used the Jackson Day dinners as a means of raising funds. The top charge has been $100 per plate for the Washington dinner; the price per person ranged downwards to $5 in smaller centers. The party committee netted over $300,000 from this source in 1936 and over 300,000 persons participated. In 1937 the yield went to $422,000; in 1938, $415,000; in 1939, $322,000; and in 1940 the dinners brought $422,000 to the party treasury.[22]

The Republican national committee has recently experimented with a fund-raising technique modeled after that of community-chest campaigns, described by the head of the finance division of the national committee as "volunteer solicitation under professional direction." The plan involves cooperation between the national committee and state committees to avoid overlapping and competing solicitation. "Organized professionally directed solicitation" was employed in several of the states in the 1936 campaign. "In every case," says the director of the finance division, "it resulted in a huge increase in the number of givers, a substantial growth in the amount

[21] *Ibid.*, pp. 478-479.

[22] Overacker, "Campaign Finance in the Presidential Election of 1940," *American Political Science Review*, 35 (1941), p. 715.

raised, and a cost low in proportion to the returns. Supplemented by a mail appeal in the closing weeks of the campaign, it brought a total of more than 650,000 separate givers to the Republican fund." [23] The huge figure is probably optimistic; the national committee itself claimed in its report only 331,037 contributors; and Dr. Overacker, the most thorough student of party funds, concludes that the total number of contributors to both party funds is "veiled in uncertainty." It is certain, however, that the democratization of campaign finance remains to be accomplished. The finances of neither party are dominated by the contributions of the small giver; both still rely in large degree on people who can afford to give $100 or more.[24]

The geographical distribution of contributors reflects both the distribution of wealth in the nation and the distribution of the financial support of the two parties. In the campaign of 1932 both national committees relied heavily on contributions from residents of the northeastern states, including Pennsylvania, New Jersey, Delaware, New England, and the intervening states. In both parties slightly over 65 per cent of all contributions of more than $1,000 came from this area. The Republicans drew heavily (about one-fifth of their revenues from gifts of over $1,000) from the central states from Minnesota to Ohio. The Democrats, as would be expected, leaned much more on contributions from the South than did the Republicans. Fifteen per cent of the Democratic funds (from gifts of over $1,000) came from south of the Mason and Dixon line; only 4.4 per cent of the Republican funds came from them. Western contributions, although not negligible, bulked relatively small in the revenues of both parties.

A marked shift in the territorial sources of Democratic funds occurred in 1936 when the northeastern states contributed only 28.8 per cent of the revenues in sums of $100 or more. This change reflected the general defection of the wealthy from the Democratic ranks. In 1936, 37.8 per cent of the Democratic funds in contribu-

[23] C. G. Ketchum, "Political Financing, 1937 Model," *Public Opinion Quarterly*, 2 (1938), pp. 135-140. The Hatch Act of 1940, through its limitation on total amounts spent by committees, compelled abandonment of cooperation of national and state committees in fund raising.

[24] For an account of the success of the British Labour Party in financing its operations from small contributions, see Pollock, *Money and Politics Abroad*, *op. cit.*, pp. 43-52. In the Weimar Republic the Social Democratic Party perfected a revenue system in which about a million party members made no less than 25,000,000 individual contributions per year. For a description of the system, see *ibid.*, pp. 228-235.

tions of $100 or more came from the South, a sharp increase in the relative importance of that area in Democratic finance. Likewise, there was some increase in the importance of the West in Democratic finance.[25]

Private contributors furnish the bulk of the sinews of political war, but the Government itself, in one way or another, finances a not inconsiderable share of party activity. One of the more innocent of these methods is the use of the congressional frank for the distribution of campaign literature by sitting Congressmen. A Congressman may extend his remarks in the *Congressional Record;* that is, he may have printed in the *Record* remarks never delivered orally, obtain copies at cost from the Government Printing Office, and frank them to his constituents without postal cost. The Honorable Joachim O. Fernandez of Louisiana, for example, early in 1940 extended his remarks under the heading, "I Am a Candidate for Re-election." He had asked leave to extend his remarks "in answer to thousands of letters" from his "people" as to his "disposition to run again for Congress." His extension of remarks traced his political career and set out his accomplishments. Among those accomplishments were "constructive agitation" for the new Federal building in New Orleans, sponsorship of a bill for a new lighthouse supply depot in New Orleans, extensions of mail-carrier service, support of maximum funds for Mississippi flood control, obtaining aid "for all the needy muskrat farmers" of his district, support of all veterans' legislation, "which was of a worthy nature," and support of "labor 100 per cent." [26] Immediately prior to primaries and elections many literary contributions like that of Representative Fernandez appear in the *Record,* are reprinted, and circulated to constituents.

The man in office is almost continually running for re-election and enjoys certain perquisites and advantages which might be said to constitute public support of partisan activity. John T. Salter has given as an example the activities of legislators of "Everystate," presumably Wisconsin. "Many legislators," he says, "are able to help their local Isaac Waltons secure supplies of fingerlings for the streams in their districts" from the conservation commission. They may bring about the adoption of resolutions congratulating important individuals and groups of their districts on noteworthy accomplishments. Publications of state departments are distributed to interested constituents by the legislator. Bills are introduced often solely

[25] See *American Political Science Review,* 31 (1937), p. 495.
[26] *Congressional Record* (daily edition), March 11, 1940.

for the consequent publicity in the home district. In a variety of ways the man in office is able to give personal attention to his constituents which the outside opponent is unable to match.[27]

The greatest contribution of the public treasury to party finance is made through the public employment of persons who devote a large part of their time to the work of the party organization. In pre–La Guardia New York, the Civil Service Reform Association reported: [28]

> The total annual pay for exempt employes in New York City is only $7,000,000, but about half of this sum represents sheer waste of public funds. Half of these positions could be safely abolished without loss of service or efficiency in the city government. Most, if not all, of the exempt positions are passed around to the district leaders and their henchmen. . . . With what brazen contempt of the public interest such positions are still filled with untrained, unqualified persons is well illustrated by such recent appointments as that of Charles P. Sheridan, Democratic leader of the 16th Assembly District, a former dockmaster in the Department of Docks, to the position of clerk of the Surrogate's Court, New York County, at $9,000; Thomas J. Culkin, son of the Democratic leader of the 3rd Assembly District, Manhattan, as a deputy commissioner in the Fire Department at $8,000; George J. Ryan, 24-year-old son of the Democratic leader of the 4th Assembly District, Queens, as chief clerk of the district attorney's office in Queens at $4,500.

These were merely typical examples.

No feasible way is known of estimating the contribution of Federal, state, and local governments to the maintenance of party organizations through the patronage system. It is expected, of course, that Presidents, governors, Congressmen, and legislators shall defend and advocate policies before the electorate, but the doorbell ringing

[27] J. T. Salter, "Personal Attention in Politics," *American Political Science Review*, 34 (1940), pp. 54-66. An additional illustration is furnished by the following letter published in the *Congressional Record*, June 26, 1930:

"Hon. U. S. Stone,

"Member of Congress, Washington, D. C.

"My dear Mr. Stone: I have your telegram of October 4, 1929, informing me that my pension had been allowed at the rate of $20 per month beginning on July 16, 1929.

"This is mighty fine work, and I thank you for putting this through for me so quickly.

"I was for you in your former race, and I hope to be able to do you some good if you are a candidate again.

"Your friend, Fred E. Hysell."

[28] Report of the executive committee, Civil Service Reform Association, May 16, 1933.

and electioneering activities of the lower ranking administrative employees are on a different plane. Of the latter employees, some devote a large proportion of their time to precinct work; others may spend only a few days immediately prior to the election. Some are competent and able public employees; others are on the public pay roll only because they have special skills in the management of the electorate. The difficulties of the computation of the patronage element of party finance become apparent.

David Lawrence has argued [29] that the Presidential campaign of 1936 marked the introduction of a new type of campaigning in which party funds in the traditional sense of the term became of less importance. He contends that huge Federal expenditures under the New Deal programs, such as the W.P.A. and the A.A.A., constituted campaign outlays from the public treasury against which the Republican war chest was but a widow's mite. He proceeds to try to show that the Democrats polled most heavily in those areas where expenditures by the W.P.A. and the A.A.A. were largest. His book is worthless as a statistical demonstration of this proposition, since his command of invective is superior to his statistical technique, but the contention represents a viewpoint that should be noted in any survey of campaign finance. His ethical views reduce themselves to the proposition: No governing agency should follow any policy that might attract support to its party in subsequent elections. The Republican Party, when in power, should not adopt tariffs since that is catering to the manufacturers. The Democratic Party, when in power, should not reduce the tariff since that would unfairly attract support of export-producers and of importers. No party should adopt unemployment relief policies since the effect might be to attach the unemployed to that party.

With these questions we cannot be concerned; it is only necessary to observe that a major item in the currency of campaign finance is the record or the promises of the party. The trend of the past ten years, as a result of a great diffusion of the effects of governmental policy among the population, has been toward a political activation of vast numbers of persons to whom the effects of governmental policy formerly had been imperceptible. Consequently, in many communities the power of the party organization, derived from the face-to-face contacts of its precinct workers, has been wiped away,

[29] David Lawrence, *Who Were the Eleven Million?* (New York: Appleton-Century, 1937).

temporarily at least. Perhaps a profound change has been wrought in the nature of our political management.

THE MOTIVATION OF CONTRIBUTIONS

Why do men contribute to party funds? The immediate reply may be that a pecuniary calculus guides all contributions; donations are made to party funds with the anticipation of a definite *quid pro quo*, if the party wins. A strong case may be made for this proposition, but the motivation of human behavior in general is so little understood that such a generalization tends to oversimplify. Certainly the understanding of what is to be had in return for the contribution is often tacit if it exists at all.[30] And many instances may be found in which no apparent personal gain is expected to follow the contribution.

In some instances legislative policy may be the concern of contributors. Large business and corporate contributions to McKinley's campaign were given by panicky businessmen lest Bryan and "free silver" triumph. In the subsequent investigations of the life-insurance companies by the Armstrong committee, John A. McCall, president of the New York Life Insurance Company, testified:[31]

> . . . I felt that if Free Silver coinage was going to prevail and Bryan was going to be elected President of the United States that we almost might put up our shutters on the New York Life doors. Knowing that, and believing it in 1896, I consented to a payment to defeat Free Silver, not to defeat the Democratic party, but to defeat the Free Silver heresy, and thank God that I did it.

The president of the Metropolitan Life testified in a similar vein:[31]

> Our directors felt that a contribution to the defeat of that effort was more a matter of morals than it was of policy; they were fearful of the disturbance of values and the impairment of those things which we had which made for security of the policyholders.

[30] The nature of the understanding of the contributor and the receiver is indicated by Herbert Croly's statement that in one instance in the campaign of 1896 a check for $10,000 was returned by the Republican national committee to a firm of Wall Street bankers which had made the donation with the implied condition that a specific favor would be granted in return. The etiquette was not to purchase particular services but to give on the general understanding that the party would run the country as business desired.—*Marcus Alonzo Hanna* (New York: Macmillan, 1912), p. 326.

[31] Quoted by Overacker, *Money in Elections*, *op. cit.*, p. 181.

Senator Guffey of Pennsylvania, in the debate on the extension of the Hatch Act in March, 1940, explained steel contributions to the Republican cause: [32]

In 1884 the first steel man took an active part in national politics. I refer to B. F. Jones, who was chairman of the Blaine and Logan campaign committee. Prior to that time the railroads and the Standard Oil group had controlled the politics of the State. As the steel industry expanded and grew, those connected with it became much more active in politics, and it is common knowledge in Pittsburgh that in 1896 Mr. Frick furnished the sinews of war that secured the Presidential nomination for William McKinley, of Ohio, from the late Speaker Thomas B. Reed, of Maine.

From the time when the steel corporation was formed it was quite apparent that the president of that corporation, the late Charles M. Schwab, took charge of financing the Republican organization in Pennsylvania. He was in my office. . . .

He said, "Senator, I used frequently to come to Washington. I never received a telegram from the late Senator Penrose without dropping everything and coming to Washington. He never asked for less than $250,000 on each visit, and sometimes more. It reached the maximum in one Presidential campaign when I raised the sum of $8,000,000; and, as Max Leslie, the former city leader in Philadelphia, would say, most of that was free money." By "free money" in Pennsylvania, I presume as elsewhere, is meant money that does not have to be accounted for.

. . . . . .

. . . Of course, we all know why the steel people have contributed so much in the past. It was entirely due to the high protective tariff. . . .

The interests of campaign contributors may not lie in the field of legislation but in the administration of existing law. In the Illinois Republican senatorial primary of 1926 Samuel Insull, the late utilities magnate, contributed $125,000 to the campaign of Frank L. Smith and at the same time spent some $33,000 on an anti–World Court campaign which presumably redounded to the benefit of Smith. At the time, Smith was the chairman of the Illinois Commerce Commission with rate-making power over the utilities headed by Insull. Insull told a Senate committee that he spent money in the campaign because ". . . of reasons that I have not told you and do not intend to tell you, because it involves a dead man, and other reasons, because I am very much interested in politics generally." [33]

[32] *Congressional Record* (daily edition), March 9, 1940, p. 3988.
[33] Quoted by Wooddy, *op. cit.*, p. 61.

The reference to the dead man, it was rumored, was to Smith's opponent in the race, at an earlier time a bitter rival of Insull in business affairs.

On the other side in the Republican senatorial campaign was a William B. McKinley, a candidate for renomination and a retired man of wealth, who spent about $350,000 of his own money. The most bizarre note in the campaign was introduced by Julius Rosenwald, late great, mail-order man and philanthropist, who, according to Smith, offered Smith stock worth $500,000 if he would withdraw from the campaign after the primary. Rosenwald told him, Smith said, that he would not be seated by the Senate. Smith refused.[34]

Insull contributed also to the campaign of the Democratic ticket headed by George Brennan. As Brennan told the story:

> . . . the contribution from Mr. Insull he indicated to you, was given to me the day he left for Europe. He called me up on the phone and said, "Old fellow, don't you want to see me before I go away?" I went over to his office and he said to me, "Don't you need any money for the great Democratic organization of the State of Illinois?" I said, "Oh, we have no serious opposition. I don't contemplate anything; but nobody ever refuses money; and you always need money in political campaigns." He said, "I want to give you something. Of course I am a Republican."

He gave Brennan $15,000 and later said that he felt "ashamed that it was not more."

Contributions to campaign funds at times tread dangerously close to bribery. The arrangements vary from an express understanding that, if elected, the candidate will take a specified view on certain measures, through contributions to persons whose past behavior is quite satisfactory assurance of future attitudes, to contributions which are as bread thrown upon the waters with a pious hope of future return. For example, in New York some years ago, the president of a street railway association made contributions through the state committees of both parties to be used in support of *particular* candidates for the legislature rather than in support of the entire slate.[35]

[34] For the complete story of this incident, see M. R. Werner, *Julius Rosenwald* (New York: Harper, 1939), chap. 11.

[35] Testimony of G. Tracy Rogers, Report of the Joint Committee to Investigate Corrupt Practices, pp. 598-613 (New York Assembly Document, No. 30, 1911). The elder La Follette records an offer of $100,000 to the Republican campaign fund if certain votes were switched for a Nicaraguan canal bill in Congress. A similar amount was to go to the Democratic national committee, he said he was told. "I jokingly suggested that if the Democrats were to receive a like

Q. Why did you want those particular gentlemen there?

A. Because I have told you they were good, square, honest men, who could not be bought or bribed.

. . . . . .

A. . . . I had nothing to do with a man that I supposed to be bought, and I never bought or suggested buying a vote or putting money behind a bill, either to progress it or retard it, in all my experience.

Q. You thought the better method, as I take it, then would be to contribute money for the election of those whom you could trust, and then trust them to appreciate the obligation, was that it?

A. No, to those whom I could trust.

. . . . . .

Q. Now, Mr. Rogers, again leading off as we commenced—why did you pay the money?

A. I thought I had answered that very fully, and you have in every question repeated, for good government and for the good of the railroads.

Q. Which motive was the stronger, good government or for the good of the railroads, if there was any difference?

A. There is only one answer to that.

Q. What is that answer?

A. The best interests of the railroads.

Contributions to the organization treasury may be motivated by a desire to retain the favor of those already in power. The author of the following newspaper story probably would have us infer that such was the purpose in the situation described.

One of the most auspicious Christmas charities in the political world this year is that sponsored by the 27th Ward Democratic Club. . . .

The program for the charity comes fresh from the press of M. Ph. Ginzburg, 1214 South Halsted Street. The cover of the bulky document designates it as the souvenir program of an amateur boxing exhibition to be held Dec. 14 at the 132d regiment armory, but the contents are all advertising.

Business men in the district had the "bite" put on them at the rate of $100 a page of advertising in the publication. The follow-up was a bunch of tickets for the event, ranging from 25 to 100 and priced at $1 apiece. There are 111 solid pages in the book, and if everybody paid the same rate, the return on this should be $111,000.

Saloons, of which there are plenty in the district, comprising the near

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contribution, one would offset the other. Dudley replied in the same vein, that Republicans had a lot more sense than Democrats in spending their campaign funds."—*Autobiography*, pp. 77-79.

west side, were the chief contributors. This was in the way of natural law, because a saloonkeeper never knows when he is violating the highly complicated liquor laws. All the tavernkeepers know is that violations by those who are not right-minded means license revocation.[36]

The motivation of one important group of contributors to party funds is obvious. The payment of party assessments on the salaries of officeholders is made under a threat, at least tacit, that discharge may follow a refusal to pay the "income tax" levied by the party in power. There are two other sources of assessment income, party nominees for elective offices and persons occupying administrative posts. Although assessments or contributions from the former are probably more widespread, contributions from the latter probably bulk larger in the aggregate. The ultimate sanction for the enforcement of an assessment is the power to remove from office. An official's livelihood may depend upon whether he "contributes" a portion of his salary. The techniques for stimulating payment vary from brutal extortion upon threat of removal to a mild suggestion by the appropriate persons to the administrative personnel that contributions will be appreciated. The changes in methods of collection have arisen in response to legislation prohibiting assessments: assessments tend to be made to appear as "voluntary contributions."

In the Federal service the practice of levying assessments on the salaries of employees sprang up in the 1830's; by 1842 assessments were rigorously collected in the New York post office and customs house, and the practice became quite general in the Federal service by the time of Buchanan's administration.[37] The older methods of

[36] Chicago *Daily News*, December 5, 1935. *The Book of the Democratic Convention of 1936* could be said to be of the same character as the program of the boxing exhibition of the 27th Ward Democratic Club in Chicago. *The Book*, containing a variety of information about Democratic leaders and about the national government, contained paid advertisements, in many instances from corporations, and was sold in several editions. The de luxe edition, autographed by the President, was sold at $100 a copy. The sale of advertising and of copies of *The Book*, Dr. Overacker estimates, netted the Democratic national committee at least $250,000 (see *American Political Science Review*, 31 (1937), pp. 479-480. The Hatch Act amendments of 1940 made it unlawful for any person or corporation "to purchase or buy any goods, commodities, advertising, or articles of any kind or description where the proceeds of such a purchase, or any portion thereof, shall directly or indirectly inure to the benefit of or for any candidate for an elective Federal office (including the offices of President of the United States, and Presidential and Vice-Presidential electors) or any political committee or other political organization engaged in furthering, advancing the nomination or election of any candidate for any such office or the success of any national political party."

[37] D. B. Eaton, "Political Assessments," *North American Review*, 135 (1882), pp. 205-206.

collection in the Federal service may be illustrated by the campaign of 1878. To each civil officer receiving over $1,000 a year a circular was sent on the letterhead of the Republican congressional committee calling "with confidence" for "such a contribution in money as you may feel willing to make, hoping that it may not be less than" a sum equal to 1 per cent of the annual salary. The employees were assured that there would be "no objection in any official quarter to such voluntary contribution." To follow up the circular, collectors were sent through the offices of some of the executive departments with subscription books, headed, as a stimulus in some instances, by the department head. Receipts in the appropriate sums had been prepared in advance of the interview with each prospective contributor. The response to these appeals was gratifying to the party leaders. Of the $106,000 raised for the campaign of 1878 by the Republican congressional committee, $93,000 came from Federal officeholders. The request for a mere 1 per cent of the annual salary in 1878 yielded three-fourths as much as the solicitation of 2 per cent in 1876 had brought in.[38]

The more indirect method of collection devised to avoid violations of prohibitory legislation is illustrated by the form of solicitation in Pennsylvania in the campaign of 1930. The assistant chairman of the Republican state committee described the method to a Senate committee.[39] Governor Pinchot, he said, was reluctant to secure funds from the state employees, but the campaign chest was empty in October and "it was necessary to get down to brass tacks and get the money." The chairman of the state committee issued a statement inviting the public to make contributions and specified the place to which checks should be mailed. Later the Governor gave a statement to the press saying that he was frequently asked by state employees whether he would

[38] The appeal to save the country from the Democrats was so effective that some of the "lady" employees, as the report of the investigating committee phrased it, who had not been circularized were "quite indignant" because of this sex discrimination. Two or three of them came down to the committee offices, according to its secretary, "and said they had as good a right as anybody and would not be prevented from contributing their mite, and I said, 'Very well'; I was too polite, I hope, to try to oppose a lady's will in such a matter." Report of the Select Committee to Inquire into Alleged Frauds in the Late Elections, Senate Report No. 427, 46th Congress, 2nd Session (1880).

[39] In 1940 the financial clerk for the Democratic state committee of Pennsylvania testified that the Democratic practice had been to assess employees earning $1,200 or more per year 3 per cent of their salaries; 1.8 per cent of the salaries of those earning less than $1,200 per year.—*The New York Times*, March 27, 1940

. . . object if they were to make a contribution to the Republican State Committee. My answer is "Certainly not." If they desire to contribute they have the same right to do so as any other citizen. I would have no right and I certainly have no desire to prevent any strictly voluntary contributions or any other proper service to the party to which they belong, by any employees of the Commonwealth.

These two dispatches were reprinted and sent together "to each person connected with the State government." The yield was approximately $111,000. No written demand was made by the party committee; everybody understood what to do. The chairman of the state committee said that no one was ever assessed in Pennsylvania because under the law to do so was a "very serious offense." On being asked if no effort was made to collect a certain percentage of the salary for the campaign fund, he replied, "Oh, no; it is all voluntary." [40]

Collection of funds from public employees sometimes takes the form of a "sale" of some article to the employee. During the administration of Mayor Thompson in Chicago many of the city employees purchased tickets to the Republican jubilee held at an amusement park or subscribed to the administration newspaper, *The Republican*. The sale of tickets was so widespread among the employees that the grand jury was convinced that "coercion or subtle suggestion was employed and that the voluntary purchase of tickets was an exception to the general rule governing these sales." Over $200,000 was grossed in the sale of tickets.[41] During "Ma" Ferguson's first admin-

[40] Hearings Before a Select Committee on Senatorial Campaign Expenditures, *op. cit.*, pp. 266, 331-332. Somewhat different methods were shown to have been used during the 'twenties by Republican committees in the South. "Voluntary contributions" were solicited from postmasters. A letter from the director of organization of the Republican state committee in Texas to a Republican county chairman contained this paragraph: "We are enclosing herewith blank notes which we wish you would have signed by the parties whose names appear on the slip herewith attached. This slip shows the amount of salary and whether any help has ever been rendered headquarters, and if so, how much. I am sure it is unnecessary for me to dwell upon the great importance of your attending to this matter for us at your earliest possible moment, and I am sure that you are familiar with the fact that you should not solicit this help in the place of business of the parties mentioned." The last sentence was a delicate reference to a Federal statute prohibiting collections in offices or buildings occupied by employees in their official capacity.—Hearings Before a Subcommittee of the Committee on Post Offices and Post Roads, pursuant to S. Res. 193, S. Res. 311, and S. Res. 330, U. S. Senate, 70th Congress, 2nd Session, (1929), Part 2, p. 459.

[41] *Good Government*, 39 (1922), p. 19; see also *People* v. *Murray*, 138 N.E. 649 (1923).

istration as governor of Texas a representative of the *Ferguson Forum*, "Pa" Ferguson's personal political organ, did a thriving business in the sale of subscriptions to state employees. Similarly, public employees are to be found in attendance in large numbers at Jackson Day dinners, the profits of which go into the party treasury.

The present extent of the practice of assessment is difficult to gauge. At the Federal level, the assessment of classified civil service employees has apparently become negligible. Employees outside the classified service, however, are solicited with varying degrees of thoroughness. In Kentucky during the senatorial primaries of 1938, Federal employees, for example, were found to have contributed about $24,000 for use in Senator Barkley's campaign. Among state employees assessment seems to be the general rule. One of the widely publicized examples of recent years involved Kentucky. During Governor Chandler's campaign against Senator Barkley in 1938 for the senatorial nomination, collections from state employees who were paid in whole or in part from Federal funds alone was "in the neighborhood of $70,000."[42] Another case attracting considerable attention was that of the Two Per Cent Club sponsored by the Indiana Democratic organization built up by Paul McNutt. The amounts collected were reputedly 2 per cent of the annual salaries; the total yield is unknown, but in 1938 the club donated $110,000 to the Democratic state committee.[43] In cities and counties the practice of assessment seems to continue wherever there is intense organized partisan activity. No complete picture either of the extent or of the thoroughness of the practice in local governments is available,[44] but the custom is so general that its absence rather than its presence is noteworthy. Again, trustworthy figures are not available, but the general opinion among investigators of the problem is that

[42] Senate Report No. 1, 76th Congress, 1st Session (1939), p. 12. For a discussion of the general practice in states and cities, see Pollock, *Party Campaign Funds*, *op. cit.*, pp. 119-125. See also A. C. Millspaugh, *Party Organization and Machinery in Michigan* (Baltimore: The Johns Hopkins Press, 1917), pp. 134-137.

[43] See Walter Davenport, "The Spreading McNutt Tree," *Collier's*, January 20, 1940.

[44] The most thorough survey of any single jurisdiction was made of Philadelphia by M. L. Cooke in 1913. He found that "94 per cent of all city employees paid assessments" and that "these 'contributions' totaled several hundred thousand dollars every year." During Mayor Blankenburg's administration the practice was stopped in the departments under his control, but assessments have been since resumed. See *Report of the Director*, Department of Public Works, Philadelphia, 1914, pp. 28-29.

the revenue from assessments bulks larger in the income of city, county, and state party committees than in the national committees of the parties.

Motives of friendship, admiration of the candidate as a person, and personal ambition frequently enter into campaign contributions. A wealthy man may have a friend running for office; a gift of a few thousand dollars will help the cause and not hurt the donor financially. The wealthy man himself may have an itch for public office and become a candidate himself or back another candidate with the hope of receiving an appointive office. The diplomatic service, with its social prestige, is often attractive to the wealthy contributor. The Newberry campaign for the Republican senatorial nomination in Michigan in 1918 illustrates some of the foregoing statements. The campaign contributions totaled around $190,000, of which $99,900 came from John S. Newberry, the brother of the candidate, Truman S. Newberry. A gift of $25,000 was made by Victor Alfred Barnes, an intimate friend and brother-in-law of Newberry as well as a vice-president of the American Book Company. Henry B. Joy, another brother-in-law and a retired businessman, contributed $25,000, and his wife, $10,000. Lyman D. Smith, a long-time, intimate friend in New York, gave $10,000. Frederick Brooks, who had been at Yale with Newberry and resided in New York, contributed $2,500. Between $12,000 and $15,000 was contributed by Andrew H. Green, manager of the Solvay Process Company in Detroit, who had served on the same ship with Newberry in the Spanish-American War.[45]

While it is easy to point out that campaign contributions are frequently made without any expectation of governmental favors, it should also be observed that wealthy campaign donors seem to have few friends among the Socialist, Communist, or liberal candidates. Occasional instances of support of liberal candidates and causes by men of wealth may be cited. The late Charles R. Crane, for example, contributed to the preconvention campaigns of both Wilson and La Follette in 1912 because he was interested in the election of a liberal candidate by one party or the other. In California, Rudolph Spreckles gave liberally in support of campaigns for the installation of a state-owned water and power system.[46] Other instances might be cited, but as a general rule the wealthy contribute to candidates not intensely interested in fundamental changes in the

[45] Ervin, *op. cit.*, pp. 21-25.

[46] Key, "Publicity of Campaign Expenditures on Issues in California," *American Political Science Review*, 30 (1936), pp. 713-723.

political order—whatever their party affiliations may be. The reduction in contributions of the wealthy to the Democratic campaign fund between 1932 and 1936 following the unfolding of the New Deal is indicative of the pressure on both parties from their financial supporters.[47]

REGULATION OF PARTY FINANCE

In practice the regulation of party finance is not inspired by abstract and rigid ethical notions. The use of money in politics may give power to one group or another. The moneyed groups may gain influence at the expense of those not so affluent. Laws concerning party finance are usually put through in an effort to curb or weaken the influence that is gained by one group at the expense of another or to prohibit particular methods of using money that give the party with the biggest purse an advantage. Thus the regulation of party finance then is a part of the general pattern of politics—the acquisition of power and influence.

Requirement of publicity.—One of the more important types of party-finance regulation is that requiring publicity of the amounts of contributions, the names of contributors, and the nature of expenditures. Under a regime of secret campaign funds the electorate as a whole has no means of knowing what financial clique is backing a candidate. Also, secrecy of funds was thought to encourage purchase of governmental favors through campaign contributions. In 1896 Mark Hanna, manager of McKinley's campaign, systematized and perfected a scheme for raising campaign funds from corporations. Corporate contributions were not novel, but the thoroughness with which the Republican national committee assessed corporations more or less according to their ability to pay attracted attention. In 1904 Alton Parker, the Democratic candidate, made an issue of the secrecy of campagn funds by the public assertion that the corporations were furnishing funds to the Republican campaign to purchase the favor of the Republican Party. The Democratic campaign treasurer of 1904, Perry Belmont, led a movement to regulate campaign funds. He organized the Publicity Law Organization of the State of New

[47] Another way of expressing the situation might be as follows: In 1936 both national committees received donations totaling $10,224,291; of this total, $5,069,011 was given by 1,945 contributors of more than $1,000 each. In relation to the approximately 73 million persons in the United States over 21 years of age, this means that 49.5 per cent of the receipts of both national committees in 1936 came from slightly more than $^{7}/_{1000}$ of 1 per cent of the adult population.

York and later the National Publicity Law Association.[48] The first fruits of the work of Belmont and his allies were not publicity laws but certain laws prohibiting corporate contributions. By 1908, however, the sentiment against secret funds had become so strong that both parties made their financial records public; in 1909 Taft recommended to Congress that an act be passed requiring that political committees and candidates for Congress file with some public officer a statement of their campaign receipts and expenditures. Congress adopted such a law in 1910, which was subsequently amended and extended.

As the Federal law now stands, "political committees" are required to file at certain intervals statements with the clerk of the House of Representatives. The term "political committees" includes organizations accepting contributions or making expenditures to influence the election of candidates "in two or more States" or in a single state if the committee is a branch or subsidiary of a national organization. The reports must include the name and address of each person who has contributed more than $100, the total of all contributions, the names and addresses of persons to whom payments of $10 or more have been made, the total expenditures, and certain other information. Somewhat similar reports are required of candidates for Senator and Representative.

In a large proportion of the states somewhat similar legislation exists. Candidates, political committees, and campaign managers are required to file with the secretary of state, the county clerk, or other official a statement of receipts and expenditures. These statements are open to public inspection and usually become the subject of newspaper stories.[49]

Although laws requiring reporting and publicity of the details of party finance have been enacted by the Federal Government and many of the states, publicity is by no means complete. In many instances the laws are defective. In some states, for example, the financial reports are filed after the primary or election. Publicity before the election is necessary if knowledge of the sources of a can-

[48] See Perry Belmont, *An American Democrat* (New York: Columbia University Press, 1940), chap. 17.

[49] For an analysis of the state laws, see, Overacker, *Money in Elections*, *op. cit.*, chap. 12. A summary of state corrupt-practices laws, prepared by Harry Best of the University of Kentucky, has been published as Senate Document No. 11, 75th Congress, 1st Session. Dr. Best has also prepared a study of the judicial interpretation of these laws, which has been issued as Senate Document No. 203, 76th Congress, 3rd Session.

didate's funds is to be given to the voter at the right time. Some laws have inadequate coverage: in some states they apply only to expenditures by the candidate, and thus campaign committees that collect and spend money are exempt from the reporting requirement. The Federal act requires that a candidate for Congress report money received and expended by himself "or by any person with his knowledge or consent." Money spent by a local committee without the "knowledge or consent" of the candidate would not have to be reported by the candidate. Some difficulty has been encountered in defining in the laws precisely who should report; nonparty groups have often been opposed to the extension or interpretation of the legislation so as to cover their activities. In 1928, for example, the Board of Temperance, Prohibition, and Public Morals, according to its general secretary, did all that it was capable of "in bringing about the election of Herbert Hoover as President and Charles Curtis as Vice-President." An official of the board contended that the board was not covered by the Federal law requiring reports of receipts and expenditures because "criticism of the opinions of a political candidate in regard to a moral concern can not legitimately be called participation in politics." The Federal law applies to "political committees." [50]

Since 1925 the Federal law regulating expenditures has not applied to expenditures in primaries, although primaries are generally regulated by state legislation. In 1925 an amendment was adopted removing primaries from the sphere of Federal regulation, as a consequence of the Newberry decision of 1921 which involved charges

[50] See Overacker, *Money in Elections*, *op. cit.*, pp. 259-262. Certain constitutional questions concerning the extent of the power of Congress to compel the filing of reports have been answered in the case of *Burroughs* v. *United States*, 290 U.S. 534 (1934). In 1928 the Anti-Smith Democrats, an organization led by Bishop James Cannon, Jr., collected and expended funds in a campaign against Al Smith. In defense against an indictment for violation of the Federal Corrupt-Practices Act through failure to file a report, Cannon and his secretary, Burroughs, contended that Congress had no power to regulate Presidential elections, and therefore no authority over the campaign activities of individuals. (The Constitution provides that Presidential electors of each state shall be appointed "in such manner as the legislature thereof may direct.") The Supreme Court held that Congress had acted within its power: "To say that Congress is without power to pass appropriate legislation to safeguard such an election from the improper use of money to influence the result is to deny to the nation in a vital particular the power of self-protection. Congress undoubtedly possesses that power, as it possesses every other power essential to preserve the departments and institutions of the general government from impairment or destruction, whether threatened by force or corruption."

against Truman H. Newberry in connection with his campaign for the Republican senatorial nomination in Michigan. In some quarters the Newberry case[51] was interpreted to mean that Congress was without power to regulate primary elections, although it was somewhat difficult to say precisely what the court decided, since different members of the court arrived at the same conclusion for different reasons. A 1941 decision, involving the application of a different type of legislation, seems to make it clear that Congress could extend its regulation of campaign finance to primaries for the nomination of Senators and Representatives if it cared to do so.[52]

In addition to patent defects in the laws, other factors operate to prevent the attainment of complete publicity. An obvious one is the failure of candidates and committees to file reports. Another is the condition of the reports. Both the Democratic and Republican national committees file reports, but to know their significance requires extensive analysis. Who makes the analysis that becomes available to the public? This comes mainly from newspaper reporters who sketch through the reports hurriedly to select newsworthy items that may be made into stories by the next deadline. To determine the total gift by any single individual may require the collation of different donations indicated at scattered points throughout a bulky report. There are lengthy itemizations of expenditures and receipts in state offices that had not even been totaled. Reports may be extremely complete, but the very form in which the facts are presented may conceal their significance.

Limitation of source of funds.—One of the oldest and most common limitations on the source of funds is the prohibition against campaign contributions by corporations. Legislation of this sort was a logical consequence of the efficiency with which Mark Hanna levied on the corporations for the support of the Republican campaign in 1896, but there were other factors. The widespread corruption of state and city governments by corporate contributions, as revealed by the "muckrakers" and capitalized on by the Progressive and antiplutocratic elements in both parties, gave impetus to the movement to limit corporate contributions. The Federal law, as adopted in 1907, makes it unlawful for "any national bank, or any corporation organized by authority of any law of Congress" to contribute "in connection with any election to any political office," or for "any corpora-

[51] *Newberry* v. *United States*, 256 U.S. 232 (1921).
[52] *United States* v. *Classic*, 61 Sup. Ct. 1031 (1941).

tion whatever to make a contribution in connection with any election at which presidential and vice presidential electors or a Senator or Representative . . . are to be voted for. . . ." The difference in the status of the two types of corporations arises from the different sources of the powers of Congress. Its power is complete over national banks and other corporations chartered by authority of Congress, and the prohibition against political contributions by them is complete. Respecting other corporations, however, the power of Congress to regulate is generated by its authority over the election of Presidential electors and over the election of its own members. In other words, Congress cannot, except by indirection, prohibit a state-chartered corporation from contributing to a purely state or local campaign.[53]

A novel method of regulating corporate contributions was employed in the Public Utility Holding Company Act of 1935. This act, passed by virtue of the Federal commerce power, incidentally forbade contributions to political campaigns, Federal, state, or local, by any registered utility holding company or any subsidiary of such company. Utility companies, subject to public regulation, are under a special temptation (and sometimes special pressure) to contribute to campaign chests. Investigations by the Securities and Exchange Commission have indicated utility liberality toward campaign funds in a few instances.

About three-fourths of the states limit corporate contributions. Some states prohibit contributions by any and all corporations. Others forbid contributions by public-utility corporations. Still others forbid contributions by other types of corporations: banks and insurance companies are frequently specified. Thus the limitations on corporations vary from state to state, from election to election, and with the type of corporation.[54]

Although these restrictions have been placed on corporate contributions, it would be erroneous to conclude that the political wings of corporations have been clipped. A contribution of $100,000 by the chairman of the board of a corporation may be made with the same design and effect as a contribution of $100,000 from the treasury of the corporation itself. Yet the number of individuals who can give $100,000 from their own funds is considerably smaller than the

[53] On the circumstances leading to the passage of the Federal act, see Pollock, *Party Campaign Funds*, op. cit., chap. 2.

[54] See E. R. Sikes, *State and Federal Corrupt-Practices Legislation* (Durham: Duke University Press, 1928), pp. 127-129.

number of corporations that can. Moreover, the prohibition on corporate contributions offers a measure of protection to stockholders who are, in effect, assessed by the corporate management when contributions are made from the resources of the company.

The legislation restricting corporate subsidization of party organizations contains a most significant loophole; the Federal law, for example, prohibits contributions in connection with the election of individual officials—in one instance, "any political office," in another, "presidential and vice presidential electors or a Senator or Representative." This prohibition does not apply to expenditures for lobbying before Congress. The public-utility corporations could, for example, spend some $4,000,000 in an effort to prevent the passage by Congress in 1935 of the Public Utility Holding Company Act without violating the Federal Corrupt Practices Act. A corporation may contribute to its trade association which carries on campaigns of public education in favor of or opposing certain governmental policies of interest to the membership of the association.[55]

The rise to importance of labor unions as a source of party revenues in the campaign of 1936 has led to the suggestion that trade-union contributions be placed on the same plane as corporate contributions. The Lonergan committee recommended that the limitation of the Federal act be extended to "all organizations, associations, or enterprises, incorporated or unincorporated, whose aims or purposes are the furtherance of group, class or special interests." The application of the prohibition to labor unions met with a more enthusiastic reception from the Republican Party and from antilabor groups than it did from the Democratic leaders. Proponents of the limitation pointed to similar legislation in England.[56] Indirectly, fairly effective limitation on trade-union contributions was made by the Hatch Act of 1940 when it limited contributions to $5,000.

[55] Some discouragement to the expenditure of funds for lobbying and propaganda to influence legislation is furnished by the legal provision that such outlays are not deductible as a business expense in the determination of income-tax liability. For an application of the rule, see *Commissioner of Internal Revenue v. Textile Mills Securities Corporation*, 117 F. (2d) 62 (1940). The Federal Power Commission, through its control of the accounting of its licensees, may require that political expenditures be charged to surplus rather than to operating expense, and thus compel the stockholders rather than the customers of the utility to pay the cost. An opinion of the commission dealing with antipublic ownership expenditures by utility concerns in the Pacific Northwest may be found in *Congressional Record* (daily edition), March 3, 1941, p. A1027.

[56] For the English situation, see Pollock, *Money and Politics Abroad*, *op. cit.*, chap. 4.

A second source of party revenue regulated by legislation is assessments on public employees. Legislation to prohibit assessments, or "macing" as it is called in Pennsylvania, is designed to deprive the party in power of the advantage of access to this source of revenue, as well as to protect the rights of Government employees in their wages and salaries. The defenders—and there are defenders—of the practice of assessment contend that by the raising of funds in this fashion the party is able to maintain its independence of the corporations, of the wealthy contributors, and of the vested interests. Perhaps an occasional instance in which the assertion is true may occur, but more generally the party organization that assesses public employees will be found to be accepting "tainted" money with the other hand.

The Federal Civil Service Reform Act of 1883 forbade the solicitation or receipt by any officer or employee of the United States of any "assessment, subscription, or contribution, for any political purpose whatever" from any officer or employee of the United States and made it unlawful for any person to solicit political contributions from employees in their offices. The legislation has certain patent defects: employees may not be solicited for contributions by another employee of the Government, but they may be assessed by outsiders, such as the agents of a party committee who may be able to bring about their discharge.

From the available data it appears that revenue from assessments is not so important in the finances of national and congressional committees as it once was. Of the Democratic national committee's receipts from contributions in amounts of $1,000 and over in 1936, 12.6 per cent came from officeholders. These contributions constituted an important source of revenue to the national committee, but they came from the more highly paid policy-forming officials, from wealthy individuals occupying diplomatic posts, and like individuals, rather than from the systematic "taxation" of the mass of Federal employees. Most subordinate personnel in the Federal service do not appear to be compelled to contribute a percentage of their salaries to party funds, but occasional instances of assessment come to light. In 1934, for example, the President requested the resignation of a collector of internal revenue in Pennsylvania because of assessments in his office. Similarly, the Detroit collector of internal revenue resigned after charges of assessment had been made against him.[57] In the 1938 congressional campaign, scattered instances of

[57] Chicago *Tribune*, May 23 and June 13, 1934. "One witness," from the

solicitation from Federal employees were uncovered, but generally the solicitation was within the letter of the law: it was done, not by a Federal official or employee, but by party managers or other private persons.

As a consequence of the investigation of the 1938 campaign, however, Congress enacted an anti-assessment prohibition, as a clause of the Hatch Act, that is in some respects broader than the older legislation. The Hatch Act makes it unlawful "for any person to solicit or receive" any subscription, assessment, or contribution for "any political purpose whatever from any person known by him to be entitled to or receiving compensation, employment, or other benefit" from Federal funds for work relief or relief purposes. Thus, employees paid from relief funds, as well as persons receiving the benefits of relief funds, such as W.P.A. laborers, are protected from assessment by "any" person, a broader prohibition than the earlier act which applied to solicitation of one employee by another employee.

Less than half of the states prohibit assessments against state and municipal employees. Even in those states with anti-assessment laws the legislation itself is in some instances defective; everywhere, whether prohibited or not, the practice of assessment appears to be much more general among state and local employees than in the Federal service. At times the collections are made in a most thorough and systematic manner. In West Virginia, according to evidence presented in a 1940 congressional debate by Senator Neely, the system was so thorough that a road worker who received a check for $3.50 had to contribute 2 per cent, or 7 cents, to the party fund.[58]

State legislation prohibiting assessment of state and local employees was supplemented in 1940 by congressional action. An amendment to the Hatch Act prohibits assessments of state and local employees paid wholly or partly from Federal grants or loans. This legislation, like that applicable to Federal employees, prohibits assessment by one employee of another, and does not reach assessments by nonemployees. The Hatch Act applies, of course, to only a part of the state and local employees. If it is effective, probably it will increase the pressure for contributions from those state and local employees not paid in part from Federal funds.

Philadelphia office, "said he had always contributed to the party in power, to Republicans before and now to Democrats. Another witness testified the only difference between the system now and in former years was that the Republicans only asked for 3¼ per cent, while the Democrats asked for 5."

[58] *Congressional Record* (daily edition), March 8, 1940, p. 3947. The Senator relates: "The poor man had but 2 cents to his name, and consequently borrowed 5 cents from a friend in order to pay the ransom necessary to obtain his check."

Contractors, suppliers, and other persons having financial transactions with the Government have been important donors to campaign funds. In corrupt situations contractors may be virtually compelled to contribute to the party treasury. The 1940 amendment to the Hatch Act attempted to prevent contributions from persons dealing with the Federal Government. The act prohibits contributions by contractors and the solicitation of contractors for contributions "during the period of negotiation for, or performance" of a contract with a Federal agency.

Limitation of purpose of expenditures.—Expenditures for specified purposes are prohibited primarily by state legislation. The earlier tendency was to select and prohibit certain expenditures believed to be corrupt. The bribery of voters, for example, is everywhere unlawful. In various states expenditures are prohibited for treating, for conveying voters to the polls, for election-day workers. The more recent tendency in legislative control of the purpose of campaign expenditures is to specify by law the objects for which money may be legitimately spent. In a primary in California, for example, a candidate is limited to "lawful" purposes of expenditure that are defined as follows:

1. For the candidate's official filing fee.
2. For the preparing, printing, circulating and verifying of nomination papers.
3. For the candidate's personal traveling expenses.
4. For rent and necessary furnishing of halls or rooms, during such candidacy, for public meetings or for committee headquarters.
5. For payment of speakers and musicians at public meetings and their necessary traveling expenses.
6. For printing and distribution of pamphlets, circulars, newspapers, cards, handbills, posters, and announcements relative to candidates or political issues or principles.
7. For his share of the reasonable compensation of challengers at the polls.
8. For making canvasses of voters.
9. For clerk hire.
10. For conveying infirm or disabled voters to and from the polls.
11. For postage, expressage, telegraphing, and telephoning, relative to candidacy.

Well over half the states have legislation enumerating lawful items of expenditure, although these items vary from state to state.

Limitation of amounts spent.—Efforts to limit the amount spent

in campaigns has been one of the most general types of legislation and at the same time one of the most generally ineffective. Congress has placed a limit on the amount to be spent by "a candidate" for the House or Senate in his election campaign, and thereby has excluded from the limitation expenditures in the primary campaign and those made by persons other than the candidate. The Federal limits, unless the law of the state sets a lower maximum, are "the sum of $10,000 if a candidate for Senator, or the sum of $2,500 if a candidate for Representative, Delegate, or Resident Commissioner." However, to meet the greater needs of the larger states, a sliding maximum has been established which raises the above limits in some states. This sliding maximum is stated as follows:

> An amount equal to the amount obtained by multiplying three cents by the total number of votes cast at the last general election for all candidates for the office which the candidate seeks, but in no event exceeding $25,000 if a candidate for Senator or $5,000 if a candidate for Representative, Delegate, or Resident Commissioner.

The limits fixed in the congressional act are deceptive, for certain types of expenditures may be made over and above the maximum. Not included in the limitation are expenditures for the candidate for "necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service" and certain other expenses. In other words, a candidate might legally spend $50,000 for postage and distributing letters, circulars, or posters so far as the Federal law is concerned. The limitations on amount apply only to certain types of expenditures.

In the states legislation to limit the amount of expenditures is common. In Idaho primaries, for example, expenditures by candidates are limited to $5,000 for the office of United States Senator; $2,000 for Representative in Congress; $2,000 for state offices; $250 for county offices and membership in the state legislature. In some states limitations are specified in terms of percentages of the salary of the office concerned. In Iowa, for example, a candidate may spend in a primary or in a general election not more than 50 per cent of the annual salary of the office sought. In other states variable limitations, depending on the number of voters, are established by law.

Statutes attempting to limit the amount of expenditures in campaigns have certain defects. In one respect, many laws fix limits so

low that it would be possible to conduct only the most feeble of campaigns if expenditures were kept within the permissible limits. The alternatives are either to ignore or to evade the law. Many statutes apply only to expenditures "by candidates"; outlays made by committees or persons in behalf of a candidate in many instances are not covered by the law. The fundamental difficulty in the limitation of campaign expenditures arises from the nature of our electoral system. If in a particular campaign only a single office were to be filled in any one area or district, it might be feasible to control the amount of expenditures. In the American electoral system, however, that condition is exceptional. A party committee may be working for the election of a ticket of twenty or thirty names, from the Presidential electors down to the constable of the precinct. How are general expenditures in support of the entire ticket to be allocated among the different candidates? If one candidate on the ticket operates under a limit, the expenditures may be charged to the candidate having no statutory limitation.

By a farcical provision Congress in 1940 halfheartedly attempted to limit the total amount spent in Presidential campaigns. The Hatch Act provided: "No political committee shall receive contributions aggregating more than $3,000,000, or make expenditures aggregating more than $3,000,000, during any calendar year." The simple method for avoidance of this limitation is to organize several political committees to collect campaign funds. Early in the 1940 campaign Henry P. Fletcher, general counsel to the Republican national committee, advised that the Republican national committee, the Republican congressional committee, and the Republican senatorial committee could each collect and spend $3,000,000 without violating the terms of the act. He suggested, in addition, that state committees, instead of relying on grants from the national committee, collect funds directly from donors. Funds formerly collected by the national committee and distributed to the states would not then come under the $3,000,000 limitation. Fletcher's opinion dealt also with the status of an independent Willkie-McNary committee: "It is our opinion that donations to such a committee would not have to be included in the Republican National Committee's limitation of $3,000,000 if such Willkie-McNary committee is independently organized and does not consist of members of the Republican National Committee." [59]

[59] For the text of Fletcher's opinion, see *The New York Times*, August 4, 1940.

Mr. Fletcher's opinion undoubtedly correctly interpreted the statute, but the candidate announced that the Republican national committee, the Willkie-for-President clubs and the independent Democratic movement would be held to a combined maximum expenditure of $3,000,000. The managers of the campaign took a more practical view of the matter. They planned, early in the campaign, to keep the three national organizations within the combined limit of $3,000,000, and to shift to state and local committees, not covered by the letter of the Hatch Act, the burden of financing a greater proportion of the campaign than had been customary. "To illustrate their conception of the workings of the Hatch Act," Samuel F. Pryor, Jr., eastern campaign manager, and other party leaders "pointed to the speakers' bureau. In 1936, the speakers' bureau consisted of thirty-six members, whose expenses, and possibly fees, were paid by the national committee. This year the national committee speakers' bureau will consist of three members. As a result, the State organizations will augment their speakers' bureaus instead of depending on the national committee." [60]

Limitation of size of individual contributions.—The fact that individual contributions to campaigns are at times extremely large has been a matter for criticism, and in 1940 the amendments to the Hatch Act sought, in an ineffective fashion, to limit individual contributions to $5,000. But the limitation was not applied to gifts to state or to local committees. The Fletcher opinion quoted above pointed out the obvious loophole: "It is therefore our advice that donors desiring to give more than $5,000 to Republican candidates or committees should give only one gift of $5,000 to the Republican National Committee or the Republican Senatorial Committee or the Republican Congressional Committee. Any amounts above $5,000 that a donor desires to give should be given to State or local committees." [61]

[60] The New York Times, August 22, 1940. For a thorough analysis of the operations of the Hatch Act, see Overacker, "Campaign Finance in the Presidential Election of 1940," American Political Science Review, 35 (1941), pp. 701-727.

[61] The division of contributions to avoid the limitation is illustrated by the gifts by Helen Clay Frick during the 1940 campaign. According to the Gillette committee her contributions were as follows: $4,000 to the Republican national committee, $4,000 to the Republican senatorial campaign committee, $4,000 to the Republican congressional committee, $3,700 to the Clearing House for National Interests, $5,000 to the New York State Republican committee, and $4,000 to the Pennsylvania Republican central committee.

PARTY FINANCE AND POLITICAL POWER

Those who are critical of large expenditures by political parties often overlook the hard fact that large sums are necessary to carry on a modern political campaign. Even without the use of money for veiled purchase of votes or support of organization leaders who in turn can deliver votes, enormous sums legitimately may be spent to inform, persuade, and manipulate the electorate. The dissemination of party propaganda in a national campaign or in a large state campaign is a large-scale advertising job and accordingly necessitates large expenditures.

If one admits the necessity for the use of large funds in modern campaigns, the important question for the observer of political behavior remains: what is the effect of the methods of raising and spending funds on the distribution of political power? The broad tendency has certainly been that the greater part of campaign contributions are made with the object of checking any fundamental political change. The essential similarity of the two parties has not prevented the same motive from governing contributions to both parties, but it is significant to note that, when the cleavage between the parties has been sharper, as in 1896 and 1936, the contributions of wealth have tended to be concentrated on the side more attached to the *status quo*. It need not be concluded, however, that all contributions, large or small, are made after a nice calculation of the potential gains or losses. Factors of personal ambition entirely apart from views on public policy may enter into contributions. Nevertheless, the fact that both parties draw most of their income from an infinitesimal proportion of their following certainly gives to the financial supporters a voice in party affairs far disproportionate to their numbers.

It need not be supposed that the power of wealth is the only means of gaining influence in party councils and in the formulation of public policy. The rise of agricultural groups to a position of great power in party activities and in government itself has not been accomplished by means of lavish campaign contributions by agrarians. Labor, similarly, achieved considerable influence long before it became of importance in party finance. Agriculture and labor, through force of numbers, can exert influence; holders of concentrated wealth resort to other means to retain their status in the political and economic order.

The long-run tendency has been repeated efforts, under the lead-

ership of middle-class groups, to curb the power of great wealth. Although the contributors of large sums remain important in campaign finance, their contributions are probably but a tithe of what they would be had not the coffers of the corporations they control been closed for party purposes by legislation. Corporate finance through pressure groups and lobbying campaigns against particular public policies, however, remains unchecked. The influence of great wealth in party activities is persistent and at times unchallenged; it is kept in check only by the challenge of other groups with power enough to rise from time to time and raise an effective barrier to the progress of wealth.

Does the side with the most money win in the electoral campaign? Generally, it does. George Lundberg has collected data on 156 elections in various parts of the country and finds that in fourteen out of fifteen instances "campaign expenditures, as reported, constitute an absolutely reliable index of the outcome of the election." [62] The question arises: Does the side with the larger purse win because of the purse, or does it receive the money because it is in the habit of winning? There is undoubtedly a little of both elements; but there are campaigns in which the most generous expenditures would not have turned the tide. In the 1932 and 1936 Presidential campaigns the Republican Party had the larger war chest; however, it seems doubtful that enough money could have been spent to defeat the Democratic candidate.

QUESTIONS AND PROBLEMS

1. Examine and evaluate the corrupt practices act and related legislation of your state.

2. If the data are accessible, an instructive project for several students would be the analysis of the financial reports filed during one state or local campaign to determine total costs, total revenues, sources of revenues, and such other factors as might be possible to ascertain.

3. What are the principal purposes for which campaign expenditures are made?

4. What conclusions about the party loyalties of economic classes may be drawn from the analysis of contributions to the national committees?

[62] "Campaign Expenditures and Election Results," *Social Forces*, 6 (1928), pp. 452-457.

5. With respect to the financing of campaigns, what advantages are enjoyed by the party in power?

6. Differentiate between bribes and campaign contributions.

7. Determine the prevalence of assessment of officeholders for campaign purposes in your community.

8. Classify the objectives of the regulation of party finance.

9. Would it be advisable to regulate expenditures designed to influence legislation? In view of experience in the regulation of campaign finance, what kind of regulation would you suggest?

10. Is it possible with simultaneous campaigns for Federal and state office to limit effectively total campaign expenditures?

Chapter 16: THE PARTY AND THE GOVERNMENT

THE MANEUVERS of party leaders are calculated to gain or retain control of the government. Those maneuvers involve promises and strategy designed to bring together an electoral majority, or, if the party is in power, actions calculated to maintain existing combinations in order to have a majority at the time of the next election. Success in these endeavors requires a skillful balancing of interests, keen judgment of the temper of the people, and a finely planned battery of appeals that will consolidate a following. For maximum effectiveness, each item of the party program must be arrived at with an eye on its relationship to other items of the program. It is, to use an extreme example, inexpedient to adopt patently conflicting planks relating to dairymen and urban consumers of milk. But the party probably has, or hopes to have, support from both groups. Consequently, the party program must reconcile the interests of both. And so on throughout the party program, items must be considered in terms of their interrelationships.

The composition of the American party makes intraparty conflict on issues of policy inevitable. Yet if party unity is to be maintained, those differences must be settled or submerged. Otherwise the combination which controls the government, or which hopes to gain control, may disintegrate. The settlement of intraparty differences implies the existence of machinery for making party decisions and a willingness of factional leaders to accept those decisions. For the party out of power and without the embarrassment of responsibility for the conduct of the Government, the machinery for the elaboration of party programs is simple. The party nominee for the Presidency is in a position to map out the party program. Subordinate leaders, bound together by a common desire for victory and for office, accept his leadership during the campaign.[1] The formation and

[1] The leadership of the opposition between campaigns is a different matter from its leadership during campaigns. The minority group in the House and Sen-

fulfillment of the program of the party in power presents a very different problem: the internal differences of the party become acute and are aggravated by the dispersion of party leadership among the organs of government—the Presidency, the House, the Senate, and the administrative departments. The diffusion of governmental authority—and, thereby, of party leadership—among the various agencies of the government scatters authority and does not provide a forum in which internal differences may be compromised and a program may be formulated acceptable to the party as a whole. By the same factor, the execution of whatever program the major leaders of the party agree upon is handicapped. Only through a degree of party unity may a government of separated powers be managed, nevertheless that separation encourages disunity.

It is through party control and leadership that the executive and the legislature—and the courts, to some extent—act in concert. If the party has a policy of inaction, the executive and congressional leaders need be in agreement on a policy only of contented inaction. A positive party program, however, requires stronger leadership to articulate the separate agencies of Government. Yet complete harmony within the party is rare. Observation of the maneuvers to maintain discipline and unity of the party in power in order to formulate and to execute a party program reveals something of the nature of the political process between elections. At times party leadership is in complete control. At other times it miscalculates and the unmollified faction manifests its disagreement in insurgency. The demands of pressure groups may disrupt party unity and create new combinations across party lines. The party ranks may close as an election approaches and unity in the face of the common enemy becomes essential for self-preservation. Factional, sectional, and personal struggles for position, power, and advantage are continuous and are sharply revealed in the intramural struggles of the party in power.

GOVERNMENTAL STRUCTURE AND PARTY RESPONSIBILITY

The problems of the formulation and execution of the party program under the presidential form of government are thrown into

ate have their leaders, but their defeated candidate for the Presidency may seek to function as the spokesman for the party as a whole. After the election of 1940, for example, Mr. Willkie and his associates announced plans to create a strong opposition activity throughout the country to check the New Deal, but it was soon apparent that Republican congressional leaders and leaders of state Republican organizations would become restive under the leadership of Mr. Willkie. The breach was broadened when Mr. Willkie became active in support of Democratic foreign policy.

bold relief by a comparison of that system with the British system of responsible cabinet government. Under the latter scheme undisputed and undivided party leadership is vested in the cabinet, a body formed of leaders of the majority party in the House of Commons. The cabinet members steer the course of legislation in the House of Commons and individually they head the administrative departments of government. Thus there is unified in the hands of the cabinet both legislative leadership and executive power. The cabinet governs and is, appropriately, referred to as the Government.

The cabinet governs, but it governs subject to the approval of the House of Commons and ultimately of the nation. Approval of the House of Commons, however, comes to mean the support of the majority party within the House from which the members of the cabinet are generally recruited. Although the cabinet, in its power to dissolve Parliament and call an election, has a potent weapon with which to discipline its followers, the maintenance of party unity depends fundamentally on a party program enunciated by the cabinet that will satisfy the party in the House. The members of the Commons tend to reflect, in turn, the attitudes and opinions of their constituents. If party unity cannot be maintained, the cabinet may lose its majority in the House.

In constitutional theory the cabinet may be overthrown, and in practice the way it would be overthrown would be by a split in the majority party. But other alternatives are usually followed. Cabinet measures that arouse intense criticism may be seriously modified to quell discontent in the party ranks and in the country. The cabinet may even withdraw a measure that threatens party unity if that can be done without losing face or prestige. In some situations a minister may be "thrown to the wolves" to satisfy the party or the public. In extreme instances the majority party may change party leadership and, hence, the cabinet, to retain the confidence of the House and of the country, as when in 1940 Churchill replaced Chamberlain as prime minister.

The machinery of cabinet government thus facilitates the formation and execution of party policy. The cabinet itself is recruited from among the legislators, and the members of the cabinet are those who have proved themselves in the House and have gained the support of their fellows. Consequently it is probable that most shades of opinion within the party will be represented in the Government, and will, in turn, be reflected in the measures the Government proposes. Moreover, in the give and take between Commons and cabinet a reasonable degree of agreement may be maintained. Nor is the party

program subject to veto by an independent judiciary with power to invalidate legislation on constitutional grounds. It does not necessarily follow that a cabinet system would be workable in the United States; its main features are outlined to serve as a contrast to obtain a better understanding of the effects of the structure of the American Government on the formation and execution of party policy.[2]

The structure of the American Government impedes the formation of a party policy that would reconcile the differences within the party in control of the Government. In the absence of such a policy, party unity is likely to be disrupted. The basic effect of our governmental structure is to make effective leadership difficult. The obvious feature of structure, both national and state, that handicaps party government is the separation of powers. The President, as leader of his party, occupies a position of leadership in the definition of party policy. But there is no assurance that his program will meet with the approval of all factions of his party in the House and Senate. The machinery of government does not provide a means to be used in the normal course of action for the consultation and representation of all factions of the party in the formulation of the Presidential program. The mere fact of legal independence of executive and legislature creates institutional jealousies and misunderstandings. In addition, the Supreme Court may exercise from time to time a veto over important party policies.

The calendar of elections contributes to the disharmony of party conduct of the Government. The President is elected for a term of four years, while Representatives serve for a two-year period. The congressional elections at the middle of a President's term may establish conclusively that the President has lost the confidence of the country, but there is no way to be rid of him until his four-year term has run its course.[3] The Senate is renewed by thirds every two years, and the tenor of the Senate may be at variance with either the House or the President. And, on occasion, the Supreme Court, with life tenure, appears to speak for a different generation than either the House or the Senate. Thus the pattern of elections permits conflict

[2] See W. Ivor Jennings, *Cabinet Government* (New York: Macmillan, 1936).

[3] See P. O. Ponsford, *Evil Results of Mid-Term Congressional Elections and a Suggested Remedy* (Los Angeles: University of Southern California Press, 1937). Miss Ponsford suggests that a constitutional amendment be adopted giving Senators, Representatives, and the President like terms of office. She would fix the term of all at four years.

between the organs of government. But for the Government to function, the obstructions of the governmental structure must be overcome, and it is the party, through extraconstitutional expedients, that accomplishes this end.

PARTY GOVERNMENT IN CONGRESS

The direction of the work of Congress requires party organization and leadership. In the working of the party machinery in Congress there may be observed the pulling and hauling between the President and Congress, the reflection in each party in Congress of the divergent interests of its supporters over the country, and the competition of party and pressure group for the loyalty and support of the individual Representative and Senator.

For the guidance of the deliberations of each house of Congress, the majority party establishes extralegal machinery and uses in an extralegal way the formal machinery of Congress. The broad features of the machinery in both houses are similar, and in both the party mechanism has arisen to meet the need for leadership and direction common to all large decision-making bodies. As James Madison said in *The Federalist*, "in all legislative assemblies, the greater the number composing them may be, the fewer will be the men who will in fact direct their proceedings." And the control of the party organization in the House, with its 435 members, is generally much tighter than it is in the Senate with its mere 96 members.

The majority is led and directed by a set of party leaders who, though they are agreed upon by the party caucus, gain leadership by proving in the day-to-day work of Congress that they possess the qualities to command the deference of their fellows. Not infrequently aspirants for posts of leadership are given a boost by the fact that the White House looks with favor upon their ambitions. In the House, the speaker, the rules committee, the chairmen of the important standing committees, the majority floor leader, the party whip, and usually a "steering committee" or "board of strategy" constitute the inner clique that guides the course of action there. Each party also has a committee on committees with the function of nominating the majority and minority members of each of the legislative committees.

The speaker of the House is designated in form by the House but in fact by the majority caucus. The majority floor leader usually

ascends to the speakership when vacancies arise. The speaker acts as a party agent in guiding the conduct of House business. Speaker Cannon, when elected to that post, said: "Gentlemen, I propose to be just as fair and impartial in the performance of my duties here as the exigencies of politics will permit." [4] But, as Hasbrouck has observed, the rules of the House "have so developed as a vehicle for the program of the majority that the Speaker need only apply them, to serve, on the whole, the ends of his own party. There is seldom need for him to discriminate as a moderator in order to promote his aims as a political leader." [5] The power of the speaker to discriminate, as in the recognition of members asking for the floor, may, in fact, be used against those members of his own party who tend to rebel against the party leadership in the House.

The majority floor leader is not, like the speaker, an official of the House; his position is an extralegal one, but he plays a role in the direction of the work of the House second only in importance to that of the speaker. The floor leader is elected by the party caucus, and the duties of his position are so onerous that he serves on no legislative committee. The majority floor leader keeps in close touch with the chairman of legislative committees and, in consultation with other important party leaders, guides the course of party action in the House.[6]

The majority leaders function through their control of the time of the House and through their power to determine which measures shall be brought up for consideration and which shall be left to die on the House calendar. An important instrumentality in making these decisions in recent years has been the Democratic steering committee which has included in its membership the speaker, the majority floor leader, and the chairman of the rules committee.[7] The

[4] Quoted by James E. Watson, *As I Knew Them* (Indianapolis: Bobbs Merrill, 1936), p. 125.

[5] P. D. Hasbrouck, *Party Government in the House of Representatives* (New York, 1923), p. 85. Quoted by permission of The Macmillan Company, publishers.

[6] For a discussion of the position of the floor leader, see F. M. Riddick, *Congressional Procedure* (Boston: Chapman and Grimes, 1941), chap. 4.

[7] When John Garner was speaker of the House he "opposed a steering committee as an undesirable limitation on his powers." Rainey, elected speaker by the Democratic House in 1933, created a steering committee and made the following revealing comment: "It is a long step forward, and it takes from the speaker power he has arbitrarily exercised and gives it back to the House. Failures in the last Congress have been due to the fact that the determination of policies has come entirely from the speaker's chair; it will now come from the party. We will put over Mr. Roosevelt's program."—E. P. Herring, "First Session of the Seventy-

rules committee, by its privileged right to report to the House at any time, facilitates the work of control by proposing special rules determining when bills are to be considered, which bills shall be considered, how long they shall be debated, and the degree to which they shall be subject to amendment.

Another agent of the party leadership is the party whip, a party functionary appointed for each party by its floor leader. The party whip serves as something of a top sergeant for the leadership. It is his duty to keep in close touch with the members. He communicates the wishes of the party leaders to the rank and file and attempts by persuasion to keep the members in line with the party program. He scours Washington to bring absent members to the House when their attendance is imperative. He canvasses the membership to determine their attitudes on pending questions that seem to endanger party unity. In all this work the whip of each party is aided by assistants of his appointment who are assigned to deal with the members from particular areas.

The party leaders have, in the caucus, a means for settling intra-party differences of opinion. The caucus is a private meeting of the party's members in the House. In form (and often in form alone) the Democratic members are supposed to be bound to cast their vote in the House in accordance with the decision of the caucus if that decision is made by a two-thirds vote (if that two-thirds constitutes a majority of the Democrats in the House). But there are broad exceptions to this rule of the Democratic caucus. The requirements of the Republican caucus (or "conference" as it is called) are even less binding on the Republican members. But the caucus does not serve effectively to reconcile internal differences in the party and, in fact, the caucus meets infrequently. In the 1939 session of Congress the Democratic caucus met five times "instead of one or two as in former years." [8]

The relationship between the President and the House leaders is usually close. Not infrequently the President exerts his influence to obtain the selection of House leaders disposed to agree with him on broad lines of policy.[9] It is the House leaders who fight the legisla-

third Congress, March 9, 1933, to June 16, 1933," *American Political Science Review*, 28 (1934), pp. 68-69.

[8] Riddick, "Political Procedure in the First Session of the Seventy-sixth Congress," *South Atlantic Quarterly*, 39 (1940), pp. 1-17.

[9] Prior to the election of John W. McCormack of Massachusetts as Democratic leader of the House in September, 1940, the following comment appeared

tive battles of the administration on the floor of the House and defend the work of the administrative departments against their critics.[10] Not only do the House leaders mobilize their majority to enact legislation; they use the weapons at their disposal to prevent consideration of undesired legislation.

But the techniques of obstruction may also be used against the administration if the House leaders are opposed or lukewarm toward a legislative proposal. In 1937, for example, an alliance of southern Democrats and Republicans on the House rules committee refused to report out a rule to permit consideration of the Fair Labor Standards bill, a bill to fulfill a promise of the Democratic platform of 1936. "Historically," an observer wrote, "the Rules Committee, officially the servant of the House, has often served as an agency of the White House in preventing the expression of House sentiment. Rarely before, however, have both House and Administration been checkmated by its strategically situated members." [11]

A special feature of the House organization (and of the Senate also) that conditions party leadership and responsibility is the role assigned to committees.[12] They enjoy great powers over legislation through their capacity to report or not to report bills and through their prerogatives in the amendment and rewriting of measures. The committees "form miniature legislatures with a high degree of autonomy." [13] When committee chairmen (who are, of course, of members of the majority in the House) work in harmony with the House leadership they may exercise their powers to accomplish the party program. But the process of selection of the committee does

in the press: "Since the Presidential blessing was reported to have been given to Representative John W. McCormack of Massachusetts, chairman of the House Democratic caucus, his opponents sought votes to throw the election into the secret stage to permit members who might wish not to offend the President to vote as they chose."—*The New York Times*, September 18, 1940.

[10] The defense of action of administrative officials by administration leaders in Congress furnishes an example of the unreality that sometimes arises from the separation of powers. The friends of the administration defend action for which they have no responsibility; the minority directs its criticism to men who probably know nothing of the matter in hand and who can do nothing to alter the policy involved. In turn, the minority, in making criticism, is often merely reading a statement furnished by somebody outside Congress; in answering, the administration leaders read statements prepared in the executive departments or rely on irrelevant repartee.

[11] O. R. Altman, "First Session of the Seventy-fifth Congress, January 5, 1937, to August 21, 1937," 31 (1937) *American Political Science Review* 1081-1082.

[12] The classic discussion of the subject is by Woodrow Wilson, *Congressional Government* (Boston: Houghton Mifflin, 1885).

[13] Hasbrouck, *op. cit.*, p. 42.

not insure harmonious relationships. The majority (through a committee on committees selected by the caucus) controls assignments of members to each committee, but once assigned to a committee a member moves gradually upward by seniority until he becomes chairman (or the ranking minority member). The chairman, therefore, does not necessarily see eye to eye with either the administration or the House leaders. Moreover, says Altman,[14]

> . . . there is a tendency for committees to represent special interests, leaving the guardianship of the general welfare to the full houses and the Executive. Ex-soldiers seek places on the committee dealing with veterans; members from the farm states control the committees on agriculture. Only four senators on Agriculture, three of them from cotton states, reside east of the Mississippi. Similarly, a large majority on Finance, the tax and tariff committee, represent industrial states of the North and East. Naval Affairs committeemen are usually delegates from shipyard or steel areas.

When the committee is closely attached to a particular economic or sectional interest, there is not likely to be brought about within the committee the reconciliation of views so essential in the legislative process.

When the administration has a majority in the House and when the administration program is satisfactory or acceptable to all factions of the majority party, the House leaders expeditiously can enact desired measures and effectively block undesired measures. Yet party discipline is constantly challenged and often disrupted. A great challenge to party unity is the pressure group which, through lobbying and through its supposed power of reprisal at the polls, presses for support from Congressmen of both parties. Since these groups usually speak for specific interests in society, their demands are often indefensible from the point of view of the general interest. The administration and the House leadership must, if it values its political life, know when to check and when to yield to the urging of the special interests. Sometimes, however a pressure group becomes more powerful than the ties of party loyalty and a bipartisan combination takes over the House leadership on a particular measure. The competition between party leaders and pressure-group managers for congressional support is indicated by a statement made in 1923 by the late Frank M. Mondell, long a leader in Congress: [15]

[14] *Op. cit.*, pp. 1071-1093.

[15] Quoted by G. H. Haynes, *The Senate of the United States* (Boston: Houghton Mifflin, 1938), Vol. I, p. 498.

We have reached a condition in which the political fortunes of a member of Congress do not in the main depend upon the basic soundness of his views, his faithful attendance upon the sessions of Congress, his earnestness and diligence and good faith in bearing his share in the performance of and responsibility for the work of Congress, but to a considerable extent upon the good will, the friendly attitude, the friendly reports of gentlemen who, as legislative representatives sit in the galleries, and, as the favored ones in old Roman days decreed life or death to the struggling gladiator in the arena by gesture of thumbs up or thumbs down, determine the political life and fortunes of members of Congress.

The member of Congress has a difficult choice to make between accepting party and Presidential leadership or that of a pressure group that may have a powerful voice in his re-election. The argument runs that [16]

. . . organized minorities, unwilling to share sacrifices for the common welfare, fear a strong president because he, by political necessity, must serve the national interest. Legislators, however, responsible only to small segments of the population, are highly susceptible to the threats of pressure groups. Thus, to argue for strong congressional power is to advocate sacrifice of the general welfare in behalf of aggressive political minorities.

"There is," says E. B. Logan, "much evidence to indicate that party control over legislation has been shattered and in producing that effect lobbyists have played an important part." [17]

Perhaps it is necessary to look beyond the machinations of pressure societies to discover the basic threats to party unity in the House and in the Senate as well. The support of each party tends to come from most classes of society and from most sections of the country. The Midwestern Republican speaking for a corn- and hog-raising constituency sometimes finds it galling to work in harness with his party brother from wealthy suburbs of New York City. The Democratic spokesman for a prosperous southern farming area may have points of difference with his fellow Democrat from a Northern, urban, industrial constituency. The conservative Democrats are constantly at odds with their New Deal brethren. Progressive Republi-

[16] Altman, "Second and Third Sessions of the Seventy-fifth Congress, 1937-38," *American Political Science Review*, 32 (1938), pp. 1099-1123.

[17] *Lobbying* (supplement to Vol. 144 of *The Annals of the American Academy of Political and Social Science*), p. 82. See Logan's table showing the degree to which members of both parties in the Senate tend to split on roll calls on important bills.

cans often have more in common with New Deal Democrats than with the reactionary variety of Republican. The differences within the party tend to be as great as or even greater than differences between parties. It is on the differences within parties and on the likenesses between parties that pressure politicians play to break party unity within the House and Senate.

During periods when control of the majority is threatened by the formation of bipartisan blocs, the basic nature of the major clashes within each party is thrown into sharp relief. In the 1920's the Republican Party was torn by dispute between the progressive and agrarian West and the more conservative northeastern faction. The restlessness of the western members was but a continuation of an almost unbroken record of insurgency. The conservative faction of the party had tried in 1906 "to haze" the elder La Follette by "emptying the Senate chamber" when he spoke. His comment was that if the railroad question were not "rightly settled, seats now temporarily vacant may be permanently vacated by those who have the right to occupy them at this time." [18] In 1909 and 1910 western insurgency flared up in both houses against the leadership of the regular party organization.[19] In the postwar period the western insurgents bolted the party to support La Follette and Wheeler for the Presidency in 1924—a much graver breach of party etiquette than failure to follow the party leadership on legislative questions. The Republican Senate conference (or caucus) adopted a resolution to exclude the "disloyal" Senators (La Follette, Ladd, Brookhart, and Frazier) from the conference and not to name them "to fill any Republican vacancies on Senate committees." [20] The conference within two years, however, relented.

In general, the weapons of party control and leadership in the Senate are weaker than in the House. The House leadership can bottle up in committee measures that it opposes. To compel the committee to report requires the signature of 218, or a majority of the membership. In 1935 this discharge rule had been raised from 145 to 218. The purpose of the amendment was to give the Democratic leaders more effective control of their own followers since the Republicans did not have enough members to compel committees to

[18] Haynes, *Social Politics in the United States* (Boston: Houghton Mifflin, 1924), pp. 170-171.

[19] E. E. Robinson, "Recent Manifestations of Sectionalism," *American Journal of Sociology*, 19 (1914), pp. 446-467.

[20] Haynes, *The Senate of United States*, *op. cit.*, Vol. I, p. 478.

discharge. As a consequence of the House rules, discussion is usually brief and proceedings more effectively under the control of the House leaders than in the Senate. In the upper chamber the practice of practically unlimited debate gives to party members hesitant to accept majority leadership ample opportunity to air their views, to mobilize public opinion to their side, to defeat by delay, or perhaps to compel concessions. Senators, moreover, with six-year tenure, do not have to look so often to their party leadership for support in elections.[21]

From the nature of party in the legislative body and from the nature of legislation, a large part of the work of Congress comes to be transacted on nonpartisan or bipartisan lines. Many years ago A. Lawrence Lowell attempted to measure the degree of party influence upon legislation in Congress. He devised a technique for measuring party influence by defining a "party vote" as one in which more than nine-tenths of the party members are "on the same side of the question; a non-party vote as one in which one-tenth or more of the members are found on each side—that is, a vote where at least one-tenth of the voting members of the party split off from the rest." [22] He ascertained the "proportion of public bills enacted on which there was a party vote at some stage of their passage through the House of Representatives." For the Thirty-eighth Congress, elected in 1862, there was a party vote on 18 out of 232 bills, or 7.76 per cent. In the Fiftieth Congress, elected in 1886, "where the President and the House belonged to one party and the Senate to the other, party legislation was obviously difficult to carry through, and only 1 public bill, out of 154 enacted, had a party vote in the House." In the Fifty-fifth Congress, elected in 1896, "the House cast party votes on 14 out of 195 public bills enacted, or 7.18 per cent." [23] It should be noted that Dr. Lowell included in his computations only public bills; party lines are seldom influential in the consideration of the large number of private bills.[24]

[21] See T. A. Bailey, "Party Irregularity in the Senate of the United States, 1869-1901," *Southwestern Political and Social Science Quarterly*, 11 (1931), pp. 355-376.

[22] "The Influence of Party Upon Legislation in England and America," American Historical Association, *Annual Report*, 1901, Vol. I, pp. 321-542 at p. 323.

[23] *Ibid.*, p. 341.

[24] In one session of the New York legislature 1,296 roll calls were taken and all but 255 were unanimous. "Out of an estimated total of 175,000 votes cast, only 7,595, or four and three tenths per cent, were cast in the negative."—Stuart A. Rice, *Quantitative Methods in Politics* (New York: Knopf, 1928), pp. 211-12.

Stuart A. Rice, in a later study, devised another method to measure the degree of party cohesion. His index of cohesion ranges from 0.0 to 100.0. At the lowest point the party members in Congress are equally divided, 50 per cent on each side of the question. At 100.0 the party members act completely in concert. He applied this method to the Senate in the Sixty-eighth Congress, elected in 1922, with the object of ascertaining the difference, if any, between the internal cohesion of the Democrats, the Republicans, a "radical" bloc of thirteen Senators consisting of both Democrats and Republicans, and a larger bloc of twenty-two "progressive" Senators which included the "radical" group. The average index of cohesion on forty-seven important roll calls, for each of the groups, was as follows:

Democrats	63.1
Republicans	66.3
"Radical" group	71.0
"Progressive" group	67.2

These figures give a precise measurement of party discipline. The bipartisan blocs of "radicals" and "progressives" voted together with slightly more consistency than did the party groupings.[25]

Party discipline often breaks down in the process of voting appropriations. The executive program of expenditures may be modified by logrolling in which enough individual Senators and Representatives combine to amend the appropriation bills for the benefit of their respective constituencies. In this fashion, after the departments concerned with the expenditure of funds, the Budget Bureau, and the President have decided that certain items of expenditure are less urgent than others or perhaps entirely unnecessary, combinations may be formed in Congress to add these items to the appropriation bill. "Party discipline in Congress," says Herring, "cannot control members bent on feathering their nests at home, since their political lives depend on local support." [26]

The chaos that results in the legislative process when party leaders, both inside and outside Congress, lose control of their followers in Congress has long been a point for criticism by students of our governmental system. The administration not infrequently retains the confidence of the country but loses the confidence of Congress, and after the patronage has been distributed Presidential leadership

[25] *Ibid.*, pp. 208-217.

[26] Herring, "First Session of the Seventy-fourth Congress, January 3, 1935, to August 25, 1935," *American Political Science Review*, 29 (1935), p. 997.

may become impotent. To strengthen party unity and party discipline there have been proposals, such as that made by Professor Elliott, that the President be given the power to dissolve and compel once during his term the re-election of a House elected for a four-year term. The House, so the theory runs, would then be sobered by the knowledge that failure to unite on a party program would make its members liable to the risk of their political lives in a campaign for re-election. Moreover, by the removal of the necessity for the use of patronage in the leadership of Congress, the way would be opened for the development of a stronger and more competent permanent civil service.[27]

Yet the looseness of party discipline and the tendencies toward insurgency spring, in part, from the failings of the party leadership. Since each party consists of representatives scattered along almost the entire political spectrum, an important shade of opinion may consider itself outraged or ignored in the administration program. By what means may progressive Republicans or conservative Democrats make themselves felt except through the formation of a coalition with kindred spirits on the other side of the legislative chamber? Since the necessities of the presidential system force into the same party many incongruous elements for the purposes of the Presidential campaign, how are the true interests of all sections of society to be expressed except through congressional maneuvers? On the other hand, the requirements of modern legislation and administration are such that it seems to be more and more necessary that all phases of public policy be articulated and coordinated. How is this end to be accomplished except by effective party discipline and more workable machinery for the reconciliation of intraparty differences? [28]

PRESIDENTIAL LEADERSHIP

The only common point about which leadership and direction of the party may be established for the conduct of the Government is

[27] See W. Y. Elliott, *The Need for Constitutional Reform* (New York: Whittlesey House, 1935).

[28] The most recent analysis of party organization and leadership in Congress is F. M. Riddick, *Congressional Procedure* (Boston: Chapman and Grimes, 1941); see also M. Ostrogorski, *Democracy and the Party System in the United States* (New York: Macmillan, 1910), chap. 13; H. J. Ford, *The Rise and Growth of American Politics* (New York: Macmillan, 1898), chap. 19; P. D. Hasbrouck, *Party Government in the House of Representatives* (New York: Macmillan, 1927); Lindsay Rogers, *The American Senate* (New York: Knopf, 1926); G. H. Haynes, *The Senate of the United States* (Boston: Houghton Mifflin, 1938).

the Presidency. Most important legislative proposals emerge from the problems and the experience of the administrative departments, and with them Congressmen have only remote contact. The sense of reality and of contact with the substance of governance that is an accompaniment of responsibility for administration seldom reaches the congressional mind.[29] The legislator is pressed by a different set of problems, but his position is not conducive to the origination of workable innovations in public policy. Apart from the fact that the legislator's experience in the conduct of the departments of the Government is only vicarious, there are other factors, to be mentioned shortly, that make Congress an infertile center for leadership in policy formulation.

It is the President who determines the major issues on which Congress acts; and it is the President who attempts, with or without success, to bring the party members in the House and Senate to the support of his policy. As Professor Ford pointed out: [30]

> It is the rule of our politics that no vexed question is settled except by executive policy. Whatever may be the feeling of Congress towards the President, it cannot avoid an issue which he insists upon making. And this holds good of presidents who lose their party leadership as with those who retain it. Tyler, Johnson, and Cleveland, although repudiated by the parties which elected them, furnished the issues upon which party action turned.

The President poses the issues; his party in Congress may or may not accept his views.

The fundamental basis of conflict between the President and Congress rests on the almost inevitable differences in his point of view and that of the individual Congressman. On the President is focused all pressures from the entire country; on the individual Congressman is concentrated only the pressures of the interests in his own state or district. In another set of terms, the tendency is that the President considers the welfare of the entire country; the Con-

[29] "Besides, an assembly never personally experiences the inconveniences of its bad measures until they have reached the dimensions of national evils. Ministers and administrators see them approaching, and have to bear all the annoyance and trouble of attempting to ward them off."—John Stuart Mill, *Representative Government*, chap. 5.

[30] H. J. Ford, *The Rise and Growth of American Politics* (New York: Macmillan, 1898), pp. 283-284.

gressman, the welfare of his state or district.[31] In practical political terms, the President must consider policies and proposals in the light of their probable effect on the strength of the party as a whole. The President's fellow partisan in Congress is apt to formulate his position in the light of the probable effect of it on his political career in his own state or district.[32]

The President and the Congressman, thus, may be and often are subjected to conflicting tugs and pressures. The challenge to party unity comes from the divergent interests of the heterogeneous groups that make up the party. Party discipline and party loyalty are not enough to bind the President and his congressional majority together at all times. The question that often faces a Congressman is whether his party is stronger than the American Legion, or the American Farm Bureau Federation, or the American Federation of Labor. And he may decide that his own career is safer if he follows the leader of a bipartisan bloc rather than the leader of his own party.[33]

[31] Calvin Coolidge said, in vetoing the first bonus bill: "The prosperity of the Nation, which is the prosperity of the people, rests primarily on reducing the existing tax burden. No other action would so encourage business. No other legislative enactment would do so much to relieve agriculture. The drastic executive campaign for economy in Government expenditures has but one purpose—that its benefits may accrue to the whole people in the form of reduction in taxes. I can not recede from this purpose. I am for the interests of the whole people. The expenditures proposed in this bill are against the interests of the whole people."—*Congressional Record*, May 15, 1924, p. 8660.

[32] The following incident, related by a former Secretary of the Treasury, is illustrative: "I was asked to meet a large delegation from the South. I agreed to do so. About forty appeared. Before the meeting, several Senators came in another door and told me in substance that they knew I could not do what the delegation was going to urge, but that they had to appear to be sympathetic, and that they hoped that I understood their situation. I felt like telling them that I did, and that I clearly recognized that they were taking an unfair position, that, if they agreed with me, it was their duty to tell their constituents the truth."—David F. Houston, *Eight Years with Wilson's Cabinet* (copyright, 1926, by Doubleday, Doran and Company, Inc.), Vol. II, pp. 103-104.

[33] Former Senator (now Mr. Justice) James F. Byrnes points to another factor that makes it difficult for the Congressman to take a national point of view: "Half a century ago, while expecting their representatives to protect their interests, the people nevertheless expected them to consider governmental problems from a national viewpoint. Today the Congress collects from the people in taxes billions of dollars and gives that money to department heads to be spent at their discretion. Local officials then demand the assistance of the Senators and Congressmen in getting back from the department heads for local improvements some of their money. . . . In this competition with his colleagues to secure funds from the departments, it is inevitable that the viewpoint of the representative becomes more restricted to State and district. . . . The result of it is that the Senator and Congressman have little time to give to the consideration of national problems because their time is absorbed acting as superintendents of employment agencies and as glorified secretaries of chambers of commerce."—*Congressional Record* (daily edition), January 4, 1939, p. 96.

Apart from the inherent institutional handicaps to Presidential leadership, different Presidents have varying capacities of leadership and varying conceptions of the role of the Presidential office. Wilson, with his idea that the President should play the role of a prime minister, offered forceful party direction. Harding had an opposite conception of the role of the Presidential office; in fact, a handful of Senators had been extremely active in bringing about his nomination because they hoped to take away from the White House the initiative in legislation. Franklin Roosevelt, on the other hand, has exerted a leadership in legislation hardly matched by any other President. Since the Presidency is the only point from which general direction of policy may issue, when the President is incapable or disinclined to play that role, the party in power tends to follow a policy of drift and inaction, with interest groups struggling and trading for mastery in matters of legislation. When the President abdicates his legislative leadership, there is no place for the mantle to fall.[34]

No matter what party is in power or what President is in office, there tends to be a deep anti-Presidential sentiment in Congress, even among the members of the President's own party.[35] Legislators encourage the notion that the assertion of Presidential leadership somehow violates our constitutional commandments and is a governmental sin to be committed, if at all, surreptitiously. The dignity of Congress is redressed by an occasional setback to the President. At times he may be reversed and rebuked for apparently no reason save an assertion of congressional power. But congressional enunciation of the rights and privileges of the legislative branch of the Government may be a mere cloak for allegiance to substantive policies in conflict with those of the President. "It is traditional that those who, yielding to other pressures, fail to ratify presidential proposals should disguise their opposition as an endeavor to maintain the integrity

[34] See Norman J. Small, *Some Presidential Interpretations of the Presidency* (Baltimore: Johns Hopkins Press, 1932), especially chap. 5, "Legislative Leadership."

[35] Former Senator Henry J. Allen has indicated another motivation for legislative criticism of the executive: "Senators learned that they could always reach the front page by attacking the President. A cheap element in the Press Gallery apparently regard it as an act of courage to pour hot words and sensational charges upon the head of a well-meaning, honest Chief Executive who had neither time nor inclination to engage in front page warfare with his detractors."—School of Public and International Affairs, Princeton, *Conference on the Press* (1931), p. 102.

and the independence of the legislative branch of the government." [36]

Presidential leadership is apt to manifest itself in one of two ways, as we shall presently see, either of which may threaten party unity in Congress. Special interest groups, more or less clearly in opposition to the general welfare, may attempt to drive measures through Congress. The belief that such pressure groups may control enough votes to swing a state or district one way or another may weigh heavily in the mind of the individual Congressman. The President may attempt to block these special group pressures or to divide and placate by proposing a more moderate measure. He may offer, as Roosevelt did, a social security bill instead of a Townsend scheme. Or he may throw his support toward measures with a broad popular appeal that happen to clash with the narrower and more parochial interests that bring their influence to bear upon the individual Senator and Representative. Ford commented many years ago: [37]

> The situation is such that the extension of executive authority is still the only practical method of advancing popular rule. This disposition of American politics to exalt executive authority causes some critics of our institutions to infer that democracy tends towards personal rule. Appearances seem to corroborate this theory; but all that it really amounts to is that at the present stage of our political development American democracy, confronted by the old embarrassments of feudalism, compounded from new ingredients, instinctively resorts to the historic agency for the extrication of public authority from the control of particular interests—the plenitude of executive power.

If we look at the problem from another angle, Presidential leadership may be hazardous for the party in power. An ill-considered or unwise Presidential proposal may injure the prestige of the President and thereby injure the party as a whole. Not infrequently the President's leaders in Congress can and do take advantage of the lack of clear-cut Presidential responsibility to assume the blame for a White House proposal that has turned sour. The combination in a single person of the symbolic headship of the nation and the working political leadership, one that should never err and another that must, offers great practical difficulties.

[36] Altman, "First Session of the Seventy-fifth Congress, January 5, 1937, to August 21, 1937," *American Political Science Review*, 31 (1937), p. 1083.
[37] *Op. cit.*, pp. 356-357.

It is not to be concluded that the legislative proposals of the President are always "right," the position of Congress always "wrong." Of necessity, though, legislative leadership must vest in the President or be nonexistent. The fact that the Presidential program tends to be formulated without the participation of, and often without consultation with, the party leaders in Congress often accounts for the fact that the unity of the President's majority in Congress is either broken or threatened. Party factions that have had no voice in the formulation of the program may consider that their interests have been either slighted or neglected and refuse to accept party discipline.[38] Nor is it to be supposed that the association of congressional leaders in a formal way with the President in the formulation of party policy would alter the situation. That formal linking of the executive and the legislature would not alter the attitudes of individual Congressmen conditioned by the local factors that govern their political survival.

Certain weapons are at the disposal of the President who desires to play an important part in legislation. He has the vast patronage under his control—appointments and specific expenditures—with which Congressmen may be kept in hand. An able and popular President may be able to direct upon Congress a public opinion that clearly favors the Presidential policies. At the first session of Congress after his inauguration, for example, one observer comments that Franklin Roosevelt[39]

> . . . displayed remarkable skill in manipulating the attention of Congress and of the public. His messages to Congress were strategically timed and positive and specific in character. Disagreement with his proposals was interpreted by the general public as obstructionism. . . . His radio talks to the nation served the double purpose of reassuring the people and breaking down resistance in Congress. Legislators were made only too well aware of the temper of their constituents.

The truth of the matter is that the Government of the United States is not organized for effective party government. At times of crisis strong Presidents may rally effectively their party in Congress and drive through a comprehensive party program. When the tension eases, however, the party fails to provide machinery for the

[38] Undoubtedly in some instances congressional criticism and obstruction reflects congressional pique because of the failure of the President and his advisers to consult with party leaders in Congress.

[39] "First Session of the Seventy-third Congress, March 9, 1933, to June 16, 1933," *American Political Science Review*, 28 (1934), p. 67.

elaboration and execution of a program that reflects the general interest. Then special interests and pressure groups take leadership and wreck party discipline, playing for particular advantage perhaps without consideration for the general welfare. And this fact tends to explain why different administrations are so much alike. Each President has to contend with the same class, group, and sectional interests. Every President has with him the Association of American Railroads, the American Bankers Association, the Chamber of Commerce of the United States, the American Legion, the American Federation of Labor, the American Farm Bureau Federation, and the National Association of Manufacturers. Each President has the job of working out a party program to meet or reconcile the demands and needs of these groups. Moreover, in both parties all these groups are powerful and their differences are at the root of the divisions of sentiment and the difficulties of discipline within each party. The presidential system sometimes succeeds and sometimes fails in maintaining a party discipline that recognizes special demands but does not yield too far to them. When it fails, a leaderless Congress may yield to sectional or other demands in a fashion clearly contrary to the public interest.[40]

INDEPENDENT COMMISSIONS AND THE ADMINISTRATION PROGRAM

By the creation of independent commissions with broad policy-making powers on important aspects of governmental policy, large areas of public policy have been placed beyond the ready and effective control of the Government of the day. The independence of these agencies is justified on the ground that in their quasi-judicial activities the commissions must impartially determine private rights in relationship to law. By that independence, however, the commissions come to determine political or policy questions with only a tenuous political responsibility. An administration may come into power pledged to adopt altered policies in important spheres, but it may find itself blocked by the fact that the regulatory commissions are controlled by men appointed by prior Presidents of a different persuasion on policy.

[40] The principal works on the Presidency are: E. S. Corwin, *The President* (New York: New York University Press, 1940); E. Pendleton Herring, *Presidential Leadership* (New York: Farrar and Rinehart, 1940); Harold Laski, *The American Presidency* (New York: Harper, 1940); H. E. Black, *The Relation of the Executive Power to Legislation* (Princeton: Princeton University Press, 1919).

The situation may be illustrated by a report by David F. Houston, then Secretary of Agriculture, covering a cabinet meeting early in Woodrow Wilson's first administration: [41]

> The matter of railway rates was considered at some length. It was agreed that the situation ought to be met squarely and promptly. One of the members (Lane) said that some of the rates on certain goods were too low. They had been made in the interest of owners of industries along the line: Those he said should certainly be raised, but those on all competing roads would have to be raised also. . . .
>
> It was agreed that the matter was one for the Interstate Commerce Commission and that it should either raise or reclassify rates or insist on greater efficiency in management. It was agreed that no pressure of any sort could be brought to bear on the Commission. The impropriety of approaching it or its members was recognized.

Here the President and the cabinet, with political responsibility for the conduct of government, agreed that the situation "ought to be met squarely and promptly." But the matter was one for the Interstate Commerce Commission, and it was improper to approach the commission.

When President Coolidge in 1925 appointed William E. Humphrey to the Federal Trade Commission, that body came to be dominated by a Republican majority, and its policy in the enforcement of the prohibition of "unfair methods of competition" in interstate commerce was drastically softened. Yet for the previous five years the commission had not been in accord with the policy of the Republican administrations. The shift in the commission's attitude with the appointment of Humphrey is indicated by a speech that he made: [42]

> Under the old policy of litigation it became an instrument of oppression and disturbance and injury instead of a help to business. It harassed and annoyed business instead of assisting it. Business soon regarded the commission with distrust and fear and suspicion—as an enemy. There was no cooperation between the commission and business. Business wanted the commission abolished and the commission regarded business as generally dishonest.

[41] From *Eight Years with Wilson's Cabinet* (copyright, 1926, Doubleday, Doran and Company, Inc.), Vol. I, pp. 86-87.

[42] Quoted by Herring, *Public Administration and the Public Interest* (New York: McGraw-Hill, 1936), p. 125. See this volume for a thorough analysis of the position of the independent regulatory commissions.

It is a bit difficult to see how a commission that sincerely attempted to prevent "unfair methods of competition" could be "a help to business," except to those businesses injured by unfair competition; at any rate, the commission prior to the Humphrey appointment had apparently been out of harmony with broad Republican policies. When Franklin D. Roosevelt came into office his conception of the role of the Federal Trade Commission was more nearly in accord with the ideas of the Wilsonian period and he requested the resignation of Humphrey in the following terms: "I do not feel that your mind and my mind go along together on either the policies or the administering of the Federal Trade Commission, and, frankly, I think it best for the people of this country that I should have a full confidence." Humphrey resisted the removal order, and there resulted a decision by the Supreme Court that Congress could limit the power of the President to remove members of the commissions exerting quasi-judicial powers. The consequence of the decision, of course, was to make more difficult the harmonization of the policies of the independent regulatory commissions with the broad objectives of the party in power.

Coolidge and Harding had their troubles with the Tariff Commission, a body with only power to advise on tariff rates. In 1923 Harding wrote to Culbertson of the Tariff Commission:

> I only venture to say at this time that I think it is altogether desirable to hold up a declaration of broad policy until I can sit down and go over the entire situation with the commission. As I understand it, the commission is the agency of the president in dealing with the tariff problem, and my intimate association and final responsibility in all matters lead me to believe that it is highly essential for a thorough understanding before embarking on any definitely defined course.

When the question of reappointment of one member of the commission arose, Coolidge offered the appointment on condition that an undated letter of resignation be signed by the appointee. Refusal to accede to the condition resulted in failure to receive reappointment. While the Tariff Commission occupies a position different from that of the ordinary regulatory commissions, these incidents illustrate the difficulties of bringing about a congruity of power and responsibility in the areas carved out for the independent commissions.

What has happened in the creation of the independent commissions is that Congress, unable itself to deal with specific problems,

has handed over to the independent commissions a power to arbitrate differences between divergent social and economic interests. The standards to guide the commissions have been extremely vague guideposts, such as "fair," "just," "reasonable," "the public interest," and "the public convenience and necessity." In settling these differences the commissions have adopted a procedure of impartiality, with many of the features and appearances of the judicial process, but in reality the commissions are declaring policy as Congress does when it decides like issues. But mixed with these lawmaking functions is the duty of deciding the rights of individuals. This duty tends to be more or less purely judicial in nature.

The assumption of an independent and impartial attitude by the commissions and their tendency to isolate themselves from the planning and contriving of the administration leaders in the efforts of the latter to meet new situations limit the usefulness of the commissions in an important way. Impartiality and the judicial viewpoint are likely to be incompatible with the exercise of leadership in the formation of new policies, in the anticipation of problems, and in the preparation of policies to meet problems as they arise. The Interstate Commerce Commission apparently had something of this sort of thing in mind when it reported: [43]

> There is need for readjustments between and within the different branches of the transportation industry, for the consideration of present tendencies and their probable results, for the avoidance of uneconomic and wasteful practices, and in general for the determination, creation, and protection of the conditions most favorable to the development of a transportation system which will best serve the public interest. There is a field here both for continuing study and research and for active, aggressive, and consistent leadership on the part of the Government which has never been occupied. The real problem is to fill that void in the best possible way.

With one important governmental agency dealing with certain aspects of the transportation problem, however, it is virtually impossible to create another to assume the function of research and aggressive leadership. At any rate, the sphere of the independent commission often tends to be outside the main stream of thinking and contriving relative to national economic policy.

The problem of working out the proper relationship of the independent regulatory commissions to the Government as a whole

[43] Interstate Commerce Commission, *52d Annual Report* (1938), pp. 24-25.

remains unsolved. It seems clear that a more suitable *modus operandi* will have to be devised, but how it will be done is unclear. Herring states the dilemma: [44]

> The President has certainly no right to intervene on behalf of any private party who may come before a commission, but this does not mean that he has no concern with its general interpretation of the law. Can some way be found for admitting his influence upon policy without causing interference with the commission's judicial activities? How can the chief executive, for example, be given a means of exerting his influence in national transportation problems without disrupting the work of the Interstate Commerce Commission?

Friction will exist until the question is worked out. And, it may be suggested, the urgency of the need for a satisfactory solution increases as the breadth of Government regulation grows. Since the various aspects of the economic system dealt with by different independent commissions and ordinary Government departments are interrelated, a coordinated Government policy becomes more and more essential. It is the responsibility of the party in control of the Government to devise and execute such a program, but an administration is limited in that responsibility by the independence of the regulatory commissions in their present form.

THE COURTS AND PUBLIC POLICY

The function of the courts in the determination of the constitutionality of acts of Congress and of state legislatures modifies party government by limiting the degree to which a party may put its program into operation and by necessitating bipartisan combination to amend the Constitution. By their power of judicial review the higher courts occupy an important position in the machinery for making decisions on public policy. At this late date it should hardly be necessary to note that in a large proportion of its constitutional decisions the Supreme Court may decide either way with equal logic. The court, in constitutional cases, is in a broad sense a political organ of the Government—that is to say, a policy-determining agency.

The Court's role relative to public policy is usually negative, but it also has a positive aspect. It is primarily negative in that the Court can never initiate; it merely negatives action already taken by Con-

[44] *Public Administration and the Public Interest* (New York: McGraw-Hill, 1936), p. 224.

gress or the state legislatures. But the Court may also serve a positive function in constitutional development. A condition of survival of constitutional government is that it be adaptable to new situations without abandoning the spirit of the system. Statesmanlike judges in the high courts by their interpretations of governmental powers and limitations may play a positive role even in their position as censors on the legislatures. "We must never forget," said Chief Justice Marshall, "that it is a constitution we are expounding." When the courts exercise a farseeing discrimination in upholding legislation they may contribute positively to the adaptation and survival of the constitutional system by laying the basis for and pointing the way to permissible courses of positive legislative action.

The play of parties and pressure groups on the Supreme Court is generally manifested in the making of appointments by the President and their confirmation by the Senate. In the early history of the republic a persistent line of cleavage was between those who favored a broad interpretation of the powers of the national Government and those who desired a sharply restricted national power. Chief Justice Marshall was a great judicial exponent of adequate national powers, and it was he who found constitutional justification for Federalist measures such as the United States Bank. The opposite viewpoint was recorded by President Polk in his diary after the appointment of John M. Read of Philadelphia to the Supreme Court had been urged upon him: [45]

> I have never known of an instance of a Federalist who had after arriving at the age of thirty professed to change his opinions. All of them who have been appointed to the Supreme Court bench, after having secured a place for life became very soon broadly Federal and latitudinarian in all their decisions involving questions of Constitutional power. General Jackson had been most unfortunate in his appointments to that bench in this respect. I resolved to appoint no man who was not an original Democrat and strict constructionist, and who would be less likely to relapse into the broad Federal doctrines of Judge Marshall and Judge Story.

A later example of Presidential thinking on the role of the Supreme Court and of Presidential effort to appoint justices in harmony with his own broad views regarding public policy comes from a letter from Theodore Roosevelt to Henry Cabot Lodge concerning

[45] Allan Nevins (ed.), *Polk, The Diary of a President, 1845-1849* (New York: Longmans, Green, 1929), p. 37.

the possible appointment of Oliver Wendell Holmes, Jr., then Chief Justice of Massachusetts:[46]

Now as to Holmes: . . . The labor decisions which have been criticized by some of the big railroad men and other members of large corporations constitute to my mind a strong point in Judge Holmes' favor. The ablest lawyers and greatest judges are men whose past has naturally brought them into close relationship with the wealthiest and most powerful clients, and I am glad when I can find a judge who has been able to preserve his aloofness of mind so as to keep his broad humanity of feeling and his sympathy for the class from which he has not drawn his clients. I think it eminently desirable that our Supreme Court should show in unmistakable fashion their entire sympathy with all proper effort to secure the most favorable possible consideration for the men who most need that consideration.

. . . . . .

. . . In the ordinary and low sense which we attach to the words "partisan" and "politician," a judge of the Supreme Court should be neither. But in the higher sense, in the proper sense, he is not in my judgment fitted for the position unless he is a party man, a constructive statesman, constantly keeping in mind his adherence to the principles and policies under which this nation has been built up and in accordance with which it must go on; and keeping in mind also his relations with his fellow statesmen who in other branches of the government are striving in cooperation with him to advance the ends of government. . . . The Supreme Court of the sixties was good exactly in so far as its members fitly represented the spirit of Lincoln.

This is true at the present day. The majority of the present Court who have, although without satisfactory unanimity, upheld the policies of President McKinley and the Republican party in Congress, have rendered a great service to mankind and to this nation. The minority—a minority so large as to lack but one vote of being a majority—have stood for such reactionary folly as would have hampered well-nigh hopelessly this people in doing efficient and honorable work for the national welfare, and for the welfare of the islands themselves, in Porto Rico and the Philippines. . . .

Now I should like to know that Judge Holmes was in entire sympathy with our views, that is with your views and mine and Judge Gray's for instance, just as we know that ex-Attorney General Knowlton is, before I would feel justified in appointing him. . . .

[46] Letter of July 10, 1902. H. C. Lodge (ed.), *Selections from the Correspondence of Theodore Roosevelt and Henry Cabot Lodge, 1884-1918* (New York: Scribner's, 1925), Vol. I, pp. 517-519.

Wilson's nomination of Brandeis to the Supreme Court aroused probably the most furious debate that has ever occurred over an appointment to the Supreme Court. Brandeis had earned a reputation as a crusading liberal, an able lawyer, and a relentless fighter. Moreover, he held views considered in conservative quarters to be dangerous on the role of the Supreme Court in the invalidation of state social legislation. The Court at the time was the bulwark of those who opposed state labor legislation, and Brandeis in an address shortly before his nomination to the Court declared:

> Where statutes giving expression to the new social spirit were clearly constitutional, judges, imbued with the relentless spirit of individualism, often construed them away. Where any doubt as to the constitutionality of such statutes could find lodgment, courts all too frequently declared the acts void.[47]

The conservative sections of the population generally fought the confirmation of the nomination of Brandeis. Six former presidents of the American Bar Association—William Howard Taft, Simeon E. Baldwin, Francis Rawle, Joseph H. Choate, Elihu Root, and Moorfield Storey—presented the following statement to the Senate committee considering the nomination:[48]

> The undersigned feel it their painful duty to say to you that in their opinion, taking into view the reputation, character and professional career of Mr. Louis D. Brandeis, he is not a fit person to be a member of the Supreme Court of the United States.

Senator Ashurst, on the floor of the Senate, said:[49]

> If the nominee had been a person who all his life had been steering giant corporations around the law there would have been a yell of approval from the Republican side, but there having been sent in the name of a man who has consecrated his life to the poor people of this country, casuistry must be resorted to, and then all the delay that can be conjured up is resorted to.

The owners of property and the controllers of industry are not alone in their efforts to safeguard their interests through the exertion of their influence on Supreme Court appointments. In 1930

[47] Quoted by Alfred Lief, *Brandeis* (New York: Stackpole, 1936), pp. 342-343.
[48] *Ibid.*, p. 377.
[49] *Ibid.*, pp. 386-387.

President Hoover nominated to the Supreme Court, John J. Parker of North Carolina, a judge of the United States Circuit Court of Appeals for the Fourth District. The appointment was refused senatorial confirmation; the major opposition came from two sources. The American Federation of Labor attacked the nomination on the basis of an opinion that Judge Parker had handed down in the so-called *Red Jacket Case*. In that opinion he upheld an injunction issued by a Federal district court restraining the United Mine Workers from soliciting for union membership men working under "yellow-dog" contracts by which they had agreed not to join a union. Judge Parker, of course, merely followed in his decision the controlling precedents that had been established in earlier cases by the Supreme Court. The other principal source of opposition was the National Association for the Advancement of Colored People. When a Republican candidate for governor of North Carolina, Judge Parker had said, among other things: "The participation of the negro in politics is a source of evil and danger to both races and is not desired by the wise men in either race or by the Republican Party of North Carolina." The opposition of the N.A.A.C.P. was accorded special heed by those Senators facing election in states in which the Negro might hold the balance of power.[50]

The most serious conflict between the President and the Supreme Court reached a climax with Franklin D. Roosevelt's proposal early in 1937 to increase the size of the Supreme Court in order that he might appoint enough justices to create a majority favorably disposed to the program of the Democratic Party. The Court, toward the end of Roosevelt's first term, dealt harshly with legislation that had been enacted in 1933 and 1934. In May, 1935 the Court, by a unanimous decision, held the National Industrial Recovery Act to be unconstitutional. The same day the Frazier-Lemke Farm Mortgage Moratorium Act was invalidated, and the President's power of removal was limited in the Humphrey's case. Some weeks earlier the Court, by a five-to-four decision, had upset the act creating a retirement system for railroad employees. Early in 1936 the Agricultural Adjustment Act, as well as the Bituminous Coal Conservation Act and the Municipal Bankruptcy Act, received the judicial death sentence. "The 1936 presidential campaign was waged by the ad-

[50] For a detailed survey of factors entering into the appointment of Supreme Court justices, see J. P. Frank, "The Appointment of Supreme Court Justices; Prestige, Principles, and Politics," *Wisconsin Law Review*, March and May, 1941.

ministration on the merits of its program, and the administration was returned to power by an overwhelming majority. As an alternative to the abandonment of the program on which it had based its claims, it had now to face the question of what to do about the Supreme Court." [51]

The question of what to do about the Supreme Court was decided by the presentation to Congress of a plan to increase the size of the Court, thinly veiled as a part of a general scheme of judicial reform. The controversy that followed lasted for months and finally resulted in defeat for the President. Yet during congressional discussion of the court-reform or "packing" plan the trend of judicial policy shifted abruptly toward a position of greater sympathy for the Democratic program. The Court reversed its doctrine that state minimum-wage statutes for women were invalid; then it upheld the National Labor Relations Act. The Social Security Act was the next item to be given an unexpected judicial approval. These judicial maneuvers undoubtedly contributed to the failure of the President's proposal. After the final defeat of the President's court plan, various retirements gave the President opportunity to make appointments to the Court that contributed to further modifications of its doctrines.[52]

The Supreme Court is a limitation on party government in its pure form, but parties, party factions, and interest groups seek to control the Court as they seek to control the House, the Senate, and the ordinary administrative agencies of the Government. The Court decides, in a rarified judicial atmosphere, broad issues of public policy; and wherever such power resides power seekers will focus their influence. As for the Supreme Court, however, that influence is brought to bear in the selection of appointees rather than by the methods employed to influence Congress. While it does not appear that the Court can long take a position contrary to that of the majority of the country, it can offer serious resistance to policies not in accord with the views of a majority of its members.[53]

[51] Carl B. Swisher, "The Supreme Court in Transition," *Journal of Politics*, 1 (1939), p. 355.

[52] For a complete account of the struggle over the court bill, see Joseph Alsop and Turner Catledge, *The 168 Days* (Garden City, N. Y.: Doubleday, Doran and Co., 1938).

[53] For an analysis of the function of the court, consult Robert H. Jackson, *The Struggle for Judicial Supremacy* (New York: Knopf, 1941).

THE NATURE OF PARTY GOVERNMENT

The workings of party government in the United States do not provide that a party with a definite program gains office with power and machinery for the effectuation of that program. A Presidential election may really decide very little in terms of public policy. It decides who is to be in office for the ensuing four years; but the real issues remain to be settled in the friction, the give and take, and the pulling and hauling between the President, the House, the Senate, and the Supreme Court. It is commonly said—probably with a degree of truth—that the party system, when it operates properly, overcomes the handicaps to governance imposed by the separation of powers and furnishes a common leadership and a bond of loyalty by which the President and Congress may work together. Yet the President and the members of his own party in Congress are rarely in complete agreement on the general program to be followed, and the issues have to be settled by between-elections politics.

Absence of a definite and purposeful party program is sometimes attributed to the system of separation of powers. That system undoubtedly contributes to the confusion of whatever government is in power, but indecision and divided counsels must be traced further back to the composition of the parties themselves. Each party contains groups of divergent interests with conflicting stakes in the game of politics. They may unite for the duration of an electoral campaign, but internal differences of the party are bound to reappear when it takes control of the Government. And compact, well-organized pressure groups enter into the picture to dispute party leadership and, at times, to threaten Congressmen of both parties with defeat in their districts if they do not desert party leadership and follow a course of action advocated by the group. The great burden of party leadership is to outmaneuver and overpower particularistic groups usually well represented in the party itself. The promotion of the general welfare does not require suppression of group demands, but it does require control of these demands. The synthesis of a program in the general interest by the party in power is hindered by the division within the party itself, as well as by the fortuitous lodgement at different points in the machinery of government of persons of both parties who can unduly protect and promote the rights of special and local interests.

The absence of clear-cut and congruous party power and responsibility for the conduct of government has led to the propagation

of numerous schemes for the reform of the major outlines of governmental organization. At one extreme are those who would attempt to import bodily the system of government by a cabinet responsible to Congress, but this suggestion is met with the hard fact that the Senate, under our Federal system, has great vitality, a factor incompatible with responsible cabinet government. An old, old idea is that the members of the President's cabinet should have seats and the right to speak in Congress and thereby bring about a narrowing of the broad gulf between the legislative and the administrative departments. A proposal of some merit is that the House and the Senate be elected for four-year terms at the time of the Presidential election. The underlying supposition is that the longer term for members of the House might make them less susceptible to the blandishments and threats of special interests (of both the right and the left) and that the recurring concurrent campaign by the President and members of Congress would perhaps contribute to a tendency on the part of the electorate to view the work of the party as a whole. Another method, already mentioned, that is suggested in some quarters is that the President be given power to dissolve the House and order a re-election to ascertain whether he or Congress has the confidence of the country on a disputed issue. The grave defect of this proposal is that if the country expresses a confidence in the House there is no ready and easy means to arrange an immediate succession to the Presidency of a person with the confidence of the country.

It is questionable whether the intraparty conflicts, the rise of bipartisan blocs in Congress, friction between the President and Congress, and the lack of inner consistency in party programs are avoidable. A certain looseness of party policy, weakness of party discipline, and illogical process of trading between interest groups may contribute to the solution of the sectional and group conflicts that flow up to the national government for reconciliation. Yet if the trend in governmental responsibility for the guidance of the national economy continues and with it the necessity for a consistent and interrelated set of governmental policies increases, the necessity for an overhauling of governmental machinery and party customs to produce that kind of public policy may become serious. Moreover, a nation can afford the luxury of the debate, division, and delay fostered by our governmental mechanism only in a bland international environment. External danger may compel a tightening up of the play in the governmental machinery.

QUESTIONS AND PROBLEMS

1. What machinery has been developed by political parties for the guidance of the work of Congress?

2. What are the basic factors that make the maintenance of party unity in Congress difficult?

3. Read the debates on a bill as reported in the *Congressional Record*. Note particularly the role of the party machinery in the conduct of the debate and the guidance of procedure.

4. Analyze several recent roll calls on important bills in the House or Senate to determine the degree to which party lines are followed in voting. (Stuart A. Rice's method, explained in the text, is the best method for measuring party cohesion.)

5. Follow the course of a current piece of legislation to determine, in the light of the discussion in this chapter, the nature and function of Presidential leadership in the legislative process.

6. How do the positions of the independent commissions and of the Supreme Court affect party responsibility for the conduct of the Government?

7. What considerations influence the appointment and confirmation of members of the Supreme Court?

Part III

THE ELECTORATE AND ELECTORAL METHODS

Chapter 17: THE ELECTORATE

UNDERLYING the idea of the suffrage is the political contrivance of deciding public questions by counting heads. The device of voting probably antedates the idea and practice of popular suffrage. The decision of questions by vote in juries, councils, and assemblies is an ancient practice. The extension of the privilege of voting to all or part of the population for the determination of questions of governmental personnel or policy has been one aspect of the development of democracy and of representative government. The inauguration of the custom of consultation of the electorate through voting introduced a new factor profoundly altering the appearance, if not always the reality, of the relationship of the governor and the governed. Mosca declares that popular suffrage gives a democratic system [1]

> . . . greater powers of self-preservation than other systems. That is because its natural adversaries have to make a show of accepting it if they wish to avoid its consequences to a greater or lesser extent. All those who, by wealth, education, intelligence or guile, have an aptitude for leading a community of men, and a chance of doing so—in other words, all the cliques in the ruling classes—have to bow to universal suffrage once it is instituted, and also, if occasion requires, cajole and fool it.

It is not improbable that Mosca overestimates the tenacity of the suffrage. Yet even the dictatorial regimes resort to plebiscites, although under such systems the exercise of the suffrage is in a different social context and has a different significance from its use under democratic conditions.

Once the formal and systematic consultation of persons outside the government on questions of public policy and personnel is inaugurated, the question of defining the group to be consulted arises. How is the suffrage to be defined? What qualifications are to be required of voters? In western democratic societies the privilege of

[1] *The Ruling Class* (New York: McGraw-Hill, 1939), pp. 333-334.

the suffrage has been gradually extended to new groups; each step in the extension of the suffrage has been in response to the demands of a group emerging from political subordination and demanding a voice in the management of public affairs. Whether, by the acquisition of the suffrage, these new groups actually gained power and influence or merely a symbol of emancipation may be questioned in some quarters; nevertheless, the step-by-step extension of the suffrage has been resisted by the older holders of the privilege lest their own political power be diminished. Moreover, the extension of the suffrage has brought far-reaching changes in the methods and strategy of politics. In monarchical and aristocratic regimes the gaining of power was a matter of personal intrigue among a small group of people. Success in that endeavor depended upon the possession of qualities and the employment of techniques quite different from those necessary to gain the favor and support of the electorate under a system of universal suffrage.[2]

A broad popular suffrage is, then, a constant, underlying factor conditioning both the methods and the substance of American politics. The development of the suffrage in the United States to its present status is principally a matter of historical interest, but in the story of the rise of popular suffrage may be seen some of the main currents in American politics. The first great suffrage battle involved the breaking down of property-owning and tax-paying qualifications for manhood suffrage. The outcome of this struggle included a weakening of the power of the colonial and early American aristocracies and the rise in power and influence of the common man. The question of Negro suffrage was debated and, in the main, settled against the Negro prior to the Civil War; the adoption of the Fifteenth Amendment was calculated to extend the suffrage to the Negro, but the question of Negro suffrage has by no means been entirely settled. The third great dispute over the suffrage has turned on the question of the extension of the voting privilege to women.

[2] See the discussion of this point by Lindsay Rogers in *Encyclopedia of the Social Sciences*, XII, 225. F. C. Bartlett comments: "A policy which formerly needed to be explained only to the few, and their assent gained before action, now must win the active support of the many. A precipitate action must now be explained and justified at once to the most distant peoples, because the news of it will spread and its repercussions will be as wide and almost as quick as the travel of the news."—*Political Propaganda* (Cambridge: Cambridge University Press, 1940), pp. 3-4.

THE RISE OF UNIVERSAL, WHITE MANHOOD SUFFRAGE

In the colonies and in the American states until the triumph of the Jacksonian Democracy, property-holding and tax-paying qualifications for the exercise of the suffrage were common. The American Revolution brought no abrupt change in the fundamental nature of the suffrage; changes were made in the suffrage but they were generally in the direction of lowering, not eliminating, the property qualification. The nature of the qualifications for the exercise of the suffrage in the colonial period may be best indicated by a few illustrations. In Virginia an act of 1736 provided

> That no person or persons whatsoever shall hereafter have a right to vote at any election of members to serve in the general assembly, for any county, who hath not an estate of freehold, or other greater estate, in one hundred acres of land, at least, if no settlement be made upon it; or twenty-five acres with a house and plantation, in his possession, or in the possession of his tenant or tenants, for term of years, in the same county where he gives such vote.

To cover the special situation of holders of real property in urban communities, the act contained the following:[3]

> Provided always, that nothing in this act contained shall be construed to hinder any person to vote at such elections, in respect or in right of any houses, lands, or tenements, lying and being in any city or town, laid out and established by act of assembly, so as such person be a freeholder, in any house or lot, or a house, and part of a lot; but where the interest in any such house and lot, or house and part of a lot, is or shall be divided among several persons, no more than one single voice shall be admitted for one and the same house or lot.

Thus in Virginia the suffrage qualifications were defined, except for the cities and towns, in real estate in terms of acreage. In Georgia, North Carolina, and New Jersey also colonial suffrage qualifications were defined in terms of real-estate acreage. In New Hampshire, New York, and Rhode Island, however, the real-estate qualifications were in terms of the value of the real estate. The pre-Revolutionary requirement in New York, for example, was ownership of real estate worth forty pounds. In the other colonies the requirement was ownership either of real estate or of personal property. In Pennsylvania

[3] A. E. McKinley, *The Suffrage Franchise in the Thirteen English Colonies in America* (Philadelphia: University of Pennsylvania, 1905), pp. 38-39.

a person owning fifty acres or other property worth fifty pounds might become an elector. In Massachusetts ownership of real estate yielding forty shillings annual income or of other property worth forty pounds gave the right to vote. In South Carolina the suffrage came with ownership of property or payment of ten shillings in taxes. During the Revolution eight of the thirteen states altered their suffrage requirements, "and the modifications were not such as to indicate that statesmen had abandoned the principle that only property holders should vote. The only tendency manifest was to reduce the amount." [4]

The effect of the colonial restrictions on the suffrage is problematical. Figures on voting at that time, and even total population figures, are not reliable. McKinley attempted to estimate the numbers entitled to vote and the numbers actually voting in the colonial period, but the available data justified only the conclusion that the potential voters varied "from one-sixth to one-fiftieth" of the total population and the proportions of actual voters varied over about the same range.[5] The effect of a narrow suffrage may better be visualized if we consider these figures in relation to our present electorate and suffrage. If a figure of 10 per cent of the population be assumed as the colonial suffrage for purposes of comparison, a like limitation on the suffrage today would have in 1940 disfranchised over 35 million persons who voted in the Presidential election.

The general pattern after the American Revolution was gradually to eliminate the property-owning qualification, to substitute a taxpaying qualification, and eventually to remove the taxpaying requirement for the exercise of the suffrage. South Carolina substituted a taxpaying requirement for the property requirement in 1778; Georgia in 1789; Delaware in 1792; Maryland in 1810; Connecticut in 1818; Massachusetts in 1821; New York in 1821; Rhode Island in 1842. A few states did not pass through the stage of substitution of taxpaying for property holding. Virginia persisted in the property qualification until 1850 when it was removed; at that time the taxpaying requirement was gradually passing out of use.[6]

The struggle over the property qualifications in Virginia illustrates the kind of cleavage that occurred elsewhere. The demand for the extension of the suffrage came primarily from the more recently set-

[4] K. H. Porter, *A History of Suffrage in the United States* (Chicago: University of Chicago Press, 1918), p. 10.
[5] McKinley, *op. cit.*, pp. 487-488.
[6] Porter, *op. cit.*, p. 110.

tled western sections of the state; it was resisted by the tidewater section. In the state constitutional convention of 1829-1830, the Westerners cited Thomas Jefferson in support of a broadened franchise; Easterners, such as John Randolph of Roanoke, opposed the change. He refused to be struck down by the authority of Jefferson, a man of "theory and reveries." Randolph said: "Such is the wisdom of our existing form of government that no proposition can be brought forward with a view to making an inroad that can demand a respectable majority. The lust of innovation has been the death of all republics. All men of sense ought to guard and warn their neighbors against it." A property qualification was retained by the convention of 1829-1830, to be eliminated in 1850.[7]

In the states of the West the conflict between frontier and tidewater, between an aristocratic group enjoying the suffrage and a democratic group clamoring for its extension, did not occur as in Virginia. The western states came into the Union with no property or taxpaying requirements or only nominal ones. Porter comments: [8]

> In these frontier states there was an entirely unique situation. All men were on a plane socially, and government was merely a convenience to them, not a semi-sacred institution. That all men should participate in what government there was, was a foregone conclusion. There was no aristocratic element to deal with, no poor-servant and artisan class, there were no scholars, no philosophers, no theologians, just hardy pioneers setting up a frame of government because the population was getting big enough to need it. There was no suffrage problem for them.

In the new frontier regions there was a high degree of actual social and economic equality which was reflected in the suffrage. Those conditions contrasted sharply with the situation in the older states.

In the New York constitutional convention of 1821 a leading opponent of the proposal to abolish property qualifications for voters for the state senate was Chancellor Kent who phrased his opinions in this fashion:

> Such a proposition, at the distance of ten years past, would have struck the public mind with astonishment and terror. The apprehended danger from the experiment of universal suffrage, applied to the whole legislative department, is no dream of the imagination. It is too mighty

[7] J. A. C. Chandler, *The History of Suffrage in Virginia* (Baltimore: The Johns Hopkins Press, 1901).

[8] Porter, *op. cit.*, p. 48.

an excitement for the moral condition of men to endure. The tendency of universal suffrage is to jeopardize the rights of property and the principles of liberty. There is a constant tendency in human society—and the history of every age proves it—there is a constant tendency in the poor to covet and to share the plunder of the rich; in the debtor to relax or to avoid the obligations of contract; in the indolent and profligate to cast the whole burthen of society upon the industrious and virtuous; and there is a tendency in ambitious and wicked men to inflame those combustible materials. . . . We stand, therefore, on the brink of fate, on the very edge of a precipice. If we let go our present hold on the Senate, we commit our proudest hopes and most precious interests to the waves.

In the eastern states the removal of the property and tax qualifications were also opposed because the move would give more power to the propertyless people of the growing cities. A member of the Pennsylvania constitutional convention of 1837 spoke as follows: [9]

But, Sir, what does the delegate propose? To place the vicious vagrant, the wandering Arabs, the Tartar hordes of our large cities on a level with the virtuous and good man? . . . These Arabs steeped in crime and in vice, to be placed on a level with the industrious population is insulting and degrading to the community. . . . I hold up my hands against a proceeding which confers on the idle, vicious, degraded vagabond a right at the expense of the poor and industrious portion of this commonwealth.

Property and income qualifications for the exercise of the suffrage largely have been swept away. In some jurisdictions a remnant persists in the requirement that voting on local bond issues be limited to persons paying property taxes. Occasionally the idea is put forward that persons on relief should be disfranchised. In 1940 a Seattle manufacturer gained publicity by proposing the "One-Two Plan," a scheme that would not disfranchise the propertyless but would give two votes to each person who could present a real-estate or income-tax receipt. Movements of this sort recur but rarely assume much strength.

[9] Quoted by Porter, *op. cit.*, p. 92. Tom Paine's ridicule of property qualifications was used by a delegate to the Massachusetts convention of 1853: "You require that a man shall have sixty dollars' worth of property, or he shall not vote. Very well, take an illustration. Here is a man today who owns a jackass, and the jackass is worth sixty dollars. Today the man is a voter and he goes to the polls with his jackass and deposits his vote. Tomorrow the jackass dies. The next day the man comes to vote without his jackass and he cannot vote at all. Now tell me, which was the voter, the man or the jackass?"—Quoted by Porter, p. 109.

THE NEGRO AND THE VOTE

Prior to the Civil War the Negro was disfranchised in practically all the states. In the southern states the Negro slaves were, by virtue of being slaves, excluded from the ballot; the only issue was whether the privilege of voting should be extended to the free Negro. In Virginia, although there was no constitutional limitation of the suffrage to white men until 1830, the free Negroes did not vote from the Revolution to the Civil War. Even in West Virginia, which seceded from Virginia to remain in the Union, the constitution of 1864 enfranchised whites only. The status of Negroes in the other southern states was similar. In North Carolina, however, free Negroes who met the other qualifications were permitted to vote until the constitutional convention of 1835 which excluded Negroes by a vote of 66 to 61. "This was the end," says Weeks, "of negro suffrage in North Carolina and in the South until the days of Reconstruction." [10]

The status of Negro suffrage was not markedly different in the other states of the Union before the Civil War. Weeks points out that by the time of the Civil War in only five states was there no color qualification for the exercise of the suffrage. These states were Maine, Rhode Island, Massachusetts, New Hampshire, and Vermont, and in practice the free exercise of the suffrage by the Negro was said to be restricted to Maine.[11]

The grant of Negro suffrage was a phase of the power politics of the post–Civil War period. Negro suffrage had no part in the reconstruction schemes of Presidents Lincoln and Johnson, but the so-called radical group in Congress favored suffrage. Stevens, one of the congressional leaders, in 1867, said:

> White union men are in a minority in each of those states. With them the blacks would act in a body, form a majority, control the states and protect themselves. It would insure the ascendency of the Union Party.

Sumner advocated Negro suffrage for similar reasons. Not only would the extension of the suffrage to the Negroes give the Union Party control in the southern states, but it would swing the vote in the

[10] S. B. Weeks, "The History of Negro Suffrage in the South," *Political Science Quarterly*, 9 (1894), pp. 671-703.

[11] *Ibid.*

same direction in certain doubtful northern states. In 1867 Sumner wrote to the editor of the *Independent:* [12]

You wish to have the North "reconstructed," so at least that it shall cease to deny the elective franchise on account of color. But you postpone the day by insisting on the preliminary of a constitutional amendment. I know your vows to the good cause; but ask you to make haste; We cannot wait. . . . This question must be settled forthwith: in other words, it must be settled before the presidential election, which is at hand. Our colored fellow-citizens at the South are already electors. They will vote at the presidential election. But why should they vote at the South, and not at the North? The rule of justice is the same for both. Their votes are needed at the North as well as at the South. There are Northern states where their votes can make the good cause safe beyond question. There are other states where their votes will be like the last preponderant weight in the nicely balanced scales. Let our colored fellow-citizens vote in Maryland, and that state, now so severely tried, will be fixed for human rights forever. Let them vote in Pennsylvania, and you will give more than 20,000 votes to the Republican cause. Let them vote in New York, and the scales which hang so doubtful will incline to the Republican cause. It will be the same in Connecticut. . . . Enfranchisement, which is the corollary and complement of emancipation, must be a national act, also proceeding from the national government, and applicable to all the states.

The initial effectuation of Negro suffrage in the former Confederate states was brought about by the Reconstruction Act of 1867 which declared the governments of the southern states provisional until, among other requirements, new constitutions were formulated by "delegates elected by the male citizens of said state, twenty-one years old and upward, of whatever race, color or previous condition." In July, 1868, the Fourteenth Amendment became effective. One of its provisions was calculated to stimulate the states to grant the suffrage to the Negro. Section 2 of the amendment reads:

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged,

[12] Quoted by Weeks, *op. cit.*, p. 682.

except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

The exaction of the penalty thus provided is the responsibility of Congress, whose duty it is to apportion the membership of the House of Representatives among the states.[13] The penalty which has never been exacted, might not be adequate to assure suffrage to the Negro.

The Fifteenth Amendment, adopted in 1870, deprived the states of their legal power to bar persons from the suffrage on account of color. It reads: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous conditions of servitude." With the enfranchisement of the Negro, rule by a combination of Negroes and carpetbaggers ensued for a period of upwards of eight years. The results of this period were not considered good by even the most sympathetic observers. Unprecedented extravagance, corruption, and administrative incompetence prevailed.[14]

To regain control of the southern states, the whites employed various tactics. An important effect of reconstruction policy was the wiping out of party differences between the whites, formerly divided between the Whig and Democratic parties. This unification gave greater strength to the whites. The activities of the Ku Klux Klan were the most striking example of the methods of intimidation used to prevent Negro political activity, although the same object was served by other organizations, such as the Rifle Clubs of South Carolina. Apart from intimidation and fraud, the return of white supremacy in the South was facilitated by relaxation of Federal policy. The withdrawal of Federal troops from the South by President Hayes in 1877, for example, removed a strong prop from the remaining reconstruction governments.

A period of experimentation in the disfranchisement of the Negro followed. In addition to intimidation, a variety of legal devices were

[13] See H. E. Flack, *The Adoption of the Fourteenth Amendment* (Baltimore: The Johns Hopkins Press, 1908). The adoption of the Negro-enfranchisement amendments was not accomplished without serious opposition in the northern states. See, for example, G. H. Porter, *Ohio Politics During the Civil War Period* (New York: Columbia University Press, 1911), chap. 4.

[14] Paul Lewinson, *Race, Class, and Party* (New York: Oxford University Press, 1932), p. 48.

used to disfranchise or otherwise reduce his influence. The reapportionment of legislative districts to gerrymander against the Negroes was a favorite device. Poll-tax requirements were established, as were "elaborate and confusing registration schemes, and devious complications of the balloting process." [15] Some states disqualified voters because of conviction for petty larceny on the theory that these convictions occurred, or could be made to occur, more frequently among the black population. Control of the electoral machinery, regained by the whites, facilitated election frauds, which reduced the effective Negro strength. All these devices sharply reduced the Negro vote.

Lewinson, the leading student of the subject, holds that the cleavages among the whites as a result of the agrarian movement of the 'eighties and 'nineties, served as a factor in the development of more perfect techniques of disfranchisement. His argument is that the dominant groups in the post–Civil War white governments were the new business, railroad, and financial classes rather than the old planting aristocracy. White dominance depended on white unity. The agrarian movement challenged Bourbon control, and in the struggles between the white groups the temptation on both sides to recruit Negro support was great. In Texas, according to Martin,[16]

> . . . while in a great many counties with a large Negro population the People's Party managed to convert one-half or more of the native white vote, it had still to compete with the Democratic Party for the control of the negroes. In county after county the identical story was told: the white vote divided about equally between the Democratic and the Populist parties and the negroes held the balance of power. In such a situation the strategists of the two parties went out on the open market to deal with the negro voter, and circumstances combined to throw so great an advantage on the side of the Democrats that they were able ordinarily to return with the larger vote to show for their efforts.

Under such circumstances there was in the South generally, in Lewinson's opinion, strong reason for both factions of the whites to unite in order to deal with the question of Negro suffrage. Only by disfranchisement could political dispute among the whites follow its natural course, and the expense and fraud associated with Negro suffrage be eliminated.[17]

[15] Lewinson, *op. cit.*, p. 65.

[16] R. C. Martin, *The People's Party in Texas* (Austin: The University of Texas, 1933), p. 96.

[17] Lewinson, *op. cit.*, p. 79.

The problem facing the drafters of new southern constitutions was to circumvent the Fifteenth Amendment legally, disfranchise Negroes, and at the same time leave the way open for all whites to vote. The Mississippi constitutional convention of 1890 was fertile in its contrivance of devices to serve these purposes, and its handiwork found imitation in other states. To vote, the elector was required by the new constitution to pay a $2.00 poll tax and, if requested, present his tax receipt at the polls. The assumption was that Negroes were neither inclined to pay the tax nor habituated to the preservation of records. A two-year residence requirement was imposed, on the doubtful theory that Negroes were more migratory than whites. The legislative districts were gerrymandered to discriminate against the sections of the state most heavily populated by Negroes. Conviction for bribery, burglary, theft, arson, obtaining money under false pretenses, perjury, forgery, embezzlement, murder, or bigamy was made a disqualification. If the Negro passed all these bars, there remained the literacy test, to become effective in 1892. With it was coupled an "understanding" clause, the crowning achievement of the Mississippi convention. The clause read that after 1892 qualified voters must be able "to read any section of the state constitution; or to be able to understand the same when read to him, or give a reasonable interpretation thereof." [18] Illiteracy was common among both Negroes and whites, but in the administration of the alternative test—the "understanding" clause—discrimination against the Negroes was definitely contemplated.

In the discussion of similar provisions in a Virginia constitutional convention, one speaker explained:

> I do not expect [them] to be administered with any degree of friendship by the white man to the suffrage of the black man. I expect the examination with which the black man will be confronted, to be inspired with the same spirit that inspires every man in this convention. . . . I would not expect for the white man a rigid examination. The people of Virginia do not stand impartially between the suffrage of the white man and the suffrage of the black men. . . . We do not come here prompted by an impartial purpose in reference to Negro suffrage.

Another speaker, Carter Glass, replied to the question of whether disfranchisement would be accomplished by "fraud and discrimination" under the scheme: [19]

[18] W. A. Mabry, "Disfranchisement of the Negro in Mississippi," *Journal of Southern History*, 4 (1938), pp. 318-333.

[19] Quoted by Lewinson, *op. cit.*, pp. 85-86.

By fraud, no; by discrimination, yes. But it will be discrimination within the letter of the law. . . . Discrimination! Why, that is precisely what we propose; that, exactly, is what this convention was elected for —to discriminate to the very extremity of permissible action under the limitations of the Federal Constitution, with a view to the elimination of every Negro voter who can be gotten rid of, legally, without materially impairing the numerical strength of the white electorate. . . . It is a fine discrimination, indeed, that we have practiced in the fabrication of this plan.

The constitutional clauses employed to disfranchise the Negro did not expressly refer to Negroes. Litigants were not lacking to try to persuade the Supreme Court to look beyond form and to examine the substance of the disfranchising clauses in relation to the Fifteenth Amendment. In *Williams* v. *Mississippi*,[20] decided in 1898, the Supreme Court reviewed the indictment of Williams for murder. Williams' case was built on the state law requiring that jurors be electors. The contention was that the practical administration of the Mississippi constitutional suffrage requirements manifested "a scheme on the part of the framers of that Constitution to abridge the suffrage of the colored electors in the State of Mississippi on account of the previous condition of servitude." Furthermore, the coupling of suffrage requirements with the qualifications for jurors constituted a deprivation of the equal protection of the law by the state, a matter prohibited by the Fourteenth Amendment. The Supreme Court agreed that it should go behind the form and examine the substance of the requirements, but in this proceeding the Court found that the constitution and statutes of Mississippi did "not on their face discriminate between the races" and that it had "not been shown that their actual administration was evil, only that evil was possible under them."

In 1903, in the case of *Giles* v. *Harris*,[21] the Supreme Court had before it the question of the constitutionality of the suffrage provisions of the constitution of Alabama which permitted permanent registration as a voter before 1903 of all persons "of good character . . . who understand the duties and obligations of citizenship under a republican form of government," as well as all persons who served in the Revolutionary and certain other wars, together with their descendants. After 1903 suffrage requirements under the Alabama

[20] 170 U.S. 213 (1898).
[21] 189 U.S. 475.

constitution were to be stiffened to include a literacy test, among other things. Giles, a Negro, alleged that the constitutional provisions were part of a conspiracy to disfranchise Negroes because of their race and, therefore, void under the Federal Constitution. The Court, in an opinion by Mr. Justice Holmes, refused to grant an order in equity to compel the election officers of Alabama to place the name of Giles and other Negroes on the voting lists. The Court's decision was justified on two principal bases. If the Alabama constitution were held invalid, as Giles asked, how could the court order his registration under a void law? "If, then, we accept the conclusion which it is the chief purpose of the bill to maintain, how can we make the court a party to the unlawful scheme by accepting it and adding another voter to its fraudulent lists?"

Another basis for the Court's decision was the simple fact that it had no instruments at its command to prevent Negro disfranchisement. "In determining whether a court of equity can take jurisdiction, one of the first questions is what it can do to enforce any order that it may make. . . . The bill imports that the great mass of the white population intends to keep the blacks from voting. To meet such an intent something more than ordering the plaintiff's name to be inscribed upon the lists of 1902 will be needed. If the conspiracy and the intent exist, a name on a piece of paper will not defeat them. Unless we are prepared to supervise the voting in that state by officers of the court, it seems to us that all the plaintiff could get from equity would be an empty form." Holmes concluded the opinion by saying that relief against political discrimination must be given by the people of the state "or by the legislative and political department of the government of the United States."

The "grandfather clause," another method of Negro disfranchisement, encountered constitutional obstacles in *Guinn* v. *United States*.[22] This was usually a temporary means for permanently registering all those persons who could vote, or whose ancestors could vote, prior to the adoption of the Fifteenth Amendment. Those whose ancestors could not vote at that time had to jump some other hurdle, such as a literacy test, to establish their right to vote. In conjunction, these two requirements meant that whites who could show that they or their ancestors could vote prior to the adoption of the Fifteenth Amendment could gain registration regardless of their literacy and that Negroes, who were legally barred from the vote

[22] 238 U.S. 347 (1915).

prior to the Fifteenth Amendment, could not establish a voting ancestry and were in large measure barred by the literacy test. The Oklahoma constitutional clause, invalidated in *Guinn* v. *United States*, provided:

> No person shall be registered as an elector of this state or be allowed to vote in any election held herein, unless he be able to read and write any section of the Constitution of the state of Oklahoma; but no person who was, on January 1st, 1866, or any time prior thereto, entitled to vote under any form of government, or who at that time resided in some foreign nation, and no lineal descendant of such person, shall be denied the right to register and vote because of his inability to so read and write sections of such constitution. . . .

The state of Oklahoma contended that the Fifteenth Amendment did not grant the franchise to the Negro but merely prohibited denial of the vote on "account of race, color, or previous condition of servitude." Since the grandfather clause, so the argument ran, "does not in terms make any discrimination on account of race, color, or previous condition of servitude, since all, whether negro or white, who come within its requirements, enjoy the privilege of voting, there is no ground upon which to rest the contention that the provision violates the 15th Amendment." The Court, in its opinion, inquired why the date of January 1, 1866 was set unless the object was to evade the Fifteenth Amendment. The Court said: ". . . we are unable to discover how, unless the prohibitions of the Fifteenth Amendment were considered, the slightest reason was afforded for basing the classification upon a period of time prior to the 15th Amendment. Certainly it cannot be said that there was any peculiar necromancy in the time named which engendered attributes affecting the qualification to vote which would not exist at another and different period unless the Fifteenth Amendment was in view." The invalidation of the grandfather clause was not a victory of importance to the Negroes who sought the vote since the clause was generally a temporary means to permit the permanent registration of those meeting the "grandfather" qualifications.[23]

[23] As a means of excluding Negroes the grandfather clause had a weakness. Lewinson says, quoting the Birmingham *Age-Herald*: "Even the grandfather clause, especially designed to let the illiterate and propertyless white slip by, was dangerous, because 'there are in Alabama as in all the States, large numbers of Negroes, who perhaps would be unable to establish legitimacy of birth, but could nevertheless easily establish the identity of white fathers or grandfathers' and thus win a vote."—*Op. cit.*, p. 84.

The most recently developed device to disfranchise the Negroes in the South is the white primary. Long before the rise of the direct-primary method of nomination in the South, Negroes had been excluded from participation in the affairs of the Democratic Party. With the birth of agrarianism in the 'nineties and the subsequent adoption of the direct primary, a means was at hand by which the battles between the whites could be fought out within the Democratic Party from which the Negro could be excluded. As early as 1907 the Negro was said to have been practically eliminated from politics in Georgia by the white primary. Rules of local and state party committees were gradually adopted in other states to exclude Negroes from the primary, and by 1930 eight states had state or local party rules of this kind. Nevertheless, in some communities Negroes were permitted to participate from time to time because of their attachment to local white factions.[24]

A "minor squabble among white politicians in Texas," as Lewinson calls it, resulted in the substitution of state legislation excluding Negroes from the Democratic primaries for the pre-existing party rules and brought an important series of decisions by the Supreme Court on the white-primary method of disfranchisement. In Bexar County, in which San Antonio is located, Negroes were permitted to vote in the Democratic primaries despite the state committee's exclusion rule. In a race for the nomination for district attorney both aspirants sought the Negro vote; the defeated contender, having lost the Negro vote, successfully agitated for the passage of an act by the state legislature excluding Negroes from the primaries. The law provided that "in no event shall a negro be eligible to participate in a Democratic primary election held in the State of Texas."

Subsequently, in 1924 Dr. L. A. Nixon of El Paso, a Negro, attempted to vote in the Democratic primary. After the election officials rejected his request to vote, Nixon sued Herndon, an election judge, for damages. He challenged the validity of the act of the legislature under the Fourteenth and Fifteenth amendments of the Federal Constitution. In a laconic opinion the Supreme Court did not consider the validity of the act under the Fifteenth Amendment which prohibits denial of the right to vote on account of race or color but held the act void as a denial of the equal protection of the laws guaranteed against state action by the Fourteenth Amendment. The Court found it "hard to imagine a more direct and obvious in-

[24] *Ibid.*, pp. 111-114.

fringement" of the Fourteenth Amendment which was passed "with a special intent to protect the blacks from discrimination against them." [25]

To meet the Supreme Court decision the Texas legislature in 1927 repealed the statutory rule barring Negroes from the primary and substituted a clause authorizing "every political party in this State through its State Executive Committee . . . to prescribe the qualifications of its own members." By virtue of this grant of power by the legislature the state executive committee of the Democratic Party adopted a resolution "that all white Democrats who are qualified under the constitution and laws of Texas . . . and none other, be allowed to participate in the primary elections." Again Dr. Nixon was denied the ballot by the judges of election and again he sued for damages. The argument of the defense was that the rule under which Nixon was excluded from the primary was an act of the party; that the prohibition of denial of equal protection in the Fourteenth Amendment applies only to action by the state itself; hence, the party rule was not in violation of the equal-protection clause. The Supreme Court refused to say whether the party could exclude the Negroes. It observed that the state executive committee possessed no inherent power to exclude Negroes or any other group from the party. "Whatever power of exclusion has been exercised by the members of the committee has come to them, therefore, not as delegates of the party, but as the delegates of the state." And later in the opinion: "The pith of the matter is simply this, that, when those agencies [the state executive committee] are invested with an authority independent of the will of the association [the party] in whose name they undertake to speak, they become to that exent the organs of the state itself, the repositories of official power." In other words, the Supreme Court was of the opinion that in the first case the state was acting through the legislature; in the present case, the state was acting through the executive committee of the political party. The exclusion of Negroes by a party committee acting under state authority constituted a denial of equal protection by the state.[26]

The rebuff by the Supreme Court stimulated the imagination of Texas Democrats, and in 1932 another rule limiting participation in the direct primary to whites was adopted, not by the legislature, not by the state executive committee of the party, but by the state con-

[25] *Nixon* v. *Herndon*, 273 U.S. 536 (1927).
[26] *Nixon* v. *Condon*, 286 U.S. 73 (1932).

vention of the party. The question then came before the Supreme Court again. Was the action of the party through its convention the action of a private voluntary association or was it the action of the instrumentality of a state and as such an infringement of the equal-protection clause? It was necessary to examine the legal nature of political parties in Texas. The Court observed that parties were compelled by the law of Texas to use the direct-primary method of nomination, but that the primary was a party primary. The expenses of it were borne by the members of the party seeking nomination, the ballots were furnished by the party, and the votes were counted and returns made by agencies of the party. Furthermore, the Supreme Court looked to the decisions of the courts of Texas on the nature of parties in that state. The highest court of that state had held that parties "are voluntary associations for political action, and are not the creatures of the state"; that the party "by its representatives assembled in convention, has the power to determine who shall be eligible for membership and, as such, eligible to participate in the party's primaries." As a private association, therefore, the party might exclude Negroes without violating the equal-protection clause, which applies only to action by the state.[27] Thus, the legality of the white primary under the conditions described was established.[28] A decision by the Supreme Court in 1941 involving the power of Congress to punish persons for the commission of electoral frauds in primaries for the nomination of candidates for the House and the Senate suggests that the exclusion of Negroes from primaries is not a completely settled question.[29]

WOMAN SUFFRAGE

The crusade for woman suffrage in its beginnings was closely related to the abolition movement. Woman, because of her extensive legal disabilities under the common law, was compared with the slave. And, in truth, the legal rights of the married woman were closer to those of the slave than to those of the free white men. The movement for the removal of legal disabilities of women and the

[27] Grovey v. *Townsend*, 295 U.S. 45 (1935). For a more detailed account of the white-primary litigation, see R. W. Hamsworth, "The Negro and the Texas Primaries," *Journal of Negro History*, 18 (1933), pp. 426-450.

[28] For a survey of the law of Negro suffrage, see C. S. Mangum, Jr., *The Legal Status of the Negro* (Chapel Hill: University of North Carolina Press, 1940), chap. 18.

[29] See *United States* v. *Classic*, 61 Sup. Ct. 1031 (1941).

right of suffrage gained headway prior to the Civil War and kept under way until the adoption of the Nineteenth Amendment to the Constitution in 1920. This long campaign produced an immense quantity of literature from both the advocates and opponents of suffrage. Eventually the case for suffrage came to rest on variations of the doctrine of equality and freedom. An early formulation by an advocate of woman suffrage before the Massachusetts constitutional convention of 1853 was as follows: [30]

> I maintain first that the people have a certain natural right, which under special conditions of society manifests itself in the form of a right to vote. I maintain secondly that the women of Massachusetts are people existing under those special conditions of society. I maintain finally, and by necessary consequence, that the women of Massachusetts have a natural right to vote.

The rationalizations of the opponents of woman suffrage were of a much lower order, and at this late date it is a bit difficult to see how they could have been uttered with such sobriety and piety. A few extracts from a statement by Senator Joseph E. Brown of Georgia in 1884 will illustrate the tone of the argument. He argued that "the Creator intended that the sphere of the males and females of our race should be different." Man, he contended, was "qualified for the discharge of those duties that require strength and ability to combat with the sterner realities and difficulties of life." Among these duties were military service, road construction, labor in the fields, and government. The management of government, he thought, was "a laborious task, for which the male sex is infinitely better fitted than the female sex." "On the other hand," the argument continued, "the Creator has assigned to woman very laborious and responsible duties, *by no means less important* than those imposed upon the male sex, though entirely different in their character. In the family she is a *queen*. She alone is fitted for the discharge of the sacred trust of wife and the endearing relation of mother." And, the good Senator said, "When the husband returns home weary and worn in the discharge of the difficult and laborious tasks assigned him, he finds in the good wife solace and consolation which is nowhere else afforded." How would the wife, he asked, with all the "heavy duties of citizen, politician and officeholder resting upon her shoulders, . . . attend to the more sacred, delicate, refining trust . . . for which she is peculiarly

[30] Quoted by K. H. Porter, *op. cit.*, p. 141.

fitted by nature? Who is to care for and train the children while she is absent in the discharge of these masculine duties?" The Senator could not bear to visualize the burden of public duties thrust upon woman. He felt that the adoption of woman suffrage [31]

> . . . would be a great cruelty to a much larger number of the cultivated, refined, delicate and lovely women of this country who seek no such distinction, who would enjoy no such privilege, who would with womanlike delicacy shrink from the discharge of any such obligation, and who would sincerely regret that what they consider the folly of the State had imposed upon them any such unpleasant duties.

The Senator's argument embodied the stock objections to woman suffrage and it amounted to little more than saying, "Woman's place is in the home." But women were everywhere coming out of the home. Women were beginning to enter the professions; they were working in factories, shops, and stores; in the West they were laboring in the fields; they were making their way into the colleges and universities; and some of them came to control great wealth. And as these changes progressed the demand for woman suffrage became louder and more insistent.

What of the opposition to woman suffrage? While much of the opposition was simply inertia and resistance to change, a part was based on a belief that substantial interests would be endangered by the extension of the franchise to women. One of the official historians of the suffrage movement states that following 1896 the [32]

> . . . Republican party was in complete control of the Government at Washington and was largely dominated by the great financial interests of the country, and this was also practically the situation in the majority of the States. The campaign fund controlled the elections and the largest contributors to this fund were the corporations, which had secured immense power, and the liquor interests, which had become a dominant

[31] The argument is quoted in full by Susan B. Anthony and Ida Husted Harper, *The History of Woman Suffrage* (New York: the Author, 1902), Vol. IV, pp. 93-100.

[32] Ida Husted Harper, *The History of Woman Suffrage* (New York: National American Woman Suffrage Association, 1922), Vol. V, p. xviii. The liquor interests estimated accurately the female attitude on the prohibition question. A recent study indicated that in almost every classification of a group of 8400 persons studied, the women were more opposed to repeal of the prohibition amendment than were men.—S. P. Hayes, Jr., "Occupational and Sex Differences in Political Attitudes," *Journal of Social Psychology*, 8 (1937), pp. 87-113. For another study, see W. F. Ogburn and Inez Goltra, "How Women Vote," *Political Science Quarterly*, 34 (1919), pp. 413-433.

force in State and national politics, without regard to party. Both of these supreme influences were implacably opposed to suffrage for women: the corporations because it would vastly increase the votes of the working classes, the liquor interests because they were fully aware of the hostility of women to their business and everything connected with it.

When the suffrage leaders succeeded in persuading a state legislature to submit a suffrage amendment to a popular vote, she records,[33]

> . . . it met the big campaign fund of the employers of labor and the thoroughly organized forces of the liquor interests, which appealed not only to the many lines of business connected with the traffic but to the people who for personal reasons favored the saloons and their collateral branches of gambling, wine rooms, etc. They were a valuable adjunct to both political parties. The suffragists met these powerful opponents without money and without votes.

The earlier victories for woman suffrage were in connection with school elections. Kentucky in 1838 granted school suffrage to widows and unmarried women with property subject to taxation for school purposes; Kansas in 1861 was the first state to give the vote on school questions to all women. Michigan, Utah, Minnesota, Colorado, New Hampshire, and Massachusetts followed by 1880; by 1890 school suffrage had been gained by women in fourteen states and territories. Wyoming was the first state to grant complete suffrage to women. It did so as a territory in 1869, and it was admitted to the Union in 1890 with a constitution that put men and women on the same plane regarding the suffrage. Three other western states soon followed in the steps of Wyoming: Colorado in 1893 and Utah and Idaho in 1896. After 1896 the suffrage movement began to encounter stiffer opposition, and no state was brought into the suffrage fold until the Progressive movement was fully under way. Here again western states were more receptive to the idea of woman suffrage. Equal suffrage was granted by Washington in 1910; California in 1911; Arizona, Kansas, and Oregon in 1912; and Montana and Nevada in 1914.[34]

The progress toward nation-wide suffrage through action by individual states had been slow, and during the period from 1913 to 1919 a more militant sort of tactic was adopted by one set of suffrage advocates. Influential in the change of method was Mrs. O. H. P. Belmont, who had observed the activities of the English suffragettes.

[33] Harper, *loc. cit.*

[34] Massachusetts Constitutional Convention, 1917-1918, Bulletin No. 33.

Mrs. Belmont, a sympathetic commentator writes, "was practically the only leader formerly associated with the conservative forces who had the courage to extricate herself from the old routine propaganda and adventure into new paths. She always approached the struggle for liberty in a wholesome revolutionary mood." [35] However, the leader of the fight in the field was Alice Paul, an able and resourceful woman. The activities of these and other courageous and persistent women in the leadership of the militant campaign for the adoption of nation-wide woman suffrage constitute one of the most instructive chapters in agitation in American politics.

The militant suffragettes began with rather mild tactics in the congressional elections of 1914. By that time women had been enfranchised in several western states, and their campaign was concentrated in those states. The Democratic Party, as the majority party, was to be held responsible for the failure to propose a constitutional amendment granting woman suffrage. All Democratic candidates for Congress in the woman suffrage states were opposed regardless of their individual stand on the suffrage question. Only twenty of forty-three Democratic candidates in the nine suffrage states won. "It was generally conceded," Miss Stevens says in her excellent primer on agitation, "that we had contributed to these defeats." [36] Congressmen and other politicians began to accord a more respectful ear to the advocates of suffrage, and when the national conventions of 1916 were held both parties included planks advocating the grant of woman suffrage by state action. These were not satisfactory to the militant suffrage leaders, who organized in the election of 1916 a protest vote against the Democratic party. Undoubtedly the Democratic opposition to national suffrage cost it many votes in the suffrage states.

Congress and President Wilson temporized and new tactics were adopted. Early in 1917 the women began to picket the White House and won acres of newspaper space over the country. Day after day, in both good weather and bad, the women carried their banners before the White House. The routine was varied by the occasional march of a delegation to present a petition to the President; sometimes the delegations were received, sometimes not. The militant tactics of the Woman's Party aroused criticism, and the Government

[35] Doris Stevens, *Jailed for Freedom* (New York: Boni & Liveright, 1920), p. 32.

[36] *Ibid.*, p. 36.

played into the hands of the suffragettes by adopting a policy of suppression. After six months of picketing, the demonstrators were arrested for "obstructing traffic." Others took their place; they were arrested; still others took their position on the picket line.

At their trials the women either stood mute or made speeches for liberty and woman suffrage; they refused to pay their fines on the ground that to do so would be an admission of guilt; they insisted on serving their terms in jail: "As long as the government and the representatives of the government prefer to send women to jail on petty and technical charges, we will go to jail. Persecution has always advanced the cause of justice." [37] Thus spoke one of the defendants. To the workhouse went the suffragettes. The martyrdom had the desired effect; a mighty stream of telegrams in protest began to reach the President and Congressmen. Other women went on the picket line and from thence to jail. This generated publicity for the cause and created a housing problem for the District of Columbia penal authorities. And the primitive facilities and methods of the penal institutions were given nation-wide publicity.

A dramatic touch to the propaganda campaign was added by the prisoners' claim for the treatment customarily accorded political prisoners. In all civilized nations, the contention was, persons imprisoned for political offenses were accorded different treatment from that given the ordinary criminal. To reinforce their claim for this status, the prisoners went on a hunger strike. The adoption of this tactic, Miss Stevens says, brought "the Administration face to face with a more acute embarrassment. They had to choose between more stubborn resistance and capitulation." The administration unwisely resorted to forced feeding of the prisoners, not pleasant for the prisoners and productive of horrendous newspaper stories. But women continued to come to Washington from all over the nation and added to the prison population. The trials furnished glorious opportunities for propaganda for the cause. An elderly woman was given a light sentence and the judge urged her to pay the fine rather than go to jail: "Your Honor, I have a nephew fighting for democracy in France. He is offering his life for his country. I should be ashamed if I did not join these brave women in their fight for democracy in America. I should be proud of the honor to die in prison for the liberty of American women."

[37] *Ibid.*, p. 102.

In January, 1918, the House passed the proposed suffrage amendment, but the necessary two-thirds majority was lacking in the Senate. A great demonstration was arranged by the women before the White House. Additional arrests occurred; as each speaker rose to talk she was dragged away to the waiting patrol wagons. Another hunger strike ensued, and finally the prisoners were released. But additional demonstrations occurred; more women were sent to prison; and those released went aboard a "Prison Special" to tour the country and enlist support.

The President was finally won over to the cause of nation-wide woman suffrage. In 1919 the newly elected Republican House passed the proposed amendment, and Wilson turned enough pressure on the Democratic Senators to win a two-thirds majority. By August, 1920 the necessary three-fourths of the state legislatures had ratified the amendment, which provided that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

The militant tactics had carried the battle, but it need not be concluded that any sort of political agitation may be carried on solely by picketing the White House, going to jail, and indulging in hunger strikes. The women leading the movement had the backing of local associations and societies over the entire country, and the ordinary strategy of propaganda and pressure went on while the more spectacular acts were being carried out in Washington. Moreover, many of the leaders of the movement were persons of high social and economic standing. One of the imprisoned women, for example, had a short time earlier been a guest at the White House. They were women who could not be thrown into jail without regard to the political consequence. Also, the ground had been prepared for the militant climax to the campaign by long years of agitation and education.

The movement also illustrates the problem of government in handling a determined agitation. Mrs. Belmont quoted Wilson who had written: "Governments have been very successful in parrying agitation, diverting it, in seeming to yield to it and then cheating it, tiring it out or evading it. But the end, whether it comes soon or late, is quite certain to be the same." Mrs. Belmont drew a parallel: "While the government has endeavored to parry, tire, divert, and cheat us of our goal, the country has risen in protest against this

evasive policy of suppression until today the indomitable pickets with their historic legends stand triumphant before the nation." [38]

THE REGULATION OF THE SUFFRAGE

The regulation of the suffrage remains a function of the states under the American constitutional system, subject to the limitations imposed by the Federal Constitution.[39] The principal limitations are contained in the Fourteenth, Fifteenth, and Nineteenth Amendments. The equal-protection clause, as has been shown, has been construed to prohibit discrimination by a state along lines of color in the definition of the electorate. The Fifteenth Amendment specifically prohibits denial of the right to vote "by the United States or any state on account of race, color, or previous condition of servitude." The Nineteenth Amendment prohibits denial of the right to vote "on account of sex." Thus there is left to the states, then, a broad residual power to impose suffrage qualifications not in conflict with the Federal Constitution. The more important of the qualifications established by state constitution and law may now be examined.[40]

Poll taxes.—The poll tax, a head tax as a prerequisite for voting, remains in use in eight southern states. Under this type of suffrage requirement an annual tax of from $1.00 to $2.00 must be paid before

[38] Quoted, *ibid.*, p. 246. For a useful collection of essays on the suffrage movement, see National American Woman Suffrage Association, *Victory, How Women Won It, A Centennial Symposium, 1840-1940* (New York: H. W. Wilson Company, 1940).

[39] For the election of Senators and Representatives, the Federal Constitution adopts state definitions of suffrage. Members of the House are to be chosen by "the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature."—Art. I, Sec. 2. The same qualifications for voters for candidates for the Senate were embodied in the Seventeenth Amendment by which Senators became popularly elective.

[40] The suffrage is not exercised by residents of the District of Columbia who persistently seek amendment of the Constitution to permit them to vote in Presidential and congressional elections. Congress could legally grant to the residents of the district the franchise to elect their local officials, but the district commissioners are appointed by the President; and Congress, in effect, acts as a city council for Washington. The lack of the franchise apparently does not seriously handicap the citizens of the district in their dealings with Congress. The local social and newspaper lobbies aid in bringing substantial appropriations from the national treasury for aid in financing the government of the district—appropriations of a size that expert investigators find difficult to justify. Moreover, in the opinion of W. Reed West, the district "is well administered by the federal government."—*American Government* (New York: Prentice-Hall, 1938), p. 277.

one can become a registered voter. In some states liability for the poll tax is cumulative; that is, a person may not pay the poll tax for the election year only and gain the suffrage; he must either pay the tax annually for several years before the election or pay the delinquent poll taxes prior to the election. Frequently the tax must be paid at a time long prior to the election. In Mississippi, for example, the tax must be paid before February 1 of the election year; in Virginia, six months before the election.[41] As has already been indicated, an important motive in the adoption of the poll tax in the southern states was the disfranchisement of the Negro, the presupposition being that the whites would pay and that the Negroes would not. In operation, however, the poll tax, together with the incidental requirements such as payment long in advance of the election, has operated to disfranchise a substantial number of whites as well as blacks.

As a result of the impact of New Deal policies on the South and the consequent revitalization politically of depressed groups in that area, a concerted movement against the poll tax as a prerequisite for voting for President, Senators, and Congressmen was inaugurated in 1940. The leadership of the agitation to prohibit, by act of Congress, the requirement of payment of a poll tax was primarily in the hands of organizations opposed to conservative, Bourbon control of the Democratic Party in the South. Among the organizations sponsoring the proposal were the Southern Conference for Human Welfare, the American Federation of Labor, the Congress of Industrial Organizations, the National Lawyers Guild, Labor's Non-Partisan League, the National Association for the Advancement of Colored People, and the Workers Alliance. The contention of the sponsors of the bill is that the poll tax operates to disfranchise the lower economic classes, both colored and white. Certainly, total participation in general elections in southern states with the poll tax was much less than in southern states without the poll tax, as is indicated in Table 26. The use of the general election minimizes actual voting figures in these states since voting interest in the one-party states tends to be at a peak in the primaries. At any rate, substantial numbers of people are disfranchised by the poll tax, and the opposition to it contends

[41] A detailed tabulation showing the provisions of poll-tax laws, prepared by C. Vann Woodward, may be found in the *Congressional Record* (daily edition), April 4, 1940, pp. 6124-6125.

that this factor has operated to simplify and perpetuate oligarchical, conservative control.

TABLE 26

AVERAGE PERCENTAGE OF ADULT POPULATION VOTING IN GENERAL ELECTIONS OF 1928 AND 1932 IN POLL-TAX STATES AND SELECTED NON-POLL-TAX STATES

POLL-TAX STATES		NON-POLL-TAX STATES	
Alabama	18.4	Missouri	70.1
Arkansas	21.7	Kentucky	68.0
Georgia	16.2	West Virginia	79.3
Mississippi	14.5	Oklahoma	53.5
South Carolina	10.6	New Mexico	77.4
Tennessee	26.7	Maryland	54.2
Texas	27.3		
Virginia	23.3		

SOURCE: Southern Conference for Human Welfare.

National intervention in the suffrage policies of the poll-tax states is justified on these grounds: "If some sections send Representatives to the national Congress who feel no responsibility toward the submerged third, because this third may neither reward nor punish them at the next election, it will naturally become very difficult to put through the Congress Federal legislation for the benefit of these groups." Further, before Congress "can put on the statute books and retain there legislation protecting the rights of labor, the small-business man, the farmer, the different racial groups, the unemployed, our young people, and our aged, the poll tax must be done away with in those States where it now exists. The politician who need not take these groups into account on election day need pay no attention to their cries of distress during a session of the Congress." [42]

Literacy tests.—Following the gradual erasure of property qualifications for voting, the advocates of a narrow suffrage hit upon the literacy test as a means for the restriction of the size of the electorate. Connecticut and Massachusetts in 1855 and 1857 were the first

[42] Quotations are from a speech by Representative Lee E. Geyer, *Congressional Record* (daily edition), March 19, 1940, pp. 1794-1795. See also Frank P. Graham, *et al*, *The Poll Tax* (Washington: American Council on Public Affairs, 1940).

states to adopt a literacy test. In both states the older groups were challenged in their hegemony by the wave of incoming immigration. In Connecticut the Know-Nothing representatives in the legislature brought about the submission of the literacy amendment to the state constitution. In Massachusetts the Irish had aligned themselves solidly with the Democrats, and the Native American and Whig members of the legislature combined to propose the literacy amendment to the constitution.

In 1890 Mississippi adopted a literacy test as one of a battery of expedients to exclude the Negro from the franchise; other southern states soon followed the Mississippi precedent. The literacy test is used outside the South, however. It was adopted in Wyoming in 1889, Maine in 1892, California in 1894, Washington in 1896, New Hampshire in 1902, Arizona in 1913, New York in 1921, and Oregon in 1924.[43] Generally the administration of the literacy test is in the hands of the registration and election officials, and in their hands the requirements often become meaningless. In New York, however, the administration of the literacy test is by the public school system, and there the requirements do not appear to be mere form. A substantial proportion of those taking the test have failed.[44]

Citizenship.—All states now require United States citizenship as a prerequisite to the exercise of the suffrage. "For the first time in over a hundred years, a national election was held in 1928 in which no alien in any state had the right to cast a vote for a candidate for any office—nation, state, or local." [45] During the nineteenth century at least twenty-two states and territories gave to aliens the right to vote, provided, of course, that they met other requiremens, such as that of residence. Often it was required that aliens exercising the suffrage should have taken the first steps in the naturalization procedure. About 1875 a trend toward the elimination of alien suffrage began. By 1900 only eleven states continued to grant the right; by 1925 the privilege remained only in Arkansas. By a judicial decision in that state in 1926 a constitutional amendment, voted on in 1920

[43] A. W. Bromage, "Literacy and the Electorate," *American Political Science Review*, 24 (1930), pp. 946-962.

[44] Professor Crawford reports that the percentages of those taking the test who failed have been: 1923, 21.4 per cent; 1924, 16.1 per cent; 1925, 17.8 per cent; 1926, 19.6 per cent; 1927, 20.66 per cent; 1928, 10.09 per cent; 1929, 10.84 per cent.—"Operation of the Literacy Test for Voters in New York," *American Political Science Review*, 25 (1931), pp. 342-345.

[45] L. E. Aylsworth, "The Passing of Alien Suffrage," *American Political Science Review*, 25 (1931), pp. 114-116.

but theretofore held inoperative, was declared effective and thereby wiped out the last voting privilege of aliens.

Other qualifications and disqualifications.—The constitution and laws of each state usually require certain other qualifications for the exercise of the suffrage or define the suffrage negatively by declaring persons disqualified under certain specific conditions. The states uniformly require that a person be twenty-one years of age in order to exercise the suffrage. Every state requires a minimum period of residence in the state in order to qualify for the vote; in most states this requirement is supplemented by the requirement of a minimum period of residence in the county and voting district. In Alabama, for example, a person must have resided two years in the state, one year in the county, and three months in the voting district. Michigan, Oregon, Idaho, Indiana, and certain other states require only six months residence in the state. Mississippi requires two years residence in the state and one year in the voting district but reduces the latter period to six months for ministers of the gospel.

The list of disqualifying factors varies from state to state. Most states exclude the insane, idiots, and incompetents from the suffrage. In a few states "immoral" persons are not entitled to vote; in some states inmates of prisons and other public institutions are excluded from the suffrage. A similar end is achieved in other states that deny the suffrage to persons convicted of certain crimes. The crimes that disqualify for voting in most states are felonies and election bribery. In some states conviction for treason, bigamy, defalcation, perjury, larceny, forgery, arson, embezzlement, and other acts disqualifies from voting. In South Carolina, for example, there is an imposing list of felonies and misdemeanors conviction for which operates to wipe out the right to vote. The list includes burglary, obtaining money or goods under false pretenses, robbery, adultery, wife beating, housebreaking, receiving stolen goods, breach of trust with fraudulent intent, fornication, sodomy, incest, assault with intent to ravish, miscegenation, and crimes against the election laws.[46]

DISFRANCHISEMENT BY GERRYMANDER

A state may have universal suffrage, yet through the manipulation of the boundaries from which representatives in state legislatures

[46] The details of the qualifications in each state are available in Council of State Governments, *Voting in the United States* (Chicago: mimeographed, August, 1940).

and Congress are elected the electoral influence of the voters in certain areas may be minimized. As a result of systematic gerrymandering, large groups may be virtually disfranchised by their being made unable to elect a representative. Short of complete disfranchisement, districts may be so drawn as to reduce representation and, in effect, make a vote in one district count for far more than a vote in another district. Strictly applied, the term gerrymander refers to the deliberate formation of districts in such a way as to gain partisan advantage in the composition of the representative body.[47] In the present discussion, however, the term may be given a broader connotation to include most apportionments of representation among districts which produces a representative body that does not mirror faithfully the electorate. District lines are seldom drawn so that the representative body reflects the electorate with accuracy, for there is inherent in the single-member district system of representation a degree of distortion. At one extreme the strength of a political party, for example, may be so evenly distributed over the state that it gains 51 per cent of the vote in each legislative district and thereby wins 100 per cent of the seats in the legislative body. Because of the nature of the district system it is virtually impossible to avoid a degree of underrepresentation or overrepresentation of some groups in the representative body.[48]

Beyond the inherent limitations of the district system of representation, the boundaries of districts may be deliberately manipulated by either of two methods. (1) Although lip service is paid to the doctrine that the population of districts should be approximately equal, the boundaries may be drawn so as to create tremendous inequalities in population between districts. In Oklahoma, to illustrate, one senatorial district a few years ago had a population of 24,108 while another had a population of 187,574.[49] One vote in the smaller district, when projected into the state senate, had seven times the strength of one vote in the larger district. Or, to put it in another way, six out of every seven persons in the larger district

[47] For a discussion of the origin of the term and a history of gerrymandering to 1840, see E. C. Griffith, *The Rise and Development of the Gerrymander* (Chicago: Scott, Foresman, 1907).

[48] The inherent infirmities of the single-member district are reflected in the colloquial usage among some politicians of the verb "to gerrymander" as synonymous with "to district." Thus, "The legislature has appointed a committee to gerrymander the state."

[49] L. V. Murphy, "Legislative Apportionment in Oklahoma," *Southwestern Social Science Quarterly*, 13 (1932), pp. 161-168.

were in effect disfranchised in so far as elections to the state senate were concerned. (2) Without necessarily involving inequality as between districts, boundaries may be deliberately drawn so as to alter the complexion of the representation of an area. A strong Republican area, for example, may be divided and allocated among adjacent Democratic districts in such a fashion that the Republicans will be in the minority in each district. In Chicago, H. F. Gosnell says, "the ward leaders of Irish extraction have been especially active and adept in improvising ward boundaries designed to prevent victory by Italian, Polish, and Jewish rivals for power." [50]

State legislatures and the gerrymander.—The outstanding feature in the apportionment of representation in the state legislatures over the country as a whole is that urban areas are underrepresented in one or both houses of the legislature and thereby the political strength of city dwellers is reduced. The effect is about the same as if a substantial proportion of city people were deprived of the suffrage. The systematic and wholesale discrimination against urban areas in representation is of greater significance in American politics than instances of the true gerrymander involving manipulations of the boundaries of individual districts.

In the constitutions of some states, territory rather than population is explicitly recognized as the basis for representation in one or both houses of the legislature. According to the constitution of Vermont: "In order that the freemen of the State may enjoy the benefit of election as equally as may be, each inhabited town in this State may, forever hereafter, hold elections therein and choose each one Representative to represent them in the House of Representatives. . . ." In 1938 the town of West Haven cast 78 votes; the town of Poultney, 1,010. One vote in West Haven had as much weight as 10 votes in Poultney in the election of representatives. This example is not the most extreme that could be cited. While the equal representation of geographical units without regard to population reaches its highest development in New England, the system is not restricted to that section of the country. In New Jersey each county is entitled to elect one senator, and a majority of the senate may be made up of the senators from counties including 15.3 per cent of the population. Essex County has a population of 833,513 and

[50] *Machine Politics: Chicago Model* (Chicago: University of Chicago Press, 1937), pp. 30-31. For a brief general survey of gerrymandering, see Robert Luce, *Legislative Principles* (Boston: Houghton Mifflin, 1930), pp. 395-404.

elects one senator; Sussex, a population of 27,830, and one senator.[51] In various states the tendency has been to rationalize the equal representation of towns or counties in one house of the state legislature on the basis of analogy with the national Congress.

A slightly different technique is used in a number of states to discriminate against the urban areas in the representative system. In this group of states the constitutional clause generally contains a declaration that representatives shall be allocated among the counties of the state in accordance with population. This declaration is then followed by a proviso that each county shall be entitled to elect at least one representative. In North Carolina, to illustrate, the lower house consists of 120 members to be apportioned according to population, except that each county shall have at least one representative. In the distribution of seats the more populous counties do not receive a number of representatives proportionate to their percentage of the population of the entire state.

In some states a constitutional clause is designed specifically to limit the representation of the metropolis of the state. In Maryland the city of Baltimore, with about one-half the population of the state, is limited to six of twenty-nine senators. In Pennsylvania no city or county is permitted to elect more than one-sixth of the senators, a provision originally designed to limit the influence of Philadelphia. In Missouri a rather complex constitutional rule for apportionment of representation, probably originally aimed at St. Louis, limits the representation of the more populous counties in the lower house of the legislature. These methods do not exhaust the list of constitutional devices employed to limit the representation of urban areas; nevertheless they indicate some of the means most frequently used for that purpose.[52]

[51] See D. D. McKean, *Pressures on the Legislature of New Jersey* (New York: Columbia University Press, 1938), pp. 38-39.

[52] For a summary of the constitutional clauses governing apportionment of representation, see New York State Constitutional Committee, *Problems Relating to Legislative Organization and Powers* (Albany, 1938), pp. 224-248. An able summary of the problem of urban representation in state legislatures may be found in C. M. Kneier's *City Government in the United States* (New York: Harper, 1934), chap. 8. See also the following titles: J. M. Mathews, "Municipal Representation in State Legislatures," *National Municipal Review*, 12 (1923), pp. 135-141; A. Z. Read, *The Territorial Basis of Government under the State Constitutions* (New York: Columbia University Press, 1911); R. L. Mott, "Reapportionment in Illinois," *American Political Science Review*, 21 (1927), pp. 598-602; James E. Pate, "Redistricting for the Purpose of Representation," *Kentucky Law Journal*, 23 (1935), pp. 470-489; Dayton Research Association, *Representation in the General Assembly of the State of Ohio* (1940); C. W. Shull and

In some instances simple failure to reapportion the representation in the legislature brings glaring inequalities in representation. The state constitutions generally direct the legislature to enact a law reapportioning legislative seats after each census. The representatives from the areas of declining population have often refused to carry out the constitutional mandate to reapportion; the longer the delay, the greater the disparity between population and representation, since the general tendency has been for a larger and larger proportion of the total population to be concentrated in urban areas. In 1932, Illinois was operating under the apportionment of 1901; the Missouri senate likewise was elected from senatorial districts laid out in 1901.

However the discrimination in representation is accomplished, the result is a substantial diminution of the strength of the cities in the legislative process. Dr. David O. Walter concludes that the ninety-six metropolitan districts, as defined by the Census Bureau, have "on an average only three-fourths of their proper representation in each house of the legislature." [53] Dr. Walter has compiled material showing in detail the discrimination against urban areas in the state legislatures. Attention may be directed to some of the more conspicuous discriminations shown by his findings. California cities, with 73.7 per cent of the population of the state in 1930, had in 1936 only 35.0 per cent of the seats in the state senate. In Connecticut the percentage of urban population was 70.4 per cent; urban representation constituted only 23.2 per cent of the house membership. Of the Maryland senators 24.1 per cent came from urban districts, but 59.8 per cent of the population of the state was urban. In Missouri over one-half of the population was urban, but only slightly more than one-fourth of the members of both houses spoke for urban districts. The consequences of maldistribution of representation in the states with large metropolitan centers—the perennial battle between New York City and upstate New York, the stalemate between Baltimore and the "counties," the struggle between Chicago

J. M. Leonard, *Reapportionment of the State Legislature in Michigan* (Detroit Bureau of Governmental Research, Report No. 153); C. W. Shull, "Wangling Reapportionment in Michigan," *National Municipal Review*, 29 (1940), pp. 305-310; *idem.*, "Reapportionment: A Chronic Problem," *National Municipal Review*, 30 (1941), pp. 73-79; W. Schumacher, "Legislative Apportionment in Oregon," *Commonwealth Review*, November, 1940.

[53] "Reapportionment and Urban Representation," *The Annals of the American Academy of Political and Social Science*, 195 (1938), pp. 11-20.

and downstate Illinois—are well known, but in the states without a dominant metropolis discriminations against the cities as a class also prevail. In Texas 41.0 per cent of the population is urban, but only 19.4 per cent of the senators come from urban districts. In South Carolina 21.3 per cent of the population is urban, but a mere 4.1 per cent of the senators represent urban districts.

The outcome of the apportionment of representation in many state legislatures is that the representatives of the rural minority control the legislature or exert an influence far greater than their proportionate number in the population as a whole. Partly because of the underrepresentation of the cities and partially because of the nature of the single-district system itself, the governmental difficulties inherent in the system of separation of powers are intensified. Since the governor is elected by the state at large, he may be of one party while, through the gerrymander, the legislature is controlled by the opposite party. Short of this situation, party division in the legislature may far from accurately reflect the division of sentiment in the state. This distortion of mass sentiment by the representative system is by no means a new phenomenon. Even before the enormous growth of cities of the past forty years the urban areas had much less influence in the election of members of the state legislature than in the selection of the governor.[54]

If there were no differences of interest between country and city, perhaps the cities would have no serious grievance because of their underrepresentation, but vital cleavages of interest exist. The nature of these conflicts may be inferred from remarks made, not by a disinterested person, in the recent constitutional convention in New York State where the lower house of the legislature has been, as the local saying has it, Republican by constitutional law. In the discussion of a proposal for legislative reapportionment, one of the delegates said: [55]

> The point is, that part of the accepted philosophy of life of my upstate Republican friends is an hereditary belief in the sacred mission of the Republican party to protect this country and this State from what they call the un-American and subversive influences of the cities. It is

[54] See Haynes, "Representation in State Legislatures," *The Annals*, 15 (1900), pp. 204-235.

[55] New York State Constitutional Convention, 1938, *Revised Record*, IV, 2881-2884.

almost an article of religious faith, mounting in some to fanaticism. And fanaticism means prejudices—generally unhealthy ones.

. . . . . .

But to the upstate Republican his party has a kind of God-given mission to protect the State from the wicked cities. He may talk tolerantly of individuals who belong to groups which arouse his prejudices; but basically he means to restrict their influence, if he can. And the purpose of this reapportionment is to implement that point of view rather than merely to achieve partisan supremacy.

. . . . . .

. . . This reapportionment proposal is, superficially, an effort to secure partisan advantage. Fundamentally it is an effort through undemocratic methods to limit the influence not of the cities as cities, but of those groups who are concentrated in the cities and who are anathema to upstate Republicanism. In their franker unofficial moments I have had leading Republican delegates admit as much.

. . . . . .

Mr. Chairman, there sits across the aisle a majority dominated by agreeable, respectable but politically reactionary upstate Republicanism—that same Republicanism which has opposed every progressive piece of legislation proposed in this State in the last generation. Look at the list of the measures wrung from this same group by energetic Democratic governors: Workmen's Compensation Law, the Child Welfare Laws, the Old Age Pension Law, reorganization of the State government, the Executive Budget, the Direct Primary Law, Conservation of State Water Power Resources, City Home Rule, protection of children in industry, forty-eight hour week on public works, one day of rest in seven, adequate housing for wards of the State and the Social Security program.

In the same discussion, Alfred E. Smith, from his experience as a Democratic governor dealing with a Republican legislature, remarked: [56]

. . . when I campaigned through this State, I campaigned against as good men as the Republican party could put up, and we talked these issues; and each time that I won, I was inaugurated, and the next day the Republican speaker was elected, and then they came down to talk to me about their platform—a platform that had been thrown out of the window, repudiated, cast aside by the electorate of the State. That is what happens under an unfair apportionment. That is what happens to representative democratic government when the very vital principle of it is compromised in the interest of either of the parties.

[56] *Ibid.*, p. 2915.

There are no satisfactory analyses of the precise nature of the conflicts between country and city and the effects of rural control of state legislatures on the outcome of these differences of attitude. In earlier years sharp differences of attitude existed over the liquor question, and the "wets" asserted that unenforceable and undesired rules were placed on urban communities by the legislatures under rural domination. In recent years the complaint is frequently made, and probably with justice, that state legislatures do not view with either understanding or sympathy the problems of relief in the metropolitan communities,[57] and it is not improbable that the inflexibility of attitude of the state legislatures has hastened the growth of direct relationships between the cities and the Federal Government. A perennial point of issue between urban and rural blocs is the question of state taxation; the rural segments of the legislature often attempt to shift as far as possible the incidence of state taxation to the urban areas, although the degree to which they succeed remains unmeasured. In some states the urban-rural cleavage is also a division between native white stock and the foreign born. Professor Lancaster wrote a few years ago of Connecticut: [58]

And it cannot be too strongly emphasized that, broadly speaking, leadership in politics still belongs largely to the native stock; and this is particularly true of the majority party. From this flows another reason for the maintenance of the present system of representation. Any change in the direction of proportionate representation would immediately threaten the hegemony of the caste now in power. For there is still a good deal of Know-Nothingism abroad in the state and in one way or another the leaders act to keep it alive. The supremacy of the Yankee stock is now maintained by the under-representation of the large cities and by the fact that the foreign-born or the imperfectly assimilated second and third generations are so scattered among the small semi-rural

[57] In 1934 when the cities were facing the most serious relief problems of their history, the president of the United States Conference of Mayors, an association of the mayors of the larger cities, said: "Our cities must take the leadership in making our state governments actually representative democratic governments. Our state governments today almost without exception are based on area rule and are controlled by rural blocs. Reapportionment must come if democratic government is to avoid a crisis. Our cities have suffered long. They have been tolerant, but will not continue this attitude if there is a continuance of the unsympathetic approach to most urban problems which is inherent in the make-up of our forty-eight state legislative bodies."—T. Semmes Walmsley in *The United States Municipal News*, April 10, 1934.

[58] Lane W. Lancaster, "The Background of a State 'Boss' System," *American Journal of Sociology*, 35 (1930), pp. 783-798.

towns as to cause the squirearchy no uneasiness so long as they continue to be the chief employers of labor and the principal landlords and to set the pace socially.

It must not be concluded that the rural areas are alone in clinging to their power in the representative body in the face of a declining population. Within many cities the wards of declining population are grossly overrepresented in the city council.

Nor should it be concluded that the peoples of the city are unanimously agreed that the cities should have a voice in the legislature proportionate to their population in the state. Certain sections of city population are more closely allied in general political viewpoint with the country than with their fellow city dwellers. Urban business interests of a conservative character are often found in political alliance with organizations of farmers. Such a coalition may, and frequently does, operate to defeat legislation in the interests of the urban masses.[59]

The effects of this discrimination against the cities is not limited to legislation alone, since the legislative districts are commonly used as a basis for organization for other purposes. The party organizations are usually built on the legislative districts and the antiurban gerrymander gives the rural leaders a disproportionate strength in party councils. State constitutional conventions, infrequently held to be sure, are usually elected from the legislative districts and, as the question of reapportionment is often one of the most important issues before the convention, the base of representation really decides the issue before it is raised. Since the legislature enacts legislation creating districts for the election of representatives in Congress, the composition of the legislature tends to bring a similar antiurban bias in the distribution of congressional representation. In addition, there is some evidence to indicate that the existence of rural rotten boroughs influences campaign tactics and finance. A state-wide interest that desires legislators favorable to it may concentrate its campaign expenditures in the rural districts with small numbers of voters. Scattered data seem to indicate that vote buying in the rural rotten boroughs is sometimes stimulated by the fact that a small number

[59] For an argument to the effect that the under representation of cities generally tends to check "progressive" legislation, see O. A. Welsh, "Progressive Hopes and Rotten Boroughs," *The Nation*, 120 (1925), pp. 12-14. For a much more careful and more extended study of likenesses and differences between farmers and laborers in state legislatures, see Stuart A. Rice, *Farmers and Workers in American Politics* (New York: Columbia University Press, 1924).

of votes in such districts exert a greater proportionate influence in the legislature.[60]

To bring about a fairer distribution of representatives between urban and rural areas a number of devices have been tried. In a few states the duty of redistributing the seats is vested in a reapportionment commission rather than in the legislature. In some of these states the reapportionment commission may be compelled to act by judicial process, a remedy not available when the function is vested solely in the legislature. In some states the use of the initiative to reapportion is possible if the legislature fails to act. This has been done in Washington, as well as in California; but it is significant that in California even through the initiative it was possible to bring about representation according to population in only one house of the legislature.[61]

A higher degree of home rule for cities has been advanced as a means of relief for urban underrepresentation, but this change is only a partial answer since it grants autonomy over purely local affairs but

[60] Generally there is no discrimination against the urban communities in the voting for governor, United States Senators, and other officers elected by the entire state, but in a few instances a "county-unit" system has been devised to give rural votes disproportionate weight in the election of these officials. In Georgia nomination to candidacies for state-wide offices is made by a county-unit system in which each county has twice as many "unit" votes as it has in the lower house of the state legislature. Since the legislature is gerrymandered, the rural counties have a strength disproportionate to their population in making nominations. In 1932, Quitman County which polled 26 popular votes had two unit votes in the state-wide Democratic primary; Fulton county at the same primary polled 22,117 popular votes but had only six unit votes. In other words, 26 popular votes in Quitman County had as great strength as 7,372 (or one-third of 22,117) in Fulton. See C. B. Gosnell, "The Gerrymander System in Georgia," *Social Forces*, 11 (1933), pp. 570-573. Dr. Gosnell asserts that "Georgia is undoubtedly the most completely gerrymandered state in the Union today." See also L. E. Abbott, "Tennessee Legislature Enacts a County Unit Primary Law," *National Municipal Review*, 26 (1937), pp. 604-605.

[61] It is, of course, impossible to draw legislative districts so that each has exactly the same population, but a much closer approximation to equality could be achieved than is often the case. In the drawing of the districts, Professor Sauer, a geographer, has suggested, "geographical factors" should be taken into account. He has urged that congressional districts possess geographical unity; has analyzed the geography of Missouri, Kentucky, and Tennessee; and has suggested appropriate boundaries for congressional districts. In a natural geographical region, he says, conditions of life are similar; the people have "common interests"; certain occupations "are dominant"; and a common history is likely to exist. "The interests of representative government demand that such a crystallized opinion be given a voice, that it be not concealed by the division of the natural unit and its distribution among other districts of different interests and opinions."—"Geography and the Gerrymander," *American Political Science Review*, 12 (1918), pp. 403-426.

gives the cities no increased control over policies which must continue to be made and administered by the state government. In some quarters the separation of the great cities from the state and the creation of city-states is suggested as a solution for the problem of representation as well as of other problems of the metropolis.[62]

Congress and the gerrymander.—In the House of Representatives the effects of the gerrymander and of the single-member district system are reflected much as they are in state legislatures.[63] The number of members of the House to which each state is entitled is determined by Congress, but the boundaries of the districts from which they are elected within the states are set by action of the state legislature. Following the census of 1920 Congress failed to reapportion its membership among the states. The population shifts since 1910 had been such that some states would have lost members and others would have gained. Representatives from those states that would have lost opposed a shift that would reduce the representation of their states and deprive some of them of their places in Congress. Consequently the distribution made in 1911 remained in effect until after 1930. Legislation enacted in 1929 provided for an almost automatic redistribution of seats among the states following each decennial census. The legislation of 1929, as amended in 1940, provides that following each census the President shall transmit to Congress a statement showing the population of each state "and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives" made according to each of three methods. The law further provides that if Congress [64]

> . . . has not, within sixty calendar days after such statement is transmitted, enacted a law apportioning Representatives among the several States, then each state shall be entitled, in the next Congress and in each Congress thereafter until the taking effect of a reapportionment under this Act or subsequent statute, to the number of Representatives shown in

[62] See C. E. Merriam, S. D. Parratt, and Albert Lepawsky, *The Government of the Metropolitan Region of Chicago* (Chicago: University of Chicago Press, 1933). See also for a discussion of the various attempts to deal with the problem of apportionment, Key, "Procedures in State Legislative Apportionment," *American Political Science Review*, 26 (1931), pp. 1050-1058.

[63] For a thorough survey of the problem, see L. F. Schmeckebier, *Congressional Apportionment* (Washington: Brookings, 1941). For a mathematical analysis of methods of apportionment, see E. V. Huntington, *Methods of Apportionment in Congress*, Senate Document No. 304, 76th Congress, 3rd Session (1940).

[64] Public No. 481, 76th Congress, approved April 25, 1940.

the statement based upon the method used in the last preceding apportionment.

After the appointment of the total membership of the House among the states has occurred, it is the responsibility of the state legislatures to enact laws establishing congressional districts. The legislatures may delay redistricting, may gerrymander for the benefit of the dominant party in the legislature, or discriminate against the urban areas in the distribution of seats.[65] In fact, all these practices occur.[66]

The Senate, of course, is not designed to represent the states in proportion to population. Nevada with its population of 110,247 is entitled to two Senators; New York, with its population of 13,479,142, likewise elects two Senators. If influence through representation could be demonstrated to be determined by percentages (which it cannot), one Nevadan would have 122 times the influence of one New Yorker in the United States Senate. In practice the equal representation of the states in the Senate operates to overrepresent the predominantly rural states and to underrepresent the predominantly urban states. The detailed figures are presented in Table 27.

The important consideration about representation in the Senate, as in other legislative bodies, is the effect of the system of representation on the decisions reached. Would a system of representation based on population alter or modify these decisions? Would the outcome be any different? The evidence indicates that on some questions a minority of the population, through its Senators, is able to defeat or to carry proposals that under a system of representation according to population, would have been decided to the contrary. Such evidence is available in the late Carroll H. Wooddy's analysis of the votes in the Senate of the Sixty-fifth Congress, which extended

[65] The degree of underrepresentation in the House of some areas and of overrepresentation of others may be inferred from the varying population of congressional districts in 1940. If each Representative had spoken for the same number of people, his district would have had a population of 302,687. In fact, 95 districts had a population of less than 250,000; 84 had a population of more than 350,000. These tabulations are based on the population of congressional districts before the reapportionments made in some states in 1941. The figures were derived from Census Bureau, Press Release, Series P-3, No. 9, February 5, 1941.

[66] For specific examples of the effect of the single-district system on the ratio of popular vote polled by a party to its representation in the House, see G. H. Hallett, Jr., "Is Congress Representative?" *National Municipal Review*, 22 (1933), pp. 284-285.

TABLE 27

SENATE REPRESENTATION AND URBANISM

DEGREE OF URBANISM	1900		1930	
	PERCENTAGE OF POPULATION	PERCENTAGE OF SENATE	PERCENTAGE OF POPULATION	PERCENTAGE OF SENATE
States under 25 per cent urban	32.9	42.2	5.7	10.4
States 25 to 50 per cent urban	31.9	37.7	32.8	45.8
States 50 to 75 per cent urban	30.9	15.5	43.9	35.4
States over 75 per cent urban	4.3	4.4	17.6	8.3

SOURCE: G. H. Haynes, *The Senate of the United States*, Vol. II, p. 1011.

from March 4, 1917 to March 4, 1919. That sitting of the Senate was controlled by a Democratic majority consisting of Senators from states with less than a majority of the population. It could be assumed that, to the degree to which questions were decided on party lines, Senators speaking for less than a majority of the population would decide the issue. Party discipline is far from perfect, but the likelihood of Senators who represent a minority of the people deciding issues would be greater under such circumstances than when the majority Senators act for a majority of the population. Actually it was found that nearly one-eighth of all votes on which there was a roll call could be considered "unrepresentative." More than one-third of the close votes were carried by a senatorial majority representing a minority of the population.[67] To evaluate more fully the effect of the unrepresentative character of the Senate, one should analyze additional sessions of the Senate.

[67] C. H. Wooddy, "Is the Senate Unrepresentative?" *Political Science Quarterly*, 41 (1926), pp. 219-239.

Proportional representation.—For the purpose of overcoming the defects of the single-member district, preventing such abuses as the gerrymander, and making representative bodies more representative, the system of proportional representation has been devised, advocated, and in some jurisdictions adopted. The essential difference between the single-member district system of representation and proportional representation is this: The majority of the voters in the single-member district select the representative; under proportional representation multimember districts are used and each important group of voters tends to be represented according to its numerical strength. In a three-member district consisting of 66 per cent Republicans and 33 per cent Democrats the Republicans would elect two representatives and the Democrats one, whereas if the same area were divided into three districts, the Republicans might carry all three, depending on how the district lines were drawn.

A large number of systems of proportional representation, bewildering in their mathematical complexities, have been devised, but all of them have the same fundamental objective, namely, the representation of all important shades of opinion in the legislative body. One type of P.R. is the list system. As it was used in the election of the Reichstag of pre-Hitlerian Germany, the governing principle was that each party was entitled to one representative in the Reichstag for each 60,000 votes it polled. The number of members of the Reichstag thus was not fixed but fluctuated with the vote polled at each election.

In the working out of the mechanics of this system, the country was divided into thirty-five districts. The party organizations named a list for each district, and a voter cast his ballot, say, for the Social Democratic list. If the Social Democratic ticket polled 150,000 votes, the first two persons on the district list would be declared elected. But there would be an unused surplus of 30,000 votes. So that this surplus might be used, it was combined through various steps with the Social Democratic surpluses from other districts to make additional quotas of 60,000 and to elect persons from other lists compiled by the party. The outcome was that representation in the Reichstag was divided among the parties in almost precisely the same mathematical proportions as the popular vote.

An incidental outcome of the operation of the list system was the enhancement of the power of the party organization. The party machine prepared the lists of candidates and it could almost assure the election or defeat of a candidate by its determination of the order

in which the names appeared on the list. The first name on the list was usually certain of election. The machine thus virtually appointed the party representatives in the Reichstag and therefore enjoyed great disciplinary powers. Another effect was the tendency for the number of parties to increase, since the system of representation was designed to make its possible for any small fraction of the population to unite and obtain representation.[68]

The form of P.R. that has appealed especially to American proportionalists is the Hare system which was devised by Thomas Hare, an Englishman, and set forth in a volume published in 1859. The system was brought to the attention of a larger audience when John Stuart Mill advocated its use in his *Representative Government*. Under the Hare system three or more representatives are selected from the same district, but the distinctive feature of the system is the transferable vote. In casting his ballot under the Hare system, the voter indicates first, second, third, fourth choices, and so on, depending on the number of names on the ballot. When all the ballots are in, the total number of valid ballots is determined and a "quota" is ascertained. The formula for obtaining the quota is to divide the total number of ballots by one more than the number of places to be filled and add one to the resulting quotient.

The formula sounds incomprehensible, but it is all quite simple. In fact, when a single person is to be elected from a single district a "quota" is established. If a total of 12,000 votes is cast for two candidates in a single-member district, the winner must receive at least 6,001 votes. Applying the above formula, one is added to the number of places to be filled; the sum is two. Dividing 12,000 by two, the quotient is 6,000. Add one and the quota of 6,001 is arrived at. To be elected the candidate must receive at least 6,001 votes; and not more than one candidate may receive the quota.

In a multimembered district under the Hare system the quota is ascertained in the same way. Assume that 12,000 votes are cast in a district that is entitled to five representatives. Dividing 12,000 by five plus one, the quotient is 2,000. Add one and the quota of 2,001 is found. In the counting of the votes, the ballots are arranged according to the first choices expressed. If a candidate receives over 2,001 first choices he is declared elected. If he receives, say, 2,500 votes, he has an excess; what is to be done with the 499 surplus votes?

[68] For a description of the former German system of P. R., see W. B. Munro, *The Governments of Europe* (New York: Macmillan, 1931), pp. 631-633.

At this point the transferable feature of the vote comes into play. From the candidate's 2,500 first-choice ballots, 499 would be selected usually at random, and transferred to the second-choice candidates indicated on those ballots.[69] After the surplus votes have been distributed, the lowest candidate of all the candidates is eliminated, and his ballots are distributed among the candidates for whom a second choice has been indicated by the voter. By the process of "transferring" ballots almost all the votes are made to count in the election of a candidate. By the elaborate counting procedure, the details of which have been glossed over in this discussion,[70] every group of voters in the district that can muster enough strength to poll first choices and transferred choices equivalent to the quota elects a representative.

The Hare system has appealed especially to municipal reformers. Apart from the potent appeal of the precise mathematical relationship of voting to representation, the municipal reformers have seen in P.R. a means of assurance that their groups could elect at least a minority of the city council. With a few strong reform leaders in the city council, so the argument goes, effective opposition could be exerted against the city machine, and the grosser forms of abuse that sometimes occur could be prevented. This argument has prevailed in various American cities, and the following cities either now operate under P.R. or have done so at one time or another: New York, Ashtabula, Cleveland, Cincinnati, Boulder, Hamilton, Kalamazoo, Sacramento, and West Hartford. It is often pointed out that the great defect in mechanical and procedural reforms in city government is that the reform group has to gain control under the old system before the new procedures and forms can be adopted. That is, of course, not a vital weakness in their position since their supposition is that the governmental form may remain after they lose power and enable them to fight a rear-guard action. Nevertheless, it is difficult to isolate the effects of P.R. in those cities that have used it. To be sure, cities such as Cincinnati have gained a reputation for having "good" city government, but how much of that result is attributable to P.R. and how much is attributable to the thorough organization

[69] On the problem of selecting the surplus ballots to be transferred, see C. G. Hoag and G. H. Hallett, Jr., *Proportional Representation* (New York: Macmillan, 1926), pp. 389-396.

[70] For all the details of the Hare system and other types of P.R. as well, see Hoag and Hallett, *ibid.*

and capable leadership of the Charter Committee in the politics of the city?

The adoption of P.R. for the election of state legislatures and Congress has never been seriously considered except by the small group of advocates of P.R. In political science literature the firm devotees of P.R. were largely unopposed, however, until recently. Fundamentally the argument of the anti-P.R. thinkers against proportional representation is an argument against the multiparty system. The contention is made, on the basis of European experience, that P.R. encourages divisive forces. Under P.R., the forecast is, there would be elected to Congress representatives of farmers, businessmen, Catholics, Protestants, veterans, laborers, single taxers, antivivisectionists, and any group no matter how absurd its beliefs so long as it could muster enough votes to meet the P.R. quota. The effect would be, it is said, to emphasize in campaigns and in the thinking of the voters their differences of interest and belief. The conflict between groups of people would become sharper; the difficulties of mustering and leading a majority in Congress would become greater. The single-member district, on the other hand, compels campaigners to make an appeal to as many sorts of people as possible; they must seek out and appeal to the common interests of the electorate. The necessity of obtaining a majority of the votes to win, as has been shown in an earlier chapter,[71] results in parties of similar views. When power oscillates between parties of similar beliefs, the change from party to party is not too much to be tolerated by the losers.[72]

The dire results predicted for P.R. do not seem to have occurred in the American cities in which it has been used. It should be pointed out, however, that the great organized interest groups that would be expected to be active under P.R. are more concerned with what the national Government does than with the activities of city governments. Hence their lobbying efforts are directed mainly toward the national Government. The theory of the critics of P.R. is that the lobbyists would become members of Congress under P.R. Even with the lobbyists on the outside it is extremely difficult to prevent the triumph of special interests at the expense of the general welfare; under P.R. the general interest could hardly govern the

[71] See above, chap. 9.

[72] The leading critic of P.R. is Professor F. A. Hermens. See his *Democracy and Proportional Representation* (Chicago: University of Chicago Press, 1940), and *Democracy or Anarchy: A Study of Proportional Representation* (Notre Dame, Indiana: The Review of Politics, 1941).

behavior of the representative since he would be elected directly by, and therefore compelled to speak for, a special interest.

QUESTIONS AND PROBLEMS

1. What theory have you evolved in explanation of the broadening of the suffrage?

2. How do you reconcile the suffrage requirements of 1800 with the doctrines of the Declaration of Independence?

3. How did the treatment of the question of manhood suffrage differ in the seaboard states and the frontier states?

4. How did political struggles between economic classes among the whites in the South affect the question of Negro suffrage?

5. Trace the course of constitutional litigation with respect to the "white" primary.

6. What interests were involved in the dispute over woman suffrage?

7. What are the lessons in the technique of political agitation of the later stages of the woman-suffrage movement?

8. Classify the rules embodied in state laws regulating the suffrage.

9. Analyze the apportionment of the membership of the legislature of your state. Does there appear to be systematic discrimination against urban communities or any section of the state? If so, what is the explanation?

10. What features distinguish the principal types of proportional representation?

Chapter 18: CAMPAIGN TECHNIQUES

WITH THE BROADENING of the suffrage the battle for control of the Government has come to involve a large proportion of the entire people. Consequently the work of the political leaders in maintaining the enthusiasm and loyalty of their supporters, in bringing about defections from the ranks of the opposition, and in rallying the wavering and weak of heart has increased correspondingly. At the same time there has come about a fundamental change in the method of "manufacturing consent," as Walter Lippmann has called it.[1]

Under a narrowly restricted suffrage the task of reaching the electorate was not so great, and different methods might be used in seeking support. At one time word of mouth, personal influence, and parlor caucuses were probably of greater importance as methods of carrying a campaign to the voters than they are now. These person-to-person relationships characteristic of campaigns in an extremely restricted suffrage, however, have come to be supplemented and to a large degree superseded by newer techniques of appealing to the great mass of the electorate. The party organization remains, with workers in almost every precinct who seek to build up person-to-person relationships with the electors in their bailiwicks; but the radio, the newspaper, and the mass meeting are more important channels for the dissemination of appeals calculated to manipulate the attitudes of the electorate. With improved technologies of communication has come increased sophistication in the management of mass opinion. And probably these trends are making a greater change in the nature of political power than has been recognized. Political power has been based on a stable network of the party machine, around each member of which was clustered a little group loyal through thick and thin. For this there seems to be in the process

[1] *Public Opinion* (New York: Macmillan, 1922), p. 248.

of substitution a power structure broadly based on mass consent and support. The representative and opinion-managerial function of the party machine apparently is becoming less important than it once was as leaders have available devices and methods for appealing directly to the great mass of people. And in the midst of these changes in opinion manipulation the old-time politician is at sea and men are bewildered and a little afraid.

CAMPAIGN ORGANIZATION

The conduct of a Presidential campaign requires the collaboration of thousands of men and women. Thorough organization is necessary if each person working in the campaign is to do his part in the right way at the right time. Campaign organization consists of two kinds of party machinery. The permanent party organization—that is, the national chairman, the national committee, state and county committees, precinct captains and committeemen, and other party functionaries—comes to life during the campaign and carries a major part of the burden.[2] The regular party machinery, however, is supplemented by additional party organs that are spawned in great numbers during the course of a campaign. The staff of the national committee is enlarged, and new divisions designed especially to handle phases of the campaign are added to national headquarters. In most states similar temporary enlargements of the party headquarters occur. And each party stimulates the creation of temporary nonparty organizations to support its candidate.

The specialized divisions set up at the national headquarters are usually created to handle special aspects of the campaign. A finance unit has the job of raising money. Usually a labor division, headed by a prominent union labor leader, is created for the purpose of handling relationships with labor. In 1940, for example, Daniel J. Tobin, a vice-president of the American Federation of Labor and president of the Teamsters Union, was in charge of the labor bureau of the Democratic national committee. The Republican national committee had a naturalized-citizens division. Each party usually has a Negro division, and there is a special unit in charge of women's activities. The national headquarters is always equipped with a publicity division which prepares leaflets, press releases, and other types

[2] Refer to the discussion of party organization, above, chap. 11.

of propaganda. Usually there is a speakers' division which recruits speakers and arranges their schedules.[3]

A question that almost invariably arises in the establishment of the temporary campaign machinery is whether to provide for a single national headquarters or to divide the management of the campaign among regional divisions under the general supervision of the national chairman. In 1928 the Republicans established their main campaign headquarters at Chicago primarily because of its central location. An eastern division was located in New York. In 1932 the Democrats had a single national headquarters in New York against the desires of regional leaders, who thought that James Farley had not had enough experience in national campaigning to exercise complete direction over the campaign. A factor in the decision to centralize was "the avoidance of possible jealousies by not having to select men to head branch headquarters."[4] In 1940 Chairman Flynn of the Democratic national committee established a new precedent by creating four regional campaign headquarters to supplement the work of the national office in New York. The campaign in the northeastern states was handled from New York under the direction of Mr. Flynn. Senator Scott Lucas directed the midwestern division from Chicago; Senator John H. Bankhead the southern division from Birmingham, Alabama; former Governor Leslie Miller of Wyoming the far-western division from San Francisco; and Representative Sam Rayburn of Texas the southwestern division from Dallas. Sometimes a factor in the determination of the question of decentralization is the supposed effect of the location of a branch headquarters on the enthusiasm of the party workers in that area and the consequent effect on the popular vote.[5]

[3] For a thorough account of the workings of a speakers' bureau in a local campaign, see W. J. Walsh, "How to Use a Speakers Bureau in a Political Campaign," *Public Opinion Quarterly*, 3 (1939), pp. 92-106.

[4] Roy V. Peel and T. C. Donnelly, *The 1932 Campaign* (New York: Farrar and Rinehart, 1935), pp. 112-113.

[5] Cleveland, for example, wrote, in 1892: "I want to urge upon you the importance of getting a branch of the National Committee opened at the West. I write this upon the theory that such a thing would help in our efforts to carry your State and Illinois, etc. If it would not tend in that direction my argument and claim on that subject fail. Illinois is very anxious for it and Dickinson told me he was intending to urge it before the Committee. I should not be at all surprised if Indiana, Wisconsin, and Illinois were absolutely necessary to our success; and I am quite certain that a good prospect to win the election without New York is the best way to get the electoral votes of that State."—Allan Nevins (ed.), *Letters of Grover Cleveland, 1850-1908* (Boston: Houghton Mifflin, 1933), pp. 294-295.

A uniform feature of campaign organizations is a number of auxiliary or nonparty organizations, agencies that are set up with nonparty names on the theory that by this means the party can reach a class of voters who would not respond or work with the regular party organization. In the 1936 Democratic Presidential campaign, for example, the Good Neighbor League was created, Farley says, on the suggestion of Louis Howe to reach "a large body of independents and of socially minded people" who disliked "to affiliate with any political party." [6] In 1940 the Republicans relied heavily on the Associated Willkie Clubs, clubs that had been formed to bring about the nomination of Mr. Willkie and continued after the convention to work for his election. The Democrats formed a Committee of Independents for Roosevelt, with Senator George W. Norris as honorary chairman and Mayor La Guardia as its active head. Somewhat similar to these nonparty committees are special committees of leading figures from the opposite party, a feature of almost every Presidential campaign. In the 1940 campaign the Republicans had the support of the National Committee of Democrats for Willkie, which supported Mr. Willkie for the Presidency but expressed a preference for Democratic candidates for state and local offices. The supposition underlying the establishment of these adjuncts to the regular party organization is that an appeal from such an agency may have greater effect in weaning away nominal supporters of the other party. It hardly needs to be said that the committees of independents, of labor leaders, of farmers, of citizens, of lawyers, of businessmen, and of others that spring up during every campaign work in close collaboration with the regular organization; quite generally they are financed and set up by it for the purposes of the campaign.

In the Presidential campaign, general direction of the entire party organization is vested in the national chairman who is a nominee of and acts for the Presidential candidate. His job breaks down into two principal tasks: the direction of the subdivisions of the national committee staff, and the guidance of state organizations of the party.

The general management of the staff of the national committee is of special importance, for it is here that a substantial proportion of the propaganda work is conducted. Unless the different units into which the work is divided are well managed, one division may issue appeals that embarrass other divisions, and internal jealousy and conflict may detract from the effectiveness of the propaganda campaign.

[6] *Behind the Ballots* (New York: Harcourt, Brace, 1938), pp. 301-302.

Casey cites the national Republican organization of 1936 as an example of poor organization. Instead of creating a unified publicity agency with responsibility for all propaganda, John Hamilton, the Republican national chairman, "divided the propaganda function into too many fields; failed to delimit the scope of activity of each aspiring propaganda service; built propaganda organizations within organizations, and laid the seeds for inefficiency and waste. . . ." [7]

In dealing with the state organizations, the national chairman exercises a role of general guidance and leadership; he attempts to speed up the work of lagging state and local organizations and he has usually been in a position to aid the deserving organizations with subsidies from the national campaign chest. He supplies the state organizations with speakers of national reputation and confers with state leaders on questions of strategy. In some instances the national organization may be at odds with the party leaders in a state; in such a situation the national chairman may establish and deal with a state campaign organization loyal to the Presidential candidate.

It is the local organizations that bear the burden of personal solicitation of voters and of "getting out the vote." The traditional view is that the party that has the most efficient and loyal staff of precinct workers, supplemented by large numbers of workers hired for election-day work, enjoys a tremendous advantage in the campaign. The theory is that the able precinct captain who, through his connections with the local machine, has been able to do favors and make friends will have a store of good will to draw on at election time, a following that will stick with him through thick and thin regardless of candidates or issues.

Knowledge of the relative effectiveness of the personal work of precinct workers and canvassers and of propaganda slanted to the masses through the radio, newspapers, and political rallies is slight.[8] Stories are told of the great ability of precinct workers to gain the loyalty of the voters of their bailiwicks and to swing their votes this

[7] R. D. Casey, "Republican Propaganda in the 1936 Campaign," *Public Opinion Quarterly*, April, 1937, p. 29.

[8] One view is illustrated by a statement by Colonel House to Woodrow Wilson in 1912: "I am trying to get our friends to organize properly in Vermont and Maine. It looks to me as if they depended too much upon speech-making and noisy demonstrations, and not enough upon organization. I have suggested that they get a committee in every precinct, whose business it shall be to get out the Democratic vote and influence as many of the Republican votes as possible."—Charles Seymour (ed.), *The Intimate Papers of Colonel House* (Boston: Houghton Mifflin, 1926), Vol. I, pp. 69-70.

way or that as occasion demands. Undoubtedly "organization" work is of great importance in some localities at some times in terms of votes. It may be suspected, however, that it has become of less significance since 1932 in Presidential campaigns. The adoption of governmental policies on a broad front in the public-welfare field has made the welfare work of the party organization picayune indeed. Urban Democratic machines have in several conspicuous instances allied themselves enthusiastically with New Deal policies and consequently found themselves on the winning side. Yet it is probable that the precinct work of the Democratic machines contributed only slightly to the outcome.[9] There is substance in David Lawrence's theory that in 1936 "the party organizations, state and national, really played for the first time in our history a relatively incidental part in a national election. Even the political machines in the big cities were, in a sense, swallowed up by a bigger and more powerful mechanism of vote-getting than we had ever witnessed." [10]

THE THEORY OF PROPAGANDA

The term "propaganda," because of its various meanings in popular usage, is difficult of employment in exact discussion. It is often used to indicate either an underhand campaign to influence public

[9] The following comment by the American Institute of Public Opinion on the results of the 1940 campaign is relevant: "Another interesting phenomenon is that State lines were not sharply drawn in Tuesday's election—whole areas containing many States tending to vote for the two candidates in almost the same proportion. A man could travel, for instance, from Massachusetts to Illinois, passing through New York, New Jersey, Pennsylvania, Ohio and Indiana, and not find the proportion of Willkie voters and Roosevelt voters changing by more than a few per cent.

"The remarkable similarity in the vote of States in this area is attested by the following percentages which represent the vote for Roosevelt: Massachusetts 52, New York 52, New Jersey 52, Pennsylvania 53, Ohio 52, Indiana 49 and Illinois 51.

"This apparent obliteration of State lines is especially interesting as a check on the effectiveness of State political machines. It may mean that such machines are less effective than is commonly supposed. Unless one makes the untenable assumption that the machines of the two parties exactly cancel each other, a State with a strong Democratic machine should presumably produce a higher Democratic vote than an adjoining State with a weak Democratic machine. And the same would presumably hold true in the case of Republicans.

"Yet the group of States listed above—States in which there are party machines of varying potency—all voted in about the same way."—AIPO, Release of November 9, 1940.

[10] *Who Were the Eleven Million?* (New York: Appleton-Century, 1937), p. 34.

opinion or the dissemination of falsehoods and misrepresentations. In this analysis, however, its connotation is somewhat different. We shall follow Harold Lasswell who defines propaganda as "the management of collective attitudes by the manipulation of significant symbols." [11] Under this definition the propagandist becomes one who endeavors to manage collective attitudes, whatever his motive. He may attempt to present the cause of a small minority that pursues selfish gain in such a light that it will be acceptable to the public generally. He may be promoting an unselfish project that unquestionably is consonant with prevailing concepts of the general welfare. He may shade the truth, suppress matters of negative propaganda value, and emphasize those of positive propaganda value for his cause. On the other hand, he may be completely veracious. But in any case he is a propagandist. Thus considered propaganda is "no more moral or immoral than a pump handle." [12]

What are these "significant symbols" by which collective attitudes are managed? Lasswell says, "these objects which have a standard meaning in a group are called significant symbols. The elevated eyebrow, the clenched fist, the sharp voice, the pungent phrase, have their references established within the web of a particular culture. Such significant symbols are paraphernalia employed in expressing the attitude, and they are also capable of being employed to reaffirm or redefine attitudes. Thus, significant symbols have both an expressive and a propagandist function in public life." [13] Thus the phrase "more business in government" is a verbal symbol designed to manage collective attitudes; in turn it depends for its efficacy on the cultural predispositions of the persons to whom it is directed. The person using this slogan or symbol presumes that "business" enjoys

[11] H. D. Lasswell, "The Theory of Political Propaganda," *American Political Science Review*, 21 (1927), p. 627. Professor Doob makes a distinction between intentional and unintentional propaganda. His definition of propaganda is as follows: "Intentional propaganda is a systematic attempt by an interested individual (or individuals) to control the attitudes of groups of individuals through the use of suggestion and, consequently, to control their actions; unintentional propaganda is the control of the attitudes and, consequently, the actions of groups of individuals through the use of suggestion."—*Propaganda* (New York: Holt, 1935), p. 89. Most campaign propaganda would fall into the category of "intentional propaganda," but much propaganda with the effect of maintaining the broad outlines of the political order is unintentional in character.

[12] Lasswell, "The Function of the Propagandist," *International Journal of Ethics*, 38 (1928), pp. 258-263.

[13] Lasswell, *American Political Science Review*, *op. cit.*, p. 627. Consult also F. E. Lumley, "Slogans as a Means of Social Control," *Publications of the American Sociological Society*, 16 (1921), pp. 121-134.

prestige; that "government" enjoys a less favorable rating in public attitudes; that the propagation of the symbol "more business in government" will evoke the desired reaction or organize collective attitudes around the symbol. Political campaigns become in a degree a battle of competing symbols, and perhaps the winner is the party than can formulate a system of symbols that either better expresses or more effectively manages collective attitudes.

Observe the assumptions of the theory of propaganda. They presuppose a method of influencing attitudes that is different from the process of deliberation or reasoning. "Deliberation," says Lasswell, "implies the search for the solution of a besetting problem with no desire to prejudice a particular solution in advance. The propagandist is very much concerned about how a specific solution is to be evoked and 'put over.'" Deliberation may enter into the formulation of the program that the propagandist desires to carry into effect, but the process of selling it to the public is not deliberative. And the development of an extensive propaganda system is more or less inherent in universal suffrage since millions of people cannot collectively deliberate yet they have under the theory of democracy the job of deciding many issues. The propagandist assumes that the decisions will be made for the electorate and will be made acceptable—or the "consent" of the public will be obtained—through the process of propaganda. The decision of the electorate becomes a choice between competing propagandists. And this may turn out to be no decision at all, for the victory may belong to the more skillful symbol manipulator. Moreover, in many situations the propagandist has no competitor for public favor and he may carry his cause to success without opposition.

Implicit in the theories of the propagandist are certain assumptions about the psychology of human behavior. Every student is familiar with Pavlov's dog, the unfortunate animal that thought it was going to be fed when the bell rang. A more recent example related by E. B. White, not a professional psychologist, is as follows: [14]

> A friend of mine has an electric fence round a piece of his land, and keeps two cows there. I asked him one day how he liked his fence and whether it cost much to operate. "Doesn't cost a damn thing," he replied. "As soon as the battery ran down I unhooked it and never put it back. That strand of fence wire is as dead as a piece of string, but the

[14] *Harper's Magazine*, January, 1940, p. 217.

cows don't go within ten feet of it. They learned their lesson the first few days."

In the terminology of the psychologist, the cows were "conditioned" to respond in a certain way to the stimulus of the wire which they associated with the shock. In the language of the theory of propaganda the wire was a significant symbol; the collective bovine attitude evoked or expressed by the symbol was the tendency to stay away from the wire. It would perhaps libel the propaganda theorists to attribute to them the view that humans are either canine or bovine, but in their work there is an assumption that, within limits, the collective attitudes of humans may be managed by the manipulation of symbols to which men have been conditioned to respond in a predictable way.

If the propagandist is to be successful in molding the attitudes of the group to which he makes his appeal, he must know intimately the existing attitudes of the group and to what symbols the members of the group have been conditioned to respond. His problem, says Lasswell, is "the presentation of an object in a culture in such a manner that certain cultural attitudes will be organized toward it. The problem of the propagandist is to intensify the attitude favorable to his purpose, to reverse the attitudes hostile to it, and to attract the indifferent, or, at the worst, to prevent them from assuming a hostile bent." [15] Ralph Turner observes that "the cultural fixations of a population are especially important for the development of a successful propaganda; indeed, if a propagandist can identify the opinion he desires to fix with an element of the tradition of the population, he is likely to succeed. Competition for the sanction of tradition is not only a normal element in propaganda but also a usual aspect of politics." [16] Something of the same motions are implicit in Walter Lippmann's conception of "stereotypes." Words evoke certain pictures in our minds; the technique of propaganda involves the selection and use of those words that will create the desired pictures.

The necessity for thorough knowledge of the "cultural fixations" of the people to whom propaganda is directed is apparent enough, but it has been demonstrated experimentally in a small way. Using students as guinea pigs, Menefee found that 64 per cent of the experimental group agreed with the proposition: "We should stand

[15] *American Political Science Review, loc. cit.*

[16] Ralph Turner, "Culture, Change and Confusion," *Public Opinion Quarterly*, 4 (1940), p. 596.

solidly upon the Constitution of the United States because it is the bulwark of our liberty." When the statement was made to read: "We should uphold the past interpretation of the United States Constitution because it guarantees certain privileges as it stands," only 24 per cent were found to agree. With the statement, "I may not agree with what you say, but I will defend with my life your right to say it," 42 per cent agreed. Changed to this: "One should face death rather than allow any person to be denied freedom of expression," the support fell to 16 per cent.[17] In another experiment Menefee found that the symbols "conservatism" and "radicalism" had very different effects on the experimental group. Statements labelled as typical of conservatism drew a high percentage of agreement but when the same statements were labelled as typical of radicalism the degree of agreement among the subjects of the experiment dropped sharply.[18] In dealing with this group the propagandist would need to formulate his campaign in terms of conservatism.

The use of symbols geared to cultural fixations may be illustrated by the analysis by Alfred and Elizabeth Lee of the propaganda of Father Coughlin. They call one of the tricks of the trade "name calling," which is, in essence, applying words that evoke a conditioned response of disapproval or rejection. The following passage from one of his speeches illustrates the choice of words—name calling—presumably based on an estimate of the response they would arouse: [19]

> The bad *Jews* and bad *Gentiles*, as greedy *money changers* and *international bankers*, used the *materialistic* economic system to *persecute* and *pillory* the teeming populations of Europe. This persecution led to *Communism*, a "defense mechanism" against the bad *Jews* and bad Gentiles. *Communism*, inspired by *atheistic* Jews and *atheistic* Gentiles, then *persecuted* the Catholics and Protestants but not the Jews, good or bad. Because of its *internationalism*, *Communism* became such a *threat* to German civilization that the Nazis were able to introduce National Socialism as a "defense mechanism" against Communism. The *Nazis* then *persecuted* the Jews, Catholics, and Protestants.

The Lees name another kind of symbol, the "glittering generality," by which they mean "virtue" words that are expected to evoke

[17] S. C. Menefee, "Stereotyped Phrases and Public Opinion," *American Journal of Sociology*, 43 (1938), pp. 614-622.

[18] Menefee, "The Effect of Stereotyped Words on Political Judgment," *American Sociological Review*, 1 (1936), pp. 614-621.

[19] A. M. and E. B. Lee, *The Fine Art of Propaganda* (New York: Harcourt, Brace, 1939), p. 30.

a favorable response given our set of cultural fixations. Such terms are "free speech," "liberty," "freedom," "Christian," "equality," "democracy," "Americanism," and "justice." A marvelous example of an attempt to capture a positive symbol, a glittering generality in the Lee's terms, was the organization of the Liberty League. The "transfer" is an attempt to use words that have prestige value in such a way as to transfer that prestige to the particular program. The "God, mother, home, and country" speeches in political campaigns are familiar examples of the use of the transfer device.

The necessity for a close relationship between the symbols of propaganda and the cultural fixations of the group propagandized explains the repeated appeal by politicians to tradition, precedent, and established practice.[20] Those who seek to introduce innovations are more likely to succeed if they can formulate their program in terms of the accepted values of the group and make the innovation appear to be no innovation at all or at most an adaptation to approximate more closely the spirit of the old. But cultural fixations, of course, change; old symbols lose their power. The politician who fails to keep current with these changes may lose his ability to sway the masses and be succeeded by another with a keener sensitivity to the currents of mass attitudes. "Brain trust" may evoke favorable responses at one time; sneers, at a later time. This would be a short-run change, but there are more fundamental long-run changes. Dr. Turner has argued, for example, that the movement of people from rural environment to the great cities has created a situation in which vast numbers of men have been uprooted from their cultural habits. The cultural fixations are in the course of profound alteration. Under such circumstances the task of the propagandist becomes greater; he has lost his relatively stable pattern of response as the basis for propaganda planning.[21]

The effect of the same symbol on different groups and types of individuals may be quite different. To use an extreme example, "commissar" is presumably a term of prestige in Russia; in the United States the assumption of propagandists who refer to Commissar Ickes and Commissar Hopkins is that the term automatically evokes responses of dislike. But within a single culture, persons of different classes attribute a different content to the same symbol. The phrase "pump priming" may arouse very different emotions among upper-

[20] Refer to the discussion of traditionalism, above, pp. 96-100.
[21] "Culture, Change and Confusion," *op. cit.*, pp. 579-600.

class taxpayers than among men employed on public works undertaken as pump primers. On the other hand, a symbol may have different meanings to different people and have a unifying rather than a divisive effect. This explains why so much political propaganda is completely meaningless when subjected to rational analysis. Mr. Willkie said:

> I see an America whose representatives in Washington believe in America. I see a country governed by men in whom our producers—labor, agriculture and business—have confidence. . . . I see an America from which democracy will arise to a new birth; an America which will once more provide this war-torn world with a clear glimpse of the destiny of man.

President Roosevelt said:

> We can assert the most glorious, the most encouraging fact in the world today, the fact that democracy is alive; it is alive and going strong. We are telling the world that we are free, and we intend to remain free and at peace. We are free to live and love and laugh. We face the future with confidence and courage. We are American.

Both statements are noble yet almost meaningless, but they may mean all things to all men, and thus men of divergent views may be brought together. Walter Lippmann has remarked that when political parties declare for Americanism, Justice, or Humanity, "they hope to amalgamate the emotion of conflicting factions which would surely divide, if instead of these symbols, they were invited to discuss a specific program." [22]

One of the propositions of the theory of propaganda is that simple repetition is the most effective means of getting across the "message." One formulation of this doctrine is that of LeBon: [23]

> Affirmation pure and simple, kept free from all reasoning and proof, is one of the surest ways of making an idea enter the minds of crowds. The conciser the affirmation is, the more destitute of every appearance of proof, the more weight it carries. . . . Affirmation, however, has no significance unless it is constantly repeated, and so far as possible in the same terms.

[22] *Public Opinion* (New York, 1922), p. 206. Quoted by permission of The Macmillan Company, publishers.

[23] Quoted by N. C. Meier, "Motives in Voting: A Study in Public Opinion," *American Journal of Sociology*, 31 (1925), pp. 199-212. See, to the same effect, Knight Dunlap, *Social Psychology* (Baltimore: Williams & Wilkins, 1927), chap. 8, "Propaganda."

On this theory, successful campaigners, like successful advertisers, are repetitive: they din their message into the ears of the people by endless repetition.[24]

An apparent conflict may exist between the theory of propaganda and the theory that voting behavior may be determined by some external condition, such as economic deprivation. Between extreme formulations of the two doctrines a conflict exists, yet a line of reconciliation may be pointed out. It would be absurd to say that an adroit manipulator of symbols could influence mass behavior in certain ways under certain conditions; in times of piping prosperity the advocate of economic reform would make little headway. But when the time is ripe for economic reform the group with the keener perception of the status of the populace and with the better judgment of the sorts of symbol appeal to make may wield the greater influence. And it can be argued, and probably established, that the skilled propagandist in politics (as in mass advertising) may induce the objects of propaganda to follow, within limits, a course of action contrary to that indicated by their interests or to that which would be expected *a priori* from the application of a doctrine such as economic determinism or any similar theory of behavior.

THE ART OF CAMPAIGNING

Most practical politicians and most political propagandists have not had the benefit of extensive training in psychology, social psychology, or propaganda techniques. Yet among political campaigners there has developed a set of rules-of-thumb setting forth what should and what should not be done. Supposedly they are based on experience regarding the response of the electorate to different types of campaign appeals and methods, but the relationship between appeal and response has never been measured conclusively. Hence the commonsense rules of campaigning traditional among practical politicians may be superstition rather than the product of the observation of

[24] For a guide to the extensive literature on propaganda, see H. D. Lasswell, R. D. Casey, and B. L. Smith, *Propaganda and Promotional Activities: An Annotated Bibliography* (Minneapolis: University of Minnesota Press, 1935). The bibliography is kept current by supplements prepared for each issue of the *Public Opinion Quarterly* by Bruce Smith. The student will find suggestive ideas about propaganda in general in L. W. Doob, *Propaganda* (New York: Holt, 1935); H. L. Childs, *An Introduction to Public Opinion* (New York: Wiley, 1940); H. D. Lasswell, *Propaganda Technique in the World War* (New York: Knopf, 1927); H. D. Lasswell and Dorothy Blumenstock, *World Revolutionary Propaganda* (New York: Knopf, 1939).

experience—a body of superstition, incidentally, that is drawn on and elaborated by the writers of Sunday features. Whether the maxims of the practicing politician have any scientific validity, they are relevant as a part of the folklore of the trade.[25]

In campaigns that lay great emphasis on the personality of the candidates rather than issues of public policy—and such campaigns, if one includes state and local campaigns, are certainly the most frequent—it is extremely important that the candidate and his propagandist present to the electorate the desired impression of the personality of their candidate. Or the candidate may be made to personify the issues. At the hands of the propagandist the candidate becomes a fictional or mythical character. "In our day," says Mosca, "sects and political parties are highly skilled at creating the superman, the legendary hero, the 'man of unquestioned honesty,' who serves, in his turn, to maintain the luster of the gang and brings in wealth and power for the sly ones to use." [26] Before Charles Michelson became director of publicity for the Democratic national committee he commented on the process of making imaginary characters of the candidates, thus: [27]

> The American people will elect as President of the United States in November a nonexistent person—and defeat likewise a mythical identity.
>
> They will vote for and against a picture that has been painted for them by protagonists and antagonists in a myriad of publications, a picture that must be either a caricature or an idealization.
>
> Herbert Hoover, the miracle man, the perfect human machine, destitute of error, with a vision beyond cosmic bounds, who resolves every problem into its mathematical elements; who has on tap all the wisdom of the universe, who plots all his tasks with unerring curves and discharges them by rule and measure; who has no time for mirth or diversions; no thought but of duty before him.

[25] The student would profit by reading accounts of particular campaigns. The following items are only a few of those available: Allan Nevins, *Grover Cleveland* (New York: Dodd, Mead, 1933), chaps. 11 and 24; R. S. Baker, *Woodrow Wilson, Life and Letters* (Garden City, N. Y.: Doubleday, Doran, 1931), Vol. III, chap. 7; Roy V. Peel and T. C. Donnelly, *The 1928 Campaign* (New York: R. R. Smith, 1931); *idem.*, *The 1932 Campaign* (New York: Farrar and Rinehart, 1935). The literature on specific state and local campaigns is limited, but see C. H. Wooddy, *The Case of Frank L. Smith* (Chicago: University of Chicago Press, 1931); and *idem.*, *The Chicago Primary of 1926* (Chicago: University of Chicago Press, 1926).

[26] *The Ruling Class* (New York: McGraw-Hill, 1939), p. 194.

[27] Quoted by Casey, "Party Campaign Propaganda," *The Annals of the American Academy of Political and Social Science*, 179 (1935), pp. 96-105.

Alfred E. Smith, the ingenuous child of the New York sidewalks, simple beyond belief, but with that simplicity is combined a knowledge beyond that given in books; a demigod to whom all the complexities of government are clear as day; a paragon of wisdom, gentleness and righteousness, whose facile mind fathoms automatically every depth of economics and politics.

Senator Watson of Indiana records that prior to the convention of 1920 Penrose of Pennsylvania attempted to persuade him to accept the Republican Presidential nomination. In the course of the discussion Penrose replied. " 'Well, Jim, we'll have votes enough to nominate you, and always after a man is nominated they bring out the royal robe and put it on him, and that covers up all the cracks and nail-holes.' A wise remark, for it always happens just that way." [28] Harry Daugherty tells of his difficulties in persuading Harding to run for the Presidency:

"Come down to brass tacks," Harding ordered. "Am I a big enough man for the race?"

"Don't make me laugh! The day of giants in the Presidential Chair is passed. Our so-called Great Presidents were all made by the conditions of war under which they administered the office. Greatness in the Presidential Chair is largely an illusion of the people.[29]

After Calvin Coolidge succeeded to the Presidency it was necessary to "humanize" that dour New Englander prior to the Presidential campaign of 1924. Bernays says that [30]

[28] James E. Watson, *As I Knew Them* (Indianapolis: Bobbs-Merrill, copyright, 1936), p. 208. Quoted by special permission of the publishers.

[29] H. M. Daugherty and Thomas Dixon, *The Inside Story of the Harding Tragedy* (New York: The Churchill Company, 1932), p. 18.

[30] E. L. Bernays "Manipulating Public Opinion: The Why and the How," *American Journal of Sociology*, 33 (1928), 958-971. Leo Rosten, in his brilliant volume, *The Washington Correspondents* (New York: Harcourt, Brace, 1937), p. 35, makes the following comment on Coolidge: "He demonstrated a curious inability to resist photographers. . . . The nation was regaled with strange pictures of its Chief Executive, in cowboy suit, in Indian headdress, in overalls; foot on spade, fishing rod in hand, pitching hay. (In all of these, Mr. Coolidge preserved an austerity of expression which was a triumph of restraint and a tribute to his sense of humor.) These infantile representations—especially incongruous in a man of Mr. Coolidge's conspicuous unathleticism—may have irritated the intelligentsia, but they left a sweet and lasting impress on the voters. The burgher, the grocer, and the suburbanite felt at one with such a man." Henry Suydam says that "Mr. Coolidge, with an art that almost defied deception, used his press conferences for the dissemination of trivia, which, under the deft, inflating touch of correspondents, became important and significant. Mr. Coolidge would observe, with respect to a certain bill, 'I am not in favor of this legisla-

. . . [it] was suggested that an event in which the most human groups would be brought into juxtaposition with the president would have the desired result. Actors and actresses were invited to breakfast with Mr. Coolidge at the White House. The country felt that a man in the White House who could laugh with Al Jolson and the Dolly sisters was not frigid and unsympathetic.

What kind of a picture of the candidate should be implanted in the people's minds? Frank Kent quotes a practicing politician as follows: "It is bad publicity to convey the impression of superiority of any sort—but particularly of intellectual superiority. Be a little dumb. Never be subtle and ironical." [31] This maxim parallels the more sophisticated argument by Professor Salter that the politician, to be successful, must be considered as a prototype of the electorate to which he appeals. He contends: [32]

The citizen in the United States votes for someone like himself or as he imagines himself to be, or as he would like to be. I do not mean solely as the voter might profess to want to be, but as in his secret heart he unerringly wishes to be. Of course, this is not true of everyone in the electorate or of every politician, but the politicians who are elected term after term are likely to be as descriptive of their constituency as the sidewalks are of the streets.

The exact nature of the fictional picture of the candidate that it is necessary to plant in the minds of the people varies, of course, from time to time. In 1932, for example, Franklin Roosevelt thought it desirable to "dramatize himself as a breaker of custom, a daring, resolute champion of action, establishing a bold contrast with the country's picture of Hoover as timid, hesitant, irresolute." [33] Immediately after his nomination, he went by plane to Chicago to accept the nomination before the convention itself rather than await formal

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tion.' The next morning Washington despatches began as follows: 'President Coolidge, in a fighting mood, today served notice on Congress that he intended to combat, with all the resources at his command, the pending bill, etc.' It was no wonder that Mr. Coolidge expressed a somewhat bewildered admiration for the ingenious resourcefulness of Washington correspondents, and urged editors to raise their salaries."—School of Public and International Affairs, Princeton, *Conference on the Press* (1931), p. 67.

[31] From *Political Behavior*, p. 271. Copyright, 1928, by William Morrow and Company, Inc., quoted by permission.

[32] J. T. Salter, "The Pattern of Politics," *Journal of Politics*, 1 (1939), pp. 258-277.

[33] Raymond Moley, *After Seven Years* (New York, 1939), p. 26. Quoted by permission of Harper and Brothers.

notification of the nomination weeks later as had been the custom. By action, then, rather than by words, he created the desired impression in the minds of the electorate.

There is another side to the propagation of myths about candidates, and that is the prevention of the successful dissemination of myths of prestige about the opposition candidate. In the 1936 campaign, Charles Michelson says, "my department of the Democratic organization began with the theory that the correct strategy was to insure, if possible, that the candidate of the opposition should not be built up to an inspiring figure." [34] The Democratic publicity men concentrated on the inexperience of the Republican candidate. "I believe," Michelson said, "we got across the idea that here was a man who, granted all his good qualities, either had no definite views on the great problems of the time or was willing to adopt any position that he, or his advisers, thought might attract votes." In the 1940 campaign the Republican publicity staff, besides attempting to get across the idea that Willkie was a businessman who understood production and could make the economic system work, attempted to destroy the popular conception of Roosevelt. This effort was directed mainly toward ridicule of the doctrine that Roosevelt was indispensable, but it may be suspected that the repeated negation of the doctrine of indispensability really helped Roosevelt by suggesting to the voters that, perhaps, after all, he was indispensable.

The newspaper correspondents play an important part in the dissemination of ideas about candidates. Some of the correspondents fret about the susceptibility of their professional colleagues to idealization of public figures. The late Paul Y. Anderson, Washington correspondent of the St. Louis *Post-Dispatch*, remarked: [35]

> The most conspicuous fault of the Washington correspondents, in my judgment, is an inferiority complex in dealing with public men, especially with those in exalted positions. When a railroad lawyer goes on the Supreme Court; or when the leading Buick dealer of Trenton (Mo.) becomes Secretary of Agriculture; or when a successful promoter of mining stock companies enters the White House, it is extremely doubtful that any magical transformation occurs. But the first step of the average correspondent is to build up a series of romantic myths about their respective qualities and achievements—which presently he finds himself believing.

[34] "Democratic Strategy Is Told by Michelson," *The New York Times*, November 15, 1936.

[35] School of Public and International Affairs, Princeton, *Conference on the Press* (1931), p. 73.

One of the problems of the campaign propagandist is to maintain the illusion of victory. "The candidate should never," says Turner Catledge, "Let it appear that he believes he is slipping or that he even takes notice of assertions that he is on the downgrade." [36] This raises the question of what the campaigner should do about attacks made by his opposition. Should he answer them or should he ignore them? "There's an old bromide in politics that goes something like this: 'If your opponent calls you a liar, do not deny it—just call him a thief.' " [37] One possibility is for the attack to be answered, not by the head of the ticket, but by a lesser political figure. In 1936, Charles Michelson says, "Governor Landon's acceptance speech put us somewhat on the spot. It did not seem fitting that the President should answer it—for he could not take a defensive attitude. We finally decided on an hour's program in which a chain of four Democratic Governors participated, chiming in, each from his own State House." [38] Another alternative is for the candidate to choose carefully the charge that he will answer; he will naturally choose the charge that can be answered in the most devastating manner. In the campaign of 1940, for example, Roosevelt chose to answer the charge of a Republican campaigner, as reported by an impeccable anti-administration source, *The New York Times*, that the President's only supporters were "paupers, those who earn less than $1,200 a year and aren't worth that, and the Roosevelt family." An extreme charge of this sort made by a minor figure of the opposition can be answered advantageously.

On the other hand, it may be judged preferable to ignore an attack altogether, for if you answer an attack you fight on terrain chosen by the enemy. In the Presidential campaign of 1936 the Republicans "took as their targets Chairman Farley and Rex Tugwell" and other Democratic figures. "Farley was not a conscienceless villain; Tugwell was not a Socialist gone mad, and Dubinsky was not a Communist; but," said Michelson, "if the Republicans could get us arguing on such points they had a better chance than if the battle line remained straight. So Farley took it on the chin and we made no replies to the collateral assaults." [39] In the 1932 campaign the Republican campaigners ridiculed and belittled

[36] "The ABC's of Political Campaigning," *The New York Times Magazine*, September 22, 1940.
[37] *Ibid.*
[38] *The New York Times*, November 15, 1936.
[39] *Ibid.*

John N. Garner, the Vice-Presidential candidate. The Democrats paid little heed to the attack, but they assigned to Mr. Garner a very inconspicuous part in the campaign.[40]

An old maxim of campaigning is that "a candidate should always separate his opponent from the rank and file of the party." Willkie in 1940 strove to draw a line between Roosevelt and the Democrats. The "New Dealers" (not the Democratic administration) had, he argued, departed from the precepts of Democratic heroes and saints. "So if there is any Democratic disciple of Thomas Jefferson in Dubuque he ought to vote for me," Willkie asserted. "Surely any Andrew Jackson Democrat should vote for me and not for my opponent. . . . No Cleveland Democrat should vote against me." He talked to the Democrats as if they had been betrayed by Roosevelt and the "New Dealers." Similar is the direction of intensive criticism against minor figures rather than the chief of the opposite party. Roosevelt attacked the men around Willkie in 1940; Republican orators aimed much of their fire at the "Corcorans and Cohens"; the "brain trusters"; the city bosses, Kelly, Flynn, and Hague; "Reds"; and "fellow travelers." But Republican orators did not limit their attack to the minor figures, and it is not improbable that the intense criticism of Roosevelt hurt the Republican cause. That would be the deduction if there is any validity in the theory that relentless and untempered criticism may redound to the benefit of its victim.

An elementary principle of campaigning is that efforts should be concentrated where they will do the most good, which is usually in closely contested and doubtful areas. Presidential campaign forays into the Solid South are extremely rare, for the outcome of the voting in those states has, since the Civil War, almost always been known in advance. Elsewhere the greatest outlay of energy and of funds is likely to occur in the areas believed to be close. Thus in the closing days of the 1940 Presidential campaign the Democrats sent into Ohio—a state thought to be slipping toward Willkie—the President, Henry Wallace, Mayor La Guardia, Senator Norris, and other Democratic bigwigs. In the same campaign the Democrats-for-Willkie Committee was said by Alsop and Kintner to be "trying to convert to Willkie 2,000,000 Democratic voters in States with a total electoral vote of over 250. They have purchased lists of enrolled Democrats living in sections where a small shift of votes will give

[40] See Peel and Donnelly, *The 1932 Campaign*, *op. cit.*, p. 174.

Willkie a victory. And they are circularizing these voters by direct mail." [41] It was said that the first time "radio was used intelligently" in a campaign was by the Republicans in 1936 when the southern stations were excluded from the networks and time was bought only from those stations in areas in which the Republican chances were greatest.[42]

An impressive volume of anecdotal literature exists dealing with various minor aspects of the art of campaigning. One of the better stories consists of the remarks by a Senator who was consulted by Raymond Moley about a Roosevelt speech. The Senator said, according to Moley: [43]

> Now, before we get talking about the substance of this thing remember this: Our man is going to be talking in an open field; his speech is going to be broadcast, but there won't be auxiliary microphones spread around to pick up applause; there'll have to be a helluva lot of cheering—and loud cheering—if the speech isn't going to sound like a dud to people listening at home. I'd construct this speech so the Chief gets a cheer at the end of the first four-hundred words, another at the end of the second four-hundred, then six-hundred later. After that you don't have to worry. The crowd'll be in such a state, they'll yell for anything.

CHANNELS OF PROPAGANDA

One phase of the analysis of propaganda is the study of the media or channels used to reach the groups whose opinions are to be influenced. The development of the media of propaganda, in an astonishing manner during the past century, in fact, underlies modern propaganda techniques. Without the technological developments in communication and dissemination of news that have been invented or perfected in relatively recent times, mass propaganda as it is currently practiced would be impossible. Professor Eriksson has described the facilities Andrew Jackson had for reaching the electorate. During the campaign of 1828 and until 1830 Jackson's chief means for the circulation of his views was the United States *Telegraph*, a partisan newspaper that built up a large circulation, 40,000 copies weekly. The successor to the *Telegraph*, the *Washington*

[41] Baltimore *Evening Sun*, September 24, 1940.

[42] Casey, *Public Opinion Quarterly*, op. cit., pp. 27-44.

[43] *After Seven Years* (New York, 1939), pp. 46-47. Quoted by permission of Harper and Brothers.

Globe, reached by 1834 a daily circulation of 12,100.[44] The leading articles of this newspaper were reprinted and commented on by newspapers of local circulation scattered over the country, but only when the Washington newspaper had been conveyed to their offices by the primitive means of transport of the day. In addition to the party press the party campaigners could reach as large a crowd as could be assembled within the range of their voices—a range that was determined by lung power and not by electrical amplification.

Since Jackson's time the weapons at the command of the propagandist have multiplied. The invention of the telegraph permitted the simultaneous publication of the same item in every city of the land. The parallel improvements in printing technology and newspaper merchandising brought newspapers within the economic reach of practically everyone. Decreasing illiteracy widened the market for printed matter, and the number and circulation of periodicals with a nation-wide circulation increased with the improvement of the means for their distribution. Naturally this improvement of the means of travel made it feasible for the candidate to conduct more extensive campaigns and bring more people within the range of his voice. The introduction of movies made it possible for the candidate to be seen as well as heard simultaneously by millions of people. The inauguration of radio broadcasting after 1920 brought the entire nation within earshot of the campaigner. All these developments in communication have markedly changed the nature of propaganda, political and otherwise, and have probably profoundly altered the nature of political power by making it possible for national leaders to reach and influence mass opinion directly without the collaboration and aid of an intermediate network of party workers. By the use of the modern channels of propaganda, vast influence may be exerted by a very few men through the use of the new instruments of power.

Not only are newspapers a channel for propaganda; they also are usually propagandists. In their reporting of events and in their advertising columns they furnish a medium through which the party and the candidate may reach the electorate; in their editorial columns and in their reporting of the news they are likely to play the part of a partisan. It is not necessary to establish the existence of a gigantic conspiracy on the part of newspapers and business interests to color and control the news, as is sometimes alleged to exist; publishing is

[44] E. M. Eriksson, "President Jackson's Propaganda Agencies," *Pacific Historical Review*, 6 (1937), pp. 47-57.

in itself a big business and what is astonishing is, not that newspapers take on the tone of their proprietors, but that they have so often conducted crusades in the general interest.[45]

Whatever the attitude of the newspapers toward a candidate, the latter cannot afford to be ignored by the press, and in his entourage are usually to be found men whose special job it is to handle relations with the press. When the Presidential candidate goes on tour, ample provision is made for newspaper correspondents to accompany him, and they are furnished with advance copies of speeches and with other facilities to aid them in covering the campaign. Similarly in state and local campaigns efforts are made to expedite and facilitate the work of the press. Apart from the newspaper coverage that comes from press representation at party meetings and speeches, the campaigner uses other channels to get his message into the editorial rooms. In the 1936 Republican campaign, for example, the publicity department made arrangements to furnish its press releases in mat, plate, and proof form to weeklies and small dailies. "At their own request 7,000 weeklies and 280 dailies received W.N.U. plate service; 430 weeklies and 557 dailies got mat service, and proof service was supplied to 25 weeklies and 780 dailies."[46] The total number of press releases distributed during the campaign was estimated at 361,000. "There were in 1936," says Charles Michelson, "7,000 small dailies and weeklies that took our clip sheets and printed our cartoons, and most of them used what went out to them—articles that were modestly headed 'editorial suggestion.' "[47]

The candidate must make news. It sometimes appears that the routine of the life of the candidate is geared to newspaper deadlines. During the 1940 campaign, for example, Mr. Willkie was interviewed by the reporters practically every day and his program called for the release almost every day of a statement around which a story could be written. Perhaps the strenuous effort to make news constituted a defect in the management of his campaign, for it is a rare candidate who can every day say something that is worth saying. But candidates strive to keep in the headlines. The theory of the practicing politician is, according to Frank R. Kent, that "it is better to be roasted

[45] See Silas Bent, *Newspaper Crusaders* (New York: Whittlesey House, 1939).
[46] Casey, *Public Opinion Quarterly*, *op. cit.*, pp. 27-44.
[47] *The New York Times*, November 15, 1936. During the 1940 campaign the Republicans established a special division at its national headquarters to furnish material to rural newspapers. See Casey, "The Republican Rural Press Campaign," *Public Opinion Quarterly*, 5 (1941), pp. 130-132.

than ignored." [48] Kent says that the late Claude A. Swanson of Virginia framed the maxim in this way: "When they stop writing about you in politics, you're dead." [49] Kent quotes an unnamed Republican national committeeman as follows: "It is good publicity to appear abused or unfairly treated by the press. It is good publicity to have some one attack you in the press as stupid or a demagogue or as uneducated or ignorant or financially embarrassed. All of those things create sympathy, and sympathy sways the voter. It is a sure way to get him." [50]

In reporting the news, the newspaper may give the advantage to one or the other candidate by giving its favorite more space, by giving stories of his speeches and activities greater prominence, by colored and misleading headlines, and by various other means that may be observed during any campaign. In a study of attention given the candidates during the Presidential campaign of 1936 in twenty-one newspapers, E. O. Stene found that "all except one of the twenty-one dailies gave a majority of their political news space to the candidate who was supported through the editorial pages." This tendency held whether the paper was supporting Roosevelt or Landon. Stene concludes that if it be assumed that impartiality in reporting means approximately equal treatment of both candidates, "few newspapers could claim impartiality" during the 1936 campaign.[51] In the 1940 Presidential campaign 700 daily newspapers with a combined circulation of 16,387,145 supported Willkie; 216 daily newspapers with a combined circulation of 5,332,905 came out for President Roosevelt.[52]

The advertising columns of the newspapers are always open to party committees, but usually at a somewhat higher rate than is charged to ordinary commercial advertisers. Among politicians the opinion is that newspaper advertising involves a waste of money, but when one side advertises the other feels that it must do so, too. Frank Kent diagnoses the failings of political advertisements in this way: ". . . if they are written by the skilled advertising writer, they lack the political knowledge, background, instinct and feel; and if they are written by the politically minded man, brought up in the

[48] *Op. cit.*, p. 252.
[49] *Ibid.*, p. 253.
[50] *Ibid.*
[51] E. O. Stene, "Newspapers in the Campaign," *Social Science*, 12 (1937), pp. 213-215.
[52] *The New York Times*, August 31, 1940.

practical school of politics, they lack the skill of the trained writer of advertisements." [53] Casey says that the advertising and publicity experts of the Republican national committee in 1936 were not "as closely in touch with the political thinking of the lower-income and wage-earning voters as political symbol specialization demanded. This is not to be wondered at, however, since their vocational lives had been spent largely in contact with commercial propaganda enterprises." [54]

What of the influence of newspapers? Do people vote as their favorite editors recommend? The evidence on these questions is extremely limited. It is quite apparent that in a Presidential campaign the newspapers cannot swing the election; this was clearly demonstrated in both 1936 and 1940 when the preponderance of the press of the nation opposed the re-election of Roosevelt. Yet it is probable that some voters were influenced by the recommendations and the emphasis given to the news by their newspaper. It is probable that newspaper influence is greatest on questions about which the voter has least information on which to base an opinion of his own. In jurisdictions that have the long ballot and elect many obscure men to fill inconspicuous positions and in jurisdictions that vote on many constitutional amendments, charter amendments, and initiated and referred measures, it is probable that newspaper influence is felt. Regarding charter amendments and like questions in Seattle, McKenzie concluded: "Apparently the electorate is more ready to follow the advice of the press on minor and more technical questions, such as the majority of the charter amendments are, than on the more important issues, especially those involving the expenditure of money." [55]

On the other hand, the newspaper itself is sometimes found to be more of a reflector than a leader of public opinion. "Newspaper opinions," says Lundberg, "are perhaps themselves the products of the various forces which make opinion in a community. Of these, the newspaper is undoubtedly one, but its influence as such has perhaps been grossly overestimated or at least the nature of this influence has been misunderstood." [56] Whatever the influence

[53] *Op. cit.*, p. 266.

[54] "Republican Propaganda in the 1936 Campaign," *Public Opinion Quarterly*, April, 1937, p. 35.

[55] R. D. McKenzie, "Community Forces: A Study of the Non-Partisan Municipal Elections in Seattle," *Social Forces*, 2 (1923-24), p. 271.

[56] George A. Lundberg, "The Newspaper and Public Opinion," *Social Forces*, 4 (1926), pp. 709-715.

of the newspaper on electoral behavior is, the degree of that influence is extremely difficult to measure. The difficulty of that measurement may be indicated by an examination of articles by Professor Gosnell in which he employed complex statistical techniques to ascertain the influence of the press on voting in Chicago. His conclusion was: "In those sections of the city where their circulation is largest, newspapers are important influences over a period of time in determining the fate of factional leaders in primary elections. In general elections, the papers which have followed a consistent policy regarding a given party faction may influence their readers to split their tickets in favor of or in opposition to that faction." [57] The last sentence refers to the success of two newspapers in persuading their readers to split their Republican tickets and support the Democratic nominee for governor of Illinois in 1932.

The production of leaflets, pamphlets, and circulars by the publicity divisions of the national committees during a Presidential campaign is stupendous. Charles Michelson says that "100,000,000 pamphlets, fly sheets and other pieces of paper would be a modest estimate" of the literature distributed by the Democratic publicity division in 1936. Estimates of the total number of pieces of literature issued by the research and editorial division of the Republican national committee during the same campaign (1936) range from 125 million to 170 million. Including all the divisions of the Republican committee issuing literature during that campaign, Casey hazards the "guess that . . . 400,000,000 pieces of literature flooded the country in the effort to persuade a majority of the electorate to vote for Landon." [58]

Through leaflets and pamphlets the party can deliver its message to people not reached by the newspapers, furnish ammunition to its friends, and present arguments and material that would not be printed by newspapers or transmitted by the radio stations. A 1940 Democratic leaflet entitled "Life Lines vs. Spite Lines," for example, presented the T.V.A. record and the Commonwealth and Southern record in parallel columns. A Republican leaflet, "A Third Term?" gave in parallel columns pictures and statements of pro- and anti-

[57] H. F. Gosnell and M. J. Schmidt, "Factorial Analysis of the Relation of the Press to Voting in Chicago," *Journal of Social Psychology*, 7 (1936), pp. 375-385; "Relation of the Press to Voting in Chicago," *Journalism Quarterly*, June, 1936, pp. 129-147.

[58] Casey, *Public Opinion Quarterly*, *op. cit.*, April, 1937, pp. 27-44. On literature in the 1940 campaign, see Hugh A. Bone, *"Smear" Politics* (Washington: American Council on Public Affairs, 1941).

third termers. Among the former were, according to the leaflet, Earl Browder, "Boss Edward J. Kelly," "Boss Frank Hague," and Harold L. Ickes; the latter, George Washington, Thomas Jefferson, Andrew Jackson, and Woodrow Wilson. Even the most partisan newspaper rarely prints its news in as partisan a fashion as campaign literature may be prepared.

The distribution of literature is an extremely expensive operation. If it is mailed, a large outlay for postage and clerical labor is required. If it is entrusted to the party workers for distribution, it may not be distributed, for the party organization is seldom as efficient as it is reputed to be. Louis Howe, late secretary to President Roosevelt, found in a survey of national campaigning that only about 3 to 5 percent of the literature distributed to state committees by national headquarters ever reached the hands of the voters. In the 1932 Democratic campaign the practice was inaugurated of sending a few pieces of each kind of literature to each of about 140,000 local committeemen instead of depending on the state committees to accept bulk shipments and then distribute it through subordinate party workers. Howe found that the new method of distribution resulted in about 90 per cent of the literature reaching the voters.[59]

The newest gift of communication technology to the campaigner is the radio. Apparently if the campaign budget has to be reduced the tendency in national campaigns is to squeeze expenditures for newspaper advertising, organization work, and literature rather than eliminate items for time on the radio networks.

Exact measurement of the relative advantages and disadvantages of the radio as a channel for propaganda over other media has not been carried very far, but a few comparisons may be noted. Listeners to a radio speech obviously lack the emotional stimulus of the crowd that operates in mass meetings. In an ordinary political meeting there exists an interaction between the speaker and each auditor, but in addition relationships between the listeners may reinforce the admonitions and urgings of the speaker. The individual listener is carried along by crowd compulsion to cheer, to agree; and the emo-

[59] Howe's account of the methods used in 1932 is quoted by Peel and Donnelly, *The 1932 Campaign*, *op. cit.*, pp. 115-116. The distribution of literature from national headquarters has long presented a problem. In the campaign of 1896 two weeks before the election several carloads of pamphlets had not even been unloaded from the freight cars at Columbus, Ohio. The Republican national committee in that campaign mailed many documents directly to the voters to assure distribution.—Herbert Croly, *Marcus Alonzo Hanna* (New York: Macmillan, 1912), p. 218.

tional experience shared by the individuals in an audience may be very stirring indeed. The radio listener, on the other hand, is usually, at most, one of a handful listening. The social stimulus of the crowd is absent; even when the cheers and cries of the speaker's immediate audience are broadcast the effect on the radio listener is certainly not so great as if he were in the crowd.[60]

The radio listener receives only those impressions that can be conveyed by the sound of the human voice. The effects of the gestures, the smiles, the bearing of the speaker are lost to him. James Farley was willing to concede that the radio was a "tremendous factor" in the Roosevelt political fortunes, but, he said, "to my way of thinking, there is no substitute for the personal touch and there never will be, unless the Lord starts to make human beings different from the way he makes them now." [61]

Radio presentation has marked advantages over printed propaganda in several ways. A matter of great importance is that the campaigner can control what reaches the voter's mind; whereas, if he relies on newspapers to report his speeches and statements, distortions may occur.

A factor governing radio speeches, as found by Merton E. Carver, is that "the effectiveness of auditory presentation tends to vary inversely with the difficulty of the material presented." In less technical language, the simpler the speech is, the more likely is its content to be implanted in the listeners' minds. This factor, together with the costliness of radio time and the difficulty of holding listener interest for long, has made the finished radio speech a very different article from the long-winded political oration of earlier days.[62] Carver also finds that critical attitudes and discriminatory comprehension tend to be aroused more by reading than by listening. The persuasive affirmations of the seductive radio voice are more likely to be accepted than are the same words in print.[63] The radio handicaps

[60] For a discussion of this point, see Hadley Cantril and G. W. Allport, *The Psychology of Radio* (New York: Harper, 1935), pp. 9-14.

[61] *Op. cit.*, pp. 192-193.

[62] Raymond Moley says that Tommy Corcoran suggested to him that the day of the printed word is over. "You have no idea what a good thing it is for your soul to have to address yourself to a big radio audience. You've got to clarify your meaning, make things simple, reduce them to their ultimate essentials if you want to get them over to a big audience, because human beings in the mass are a hell of a lot stupider than you would ever think."—*After Seven Years* (New York, 1939), p. 355. Quoted by permission of Harper and Brothers.

[63] Compare the following comment by Georges Sorel (*Reflections on Violence* [New York: Huebsch, 1912], p. 4): "Verbal communication is much easier than

candidates deficient in radio "personality" and radio "voice," and gives a corresponding advantage to the candidate who has mastered the use of this medium.

The political rally and the campaign tour are means by which the candidate may be seen as well as heard. The voter may size up the candidate from his appearance and manner; the voter shares in the intoxication of the crowd; the candidate builds up emotions of affection on the part of his auditors. Or, it may not always be necessary for the candidate to speak to obtain an effect. Candidates and potential candidates like to show themselves before the public as often as possible. Roosevelt, for example, between campaign years has made many expeditions across the continent. Farley says that he always urged the President to make these journeys, and he quotes a Republican politician on the prospects for the election in North Dakota in 1936: "Roosevelt has been across North Dakota three times, and those visits sewed up the State. . . ." [64]

The Presidential candidate in his tours travels by special train and is accompanied by an entourage that includes a research staff, publicity men, political advisers, office staff, radio technicians, newspapermen, newsreel photographers, newspaper photographers, and others. The twelve-car Willkie train of 1940 carried forty-six reporters, three newsreel photographers, and four newspaper photographers. The rear car was equipped with sound amplification paraphernalia to be used for rear-platform speeches. One compartment was equipped with sound-recording apparatus to record these speeches. One car was equipped as a research car for the accommodation of the speech-writing staff. Such a traveling hotel and party headquarters is to be contrasted with William Jennings Bryan's campaign tours in 1896 when the Presidential candidate traveled in day coaches, occasionally in Pullmans, and depended on the newspaper reporters in the towns he visited to cover his speeches.

CAMPAIGN STRATEGY

In the analysis of campaigning a differentiation may be made between the general methods of propaganda and the channels of

written communication, because words act on the feelings in a mysterious way and easily establish a current of sympathy between people; it is for this reason that an orator is able to produce conviction by arguments which do not seem very comprehensible to any one reading the speech later."

[64] *Op. cit.*, p. 317.

propaganada, on the one hand, and the strategy of a particular campaign, on the other. In every campaign the same general principles of propaganda are followed and the same channels of communication to attract attention to the candidate are open to the campaigner. But in campaigns the strategy varies. Strategy refers to the grand plan of action. What shall be the issues? What slogans and symbols shall be emphasized in the appeal to voters? To what groups and classes of people shall special appeals be made? What shall be the relative emphasis in the distribution of effort among different channels of propaganda? Specifically, for example, how shall the publicity budget be divided between radio and newspaper advertising? Not very much is known about the way in which campaign managers decide these issues; nor is much known in an exact way about the significance of their decisions, but the available data may be sketched to suggest the problems involved.[65]

In a Presidential campaign a recurring question of strategy relates to the extent of the speaking and traveling schedule of the head of the ticket. Should the candidate make an extensive swing around the country and speak at as many places as practicable or should he make the type of campaign traditionally known as the "front-porch" campaign? The decision on this question may depend on the kind of candidate the party has. In the 1920 Republican campaign the strategy was to keep Harding at home in Marion, Ohio. "Keep Warren at home," the Republican leader Penrose is reported to have said. "Don't let him make any speeches. If he goes out on a tour, somebody's sure to ask him questions, and Warren's just the sort of damn fool that'll try to answer them." "The Front Porch campaign," according to Samuel Hopkins Adams, "was determined upon. The role assigned to the candidate was that of the modest, simple, sagacious, home-loving, home-staying statesman. He was to be 'just folks.' To the Mecca of Marion would come the devout, and the Prophet would edify them with the sound doctrine of orthodox Republicanism." [66]

In the 1932 Democratic campaign James Farley says that a vexing question was the determination of whether Franklin Roosevelt should stay at home and issue statements on the occasion of the visits of party dignitaries or travel about the country "flinging bold

[65] Peel and Donnelly make a distinction similar to that made in this paragraph between tactics and strategy.—*The 1932 Campaign*, op. cit., p. 143.

[66] Samuel Hopkins Adams, *Incredible Era* (Boston: Houghton Mifflin, 1939), p. 170.

challenges at the Republican foe." The leading Democratic Senators and Representatives, according to Farley, advised that a front-porch technique be used, but Roosevelt decided to follow the alternative method. Farley believed that the speech-making trip to the west coast and back was influential in increasing the Roosevelt vote in the states that he traversed.[67]

The strategists of the Hoover campaign in 1928 had the problem of what to do about the speaking schedule of a candidate whose oratorical abilities were hardly notable. Something of a compromise between the "swing around the circle" and the front-porch technique was adopted. Only Grover Cleveland and Calvin Coolidge, according to Peel and Donnelly, had delivered fewer speeches during a Presidential campaign than Hoover made in 1928. And the strategy was to play up the notion that Hoover, a dignified and statesmanlike figure of legendary proportions, could hardly bemean the Presidential office by anxious appeals to the mob on the hustings. The suggestion to the electorate was that a man of Hoover's dimensions would hardly stoop to the same sort of tactics as his competitor, the rough diamond of the streets of New York, Al Smith.[68]

In the campaigns of 1932 and 1940 the incumbent Presidents used similar strategies in planning their speaking schedules. Hoover in 1932 started out to conduct a dignified campaign, that is, the duties of the Presidential office at a time of economic crisis were said to be so great that no active campaign could be conducted by the President. "In July it was announced that the President would make only three speeches; then the number was changed to four. By election day, he had delivered ten major addresses, scores of short speeches, and issued several political statements. Altogether he covered over 10,000 miles." [69] The drift of the campaign had compelled Hoover to take to the stump, and the change in strategy, of course, constituted an admission of anxiety that was gleefully pointed out by the Democrats. In the 1940 campaign Roosevelt adopted a similar strategy. He announced at the time of the nomination that the press of international affairs and defense preparation would keep him in Washington save for defense inspection trips and a few nonpolitical speeches, although he reserved the right to answer deliberate falsifications and misrepresentations. Toward the end of the campaign the President found it expedient to make several major campaign

[67] *Op. cit.*, pp. 163-165.
[68] See Peel and Donnelly, *The 1928 Campaign*, *op. cit.*, chap. 6.
[69] Peel and Donnelly, *The 1932 Campaign*, *op. cit.*, p. 159.

speeches in states that were classified as doubtful. He covered the change of plans by reference to his earlier reservation of the right to answer falsifications, but Republican campaigners cried with joy that they had "that man on the run."

Perhaps the prime question in campaign strategy is the selection of the points to emphasize in the campaign. What feature of the party's program or candidate is to be chosen as the main selling point? What aspect of the opposition record is to be singled out for repeated attack? The theory is that concentration on the strongest or most popular point will gain the most votes, and likewise that concentration of fire on the most vulnerable phase of the opposition will have the greatest possible effect. On the contrary the useless multiplication of appeals perhaps brings confusion and deprives the campaigner of the cumulative impact on the electorate of the ceaseless repetition of an effective appeal.

Campaign managers have not often disclosed the processes of planning campaign strategy; it is probable that not so much cool calculation or cold cunning enters into the process as might be supposed. In 1936 the entire Democratic campaign, according to James Farley, was "based on the proposition that Roosevelt, and Roosevelt alone, was the issue before the voters." [70] In the speeches of party orators and in the literature distributed by the national committee, "the central theme was always the 'gallant leadership' of the Chief Executive." On the negative side of strategy, or the attack phase, in the early stages of the 1936 campaign the Democratic strategy was to "ignore the Republican Party and to concentrate fire on the Liberty League." The Liberty League and its denunciations of the New Deal received great attention in the press of the country early in 1936, but by the time of the national conventions Democratic propaganda had effectively discredited the League and as effectively associated that discredit with the Republican party. "In point of fact," Mr. Farley concludes, "the G.O.P. never did recover from the initial blunder of permitting the Shouse organization to direct the firing during the preliminary skirmishing." [71]

In the 1896 campaign the association of John D. Rockefeller, Cornelius Vanderbilt, C. P. Huntington, J. P. Morgan, and Andrew Carnegie with the Republican Party and of Bryan and his "cross of gold" with the Democratic Party gave color to the belief that the

[70] *Op. cit.*, p. 314.
[71] *Ibid.*, pp. 294-295.

campaign involved a struggle between the rich and the poor. How was the Democratic strategy to be met? McKinley in accepting the nomination declared: "All attempt to array class against class, the classes against the masses, section against section, labor against capital, poor against rich, or interest against interest, is in the highest degree reprehensible." This amounted virtually to the defense of a class interest by denying the existence of conflicts, but it was effective.

Sometimes the strategy of selection of issues involves ridiculous decisions. In a conference on strategy in a Chicago mayoralty campaign, according to Charles Merriam, Big Bill Thompson, who, it will be remembered, once threatened to kick King George in the snoot, made the suggestion: [72]

"I have it figured out. The issue will be America first." The others were puzzled and said, "Well, what does America First have to do with it?" But Thompson said: "That's just it—it hasn't anything to do with it, and that is why it will make a good issue. If anyone opposes us we will say he is not for America First; he is for America second or third or he is perhaps not a good American at all."

An element in strategy is the timing of campaign efforts. Since campaigns in the United States tend to be stretched over a long period of time, this factor may be of considerable significance. By throwing all his resources into the campaign too early, the campaign manager may reach the peak of strength prior to election day and exhaust the campaign chest and the party personnel before the moment that the greatest exertion is needed. The campaign should reach its apex just prior to the election. Mark Hanna, for example, planned that his campaign work would "be cumulative in its effect, culminating a few days before the election in an outburst of common conviction and enthusiasm." [73]

Sometimes an element of strategy is the surreptitious backing of phony candidates who will draw strength from the opposition. This practice is not at all infrequent in state and local campaigns, but it is rare in Presidential campaigns. In 1884, for example, the Republican managers largely financed the campaign of the Greenback candidate on the theory that his campaign would draw strength from Cleveland.[74]

[72] *Chicago, A More Intimate View of Urban Politics* (New York, 1929), pp. 289-290. Quoted by permission of The Macmillan Company, publishers.

[73] Croly, *op. cit.*, p. 322.

[74] Nevins, *Grover Cleveland*, pp. 173-174.

THE EFFECTS OF PROPAGANDA

The careful student of political behavior would like to know exactly what the effects of propaganda are. That propaganda often alters the attitudes and influences the behavior of the people to whom it is directed is clear; yet to understand the nature and effects of propaganda one needs to know much more than this general proposition. What is the effect of the use of one type of appeal rather than another? What are the consequences of using one medium, such as the radio, rather than another for the dissemination of propaganda? What groups and classes of people tend to respond most readily to opinion manipulation? Is the political campaign a genuine factor in molding political attitudes or is it simply a grand ceremony to be gone through with as custom dictates while voters' minds are really made up by other influences? The answers to these and other like questions would be not only of scientific interest but of great practical value to campaign managers who spend large sums without really knowing whether they are directing the expenditure in the most effective manner.

"Let it be admitted at once that no genuinely controlled evidence as to the effects of political propaganda is at present available." [75] What does this comment mean? We know that during the 1940 campaign the Democratic candidate and his party made certain types of appeals, used certain symbols, concentrated on certain issues, used a specified number of hours of radio time, printed and distributed so many million leaflets, and won. Yet it is not known what the effect would have been on the Democratic vote had different issues been played up, fewer radio hours used, more leaflets distributed, or any other single factor in the situation altered. Without knowledge of how such changes would have affected the vote, it is impossible to know precisely the actual effect of any particular feature of the campaign.[76]

[75] F. C. Bartlett, *Political Propaganda* (Cambridge: Cambridge University Press, 1940), p. 104.

[76] A few experiments have been conducted to measure the effects of propaganda campaigns. The most impressive of these experiments was made by Harold F. Gosnell who attempted to gauge the effects of a campaign to get out the vote. The method was essentially the observation of the behavior of two groups of voters, as nearly alike in all respects as possible. One group was subjected to a mail campaign to induce voting; the other served as the control group. The difference in the response of the two groups was attributed to the propaganda campaign. See *Getting Out the Vote* (Chicago: University of Chicago Press, 1927).

The partisan loyalties and voting intentions of some of the voters change between elections and during campaigns,[77] but the extent to which these changes are caused by campaign propaganda and what features of the campaign propaganda are most effective are different sorts of questions.[78] Propaganda specialists sometimes convey, perhaps unintentionally, the impression that they regard the electorate as an inert mass that can be molded to any form desired by the skilled propagandist.[79] To manipulate the electorate, all that is necessary, under such a view, is to manipulate the correct symbols in the correct way. At the other extreme is the opinion that the shift in voters' beliefs is governed by factors other than what the campaigners say and that campaigners can do little either to aid or stem the tide. Frank R. Kent says: [80]

> Unflattering as it may be to the great bulk of American voters, experienced political observers know that national elections in this country are more generally determined by tides of public sentiment than by particular issues, appealing personalities or local considerations. If the tide is running in one direction, neither the charm of the candidate nor the soundness of the argument avail against it. . . . Political history shows that national tides of sentiment do not change quickly, but gradually. They start slowly in one direction, increase in speed and volume over a period of years, diminish gradually and finally turn in the other direction, only to repeat the performance.

Both the views stated in the foregoing paragraphs probably contain elements of truth and error. In the evaluation of the more extravagant claims of the power of the propagandist, it is useful to keep in mind the limiting effects of the cultural framework within which propaganda is made. In the discussion in this chapter emphasis has been placed on the fact that the propagandist does not write on a clean slate. It is elemental in the practice of propaganda that the propagandist must take into account the predispositions and

[77] After the election of 1940 the American Institute of Public Opinion estimated that 20 per cent of the 1936 Roosevelt voters were for Willkie in 1940; 6 per cent of the 1936 Landon voters switched to Roosevelt in 1940.

[78] See the preliminary report of a pioneer survey of Erie County, Ohio, during the 1940 campaign in *Life*, November 11, 1940.

[79] On the problem of measurement, see H. C. Beyle, "Determining the Effects of Propaganda Campaigns," *The Annals*, 179 (May, 1935), pp. 106-113.

[80] Baltimore *Sun*, April 28, 1940. Kent's theory is similar to Professor Munro's thesis of the political pendulum. There is some evidence to support the argument that electoral behavior takes on a cyclical form. See L. H. Bean, *Ballot Behavior* (Washington: American Council on Public Affairs, 1940), chap. 2.

cultural fixations of the group to which he appeals. The pattern of existing ideas is the beginning point and a powerful limiting factor in the work of the campaigner and the propagandist. To illustrate more specifically regarding political campaigns, the case of Norman Thomas, the Socialist candidate for the Presidency in 1940, may be cited. If Mr. Thomas had had lavish campaign funds and a skilled staff of campaigners and propagandists, it is doubtful that he could have converted the country to socialism during the campaign. The ways and mores of a capitalistic society are too firmly fixed to be upset by symbol manipulation alone.

Another factor in the evaluation of the effectiveness of propaganda is what may be called the "propaganda of events" or the "propaganda of the deed." Propaganda specialists sometimes become so engrossed with their specialty that they see the masses molded by words and by words alone without regard to events or surrounding conditions. But events, actions, and conditions influence human behavior. Most people, to be sure, observe events only vicariously, and propagandists present events in different perspectives. But so long as there are competing propagandists no single interpretation of acts or events can monopolize public attention. In other words, what happens or what is done may be more effective in the influencing of political attitudes than what is said.

These general propositions perhaps need to be given specific content by illustration. Consider the 1932 Presidential campaign. "Conditions" profoundly influenced the vote. The effects of deprivations shared by almost every social class could not be talked away, although the Republican strategy was to attribute the depression to an international economic collapse over which the national administration had no control. The "propaganda of events" triumphed over the propaganda of words. Consider the first term of Franklin D. Roosevelt and the campaign of 1936. The dramatic series of governmental acts from 1933 to 1936 which affected directly millions of people constituted a powerful propaganda of deed with great influence on the voting in 1936. One must conclude that the propagandist is limited by conditions and events as well as by the cultural framework of a society in the manipulation of mass behavior.

One factor that has led to an overestimation of the efficacy of political propaganda has been the successes of European dictatorial regimes. But often some features of their operations are overlooked. In the measuring of their propaganda skill, the "conditions" surrounding their rise to power must not be overlooked. After their capture

of power they made great use of propaganda in governance, but propaganda has not been the sole tool of power. The concentration camp and the firing squad have been quite important auxiliary implements in the prevention of competing propaganda and the supplementation of the work of the propaganda ministries. A state of competing propagandas is quite different from a state in which the government has a monopoly of propaganda.

QUESTIONS AND PROBLEMS

1. Outline the structure of the organization for conducting a Presidential campaign.

2. What is "propaganda"?

3. Why is it essential for the propagandist to have an intimate knowledge of the cultural fixations of the group to which he directs his appeals?

4. Analyze a few campaign speeches in the light of the general discussion of propaganda in this chapter.

5. From your own observation of campaigns, what weight do you give to the theory that successful politicians tend to appear to be prototypes of their constituencies?

6. If possible, interview a politician of some prominence. Compare your firsthand impressions with your earlier impressions gained through the newspapers.

7. Discuss the problem of choice and emphasis among propaganda media in the conduct of political campaigns.

8. What are the chief recurring problems of campaign strategy?

Chapter 19: ELECTORAL BEHAVIOR

A STRIKING characteristic of the study of politics in the United States is the relatively small amount of effort devoted to the careful analysis of voting behavior. In a society in which the authority of government is, according to the prevailing doctrines, derived from the popular will as expressed through voting, it might be supposed that, merely better to equip those seeking to sway the multitude, there would be ceaseless observation of the electorate to determine who votes, how they vote, why they vote as they do, and what the meaning of the results of election is. The professional politician holds himself out as an "expert" on these matters, but he is not accustomed to presenting and verifying his hypotheses in a fashion acceptable to the observer working in the scientific tradition. The result of the election is ample verification or disproof of the asumptions on which the political practitioner bases his campaigns. In the past few years, however, a few political scientists, sociologists, and social psychologists have attempted to analyze with precision the behavior of man, the political animal. In this chapter some of the studies of the leading students will be summarized for the purpose of indicating their substantive findings, as well as illustrating various methods for ascertaining with some exactness the nature of mass political behavior.

ELECTORAL PARTICIPATION

A high value has been placed on the privilege of voting. The suffrage has been fought for by means varying from force to the tactics of the militant suffragettes. Those within the privileged circle of voters resisted as best they could the demands of the landless, the poor, Negroes, and women for the vote on the supposition that broadening of the suffrage would bring with it a reallocation of political power. As the suffrage was broadened, those enjoying a monopoly of political power and influence would have to share their position and perquisites with the upstart groups clamoring for the

ballot, it was supposed. Undoubtedly power is not so closely held as it was when the suffrage was narrower, and one factor related to the diffusion of influence has been the broadening of the suffrage. The inauguration of universal suffrage, however, has not been accompanied by its universal exercise. A substantial proportion of the eligible voting population habitually refrains from going to the polls. Is not the effect of this voluntary disfranchisement likely to be the same as a formal deprivation of the privilege of voting? It is important to know what classes disfranchise themselves and thereby minimize their influence in affairs governmental.

The answers are not available in a satisfactory form. In fact, it is not known with any degree of accuracy what proportion of those possessing the legal qualifications to vote actually vote. The existence of varying suffrage requirements—literacy, residence, and so forth—makes it difficult to estimate the total number of persons who could vote if they chose to exercise their legal privilege. That number is lower than the total number of adults, but how much lower is not precisely known.[1] Despite the statistical hazards, estimates have been attempted. They show that the participation in recent Presidential elections has been only 55 to 70 per cent of those persons legally eligible to vote. The long-run trend in Presidential elections until 1936 was a decline in the proportion of eligible voters actually voting.[2] The participation in elections for President generally tend to be lower than it was in national elections in the European democracies, but in 1936 and 1940 there was a sharp rise in participation.

[1] For an analysis of the difficulties of estimating the number of persons eligible to vote, see C. E. Merriam and H. F. Gosnell, *The American Party System* (New York: Macmillan, 1929), pp. 368-372.

[2] C. H. Titus gives the following estimates of participation in Presidential elections: 1880, 78.4; 1884, 76.7; 1888, 78.7; 1892, 76.4; 1896, 79.2; 1900, 73.5; 1904, 65.8; 1908, 66.3; 1912, 60.0; 1916, 63.7; 1920, 49.3; 1924, 49.1; 1928, 57.4; 1932, 57.8.—*Voting Behavior in the United States* (Berkeley: University of California Press, 1935). While his figures probably picture the trend correctly, they underestimate the participation in each election since the computations involved no corrections for adults disqualified because of lack of residence, inability to pass literacy tests, insanity, criminality. After allowance for these factors, Harold Gosnell arrives at the conclusion that the following percentages of eligible votes were cast in the Presidential elections: 1892, 86.2; 1896, 89.5; 1900, 84.6; 1904, 75.3; 1908, 74.8; 1912, 64.7; 1916, 69.6; 1920, 56.9; 1924, 56.6; 1928, 67.5.—*Why Europe Votes* (Chicago: University of Chicago Press, 1930), p. 196. For other sets of estimates, see C. A. M. Ewing, *Presidential Elections* (Norman: University of Oklahoma Press, 1940), chap. 5; A. M. Schlesinger and E. M. Eriksson, "The Vanishing Voter," *New Republic*, October 15, 1924, pp. 162-168. For an early study of nonvoting, see A. B. Hart, "The Exercise of the Suffrage," *Political Science Quarterly*, 7 (1892), pp. 307-329.

Participation is usually at its peak in the Presidential election. The proportion of the electorate going to the polls is lower in state elections, even lower in state primaries, and often yet lower in city elections.[3] These variations are probably most marked when the Presidential, state, and city elections are held at different times; yet even when officials for governments at all three levels are elected at the same election many voters mark their ballots for a Presidential candidate but do not vote for candidates for state and local offices.

In a study of voting in Ann Arbor, Michigan, Professor Pollock has shown that on the average 25.9 per cent of the potential electorate, that is those with the legal qualifications to vote, went to the polls. "In other words," he says, "out of the 23,000 people of Ann Arbor, about 3,800 voters run the city and make its political decisions. To put it another way, less than 17 per cent of the residents of the city control its affairs." [4] It must be remembered that these figures are averages; this average is brought up by the inclusion of votes in Presidential elections. Participation in the Presidential election was over twice as great as in the state primaries and spring elections, almost twice as great as in the fall state elections, about three times as great as in city elections, and almost five times as great as in city primaries.[5] Although these figures reflect the voting behavior of only one small city, further investigation would probably reveal a similar pattern elsewhere.[6]

What of the effects of nonparticipation? Here again, nobody knows the answer. It may be suggested, however, that there are certain probable effects. It may be supposed that in county and city elections and in primaries in which there is a relatively small turnout, the party organization or any other group of individuals working in concert has a much easier time in managing the outcome of elections than if there were a higher participation. The "organization

[3] A conspicuous exception to this general remark is the Solid South in which the peak vote is cast in the Democratic Party primary, while the Presidential vote is a foregone conclusion and the absence of a contest results in low participation.

[4] J. K. Pollock, *Voting Behavior: A Case Study* (Ann Arbor: University of Michigan Press, 1939), p. 6. In the Baltimore mayoralty election of 1939, 40 per cent of the population of voting age went to the polls. The percentage of those actually eligible to register and to vote would, of course, be higher.—Baltimore Commission on Government Efficiency and Economy, *Baltimore Elections and Proportional Representation* (April, 1940).

[5] See the chart on page 11 of Professor Pollock's study.

[6] A more complete knowledge of electoral behavior would exist if scholars in widely scattered places would undertake studies on the order of Professor Pollock's excellent monograph.

vote" will be brought out; the smaller the participation the greater the chance that groups with time and money to devote to politics will win. This does not mean necessarily that a corrupt "machine" will control the outcome; in many of the smaller communities the "machine"—that is, the politically active people—consists of the leading citizenry. Another hypothesis may be suggested. Does the consistently lower participation in local, state, and even congressional elections contribute to intergovernmental friction by placing in offices below the Presidential rank a generally more conservative group? The assumption in the hypothesis is that groups desiring to maintain the *status quo* can more easily win in local elections because of lower participation; whereas the mass sentiment finds a more unrestrained expression in the election of the President. The answers to these questions are by no means clear but the queries are worthy of speculation.

If in national elections 30 or 40 per cent of the potential electorate voluntarily disfranchises itself and in local elections as much as 80 per cent does, for the student of political behavior it is important to know which groups have resigned their political function, which groups have gained whatever power and influence come from the ballot. A few researches have been made in limited areas in an effort to obtain a partial answer to these questions.

Women are less inclined to go to the polls than are men. The decline in the proportion of the voters exercising their suffrage since 1900 is probably attributable in considerable measure to the inclusion of women in the electorate who fail to vote. Intensive studies of individual localities confirm the interpretation of the general trend of participation in elections. A study in 1925 of 4,390 electors in Delaware, Ohio, by Professor Arneson showed that 72.9 per cent of the men and only 57.1 per cent of the women voted.[7] In Austin, Texas, Professor Martin found that, as shown by the 1933 municipal election, men registered as voters in greater degree than women and that of the registered voters, a greater percentage of men voted than of women: of the male registered voters, 58.1 per cent voted; of the female, 44.7 per cent.[8] Similar tendencies were observed by Professor Pollock in Ann Arbor. Over an eight-year period 33.5 per cent of the male registered voters went to the polls; 25.3 per cent of the women.

[7] B. A. Arneson, "Non-Voting in a Typical Ohio Community," *American Political Science Review*, 19 (1925), pp. 816-825.

[8] R. C. Martin, "The Municipal Electorate: A Case Study," *Southwestern Social Science Quarterly*, 14 (1933), pp. 193-237.

In the two Presidential elections of 1924 and 1928 there was a slightly larger percentage of female registered voters who went to the trouble to cast a ballot than of men,[9] but in all the other elections covered by his survey the men participated to a higher degree than did the women.[10] In Tennessee the vote cast did not double with the adoption of woman suffrage. One report states: [11]

> No county gained as much as 100 per cent; only 30 of the 47 increased at all; while 16 showed actual decreases following the adoption of the amendment. The maximum increase was 82 per cent, the maximum decrease was 29 per cent, and the average increase in votes cast per 1000 of the population was 11 per cent. This situation might be explained on one of three grounds: the women did not participate, the men stopped casting votes, or a combination of these two factors obtained.

In English municipal elections, it seems, "the male voting percentage is higher than the female percentage." [12]

Definite variations in voting interest exist between different age groups, and the tendency, as far as the data show, is that the older groups participate in elections to a higher degree than do the younger. In Ann Arbor the peak of voting interest among the registered voters was reached in the age group of fifty-one to sixty. In that range 42.3 per cent of the registered voters went to the polls; in the range twenty-one to thirty only 22.0 per cent did. Thus, electoral participation of persons in their fifties was about twice as high as of those in their twenties. In Delaware, Ohio, the peak of voting interest was shown to be manifested by persons in the sixties. Similar findings were reached in the Austin study. According to age groups, electoral participation appears to increase and reach its peak in the fifty to seventy age group. For obvious reasons participation tapers off among those above seventy years of age.

The differential degrees of electoral participation between the

[9] The same was true of women in Lansing, Michigan, in the Presidential election of 1928. However, in both Lansing and Ann Arbor a smaller proportion of the women than men registered as voters. In Detroit, according to Dr. D. S. Hecock: "Although there were nearly as many women as there were men in the city (and 46% of the population over 21 were women), only 37.9% of the registered voters were women."—Detroit Bureau of Governmental Research, *Detroit Voters and Recent Elections*, Report No. 150, June 1, 1938, p. 3.

[10] Pollock, *op. cit.*, pp. 19-24.

[11] C. H. Titus and Joe Bain, "Voting in Tennessee, 1900-1932," *Social Forces*, 14 (1935), pp. 273-295.

[12] E. C. Rhodes, "Voting at Municipal Elections," *Political Quarterly*, 9 (1938), pp. 271-280.

sexes and between age groups are perhaps of less interest than the variations in electoral activity among economic groups. On the latter matter the data are even more scant. In both Delaware, Ohio, and Austin, Texas, the occupational group with the highest record of participation was the public employee group. It probably would be found almost everywhere that public employees, by more consistent participation, exert an influence in public affairs disproportionate to their number in the total population. The Austin and Delaware studies are not entirely comparable but in both places the professional groups ranked high in voting interest. Similarly in Ann Arbor the University of Michigan faculty had a much higher voting record than that of the entire voting population. In Lansing, Michigan, business and professional men manifested a higher electoral enthusiasm than did all men.[13] Occupational groupings of voters and nonvoters does not furnish a completely satisfactory measurement of economic status since each occupational grouping includes persons of widely different degrees of affluence.

Rent is an index of economic status often used in social investigations. In a study of voting in Chicago Professor Gosnell concluded that "the better the quarters that a citizen lives in, the more apt he is to vote in presidential elections."[14] In Austin, Texas, 53.4 per cent of the registered voters in the wealthier wards voted; in the poorer wards, only 50.5 per cent did. Much wider differentials in electoral participation existed between taxpayers and nontaxpayers in Austin. In the Delaware, Ohio, study a much higher proportion of those dwelling in "very good" neighborhoods voted than of those in the "poor" neighborhoods. Professor Munro, on the basis of an examination of voting in Detroit and Cambridge, contends "that the poorer neighborhoods do not regularly make the best showing at the polls."[15] A study of a sample of the electorate of Lansing, Michigan, indicates that in that community women who had telephones and who subscribed to the community chest had more interest in voting than women as a class. In a study of voting in Detroit from 1930 to

[13] Wayne Dennis, "Traits Associated with Registration and Voting," *Journal of Abnormal and Social Psychology*, 27 (1932), pp. 270-278. For evidence of similar tendencies in Battle Creek, see J. K. Pollock, *Permanent Registration of Voters in Michigan* (University of Michigan, Bureau of Government, New Series Bulletin No. 7, 1937).

[14] *Getting Out the Vote* (Chicago: University of Chicago Press, 1927), pp. 90-91.

[15] W. B. Munro, "Is the Slacker Vote A Menace?" *National Municipal Review*, 17 (1928), pp. 80-86.

1938 Edward H. Litchfield found that participation in elections varied directly with economic status. The group with the highest income had the highest participation and the group with the least income had the lowest record of participation, with the middle-income groups falling between the two extremes.[16]

Nationality and race as related to interest in voting is a matter on which not much information is available. Professor Pollock found in Ann Arbor that the interest of the foreign-born population in voting was slightly greater than that of the native whites. In Detroit, from 1930 to 1938, according to Litchfield's findings, the foreign-born whites had on the average a slightly lower record of participation in elections than the native whites. Yet "in the nonpresidential elections the foreign born groups participated to a greater extent than did most of the native white groups, though in their own defense the latter groups may point out that in presidential elections the positions were reversed." [17] Moreover, there were important variations in electoral participation among different foreign-born groups, and within the foreign-born groups differences in participation existed among income subgroups. Over the entire period the middle-class Polish electoral interest was only a little less than that of the wealthy native whites, the group with the highest record of participation. On the other hand, the poor Italian groups participated to a considerably lesser degree than did the native whites as a whole. Professor Litchfield's findings indicate that broad comparisons of participation of native whites and foreign-born whites are likely to have little significance; it is necessary to go further and determine the participation of subgroups in order to ascertain the real nature of participation.

The proportion of Negroes who went to the polls in Ann Arbor, Professor Pollock finds, was only about two-thirds as great as the proportion of native whites. In Delaware, Ohio, voting participation of the Negroes was less than that of the whites. Similar, but not unexpected, findings came from the study of Austin, Texas. In Tennessee participation in elections varied from county to county with the percentage of Negro population. Haywood County with 62.1 per cent Negro population had a voting participation of 13 per cent while Bledsoe County with 4.6 per cent Negro population had

[16] *Voting Behavior in a Metropolitan Area* (Bureau of Government, University of Michigan, 1941), p. 15.

[17] *Voting Behavior in a Metropolitan Community, op. cit.*, p. 25.

an electoral participation of 68 per cent.[18] The virtual disfranchisement of the Negro in the southern states accounts for these variations, but less electoral enthusiasm also seems to prevail among the Negroes in the northern areas than among the whites.[19]

Interesting data concerning the electoral enthusiasm of persons of different degrees of education were accumulated in Professor Gosnell's experiment in the stimulation of voting in Chicago. Registration and voting among those who received their schooling in the United States varied directly with the length of education. There was a direct and steady increase of participation according to education groups, ranging from those with no schooling to those with graduate college or professional-school education.[20] Similar findings were made in the study of Delaware, Ohio, by Professor Arneson. Of the persons interviewed, the participation was: only 34.9 per cent with no school training, 57.2 per cent of the elementary-school group, 69.6 per cent of the high-school group, and 78.1 per cent of the college group.

Another approach to the question of voting and nonvoting has been made by Professors Merriam and Gosnell in their study, *Non-Voting*. About 6,000 citizens of Chicago were asked why they had failed to vote and the answers were classified and tabulated. According to this analysis many of the nonvoters were deterred by factors beyond their control. Approximately 12 per cent, or one in eight, of the nonvoters specified illness as their reason for not voting; 11.1 per cent, absence; 5.2 per cent, insufficient legal residence. Various explanations classified under the headings of "disbelief in voting" and "inertia" accounted for the majority of the nonvoters, however. One factor, "general indifference," accounted for 25.4 per cent of the nonvoters.[21]

[18] Paul K. Walp, "Factors Influencing Voting in Tennessee," *University of Tennessee News Letter*, December, 1939.

[19] Dr. Litchfield has suggested that in northern communities the participation of Negroes in elections is gradually approaching that of the community averages. See "A Case Study of Negro Political Behavior in Detroit," *Public Opinion Quarterly*, 5 (1941), pp. 267-274.

[20] Gosnell, *op. cit.*, pp. 96, 118.

[21] The interviewees did not, of course, answer "I did not vote because of general indifference." The study gives samples of what they did say. One young lady "was of the opinion that young girls have other things to think about besides voting and government." A young musician "said that he had one of his temperamental spells at election time and neglected to vote." A Polish woman did not vote "because she washed that day." An elderly German woman "said that she did not need to render any more services to her country for she gave a

It is extremely hazardous to formulate conclusions applicable to the country as a whole on the basis of the available data. A substantial part, perhaps 35 per cent, of the electorate habitually fail to vote in Presidential elections, and the percentage of nonvoters in state and local elections is usually higher. It seems that those who do vote are not a representative sample of the adult population. It appears that a larger percentage of men than women vote; that a larger percentage of those in the age group forty to seventy vote than of those younger or older. The better-schooled, the more prosperous turn out to the polls in higher degree than do the less educated or the poorer. A smaller percentage of both northern and southern Negroes than of whites go to the polls. It is not necessarily to be inferred that influence on the course of public policy and on public administration has a direct ratio to participation in elections, but if there is any relationship, the groups with higher voting records exert an influence disproportionate to their numbers in the total population. Much analysis remains to be done to ascertain the significance of participation and nonparticipation in voting. At any rate, it seems clear that some groups more nearly exert their full voting strength than do others.

Wholesale nonvoting is not necessarily either good or bad. Well-meaning editors customarily write editorials on election day urging people to vote regardless of how they vote. Crusaders organize movements to get out the vote. Professor Munro asks if there is anything to be gained by having the nonvoters [22]

> . . . certify their bewilderment and lack of knowledge at the ballot box? It is hard to see what real service can be rendered to the cause of enlightened government by the mere expedient of herding to the polls, with some sort of militant propaganda, a large number of uninterested, uninformed, reluctant people who go because they are shamed into it by clarion calls to the performance of their duty as citizens.

The important question, for the student of politics, is the effect of nonvoting on the distribution of political power and influence. From the available information and on the assumption that the fact of vot-

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son." A middle-aged wife of an Italian laborer was too busy. "As she expressed it: 'Got a lot of children.' " Another woman "married a widower with six children and so did not have time to be interested in politics." A Danish woman "was more interested in the home and in church work than in voting."

[22] *Loc. cit.* See also Clyde Eagleton, "Defense of the Non-Voter" *South Atlantic Quarterly*, 27 (1928), pp. 341-354.

ing alone has political effect, a turnout of all the potential voters at the polls would give greater influence to women, to the poor, to those with less education, to Negroes, and to those under forty years of age. Since, as will be shown later, these groups do not divide in the same way as do those participating more in elections, the degree of participation in a close election might determine the outcome. An increase of, let us say, 10 per cent in the total participation might bring victory to a different party.[23]

Dr. Francis G. Wilson has advanced the interesting theory that the curve of participation in voting constitutes a sort of fever chart for the body politic. He says: [24]

> In a society in which only fifty per cent of the electorate participates it is clear that politics does satisfy in a way the desires of the mass of individuals in the state. As the percentage of participation rises above, let us say, ninety per cent it is apparent that the tensions of political struggle are stretching to the breaking point the will toward the constitutional.

That is, the will to accept the outcome of elections and the operations of normal governmental procedures may be weakening in a prelude to revolution. "Government by the few voters," he continues, "who make an appearance on election day may be corrupt, it may be the very foundation of the continuance of the old party oligarchy, but at least it is certain that the political waste is less than the mass of the people will stand." Otherwise they would not manifest such indifference to elections.

Dr. Wilson's hypothesis is a plausible one and may account for a part of the variation in participation in elections. A considerable portion of nonvoting, however, may be explained without resort to such recondite theories. It is probable that participation is discouraged in most American jurisdictions by the frequency of elections, by the complexity of the ballot, by the burdensome character of registration requirements, and by other requirements for participation such as the poll tax.

[23] A clue to the importance of nonvoting is given in a survey by the American Institute of Public Opinion, released December 8, 1940, in which it was estimated that of the 5,400,000 persons who did not vote in 1936 but did vote in 1940, 3,500,000 supported Roosevelt; 1,900,000, Willkie. Under the conditions prevailing in 1936 and 1940, an increased participation in the Presidential election would probably have meant an increased percentage of the total vote going to the Democrats.

[24] "The Inactive Electorate and Social Revolution," *Southwestern Social Science Quarterly*, Vol. 16, No. 4 (1936), pp. 73-84.

CONSISTENCY OF PARTY AFFILIATION

It is not enough to know who votes. It is also necessary to know how they vote and why they vote the way they do. In an earlier chapter emphasis was placed on the importance, for those who wished to gain power, of control of the party organization and of the nominating process. Control of these matters gives the exclusive right to use the trademark of the party; the party name is a symbol or a trademark with a good-will value, to borrow a concept from economics, capitalized in terms of votes rather than of dollars. The group with the exclusive right to use the party label is certain to receive the habitual party vote, just as Procter and Gamble is certain to receive the business of those conditioned to respond favorably to the trade name, "Ivory Soap." It is not to be inferred that the consistent party voter necessarily acts against his own interests. The South has been consistently Democratic, for example, since the Civil War—a large, habitual, unthinking vote, it may be said. Yet the Republican Party, dominated largely by manufacturing and industrial interests, had nothing to offer to the agricultural South. When the South, however, thought that it had something at stake in 1928 several of its states deserted the Democratic Party.[25] Yet probably habitual attachment to party names causes changes in party allegiance to lag behind changes in the interests of the voter.[26] Once established, party allegiance and loyalty seem to have a remarkable persistence. Party attitudes seem to be transmitted from father to son, not biologically, to be sure; community, family, and environmental influences play a part in the fixing of partisan attitudes.

The degree to which the family is an agency for the transmission

[25] Evidence tending to show that the breaking away from habitual party affiliations is associated with changes in the interests of the individual (rather than personal appeal of the candidate, the "bandwagon" tendency, or a desire to protest) is furnished by a sampling study made by S. P. Hayes, Jr. He found that bolting to the Democrats between 1928 and 1932 was generally associated with "liberal" attitudes; bolting to the Republicans, with "conservative" attitudes. —"Political Attitudes and Party Regularity," *Journal of Social Psychology*, 10 (1939), pp. 503-552.

[26] In a study of 168 persons in Centre County, Pennsylvania, 55.5 per cent of the persons interviewed agreed with "radical" statements, but 52 per cent of the group responded most favorably to the Republican Party name. This group when faced with specific issues favored the introduction of socialistic measures, but was attached to the Republican Party banner.—G. W. Hartman, "The Contradiction between the Feeling-Tone of Political Party Names and Public Response to their Platforms," *Journal of Social Psychology*, 7 (1936), pp. 336-355.

of party attitudes can only be estimated. Professor Munro observes that [27]

> . . . most men and women inherit their party affiliations. They are creatures of the Mendelian law. They are Republicans or Democrats because their fathers and grandfathers were, although they do not relish being told so. Taking the country as a whole, it is within bounds to say that at least sixty per cent of the active electorate is strictly "regular" in its party allegiance. Irrespective of issues or personalities, the partisan loyalty of these groups is almost absolutely dependable.

This statement was made in 1928 and Professor Munro believes that his estimate of 60 per cent party regularity might now be a bit high. A few professors have taken advantage of the availability of guinea-pig material in the persons of their students and obtained precise figures for these small groups. At Dartmouth College in 1928 a study of 375 students showed that 79 per cent of the entire group voted as their fathers voted.[28] At De Pauw University the fathers of 77.4 per cent of the students questioned favored the Republican Party in 1932; 67.5 per cent of the students favored Hoover. Of the fathers, 21.3 per cent favored the Democratic Party; of the students, 29.7 per cent were for Roosevelt. Similar variations existed in the 1936 Presidential campaign.[29]

Whether the inheritance of partisan attitudes is as prevalent in families less favored economically than those of college students, one cannot say.[30] By whatever means a loyalty to a party is built up, once it is established it appears to be a strong one. A measure of the persistency of party affiliation can be had by ascertaining the degree of shifting from one party to another from one campaign to another. Stated in another way, the degree of shifting from party to party is a measure of independent voting. Ogburn and Jaffe have published

[27] *The Invisible Government* (New York: Macmillan, 1928), pp. 145-146.

[28] G. W. Allport, "The Composition of Political Attitudes," *American Journal of Sociology*, 35 (1929), pp. 220-238.

[29] P. J. Fay and W. C. Middleton, "Certain Factors Related to Liberal and Conservative Attitudes of College Students: II. Father's Political Preference; Presidential Candidates Favored in the 1932 and 1936 Elections," *Journal of Social Psychology*, 11 (1940), pp. 107-119.

[30] A gauge of the degree of inheritance of voting tendencies is furnished by the estimate of the division of "first" voters in 1940. Sixty-one per cent of the persons in that year who had been too young to vote in 1936 cast their ballots for Roosevelt. The Democratic percentage among the "first voters" was thus somewhat higher than their percentage of all voters, 54.7

the most persuasive study of independent voting.[31] They compute the percentage of the total vote cast for the Democratic Party for each election since 1876. The difference in the percentage polled by the party in any two elections is a rough measure of the independent vote. For example, in 1928 41 per cent of the total vote cast was Democratic; in 1932, 57 per cent. The difference between 41 and 57 (that is, 16) is a rough estimate of the net percentage of the electorate that shifted from the Republican to the Democratic ranks between 1928 and 1932. By the application of this method the figures in Table 28 are obtained.

TABLE 28

ESTIMATED NET SHIFTS BETWEEN PARTIES BETWEEN PRESIDENTIAL ELECTIONS, 1876-1936

PERIOD	PERCENTAGE SHIFT
1876-1880	3
1880-1884	1
1884-1888	0
1888-1892	3
1892-1896	0
1896-1900	0
1900-1904	8
1904-1908	5
1908-1912	1
1912-1916	7
1916-1920	15
1920-1924	5
1924-1928	12
1928-1932	16
1932-1936	4
1936-1940	8

Emphasis needs to be placed on the fact that by Ogburn's and Jaffe's method a measure is obtained of the net movement from one party to the other from election to election. The gross shift, including the movement in both directions, is undoubtedly considerably larger. Some notion of the gross shift between 1936 and March, 1940, is furnished by a survey by the American Institute of Public

[31] W. F. Ogburn and A. J. Jaffe, "Independent Voting in Presidential Elections," *American Journal of Sociology*, 42 (1936), pp. 186-201.

Opinion. According to its estimates in March, 1940, nineteen of every one hundred persons who voted for Roosevelt in 1936 favored a Republican President; four of every one hundred persons who favored Landon in 1936 were for a Democratic victory in 1940. In a final survey the institute estimated that 20 per cent of the 1936 Roosevelt voters were for Willkie in 1940; 6 per cent of the Landon voters switched to Roosevelt in 1940. If these estimates are accurate, the gross shift between 1936 and 1940 was two or three times the net shift. Another approach to an analysis of the independent vote was made by the *Fortune* Survey in September, 1940. At that time 24 per cent of the electorate, it was estimated, expected to vote for candidates of different parties for the Presidency and for local (county and state) offices.

Although the figures in Table 28 furnish only a net measure of the shifts of voters from party to party, they indicate a high degree of constancy of party loyalty. Nevertheless they also indicate that the consistency of party affiliation has declined. In the period prior to 1900 the shift from one party to the other was practically negligible. In that period over 95 per cent of the voters stayed in the same party from election to election. Since 1900, however, there have been a sharp rise in the movement from party to party and a corresponding decline in the consistency of party affiliation.[32] The decline of traditional attachment to party has apparently been accelerated since the First World War.[33] Even with the declining strength of the ties of party loyalty, probably 80 per cent of the strength of each party consists of the regular vote. Hence the parties, in general, maintain their strength by reproduction rather than by the winning of converts.

By a minute study of sample counties, Ogburn and Jaffe sought to ascertain what factors were associated with independent voting. By correlation techniques it was found that[34]

[32] The method of computation used by Ogburn and Jaffe minimizes the shifting of party allegiance by failing to take adequate account of the heavy Progressive vote in 1912 and the Farmer-Labor vote in 1924. The Progressive vote in 1912 was drawn principally from the Republican ranks. "Yet fundamentally there was even in this instance a remarkable expression of regular voting. Few voters crossed the traditional line to the Democracy. The division remained within the Republican party."—E. E. Robinson, "Distribution of the Presidential Vote of 1912," *American Journal of Sociology*, 20 (1914), pp. 18-30.

[33] See the figures and comment by C. A. M. Ewing, *Presidential Elections* (Norman: University of Oklahoma Press, 1940), p. 17.

[34] W. F. Ogburn and A. J. Jaffe, "Independent Voting in Presidential Elections," *American Journal of Sociology*, 42 (1936), pp. 186-201. For other stud-

. . . those counties that had the greatest increase in the fluctuation of voters from 1920 to 1932 were those that had (*a*) the largest proportion of young voters, (*b*) the largest proportion of men, (*c*) the smallest percentage of native-born citizens of native parents, (*d*) the greatest growth in population, (*e*) the greatest degree of urbanism, (*f*) the highest incomes, (*g*) the least increase in wages, and (*h*) the greatest lessening of the share of the manufactured product going to labor. Of all these factors, only youth and economic indexes seem to persist when other factors were held constant, and hence appeared probable as causes independent from the other factors.

By another method, Ralph and Mildred Fletcher have shown the geographical distribution of the areas of greatest party consistency and of those of the most mercurial political temperament. They tabulated party votes by counties from 1896 through 1932 and ascertained the number of opportunities for a county to change its party allegiance. A county that went Democratic at one Presidential election, for example, had an opportunity to change to Republican at the next Presidential election. The tabulation of the data in this way showed 26,151 opportunities for change. In only 29.2 per cent of the instances was there a change in political faith, while in 70.8 per cent the county retained its standing at the prior Presidential election. The method is, to be sure, a crude measure of party consistency, since there could be considerable shifting of voters from one party to another without changing the political complexion of a county. During the period 1896-1932, 591 counties voted consistently for one party.

By the same method a percentage of consistency was computed for each state. The states with the highest consistency were Louisiana, Mississippi, Rhode Island, South Carolina, and West Virginia. In these states the counties remained consistent in more than 90 per cent of the opportunities for political change. In the range of consistency from 80 to 90 per cent were other southern and New England states.[35] At the lowest point in consistency (under 50 per cent) were the western states of Idaho, Montana, Nevada, and Washington. All the states with less than 60 per cent county-voting con-

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ies of the same problem, see A. C. Millspaugh, "Irregular Voting in the United States," *Political Science Quarterly*, 33 (1918), pp. 230-254; F. S. Chapin, "The Variability of the Popular Vote at Presidential Elections," *American Journal of Sociology*, 18 (1912), pp. 222-240.

[35] Alabama, Arkansas, Connecticut, Florida, Georgia, Kentucky, New York, Vermont, Virginia.

sistency were west of the Mississippi River save Wisconsin.[36] Thus the highest degree of party consistency is located in the southern and New England states; the lowest, west of the Mississippi.[37]

The studies summarized indicate that a very large proportion of the electorate habitually vote for the same party; that the consistency of party affiliation has declined somewhat since 1900; that the loyalties to the parties is weakest west of the Mississippi. What is the significance, if any, of these matters? It would seem that a large proportion of votes cast in Presidential elections are an expression of habit, of a conditioned response, or of whatever like psychological concept one cares to use. From the standpoint of general public policy the mass conditioning of the electorate furnishes a strong brake on rapid change. Under the radical and reactionary surface eddies flow deeper habitual and customary slow-moving currents. To change the figure, the consistency of party affiliation represents a powerful mass inertia. Harold Gosnell concludes an analysis of the 1932 Presidential vote in Chicago: [38]

Our present study also shows that while an increase in economic insecurity produces a reaction against the party in power, the voting habits of many change slowly, even in a period of rapid economic changes. There is a distinct lag in the adjustment of political attitudes to changing material conditions. A departure from an equilibrium of social and economic forces disturbs only a small portion of the electorate in a Middle Western metropolitan community.

In a later article reporting an analysis of the 1934 congressional election in Chicago he concludes: "Both of the methods employed in the present study show that party tradition as measured by previous voting behavior was the most important influence in the 1934 election in Chicago. . . . The main characteristics of party lines in Chicago, a typical American metropolitan community, were set long

[36] The states with between 50 and 60 per cent consistency by this method were California, Colorado, Kansas, Minnesota, Nebraska, Oklahoma, Oregon, South Dakota, Utah, Wisconsin.

[37] Ralph and Mildred Fletcher, "Consistency in Party Voting from 1896 to 1932," *Social Forces*, 15 (1936), pp. 281-285. Hasbrouck found that during the period 1914-1926 there were 148 congressional districts that consistently elected Republican representatives; 122 regularly returned Democratic representatives. Thus 270, or 62.1 per cent, of the total membership of the House were elected by districts customarily voting for the same party.—*Party Government in the House of Representatives* (New York: Macmillan, 1927), p. 172.

[38] H. F. Gosnell, and N. N. Gill, "An Analysis of the 1932 Presidential Vote in Chicago," *American Political Science Review*, 29 (1935), p. 984.

before the depression and the New Deal." [39] The strength of tradition, however, seems to be somewhat weaker in other areas, where greater response to changed conditions is expressed through more shifting of party allegiance. It might be expected that new ideas, new policies, governmental innovations would find the most favorable hearing in those areas where traditional party allegiance is the weakest.[40]

The small proportion of the total population that shifts from one party to another really determines the outcome of elections. That group is in a position to wield great power and to wrest whatever concessions it wants from the parties and the government. But does it? Who makes up this group of voters with transient loyalties? The answer is not known; a clue to the answer, however, is furnished by one of the surveys of the American Institute of Public Opinion. In an inquiry in January, 1940, the question was asked: "In politics do you consider yourself a Democrat, Independent, Socialist or Republican?" Those considering themselves to be independents may or may not be the same people who shift from party to party and swing elections, but it would be supposed that they would be more likely to shift than the die-hard partisan. The percentages of various occupational groups regarding themselves as independents in politics were as follows:

Professional men	25%
Businessmen	22
Skilled workers	19
Semiskilled workers	18
Unskilled workers	16
White-Collar workers	22
Farmers	12
Farmers outside the South	14

A plausible conclusion to draw from these data is that the independents do not constitute a narrow group with common class interests that might be promoted by using its pivotal position in the electorate. An appeal for the independent vote almost has to be an appeal to the entire electorate, for the independent vote consists of

[39] H. F. Gosnell and M. J. Schmidt, "Factorial and Correlational Analysis of the 1934 Vote in Chicago," *Journal of the American Statistical Association*, 31 (1936), p. 518.

[40] For an article showing that western states have tended to adopt certain governmental innovations earliest, see T. A. Bailey, "The West and Radical Legislation, 1890-1930," *American Journal of Sociology*, 38 (1933), pp. 603-612.

people of all classes and interests. The independent vote is sometimes thought of as a middle-class vote, but these figures refute that popular notion; they are supported by studies of the shifting allegiance of social classes between the elections of 1936 and 1940. All classes moved, at somewhat different rates, toward the Republican ranks.[41]

CHARACTERISTICS ASSOCIATED WITH VOTING

While it is clear that a substantial proportion of the electorate habitually respond to the leaders of one or the other of the major parties, it is obvious that there is a degree of shifting from one party to another. Moreover, the question remains of how the voters divide, either through response to tradition or to the special appeals and questions of a particular campaign. The reliable data on why voters throw their support one way or the other are extremely limited. We have, of course, the sagacious comments of the editors and columnists published the day after the election in which it is asserted with force that the Negroes voted this way or that, that the W.P.A. workers turned the trick, that the Catholics were lined up one way or the other. We have, as well, the diagnoses of observers with greater pretensions who explain the results of an election in fulsome phrases; but most of both kinds of comments are drawn out of thin air.

These remarks really raise two questions. First, in a specific election does the cleavage between parties follow differences in wealth, economic interest, race, or some other like factor? Second, with what factors are changes in party affiliation from election to election associated? Does, for example, an economic deprivation stimulate a shift of party allegiance? Or is party shift a function of beliefs with

[41] Another study by Dr. Gallup published September 25, 1940, throws light on the territorial distribution of the 19 per cent of the electorate regarding itself as independent. The states with 20 per cent or more of their voters considering themselves to be independent were: New Hampshire (22), Vermont (25), Massachusetts (31), Rhode Island (41), Connecticut (30), New York (23), New Jersey (22), Delaware (25), Ohio (22), Illinois (22), Michigan (30), Wisconsin (32), Minnesota (22), Nebraska (23), Colorado (20), Montana (31), Idaho (27), Utah (22), New Mexico (20), and Washington (33). It will be noted that these findings are in conflict with those of other studies cited earlier in this chapter in which it had been found that independent or irregular voting seemed to be concentrated west of the Mississippi. For another type of state-by-state analysis of party consistency, see Louis H. Bean, *Ballot Behavior* (Washington: American Council on Public Affairs, 1940), chap. 6.

respect to what will promote the public welfare? Or, is party shift a reflection of the "personality" of the candidates? Many hypotheses have been formulated to cover party affiliation and party shifting. Most of them assume a rational political man who votes in accordance with his estimate of how his "interests" may be defended or promoted. Those interests may be economic; they may be racial; they may be religious or perhaps sectional or geographical. In a sense, an interest may be "political" in that the voter may be concerned about the adoption, maintenance, or repeal of a particular public policy. All these propositions rest upon assumptions about how people behave. An assumption may sound perfectly plausible and be perfectly untrue. Is there evidence to support these hypotheses about how people vote?

The secrecy of the ballot means, of course, that we can have no analysis of the vote at any particular election with nicely totaled columns showing the division of the poor between Republican and Democratic, or the attachment of racial or religious groups to one or the other of the parties. The relationship between various characteristics of the voters and their party affiliations has to be ascertained by indirect means or by sampling studies. Some scholars have used the statistical method of correlation by which is ascertained the relationship between known characteristics of the voters and their voting behavior. It is known, for example, what percentage of the population of each county consists of Negroes and what percentage of each county vote is Democratic. Is there a tendency for the Democratic vote to rise or to fall with the increase or decline of Negro population? This relationship can be computed and expressed as a coefficient of correlation. The coefficient ranges from 0.0 to 1.0. If a coefficient of 0.0 is obtained it is assumed that there is no relationship between the two factors concerned. As it approaches 1.0, the conclusion arises that as Negro population increases, to use our hypothetical example, the Democratic vote increases. Similarly, the coefficient may range from 0.0 to −1.0, indicative of a negative relationship. A few of the studies using the method of correlation may be summarized.[42]

The theory perhaps most widely accepted in explanation of political behavior is that of economic motivation. It is simple enough to see this motivation in operation in the activities of pressure groups with definite interests seeking the adoption of particular measures to

[42] Students who have had no training in statistics will do well to examine the discussion of the technique of correlation in any good elementary statistics text.

promote that interest or seeking to obstruct the passage of measures thought to injure that interest. The plane, however, on which the lobbyist and pressure groups operate is a relatively sophisticated one. Is the same awareness of economic interest present among the rank and file of the electorate? Do individual voters act in accordance with their economic interests and do their political attitudes change as their economic fortunes are altered?

Most analyses of voting behavior show that there is a measurable relationship between economic status and voting behavior, but other factors also enter into the motivation of voters. In a study of voting behavior in North Dakota George Lundberg classified the counties of the state into radical and conservative on the basis of their attitude to the candidates of the Non-Partisan League in the elections from 1916 to 1922. "The most striking fact in the comparison of the radical and the conservative counties . . . ," Lundberg concluded, "is the uniformly inferior economic circumstances and prosperity in the radical counties." The radical counties had a smaller per capita value of farm property, a lesser value of land per acre, and a lower per capita value of farm crops. The economic differences were not the only differences between the radical and conservative counties. The radical counties had a much larger proportion of recent migrants, principally of Russian and Scandinavian origin. The prevalence of these migrants, he concluded,[43]

> . . . with a highly developed cultural background along the lines of co-operative community enterprises was undoubtedly an important factor in causing the program of state ownership of certain utilities, which was the central issue during the period considered, to seem less radical, or entirely normal, to this type of population. This same stock (in the conservative counties) reared in American traditions found a larger gap to bridge between their customary way of thinking and the proposed program of the League.

The question arises whether the relatively poorer economic status or the attitudes associated with recency of migration was the more important factor in the more radical voting of the radical counties. Or to put it in another way, would a relatively lower economic status alone have made these counties vote more radically?

Dr. J. A. Neprash has made a study, by the method of correlation, of the seven primary and general elections in Iowa from 1920 to 1926

[43] G. A. Lundberg, "The Demographic and Economic Basis of Political Radicalism and Conservatism," *American Journal of Sociology*, 32 (1927), pp. 719-732.

at which Smith Brookhart was a candidate. The former Senator was an insurgent Republican who made a strong appeal to the farm vote. By the analysis of the vote "a definite tendency was found for sentiment both for and against Brookhart to become concentrated in regions which differed from each other primarily with respect to economic conditions." Moreover, the sentiment toward Brookhart seemed to change with changes in the economic prospects of agriculture. When the prices of livestock and grain were the lowest, the vote for Brookhart rose in the livestock and grain areas. Neprash arrives at the conclusion that "enough voters were swayed by economic considerations to determine the outcome of each election." He observes that "though to a great extent the attitudes expressed in these elections were traditional or otherwise determined, still, the attitudes of a sufficient number of 'marginal voters' were economically determined to materially affect the result." [44] Thus the conclusion of the study of Iowa political behavior was that changes in economic status correspondingly altered political attitudes,[45] not of all but of some of those persons affected by the changes. That finding recalls Frank Kent's maxim, "Prosperity absorbs all criticism." He says: "So long as times are good, the party out of power has small chance of getting in regardless of the record of the administration." [46]

The effect of depression and prosperity or changes in economic status has been analyzed by Clark Tibbitts on a larger scale than in

[44] J. A. Neprash, *The Brookhart Campaign in Iowa*, 1920-1926 (New York: Columbia University Press, 1932), pp. 120-121.

[45] In another study of voting behavior of farmers, John D. Barnhart has found that agrarian unrest in Nebraska in the Populist days was apparently accentuated by drouths. "To suggest," he says, "that the farmer held the politician responsible for the shortage of rainfall would be an unwarranted exaggeration of the thoughtlessness of the voters. But it is quite another matter to suggest that the drouth in Nebraska made a bad set of agricultural conditions worse and that the politicians were held responsible for some of the conditions."—"Rainfall and the Populist Party in Nebraska," *American Political Science Review*, 19 (1925), pp. 527-540. The late Robert Marshall produced an interesting comparison of precipitation and presidential election results. He found that for the period 1825-1884 that when the rainfall in the northeastern states "was greater than normal, the party in power, regardless of which one it was, continued to stay in power. On the other hand, in six cases out of seven when the rainfall was less than normal, a new swarm of political parasites descended on Washington." From 1884 to 1924 the northeastern states lost their hygrometric quality, but the four "wetter than normal terms" in the west north central states "were all followed by a continuation of the party in office, while the six drier than normal terms produced five political upheavals."—"Precipitation and Presidents," *The Nation*, March 23, 1927, pp. 315-316.

[46] From *Political Behavior*, copyright, 1928, by William Morrow and Company, Inc., quoted by permission.

Neprash's study of Iowa. He took for analysis congressional elections from 1878 to 1888 and from 1904 to 1911. The elections selected were chosen because of their proximity to upward and downward movements in the business cycle, and the analysis was restricted to nine northeastern industrial states. The popular vote of the party in power was found to have risen with rises in business conditions; to have declined when the reverse situation obtained. "When elections occur during or just following periods of expansion, other things being equal, the party in power may expect a vote of confidence; while on the other hand, when an election occurs in a depression period, the majority party must expect to be shorn of its popularity and even in some cases turned out of office." The analysis showed, however, that many of the congressional districts in the nine states studied did not reflect the changes in business conditions. In the different elections analyzed in from one-third to one-half of the congressional districts under examination, voting behavior did not follow the course of business conditions.[47] How is that substantial degree of lack of responsiveness to changing economic conditions to be explained? Probably a considerable part of it is attributable to the traditional party vote.[48]

[47] Clark Tibbitts, "Majority Votes and the Business Cycle," *American Journal of Sociology*, 3 (1931), pp. 596-606.

[48] Several other statistical analyses have been made of the relationship between voting behavior and the business cycle. Mr. Louis Bean, on the basis of observation of the country as a whole, concludes that a decline in business activity tends to be followed by a decline in the number of seats in the House of Representatives held by members of the majority party at the time. Occasionally the reverse is true, however. On the other hand, the improvement of business conditions does not appear to be followed by an increase in the percentage of the House controlled by the majority party of the moment.—*Op cit.*, chap. 8. In a study of the vote for assembly candidates in New Jersey over the period 1877-1924 Stuart A. Rice came to the conclusion that although, there were cycles of voting behavior, these cycles would appear to be attributable "to some factor or factors of changing attitude which are not closely related to changes in business prosperity." —*Quantitative Methods in Politics* (New York: Knopf, 1928), p. 292. Ralph and Mildred Fletcher have approached the problem by relating turnover in the membership of the House of Representatives to business conditions. They concluded that there "is a tendency for the peaks of the turnover to be associated with periods of depression and that a similar relationship exists between the lower rates of turnover and periods of prosperity. This relationship is very slight. . . ." —"Labor Turnover of the United States Congress," *Social Forces*, 7 (1928), pp. 192-193.

A related question is the relationship of party control in the national Government to prosperity. In a study of the period from the Civil War to 1928 Arthur Burns found that 58 per cent of the years of Democratic control were characterized by upward movements in business activity and 62 per cent of the period of Republican control was. "The inveterate belief of the business community that

In speculation about the meaning and significance of the relationship between economic status and voting, as demonstrated in the studies summarized to this point, one must keep clearly in mind that these relationships were shown to exist before the introduction by the New Deal of large-scale measures to alleviate economic distress. Even before it could be said that the national Government could do much of anything to improve their condition, a considerable number of marginal voters apparently would vote against the "ins" if economic conditions became worse; for the "ins" if conditions stayed the same or improved. If the party control of the national Government had little or nothing to do with their fate, how is this behavior to be explained? Is it to be considered as a rational seeking to better one's status by the ballot or is it merely blindly striking a blow at a scapegoat? To throw out the "ins" probably had about the same effect on economic conditions as evangelical castigation of Satan has on the moral situation. Perhaps the swing against the "ins" can best be described as a displacement of economic resentment on political objects. By this catharsis discontent was dissipated and the peace kept. Perhaps more important for speculation is the potential effect on electoral behavior of the changing situation in which the outcome of an election may have genuine economic results for the individual. If governmental policy comes to have more effect on the economic welfare of the individual and a widespread consciousness of that effect exists, it is not unlikely that traditional

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prosperity is a Republican monopoly has clearly little experiential basis."—"Ideology of Businessmen and Presidential Elections," *Southwestern Political and Social Science Quarterly*, 10 (1929), pp. 230-236. R. Clyde White, by another method, has arrived at a similar conclusion. "Obviously," he says, "there may be a connection between party politics and the prosperity of a particular industry which is protected by a given administration, but consideration of various aspects of general prosperity leaves us skeptical of its alleged connection with the party of the national administration." "Prosperity and Political Parties," *Social Forces*, 6 (1927), pp. 105-111. It is also often said that a Presidential election is "bad for business." Burns finds that the proportion of business recessions falling in Presidential-election years is no greater than would be expected if chance were the ruling factor. "The belief," he says, "that a presidential election is a systematic factor in generating business declines cannot be supported, therefore, by an appeal to facts." Using a more refined technique of analysis, Ogburn and Jaffe conclude that if the degree to which business is good or bad is measured, "then business, in the years since modern industry has developed, averages two to four per cent worse in election years." "The stock market," they say, "seems to be more sensitive to the influences of an election year than do trade and production."—W. F. Ogburn and A. J. Jaffe, "Business Conditions in Presidential Election Years," *American Political Science Review*, 30 (1936), pp. 269-275.

voting will decline and economic motivation increase in importance.[49]

The discussion of economic motivation and mass voting behavior to this point has involved two factors. Instances have been cited showing that in particular elections there may be a tendency for voters to divide into the "have" and "have-not" groups. Other studies have been cited that attempted to ascertain the influence of changes in economic status; and there is some evidence that the political attitudes of some voters change with a change in their economic status. Two additional statistical analyses of voting behavior may be summarized to illustrate further these two problems. Ogburn and Hill ascertained the relationship between income and Roosevelt support in 1932 for selected areas by use of correlational techniques. In 131 Chicago precincts it was found that "precincts with an average rent of $30 a month gave 73 per cent of their votes on the average to Roosevelt. But, for precincts with $60 rents the average vote for Roosevelt was a good deal lower, 59 per cent. . . . It was not until the voters on the average were paying $80 a month rent, that Hoover received a majority of the votes." The 1932 vote was correlated with rentals and rental values in thirty-nine Illinois cities with between 10,000 and 100,000 population. "The conclusion of the study among the smaller cities of Illinois is that those with the cheaper dwellings gave Roosevelt the larger vote and those with the more expensive homes returned more votes for Hoover." In the urban sections studied rent paid was used as an index of economic status. A different index of economic status was devised for the rural

[49] After a study of the Presidential elections of 1932 and 1936 in Iowa by a complex correlational technique, Harold Gosnell concludes: ". . . the greatest shifts away from Roosevelt between the two elections were in the counties where the voters were in number predominantly dry, native white, and farmers who had suffered considerable corn losses. Roosevelt held his ground or gained in 1936 in those counties where there were large percentages of wet, foreign-born, city dwellers, and farmers who suffered only small losses in corn production." The computations tended to show that "a considerable proportion of the voters who shifted from one party to another during the depression did so in direct response to the way in which governmental policies affected their economic well-being."—H. F. Gosnell and Norman Pearson, "The Study of Voting Behavior by Correlational Techniques," *American Sociological Review*, 4 (1939), pp. 809-815.

That there may be "partisan" attitudes independent of economic well-being is suggested by the results of a poll by the American Institute of Public Opinion in March, 1940. To the question, "Do you think the present Administration's program, as a whole, has helped or hurt farmers?" 64 per cent of the midwestern farmers replied that the program had helped. Of the midwestern farmers, 68 per cent thought that Henry Wallace had "done a good job" as Secretary of Agriculture. Yet 54 per cent of the midwestern farmers said that they would prefer to see the Republicans win the Presidential election in 1940.

areas of seventy counties studied by estimating per capita income through dividing the value of crops and live stock products by the farm population over twenty-one years of age. Comparison with the votes showed that "the counties with lower economic status gave higher percentages of their votes for Roosevelt." [50]

The analysis summarized deals with the relationship of economic status to voting behavior only at one election. The question naturally arises from what groups did the Democrats recruit enough supporters to change the results between 1928 and 1932. After an elaborate statistical analysis of voting behavior in 1932 in parts of Chicago inhabited mainly by whites, Gosnell concluded that the Roosevelt vote varied from place to place in the city according to the traditional Democratic vote. He says that "Democratic party tradition was most important in explaining the variations of the Roosevelt vote in Chicago." This conclusion can be reconciled with the Ogburn and Hill findings by the supposition that a division of income classes something on the order of that which they observed in 1932 must have existed in 1928. As Gosnell observes, "the areas where unemployment hit the hardest were those which were already strongly Democratic in 1928." He believes [51]

> . . . [the] party which enjoys the least success over a period of years tends to attract to it those elements which have the least social prestige and economic security. In the period from 1860 to 1932, the Republican party was the party which normally held the reins of government. The men of wealth, the scions of the older Protestant families, the women with money and leisure, were attracted to the Republican party. On the other hand, the foreign born, those who happened to emigrate recently from Catholic countries, those who had difficulty in getting jobs in this country, naturally gravitated to the Democratic party, which in the Northern cities has usually listened to the pleas of the submerged groups.

So much for the traditional party cleavages. But what was the source of the groups who shifted from Republican to Democratic be-

[50] W. F. Ogburn and Estelle Hill, "Income Classes and the Roosevelt Vote in 1932," *Political Science Quarterly*, 50 (1935), pp. 186-193. The Ogburn and Hill study was limited to a small area and they warn that the conclusion might "not have been true for the Southern states, or indeed, for communities other than those studied." See also W. F. Ogburn and L. C. Coombs, "The Economic Factor in the Roosevelt Elections," *American Political Science Review*, 34 (1940), pp. 719-727.

[51] H. F. Gosnell and N. N. Gill, "An Analysis of the 1932 Presidential Vote in Chicago," *American Political Science Review*, 29 (1935), pp. 967-984.

tween 1928 and 1932? Gosnell found in his Chicago analysis that the shift was common to all economic classes: [52]

> There were many exceptions to the general tendency for poor people to swing more decidedly than the rich in the direction of the Democratic party in 1932. All economic groups were affected adversely by the economic crisis which started in 1929. The higher income groups were injured by bank failures, loss of interest, loss of equities, whereas the lowest income groups were hit by unemployment and actual want. All levels relieved some of their tensions by voting against the party in power.

How does change in economic status affect the voter? Several of the studies cited indicate that the worsening of economic conditions is likely to be reflected in voting behavior, but does an improvement of economic conditions capture the loyalty of the voter? Is he grateful for what is done for him? Is he responsive to governmental policy? In an analysis of the shifts toward Roosevelt in Pennsylvania between 1932 and 1936 Harold Gosnell found "the existence of a tendency for the counties which had enjoyed the greatest degree of economic improvement to shift markedly toward Roosevelt." [53] It is evident, however, that habitual and traditional party loyalties offer great resistance to appeals to transfer party allegiance because of altered economic status for either better or worse.[54]

The studies of particular areas by correlational techniques are borne out by the sampling studies by Dr. Gallup's American Institute of Public Opinion. A classification of the Democratic and Republican support by income classes at the time of the election of 1936 and shortly before the election of 1940 gave the results indicated in Table 29. For the purposes of this table the institute included in the upper-income group those families earning more than $50 per week; the middle-income group included those whose earnings fell in the range of $20 to $50 weekly. The lower-income group is made up of those receiving under $20 per week, including those on relief, for whom a special tabulation was also made.

From the material so far analyzed, it seems clear that economic factors may account for some cleavages between parts of the electorate and that changes in economic status may be accompanied by

[52] *Ibid.*

[53] H. F. Gosnell and W. G. Colman, "Political Trends in Industrial America: Pennsylvania an Example," *Public Opinion Quarterly*, 4 (1940), pp. 473-486.

[54] See the suggestive analysis by H. F. Gosnell and N. M. Pearson, "Relation of Economic and Social Conditions to Voting Behavior in Iowa, 1924-1936," *Journal of Social Psychology*, 13 (1941), pp. 15-35.

TABLE 29

PERCENTAGE OF MAJOR PARTY VOTE FOR ROOSEVELT BY INCOME GROUPS, 1936-1940

INCOME GROUP	1936	AUGUST 1940	SEPTEMBER 1940	NOVEMBER 1940
Upper	42	29	32	28
Middle	60	47	48	53
Lower	76	66	71	69
On relief	84	75	80	80

SOURCE: American Institute of Public Opinion, releases of August 27, September 26, and December 8, 1940.

a degree of change in partisan attitude. Economic motivation, however, seems an incomplete theory of mass electoral behavior. A striking fact is that both parties have substantial support from all economic classes. In the Gallup poll of March, 1940, the fact that 69 per cent of the lower-income groups favored a Democratic victory in 1940 is not astonishing, but the fact that 31 per cent desired a Republican victory may be surprising, if one begins with the assumption of economic determination of electoral behavior.[55] As Gosnell concludes from his Chicago study: "A lack of property qualifications for voting does not mean that those with little or no property will invariably vote for the candidates who promise the most liberal spending, i.e., economic considerations are not completely controlling in voting behavior." [56]

[55] The following comment by Mosca is relevant: "The person who wrote that the human being lets himself be guided by self-interest alone stated a general maxim that is almost entirely devoid of practical value, since it can tell us nothing save at the cost of exceedingly minute analyses and distinctions. Anyone who thinks that interest has to be something that can be expressd materially in terms of money and measured in pounds and pence is a person of too little heart and too little head to understand the people about him. Interest is suited in each individual to the individual's own tastes, and each individual interprets his interest in his own individual way. For many people, to satisfy their pride, their sense of personal dignity, their vanities great and small, to humor their personal caprices and rancors, is worth far more than pleasures that are purely material."—*The Ruling Class* (New York: McGraw-Hill, 1939), p. 114.

[56] There must also be kept in mind that the degree to which different groups actually participate in elections may vary from class to class and group to group. Martin in his study of a municipal election in Austin, Texas, for example, found that while nontaxpayers constituted 34.9 per cent of the registered voters, they made up only 29.4 per cent of the voters. Seventy per cent of the voters in the municipal election were, therefore, taxpayers.

Furthermore, on many of the greatest issues the economic interests of the individual voter may be overshadowed by greater national considerations of a noneconomic character. The findings of the American Institute of Public Opinion again furnish illustrative data. During 1940 the popularity of Roosevelt rose and fell with European crises. In a poll released on October 22, 53 per cent of the respondents said that they would have favored Willkie had there been no European war. Actually about 55 per cent favored Roosevelt. These figures might be interpreted to mean that almost 4,000,000 voters supported Roosevelt on the basis of their belief that his leadership was preferable in the war situation, although at the same time these voters believed that the election of Roosevelt might be detrimental to some personal interest or desire of their own. It is probable that many votes were cast on grounds of national defense in a direction contrary to that in which the voter believed his economic interests lay.[57]

Obviously many factors enter into the pattern of motivation of attitudes toward candidates as expressed through votes. If a given precinct consisting predominantly of wet, Catholic, foreign-born, traditionally Democratic voters gives an overwhelming majority to the Democratic Presidential candidate, how can one determine which of these factors is the more important? The statisticians have developed a technique of partial correlation whereby all save one of several factors may be held "constant." The varying weights of each of several factors may be estimated. Ogburn and Talbot examined the vote for Alfred E. Smith in 1928 in 173 counties selected at random from the states of Massachusetts, New York, Ohio, Illinois, Wisconsin, Colorado, Montana, and California. The computations were presented to show the effect of a 10 per cent increase in each of various factors on the Smith vote. Thus, an increase of 10 per cent in the wet voters, all other factors remaining constant, would

[57] Litchfield concludes from his study of Detroit: "From the comparison of the movements of the political behavior curves in all of the different economic, race, and ethnic groups one very important conclusion emerged: the behavior curve movements in all groups occur in such a uniform manner that it is clear that the basic influences which cause those movements operate upon and are effective in all of the different groups. In the city as a whole, although economic groups are probably more solidified than are ethnic and race groups, none of the groups is so solidified but that the basic character of its political behavior is determined by influences that are city-wide. There is an appreciable element in each group which makes common cause with other unrelated elements in other groups."—*Voting Behavior in A Metropolitan Area* (Ann Arbor: University of Michigan Press, 1941), p. 68.

probably have increased the Democratic vote by 4.1 per cent. The five factors and their estimated importance are as follows:

Factor Which Is Increased 10 Per Cent	Corresponding Percentage Increase in Democratic Vote
Foreign born	0.5
Urban population	0.8 (decrease)
Democratic voters	1.8
Catholics	2.8
Wet voters	4.1

Of the factors analyzed, then, wetness was most closely related to support of the Democratic candidate, Al Smith.[58] It perhaps needs to be observed that the sample analyzed by Ogburn and Talbot included none of the southern territory that went Republican in 1928; it, therefore, throws no light on the relative importance of Smith's Catholicism and wetness in moving the traditionally southern Democrats into the Hoover camp.[59]

In state and local campaigns economic issues are frequently not apparent. The chances are that extensive investigation of state and local voting at elections held apart from Presidential elections would disclose no discernible economic motivation of the electorate. Dangerfield and Flynn, for example, conclude from the analysis of a primary election in Oklahoma that "personality and speaking ability were more important than economic issues." [60] This judgment was reached by a process of elimination. The correlation of votes actually cast with available economic indices that might have some conceivable relationship with voting behavior revealed no positive relationship. Additional inquiries of a like character might disclose that in many state and local elections factors such as the personality of the candidate, his speaking ability, his capacity to "make friends," and other like factors govern the decision of the electorate and that

[58] W. F. Ogburn and N. S. Talbot, "A Measurement of the Factors in the Presidential Election of 1928," *Social Forces*, 8 (1929), pp. 175-183.

[59] For a broader analysis of religion and the 1928 election, see L. H. Bean, *op. cit.*, chap. 9. For a study of the correlation between Catholic population and affirmative votes on constitutional amendments supported by the Catholic Church in New York State, see Madge M. McKinney, "Constitutional Amendment in New York State," *Public Opinion Quarterly*, 3 (1939), pp. 635-636.

[60] R. H. Dangerfield and R. H. Flynn, "Voter Motivation in the 1936 Oklahoma Democratic Primary," *Southwestern Social Science Quarterly*, 17 (1936), pp. 97-105.

economic issues are not presented and dramatized in a fashion to divide the electorate along economic lines.

In the consideration of the influence of various factors on the individual voter, it must be kept in mind that votes may be governed, not by objective conditions or change of status, but by what the voter believes. And what he believes may be very different from what actually obtains. Or, to put it differently, effective political leaders may manipulate the attitude of the voter in a manner different from what might be expected from the influence of economic or other circumstances. In the 1936 election, for example, Harold Gosnell points out that in the dairying and cheese-making counties of Wisconsin the Republican candidates made a strong case against the reciprocal trade program on the ground that it injured the Wisconsin dairyman. Landon made an appeal to the cheesemakers for their support and Hull, Wallace, and Roosevelt answered. The Democrats explained that [61]

> . . . the decline in cheese prices was a regular seasonal one, and that prices of cheese for the year as a whole showed an advance over the preceding years. Cheese production in 1936 was surpassed only by that of 1925, and milk production was the highest on record. With prices of dairy products rising and the cost of living lagging behind, the farmer could certainly not complain about the tariff on rational grounds.

Yet the Roosevelt strength in the cheese counties declined in comparison with 1936. Perhaps the shift was attributable to the criticism of the trade-agreement program.

WHAT DO ELECTION RESULTS MEAN?

The studies of electoral behavior that have been summarized in this chapter have been made mostly during the past ten or fifteen years. They have made available much more precise knowledge of how different types of individuals cast their ballots than existed before. Yet, after an examination of the explorations into the nature of mass electoral behavior, one still wants to ask the question, "What of it all?"

The government of a democracy is supposed to be guided by the "will of the people." Does the detailed analysis of the vote furnish a better guide to what the people will in terms of substantive policy

[61] H. F. Gosnell and M. H. Cohen, "Progressive Politics: Wisconsin an Example," *American Political Science Review*, 34 (1940), pp. 920-935.

than intuitive judgment? The study of electoral behavior certainly furnishes a better estimate of what classes of voters are responsible for a particular electoral outcome than was formerly available. If an administration holds the support of one group and loses that of another, it has a rough gauge of the acceptability of its policies to different groups of the population. Yet it has, as the result of a victory, no mandate for a particular policy. On the other hand, an administration will know to what general classes of people its policies must be directed if it hopes to hold together the electoral combination that brought it to power. Moreover, the opposition party will know where it must gain recruits if it is to be successful in returning to power.

From these comments it might be supposed that increased knowledge of the nature of electoral behavior would sharpen group conflicts and make more difficult the arrival at a working compromise on questions of public policy. Yet it is conceivable that fuller knowledge of the voting behavior of different classes of the population might serve to minimize class and group friction. From one viewpoint, the discontent and dissatisfaction of particular classes of the population may be identified and dealt with earlier when there is precise knowledge of how those classes cast their ballots. From another viewpoint, the exact analysis of voting behavior seems to indicate that different groups with different interests do not permit those interests to govern their voting behavior so completely as might be supposed. To judge from the exhortations of lobbyists speaking for groups of farmers, laborers, and other groups, one might conclude that it was extremely dangerous for a public official to ignore the demands of pressure groups. Yet analysis reveals that the farmers do not vote as a bloc; nor do the wage earners; nor do even W.P.A. workers act as a unit. These facts have extremely important implications for legislators and administrators. They mean that legislators and administrators, if they have the courage, need not be bludgeoned by the representatives of many special-interest groups. The threat of retribution on election day is often an empty threat. Governments may, if they take heed of the findings of these studies, be left freer to work out programs that reflect more nearly the general interests.

Then what does an election decide? Does it determine the course of governmental policy? Does it give the victor a mandate to carry out a detailed agenda of policies? About all that the election really decides is who shall fill the office in question. "A vote," con-

cludes Lippmann, "is a promise of support. It is a way of saying: I am lined up with these men, on this side. I enlist with them. I will follow. . . . The force I can exert is placed here, not there." [62] We "must adopt the theory," he says, "that, by their occasional mobilization as a majority, people support or oppose the individuals who actually govern. We must say that the popular will does not direct continuously but that it intervenes occasionally." [63]

These occasional interventions of the electorate into the direction of government are in a sense the characteristic that differentiates democracy from other forms of government. "A presidential election," says Munro, "is merely our modern and highly refined substitute for the ancient revolution; a mobilization of opposing forces, a battle of the ins against the outs; with leaders and strategy and campaign chests and all the other paraphernalia of civil war, but without bodily violence to the warriors. This refinement of the struggle for political control, this transition from bullets to ballots, is perhaps the greatest contribution of modern times to the progress of civilization." [64]

QUESTIONS AND PROBLEMS

1. What are the chief differences in participation in voting among different classes of the population?

2. What significance, if any, do you attach to the variations in electoral participation among different groups?

3. Analyze the variations in electoral participation among wards of your city or among counties of your state. If you discover that variations prevail, what is the explanation?

4. If your state is a two-party state, an instructive class project would be to analyze the vote in your state by counties over a period of, say, twenty-five years to determine the degree of consistency of party loyalty in each county. How can the variations be accounted for?

5. Can you reconcile the fact of a high degree of consistent party voting with the theory that voting is motivated by the interests of the voter?

6. From the data presented in this chapter plus your own observations, formulate a theory of the motivation of voting behavior.

[62] *The Phantom Public* (New York: Harcourt, Brace, 1925), pp. 56-57.
[63] *Ibid.*, p. 62.
[64] *The Invisible Government* (New York: Macmillan, 1928), p. 17.

7. To test in a crude way the relationship between changes in economic status and electoral behavior, chart trends of the prices over a twenty-year period of the chief agricultural commodities produced in one of the agricultural counties of your state. Place alongside this a trend line showing the percentage of the total vote polled by one of the major parties at elections held during the period. Are the inferences from the data in accord with those of the studies cited in this chapter?

Chapter 20: STRAW POLLS

IN A GOVERNMENT based on the proposition that public policies should be in general accord with the wishes of the majority of the people, the determination of what the wishes of the majority are becomes of great significance. In a democracy the traditional way of sounding public opinion is by a popular choice of candidates for public office, but it is never easy to determine what is decided by an election. The result may represent an expression of dissatisfaction with the conduct of the government by the party in power; or of discontent arising from conditions over which the government has no control, with the persons in charge of the government as the scapegoats for that popular discontent; or of general agreement with the prevailing orientation of public policy. Under some conditions the outcome of the election may indicate the direction in which public action should proceed in the future. But usually there is no clear-cut understanding of what the result of an election means in terms of public attitudes regarding specific public policies. In fact, it is quite plain that occasionally a majority of people will favor a candidate and at the same time a majority will be opposed to some of his policies or ideas.

Politicians have long used various methods for ascertaining roughly public attitudes on particular questions as they arise between elections. They have sought to determine public attitudes, not always from deep attachment to the doctrine that public attitudes should govern public policy, but to facilitate political survival. The practitioner of politics makes a career of estimating what the electorate will and will not tolerate, what it likes and dislikes. His success in gauging these matters determines to a considerable extent his chances of election and re-election. Although some men have a remarkable sensitivity to public attitudes, the methods customarily used by the practical politician in the estimation of the state of public sentiment are quite crude.

The Congressman, state legislator, mayor, or other public official is likely to pay close attention to his mailbag, but he has no assur-

ance that the people who feel impelled to write letters of complaint, letters urging action, or (occasionally) letters of commendation are representative of his constituency. He must know how to discount a flow of mail that results from an organized letter-writing campaign. He must recognize mail that comes from an influential section of his constituency. The politician has the newspapers as a guide of sorts to the status of the public mind, but the views of newspaper editors may be in complete disagreement with the predominant views of the electorate, or they may reflect accurately public sentiment. The practical politician must by a process of divination determine the weight to be given to the emanations from the editorial sanctum. The politician has the reports and judgments of the leaders of the party organization on which he relies for support. In addition to these sources of information, most politicians manage to move around among their constituents, keep their ears to the ground, and obtain firsthand impressions of electoral sentiment. By these and other methods the practicing politician has always attempted to estimate the state of public attitudes toward specific public questions as they arise. This should not be taken to mean that he deems it necessary to follow that estimate, but generally he feels it wise to know the status of public attitudes. The repeated reelection of men to public office is an indication of the fact that some men have an acute ability intuitively to gauge public sentiment.

In recent years the time-honored opinion-testing techniques of the politician have been supplemented by the scientific sampling of public attitudes through the public-opinion poll. For many decades party organizations have conducted polls of a sort during campaigns to ascertain the sentiment toward their candidates, but these polls were conducted without the benefit of skilled statistical direction. Newspapers have likewise conducted "straw polls," but they, likewise, are usually defective in technique.[1] The modern poll, such as that of the American Institute of Public Opinion and the *Fortune* survey, stems out of experience in market analysis. For industrial concerns it is extremely important to know in detail the preferences of consumers. If a particular product does not sell, what is wrong? If it does sell, why? Why does it sell in one place and not another? Why do automobile users purchase one car rather than another in the same price range? What features of an automobile do the users like? What features do they dislike? What is the potential market

[1] For a survey of earlier newspaper polls and party-organization polls, see C. E. Robinson, *Straw Votes* (New York: Columbia University Press, 1932).

for a new commodity or gadget? What channels of advertising reach the widest audience?

The answers to questions such as these are worth dollars and cents to businessmen, and the need for the answers was met by the development of techniques of analysis mainly by advertising men and public-relations counsel. Specialists in advertising, like politicians, attempt both to mold and to take into consideration public attitudes. To serve their clients most effectively the advertising experts have to know as exactly as possible the attitudes of customers, potential customers, and past customers. If it can be ascertained, for example, what kind of flavor the majority of the people prefer in dentrifices, a new brand can be designed to meet those tastes. To obtain the answers to such a question, it is obviously impossible to query all potential buyers of the tooth paste. The market analysts have developed instead a technique of sampling public attitudes; that is, a small number of persons supposed to constitute a representative cross section of the potential market will be questioned. If the sample of persons interviewed is actually representative, the findings will be the same as though all potential buyers had been queried. Thus, a feasible and relatively inexpensive method of ascertaining public attitudes has been devised.[2] The methods of the newer public-opinion polls have been derived in the main from the experience of the market analysts; in fact, the more prominent figures in public-opinion polling either have had experience in market analysis or are also currently engaged in that business.

The poll on candidates arouses much more popular interest than the poll on issues, but the poll on issues is probably of greater significance. The polls taken during a campaign estimate the sentiment toward candidates—a bit of information that would become available anyway from the results of the election. The continual sampling of public opinion on issues between elections, however, furnishes fairly reliable knowledge about public attitudes on particular issues. And this information has never been available except on the small number of issues on which popular referenda are held by state and local governments.

POLL TECHNIQUES

Modern public-opinion polls are based on the principle of sampling; that is, the ascertainment of the opinions of a small represen-

[2] For a survey of market analysis, see Lyndon O. Brown, *Market Research and Analysis* (New York: Ronald, 1937).

tative group from the electorate as a means of estimating the opinion of the entire electorate. Obviously the validity of the results of the poll depends almost entirely on the degree to which the voters interviewed are a reliable sample. In purchasing a bushel of apples, the buyer will probably not inspect each apple. He will sample the bushel. If he is wise, he will not judge the entire bushel by the large and perfect specimens on top; he will dig down a few layers to see whether the top layer is a representative sample. He may then judge the quality of the bushel by inspecting a few of each sort of apples in the basket. If the bushel consists of one-third large and fine specimens and two-thirds small apples and the buyer looks at a sample of one large and two small, he will have a correct idea of the entire bushel. He has inspected, as the statisticians would say, a "reliable" sample of the "universe" under examination. If the universe is homogeneous, sampling is quite simple. If, for example, all the apples are of the same quality, inspection of a few selected at random will furnish an accurate idea of the quality of the entire bushel. When, however, the universe is heterogeneous, sampling becomes more difficult. Under these conditions the sample must be made up of specimens from each class in the same proportion as they exist in the entire universe under examination.

The fundamental principles of sampling may be illustrated by the ill-fated *Literary Digest* poll. The *Literary Digest*, it will be recalled, was a weekly magazine that ceased publication shortly after the Presidential election of 1936. The *Digest* gained great renown through the accuracy with which its polls pointed toward the outcome of Presidential elections, but in 1936 the conditions were such that the fundamental defects in its polling technique led to a forecast of victory for Alfred Landon, the Republican candidate.

The *Digest* in 1936 mailed straw ballots to about 10 million persons. Of these ballots about 2,376,000 were returned and tabulated, of which 1,293,669 were marked for Landon; 972,897 for Roosevelt; 83,610 for Lemke. On the basis of this poll, Landon was expected to receive 57 per cent of the major party vote; whereas, he received 37.5 per cent. The forecast for Roosevelt was that he would receive 43 per cent of the major party vote; on election day, he received 62.5 per cent and carried every state save Maine and Vermont. The error of the *Digest* poll was so great that the poll placed about 19.5 per cent of the major-party votes on the wrong side.

How was it possible to collect such a large number of ballots that diverged so markedly from the division of the electorate as a whole?

The principal source of error in the *Digest* poll was that its sample contained too large a proportion of the economically well-to-do. The *Digest* mailing lists were made up from telephone directories and lists of automobile owners. Persons who were well enough off to own automobiles or to have telephones were more inclined to support Landon than were the others in the population. By polling the "tel-auto" list, the *Digest* introduced a bias into its sample that completely invalidated the results. In other words, the *Digest* poll showed about how the "tel-auto" list was going to divide in the election, but it failed to account for the probability that other people would divide differently. Earlier *Digest* polls had correctly predicted the winner with smaller percentage errors than in 1936; at earlier elections economic status had not been so important a factor in voting behavior, and the "tel-auto" lists were more nearly a representative sample of the entire electorate.

How can a reliable sample, a miniature electorate, be built up for the purpose of testing accurately the status of public sentiment? The American Institute of Public Opinion questions a sample of from 3,000 to 60,000 persons in its polls; the variations depend on the degree of accuracy desired. If, say, 50,000 persons are interviewed, it is necessary that the 50,000 mirror the electorate as a whole. The reliability of the sample may be tested by its comparison with the electorate as a whole. If the electorate as a whole is 50 per cent male and 50 per cent female, the sample should be equally divided between the sexes. Moreover, cities of different sizes must be properly represented in the sample. "If 10.3 per cent of our people lived in cities from 25,000 to 100,000, then we must take 10.3 per cent of our sample from cities of that size."[3] The sample also should be divided, for example, among the different age groups, rural and urban population, different geographic areas, and different income levels in the same proportions as these groups are found in the electorate as a whole. On some types of questions, national origin and religion may be important in cleavages of opinion, and the sample must be constructed to take into account these factors.[4]

In general, the sample must be tested against all the important characteristics of the electorate that are associated with the way people vote on candidates or feel about the issue under considera-

[3] Elmo Roper, "Sampling Public Opinion," *Journal of the American Statistical Association*, 35 (1940), pp. 325-334.

[4] On the problems of sampling, see S. S. Wilks, "Representative Sampling and Poll Reliability," *Public Opinion Quarterly*, 4 (1940), pp. 261-269.

tion. It can readily be seen that the ascertainment of the reliability of a sample presents no mean technical problem. It must first be determined what characteristics of the electorate are significant in so far as political attitudes are concerned. Then, as a test of the reliability of the sample, it is necessary to know the characteristics of the electorate. The census furnishes some information about the characteristics of the population against which the sample may be checked. A few studies of the distribution of income have been made and these serve as guides against which to compare the distribution of the sample among the different income levels.[5]

An incidental feature of voting behavior that makes sampling in connection with campaigns especially difficult is the fact that the characteristics of the group that actually votes may differ from those of the population eligible to vote. Women usually do not vote in the same degree as men; generally not so large a proportion of Negroes vote as do whites; participation is less among the young than among the old; the poor do not go to the polls in so high proportions as the more prosperous. When the poll takers are attempting to estimate the division of the voters at the polls, allowance must be made in the sample for the probable variations in participation in voting among different groups of the population. Otherwise, the poll might reflect more accurately than the election returns the attitude of the electorate as a whole and yet fail to predict the winner. But it is the people who go to the polls, not the entire electorate, who decide elections.

On polls on candidates, the election figures always furnish a test of the accuracy of the polling process, a test that is lacking for polls on sentiment respecting issues; but it may be presumed that issue polls are equally accurate if they are made according to the same methodology employed in candidate polls. In 1940, Roosevelt polled about 54.5 per cent of the popular vote; the *Fortune* survey estimated the Roosevelt strength at 55.2 per cent of the vote, a remarkably close estimate of the outcome. The American Institute of Public Opinion placed the Roosevelt vote at 52 per cent, an estimate that involved a considerably higher error. On the other hand, the *Fortune survey* did not involve an attempt to measure sentiment state by state. Dr. Gallup's American Institute, however, attempted the much more difficult task of estimating the status of opinion state

[5] On the special techniques of the *Fortune* survey in obtaining a representative sample of economic classes, see Roper, "Classifying Respondents by Economic Status," *Public Opinion Quarterly*, 4 (1940), pp. 270-272.

by state. In the final pre-election poll Dr. Gallup's figures were within 3 per cent or less of the vote actually cast. The largest error was in the Utah estimate in which state Roosevelt polled 62 per cent of the vote, against the Gallup estimate of 55 per cent, a seven point deviation. The state-by-state Gallup estimate and its deviation from the vote actually cast is shown in Table 30. Dr. Gallup claimed that he had cut his margin of error in half since his 1936 poll.[6] He attributed his 1940 errors primarily to underestimation of the degree to which women and persons in the lower-income levels would vote. It will be recalled that a difficult problem in sampling is forecasting the degree to which different classes of potential voters will actually go to the polls. In 1940 there was, says Dr. Gallup, "an increase in the vote of the women" and "a slightly higher turnout in the lower income levels than in previous elections."[7] Both groups were more favorable toward Roosevelt than the electorate as a whole; hence, the underestimation of the degree to which these groups would vote brought with it a low forecast of the Roosevelt vote.

In the conduct of polls on issues rather than on candidates an additional source of error exists—an error that may arise from the wording of the question. Questions may be so phrased as to elicit a particular answer. Inflammatory or neutral words may be used to express about the same idea but bring different responses to the question. Paul Studenski has demonstrated graphically how the form of the question may affect the result. He was skeptical of the results of a poll conducted for a national employers association on the question, among others, "Should every worker be forced to join a union?" The association had reported with considerable pleasure that the predominant opinion was heavily in the negative. Studenski used the association's question and a rephrasing of the same question in an experimental poll of 150 New York University students. In response to the question, "Should every worker be forced to join a union?" the replies were distributed as follows:

	% OF VOTE
Yes	9.3
No	88.9
Don't know	1.8

[6] Harold Gosnell concludes that the Gallup poll was the most accurate of the 1936 polls that attempted a state-by-state estimate. See "How Accurate Were the Polls?" *Public Opinion Quarterly*, January, 1937. For an analysis of the polls during the 1940 campaign, see Daniel Katz, "The Public Opinion Polls and the 1940 Election," *Public Opinion Quarterly*, 5 (1941), pp. 52-78.

[7] American Institute of Public Opinion, release of November 6, 1940.

TABLE 30

DEVIATIONS OF GALLUP POLL ESTIMATES FROM ACTUAL ROOSEVELT VOTE, 1940

STATE	GALLUP SURVEY FOR ROOSEVELT	ACTUAL ELECTION FOR ROOSEVELT	DEVIATION
Kansas	43%	43%	0%
Louisiana	86	86	0
Maryland	59	59	0
New Jersey	52	52	0
Wyoming	53	53	0
Alabama	86	87	1
Connecticut	53	54	1
Minnesota	51	52	1
Oregon	54	53	1
South Dakota	41	42	1
Arkansas	82	80	2
Delaware	56	54	2
Florida	72	74	2
Georgia	87	85	2
Massachusetts	51	53	2
Oklahoma	56	58	2
Michigan	48	50	2
Mississippi	94	96	2
Nebraska	41	43	2
North Dakota	46	44	2
South Carolina	97	95	2
Texas	79	81	2
Virginia	70	68	2
Washington	57	59	2
West Virginia	59	57	2
California	56	59	3
Colorado	45	48	3
Illinois	48	51	3
Iowa	45	48	3
Missouri	49	52	3
Montana	57	60	3
New Mexico	53	56	3
New York	49	52	3
Ohio	49	52	3

TABLE 30—*Concluded*

DEVIATIONS OF GALLUP POLL ESTIMATES FROM ACTUAL ROOSEVELT VOTE, 1940

STATE	GALLUP SURVEY FOR ROOSEVELT	ACTUAL ELECTION FOR ROOSEVELT	DEVIATION
Rhode Island	54	57	3
Vermont	42	45	3
Wisconsin	48	51	3
Arizona	61	65	4
Indiana	45	49	4
Kentucky	54	58	4
Nevada	56	60	4
New Hampshire	49	53	4
North Carolina	72	76	4
Pennsylvania	49	53	4
Tennessee	64	68	4
Idaho	49	54	5
Maine	43	49	6
Utah	55	62	7
U. S.	52	54.5	

SOURCE: American Institute of Public Opinion, release of November 8, 1940.

The reply could have been interpreted as a resounding negation of unionism of the form assumed in the question. The question was reformulated, however, with markedly different results. As rephrased the question and the results were as follows:

Is it proper for a union to require all wage earners in an industrial enterprise to join the union—	% IN FAVOR OF EACH PROPOSITION
Under any circumstances?	7.4
When the union controls a minority of the employees?	2.6
When the union controls a majority of the employees?	37.6
Or is it improper under any circumstances?	45.0
Don't know	7.4

The rephrasing of the question demonstrated a much different distribution of opinion to exist than had been found under the first question.[8]

In another experiment in the wording of questions Hadley Cantril compared the replies to the following questions:

Do you approve of Sumner Welles' visit to European capitals?

Do you approve of President Roosevelt's sending Sumner Welles to visit European capitals?

This inclusion of Roosevelt's name in the question did not change the percentage of approval, but brought a shift of those with no opinion to the disapproval column. The percentages were:

	Approve	Disapprove	No Opinion
Without Roosevelt's name ..	43	25	32
With Roosevelt's name	43	31	26

The use of the President's name apparently caused a movement into the disapproving group of those opposed to his general policies or opposed to him for other reasons.[9] The differing results from these two wordings of the question illustrate graphically the proposition that the findings of opinion polls must be interpreted warily.

Poll managers interested in eliminating bias in the phraseology of questions have devised a method of pretesting to eliminate this source of error. By asking the same question, phrased in different ways, to small groups, they can ascertain in advance the effect of the wording of the question, if any. Pretesting of the question also eliminates other errors in formulation of the question, such as unintelligibility. A question, for example, that included the phrase "reciprocal trade treaties" was asked by the American Institute of Public Opinion, and it was found that only one person in ten understood the basic principle of the treaties. Hence, questions on the attitude of the public toward the treaties would have to be taken with a grain of salt. Dr. Gallup believes that his institute, through experience and trial and error, "is building up a neutral vocabulary

[8] Paul Studenski, "How Polls Can Mislead," *Harper's Magazine*, December, 1939.

[9] Hadley Cantril, "Experiments in the Wording of Questions," *Public Opinion Quarterly*, 4 (1940), pp. 330-333. See the striking differences in replies to "unloaded" questions, questions with a pro-union bias, and questions with an anti-union bias in a survey of opinion about strikes in defense industries, *Fortune*, June, 1941.

—a public-opinion glossary—within the comprehension of the mass of people." [10] It is only from such a vocabulary that words may be drawn to phrase questions that do not contain the seeds of their own answers.

THE POLLS AND GOVERNANCE

Quite apart from the question of the success of the opinion experts in achieving an accurate estimate of public attitudes is the query, "What is its value?" If it be conceded that *Fortune* and the American Institute of Public Opinion have been fairly successful in devising a method for ascertaining the changing state of public opinion, just what is the significance of this new technique in politics and government? The answers to these questions can only be speculative; the speculations can best be presented with reference to the conduct of campaigns, the determination of legislative questions, and the management of administrative agencies.

Presumably the knowledge of the status of public attitudes that comes from the polls should lead to more intelligent management of campaigns; but, since the data from the published polls are available to the campaign managers of both parties, probably the net effect would not be to give advantage to one party or the other. If the polls have any effect at all on campaigning, they would logically be expected to affect both major parties in about the same way. If the results of a poll, for example, led both parties to espouse bolder policies on a particular issue, the significance might be great, but there is no persuasive way of determining what would have happened in the absence of polls regarding the standing of the candidates and attitudes toward the campaign issues.

An obvious utility of poll data in campaign management is in strategy of Presidential aspirants regarding the Presidential preference primaries held prior to the national conventions. During the 1940 campaign it was said that the campaign strategy of three aspirants—Dewey, Taft, and Vandenburg, all of whom were eventually unsuccessful at the convention—was governed to a considerable extent by polls. The Dewey organization is said to have maintained its own polling organization to test sentiment as a basis for deciding whether to enter the primaries. When opinion was found to be favorable to Dewey, his headquarters would issue challenges to Taft

[10] George Gallup and Saul Rae, *The Pulse of Democracy* (New York: Simon and Schuster, 1940), p. 106.

and Vandenburg to enter the primary of the state in question. Taft, in turn, stayed out of some state primaries, on the plea that his duties as a Senator required his presence in Washington, but it was said to be partially because he did not want to enter the convention with a record of defeat by Dewey in the popular primaries in the states concerned. In a sense, the establishment of the polls has made possible a sort of national Presidential preference primary.

In the management of Presidential campaigns the poll results have obvious utility in promoting efficient campaigning by pointing to the states in which the contests are close and to the states in which the results are certain one way or the other. Party resources may be concentrated where the need is greatest as indicated by the polls, and campaign funds need not be wasted in sure areas. Whether the polls furnish more accurate guidance than the private polls of party leaders which have been made for many years cannot be determined with certainty. Party managers have always known, of course, that great exertion was neither needed nor worth while in the southern states and in a state such as Vermont, but it is doubtful whether their judgments on the trend of sentiment in the closer states have been as accurate in this respect as the polls. Claude Robinson has accumulated estimates made in 1928 by party leaders, and their average error was considerably higher than that of the American Institute of Public Opinion. In that year the Democratic leaders, through self-hypnosis or, as Robinson calls it, an "elation complex," greatly overestimated Al Smith's strength. The estimates Robinson collected were, of course, not those released for public consumption but those prepared for private use in the guidance of the campaign.[11]

Apart from the planning of the territorial distribution of effort, there is the possibility that the polls will furnish guidance to campaign managers in the selection of appeals and symbols. It is doubtful whether poll research has been carried far enough to determine the effect of particular appeals on the electorate, yet it is possible to determine by the polls viewpoints that are generally unpopular and perhaps should be avoided during a campaign. More aid to the campaigner is probably available from the poll results that indicate the distribution of the strength of competing parties among different economic groups, different age groups, and other subgroups of the electorate. By the observation of this breakdown and of trends within subgroups of the electorate, the politician is able to make

[11] Robinson, *op. cit.*, chap. 1.

a better judgment of the sorts of groups to which he must appeal to retain or to gain strength.

The question remains whether the straw poll introduces an element in the campaigning situation that is itself a factor in influencing voters' attitudes. The theory held in some quarters is that the poll results, by indicating the probable winner, produces a "band-wagon" effect. Thus Representative Pierce of Oregon says, in a truly self-deprecating fashion: "I have found in my long political career that the strongest argument I can make in my behalf, that my friends can make in my behalf, is 'He's going to win. You might as well get on the bandwagon.' It takes the starch out of the opponent; it puts backbone into the friends of the one who can create that sentiment." [12] Is there anything to this theory? There is no trustworthy evidence in support of the Representative's theory. Dr. Gallup has cited several instances in which it appeared that the polls had absolutely no band-wagon effect. The Columbus *Dispatch*, for example, has been conducting polls with a reputation for accuracy for about thirty years. In 1932 the first *Dispatch* poll indicated that Roosevelt would receive 65 per cent of the vote of Ohio. Immediately preceding the election the second *Dispatch* poll showed a Roosevelt strength of 51 per cent, about what he received in the election. The bandwagon lost rather than gained voters.[13]

Dr. Gallup cites the surveys by his American Institute in 1938 during the contest between Barkley and Chandler for the Kentucky Democratic senatorial nomination. The strength of the candidates as shown by the series of tests was as follows:

	Barkley	Chandler
April 10	67%	33%
May 15	65	35
July 8	64	36
July 24	61	39
August 5	59	41
Election result	57	43

Had there actually been a band-wagon effect from the poll, it would have been supposed that Barkley would have continued to gain

[12] *Congressional Record* (daily edition), February 29, 1940, p. 3301.

[13] American Institute of Public Opinion, *The New Science of Public Opinion Measurement*, p. 13.

from the time of the publication of the first poll. In fact, however, Chandler's vigorous campaigning turned the tide in the other direction.[14] The forecast of a victory for Landon by the 1936 *Digest* poll had no perceptible band-wagon effect. Of course, the conclusion that the poll has no band-wagon effect rests on two assumptions: (1) that the poll accurately measured the trend of sentiment during the campaign; (2) that the trend would not have been different in the absence of the poll. If there is anything to the band-wagon theory, perhaps, in the instance cited, the trend away from Barkley would have been greater in the absence of the poll. A check on the validity of these assumptions, however, is furnished by one American Institute poll in which the interviewees were asked "Do you happen to know which Republican candidate is leading today in the polls on Presidential candidates?" at the time of a preconvention poll on Presidential preferences. By the answers to this question the Institute was able to classify the pollees into those who knew and those who did not know the status of the polls. The vote among those ignorant of poll results "was virtually the same as among those who knew the poll results." [15]

In the determination of legislative issues and other questions of public policy, the use and potential use of the poll presents a subject for interesting speculation. The more enthusiastic observers of the polls see in them a device for the implementation of the theory of pure democracy; the governor need no longer be much more than a rubber stamp for *vox populi* as evidenced by the poll. The representative, harassed by the raucous demands of lobbyists and letter writers, need only consult the oracle to determine the status of public opinion. At the other extreme, there are those who are skeptical of the wisdom of following public opinion, even if it be granted that the polls measure that opinion with accuracy. They question the capacity of the people to form desirable decisions on broad public issues.

In legislation perhaps the most serious problem is to prevent small minorities from obtaining the passage of legislation granting unconscionable privileges or rights and to override the resistance of other small minorities to legislation that may injure them somewhat

[14] Gallup and Rae, *op. cit.*, p. 250.

[15] Gallup and Rae, "Is There A Bandwagon Vote?" *Public Opinion Quarterly*, 4 (1940), pp. 244-249. See also S. W. Cook and A. C. Welch, "Methods of Measuring the Practical Effect of Polls of Public Opinion," *Journal of Applied Psychology*, 24 (1940), pp. 441-454.

but promote the welfare of the majority of citizens. Although critics of democracy are wont to theorize about the tyranny of majorities, in fact, an important problem of democracy as it is now is to overcome the tyranny of minorities. In the legislative process it is the organized minorities that maintain lobbyists, that importune representatives to support or to oppose action, that organize campagins to bring pressure on representatives from back home, and that intimidate representatives with threats of reprisal at election time. The majorities do not do any of these things, and the legislative battle is likely to go to the minority merely through default.

The poll furnishes potentially a means for the deflation of the extreme claims of pressure groups and for the testing of their extravagant claims of public sentiment in support of their demands. Dr. Gallup has referred to his polls on old-age pensions as one instance of the use of the poll to reveal the true extent of public support of an extreme proposal. In 1935 Congress rejected Dr. Townsend's fantastic scheme for pensions of $200 a month to each person over 60 years of age, but the Townsendites did not stop the fight. They organized Townsend clubs all over the country to carry the fight into congressional elections. They boasted that by 1936 they would have "their own President in the White House and full control over Congress." Dr. Gallup's poll demonstrated that the country was overwhelmingly in favor of a system of old-age pensions, but only 3.8 per cent of the people would favor the amount of $200 per month. Even in the Pacific coast states, the birth place of Townsendism, only 16 per cent voted for $200 per month.[16] Subsequently a congressional investigation did much to discredit the Townsend movement, its demands were revised downward, and the movement as a whole lost strength. At the time of the peak of its strength, however, Townsendism occupied the headlines, filled the editorials, and gave the appearance of being a much more powerful movement than it actually was.[17]

[16] Eugene Meyer says: "Politicians were in a panic until the Gallup poll showed that only a negligible percentage of the population favored the Townsend plan. The panic subsided, and perhaps the country was saved from compromising with an impracticable idea."—"A Newspaper Publisher Looks at the Polls," *Public Opinion Quarterly*, 4 (1940), pp. 238-240.

[17] An additional example of the difference between supposed and actual status of public opinion is furnished by a *Fortune* poll on the question: "Do you think there should or should not be a government agency with the power to force settlement of differences between employers and labor?" The percentages of various groups favoring such an agency were as follows: proprietors, 76.0; executives, 73.8; white-collar workers, 70.2; factory labor, 68.3; miscellaneous labor, 68.8.

The exact effect of poll findings on the course of legislation is impossible to estimate, yet it is plain that they give additional strength to those legislators desirous of combating extreme demands of pressure groups. They remove doubt about the degree of strength behind particular movements, and that strength is rarely as great as the leaders of a movement assert. On the other hand, the polls leave unanswered questions that need to be known by a legislator who is interested in calculating a course of action that will contribute to his political survival. In the first place, the present polls give no measure of sentiment in the legislator's own district and that is the matter of most concern to him. In another respect the poll furnishes no idea of the probable persistence of an attitude. On a question of no great importance, about which people do not feel deeply, an ear-filling clamor may arise at the moment, but the concern will abate shortly; by election time all will be forgotten and forgiven. The poll may show an overwhelming sentiment one way or the other, but it gives no indication whether it is a sentiment that will persist.

Quite closely related is the question of the intensity of public feeling about a particular issue. To a legislator it is important to know whether the opinion in support of a measure is apathetic or active. Are the centers of diffusion of a particular viewpoint in strategic power positions? Can they affect his status if he does not heed their wishes? In March, 1936, for example, 88 per cent of the people, according to the American Institute of Public Opinion, believed that government positions should be given to those with the highest marks on civil service examinations. Yet a poll of this sort carried little immediate weight in terms of influencing congressional action. It was an opinion perhaps on the order of the answer to the question, "Are you against sin?" The difference between views of the public expressed through a poll and policies actually put into effect represents roughly the practicing politicians' judgment of the difference between public sentiment and the actual distribution of power and influence.

The opinion experts have recognized these weaknesses of their findings and have experimented with polls to ascertain more precisely the intensity of feeling of different groups of people about public issues. They recognize that a requirement of a "yes" or "no" answer forces into two classes people who may view a matter from

The similarity of the views of supposedly antagonistic groups was impressive. *Fortune*, June, 1941.

a third or a fourth point of view. The *Fortune* survey has experimented in the measurement of the intensity of feelings with queries such as the following asked during September, 1940:

With which one of these statements concerning a third term do you come closest to agreeing?

The idea that a President should not hold office for three terms is a silly and outworn tradition	13.2%
While it may not generally be a good idea for a President to serve three terms, there should be no rule preventing it at a time of national crisis	51.8
Never under any conditions should a President hold office for three terms	29.9
Don't know	5.1

Presumably a more enlightening notion of the status of public opinion may be obtained through questions, such as the foregoing, that give opportunity for a graduation of public attitudes than from inquiries demanding a simple "yes" or "no" answer.

The question remains whether the legislator should give weight to public attitudes in the determination of the position he takes on legislative issues. From the standpoint merely of the relationship between his vote on particular measures and his chances for political survival, the legislator obtains only slight guidance from the polls. On some issues he may ignore the predominant sentiment, since that sentiment is not likely to persist until the time that he is up for re-election. Or that sentiment may be relatively apathetic. Moreover, on the general question of the relationship between a legislator's vote and his chances of re-election, our knowledge is sketchy. He probably cannot long ignore completely the desires of powerful groups in his district, but the poll does not help him very much in deciding which powerful group to ignore and which to follow.

Apart from the consideration of the relationship between the public attitude as shown by the poll, his vote, and the chances for his re-election, the legislator may wonder whether the mass opinion is the "right" opinion on a particular issue. Antidemocratic theorists rant about the incompetence of the mass, its volatility, its inconsistency, its intolerance, and the folly of the man who would pay heed to mass opinion. Some alarmed commentators see in the straw poll a threat to the continuation of representative government. Colonel O. R. McGuire declares that the polls "are positively harmful to the continuation of our present system of government with its

checks and balances for the protection of the rights, liberty, and property of all the people, including minority groups." He says that the polls "undercut and discourage the influence of able and conscientious public men and tend to elevate demagogues to power who will go to the greatest extremes in taking from those who have and giving to those who have not." [18] There is absolutely no evidence in support of such statements; mass movements made headway before the introduction of the polls; demagogues have gained power both before and after the introduction of polls; and there is no indication that legislators are intimidated by the findings of the polls.[19] Regarding the supposed desire of the masses to soak the rich, such evidence as is available would seem to show that the inclination is often greatly overestimated.[20]

The real issue is whether the judgment of the mass of the people is any better or worse than that of their elected representatives. The working theory of American politics has been one of faith in the judgment of the mass of the people. Theodore Roosevelt expressed that view in the following sentence: "I believe that the majority of the plain people of the United States will, day in and day out, make fewer mistakes in governing themselves than any smaller class or body of men will make in trying to govern them." Roosevelt's statement was made before there was any mechanism for ascertaining what the mass of people thought about public questions, but the polls are regarded by Dr. Gallup as confirming the Roosevelt pro-

[18] O. R. McGuire, "The U. S. Constitution and Ten Shekels of Silver," *Public Opinion Quarterly*, 4 (1940), pp. 232-235.

[19] George F. Lewis, Jr., conducted a questionnaire survey of members of the House and Senate on the influence of the polls and received 117 returns. To the question, "Do the results of public opinion polls aid you in deciding upon the desires of your constituents?" 9 per cent of the respondents replied "yes," and 30 per cent said "in part." Mr. Lewis says that the "negative answers of the remaining 61 per cent cannot be accepted as necessarily establishing the fact that they are not subject to an influence which they might be reluctant to admit, even if they were aware of it." Another question was, "Do you think public opinion polls aid other men in public life in deciding their policies about or stands on various subjects or issues?" To this query, 23 per cent of the congressmen answered "yes"; 55 per cent said "in part"; 24 per cent replied "no"; and 10 per cent did not know.—"The Congressmen Look at the Polls," *Public Opinion Quarterly*, 4 (1940), pp. 229-231.

[20] An A.I.P.O. poll in August, 1941, sought to measure general opinion on income-tax rates. The findings were that mass opinion favored higher rates on the lower-income brackets and lower rates on the higher-income brackets than had been proposed in the tax bill then pending in Congress. Dr. Gallup interpreted the results to mean that "nothing could be farther from the truth" than the theory "that if the masses had their way in the matter of taxation they would simply gouge the rich indiscriminately."—Release of August 9, 1941.

nouncement. It is Dr. Gallup's belief that "the views of the electorate are quite as intelligent as those of their elected representatives." [21] Gallup and Rae conclude: [22]

> The serious observer of public opinion on scores of issues cannot fail to come away with a feeling of intense admiration for the honesty and common sense with which an enormous number of ordinary people in all walks of life and at all levels of the economic scale have continued to meet their responsibilities as citizens. He will be profoundly impressed with the grasp of broad principles which voters of all types possess, and with their capacity to adjust themselves to the ever-changing movement of events.

Elmo Roper, who conducts the *Fortune* surveys, comes to a similar conclusion. Six "years of sampling public opinion," he says, "has given me a profound respect for the wisdom of the American people as a whole and with it a firm conviction that if we can keep the power in the hands of the people and further develop techniques for making them vocal, we need never have fear that this country will ever face the situations now being faced in certain countries of Europe." [23]

In a consideration of opinion polls, however, it must be kept in mind that only on certain types of issues is the judgment of the public worth anything. On whether a division of the Treasury should use International or Burroughs business machines, there would be no informed public opinion. On the validity of a test used by the Civil Service Commission, it would not be worth while to conduct a poll. On the relative cost and durability of different types of paving, the answer may be derived by cost accounting and controlled observation. In other words, on a great many questions there is an answer that can be provided by experts. On many broad questions of public policy, however, there are no "experts." Some people are inclined to believe that all public questions could better be settled by "experts" with their scientific methods and standards, but broad issues of public policy are not susceptible of determination in this manner. A system of unemployment insurance is urged, for example. There are experts in the details of operation of such systems, but on the question whether we want to install such a system the judgment of the "public" is as good as that of the "experts." There is no unquestion-

[21] "Putting Public Opinion to Work," *Scribner's*, November, 1936.

[22] Gallup and Rae, *The Pulse of Democracy*, *op. cit.*, p. 287.

[23] "Sampling Public Opinion," *Journal of the American Statistical Association*, 35 (1940), pp. 325-334.

ably "right" opinion on many issues; the correct decision, from the standpoint of the politician in a democracy, is the decision that provokes the least dissatisfaction and arouses the maximum approbation. The poll furnishes a means for exploring the public mind to ascertain that dissatisfaction and approbation, but the polls have not revolutionized the work of the legislator.

In the management of administrative departments, knowledge of the attitude of the segment of the public with which the agency deals is a matter of great importance. Administrators have always attempted in various ways to ascertain the views of that segment, but the methods used have not been entirely satisfactory. An analysis of complaints, received through correspondence and otherwise, is often made routinely to identify weak spots in administration and to aid in the introduction of corrective measures. Most administrative agencies hold formal or informal hearings to obtain opinion and information before they issue rules and regulations. The representatives of organized groups invariably make the opinions of their constituents, as they estimate them, felt in the administrative offices. Yet with all these sources of information, the administrator needs additional knowledge about the attitudes of the segments of the public with which he deals. The polling technique has a sphere of potential usefulness in administration, but it is a sphere which will have to be met through special polls rather than through the commercially prepared published poll. It is of interest that there has been established in the Department of Agriculture a unit whose duty is to conduct a continual analysis of understanding and of opinion among citizens affected by the department's program.[24]

GOVERNMENT REGULATION OF THE POLLS

Some people have become considerably and probably unduly exercised over the polls and have agitated for governmental regulation of one type or another. Some politicians, particularly when the polls are going against their candidacy, become extremely critical of them. Some observers see in the polls a plebiscital method that threatens to eat away the foundations of representative government and substitute a dreaded direct democracy. Others predict that the

[24] Henry A. Wallace and J. L. McCamy, "Straw Polls and Public Administration," *Public Opinion Quarterly*, 4 (1940), pp. 221-223; Rensis Likert, "Democracy in Agriculture—Why and How?" *1940 Yearbook of Agriculture*, pp. 994-1002.

polls will hamper social adjustment by giving a voice to mass conservatism.

Congressman Pierce of Oregon has fathered a number of legislative proposals directed at the straw polls. In March, 1933, he introduced a bill to forbid the use of the mails by poll takers; at that time mail ballots rather than personal interview was the prevailing poll method. The Postmaster General frowned on a bill that would cut heavily into the postal revenues; the bill was not reported out of committee. Later Mr. Pierce introduced another resolution to provide for an investigation of poll methods by a joint congressional committee. Mr. Pierce's objections to polls are twofold. He feels that the polls influence the course of elections by introducing a band-wagon effect. He fears that the polls may be used to give an erroneous estimate of public opinion, "if money is used at the right time and right place," and thereby influence the electorate through the band-wagon effect.

The band-wagon theory of elections seems to possess no validity, but the Congressman's second point regarding the use of money is of great importance. In suggesting an investigation of the polls, he expressed the desire that Congressmen who cite polls as authority on what the public wishes should know more about how polls are taken, how they should be interpreted, and what weight is to be given to them. Certainly if poll results are to be a factor in determining the attitudes of public officials, those officials should assure themselves that the polls have been conducted in a disinterested way by persons competent to do the work. For polls on candidates, there is a check in the election results, but for polls on issues the principal check is the integrity and ability of the poll conductor. An additional check is available in the comparison of the results of different poll organizations on identical or similar questions, but that control is not always available.

The managers of the chief poll services have agreed that some sort of public control or audit is needed. Dr. Gallup says: [25]

> For the protection of those earnestly engaged in polling public opinion, as well as for the general public which uses the surveys as an index of trends and probabilities, it will be necessary to establish some form of public audit to check the various phases of polling procedure. The public is entitled to know all the facts about the polls of public opinion. The people should be informed of the nature of the sponsorship of various polls, and should know where the money for the polls comes from. They are entitled to know the methods used, the number of peo-

[25] Gallup and Rae, *The Pulse of Democracy*, op. cit., p. 279.

ple in the sample, the method of collecting the ballots, and the margins of error within which the published figures are to be interpreted.

Elmo Roper goes a step further and suggests that the Government establish its own polling organization to determine what the electorate wants. Such an agency of Government, he says, would have to be managed by persons with "the same high ideals and sense of detached objectivity which are supposed to and in the minds of many do characterize the Supreme Court." He would not, however, desire the Government to monopolize the sampling of public opinion; privately owned polls would remain as a check on the publicly conducted sampling.[26] Perhaps persons of these ideals and objectivity could be found. Yet no envy could attach to their task of reporting, for example, the findings of a poll that indicated the people to be at variance with the expressed policy of the President, or of a majority of Congress. But Mr. Roper believes that it would be to the self-interest of politicians to learn as accurately as possible what their constituents want.

QUESTIONS AND PROBLEMS

1. On what principles are the public-opinion polls based?

2. How do variations in electoral participation affect the problems of such polling?

3. How may the phrasing of questions influence the results of polls on issues?

4. Of what importance are polls for campaign managers?

5. Do the polls have a band-wagon effect?

6. Examine the results of a dozen recent polls on issues. (The poll findings are brought together currently in the *Public Opinion Quarterly*.) What do you conclude about the wisdom of the judgment of the mass of the people?

7. What are the potential uses of public-opinion polling for the public administrator?

8. A useful class project to demonstrate the problems of sampling opinion could be devised if campus elections fortuitously fall at the right time.

[26] "Sampling Public Opinion," *Journal of the American Statistical Association*, 35 (1940), pp. 325-334.

Chapter 21: REGISTRATION, ELECTIONS, BALLOTS

ONCE IT IS agreed that there shall be elections and that persons possessing specified qualifications shall be entitled to participate in them, it is necessary to establish machinery and procedures to effectuate those general policies. Although the machinery of elections may be said to be a matter of administrative detail, it is a matter of singularly important administrative detail. All might readily agree that the implementation of the principle of elections requires only simple procedures to permit the qualified electors to express their choice with the greatest convenience and to assure an honest count of the ballots. Yet the field of election procedures contains numerous examples of bitterly disputed issues of form, contested because different factions believed one procedure to favor or to handicap them in the outcome of the voting. The party organization, for example, may desire to include in the election laws procedures making it difficult to become a registered voter on the assumption that the organization voters will be guided through the administrative maze while the independent voter will be intimidated by it and hence fail to register.

A review of the administration of election laws furnishes opportunity to note some examples of the techniques of attaining political power by fraud. Fraud and trickery do not occur solely in democratic regimes, but the utilization of voting by a large electorate furnishes an occasion for fraud and trickery peculiar to democracy. It is strange that in the United States, where the principle of popular rule is so universally acclaimed, so little has been done to assure a faithful reflection of popular wishes in the election results. The leading authority on elections observed in 1929: "It is highly significant that little progress has been made in the technique of elections in this country. Probably no other phase of public administration is so badly managed. Our elections have been marked by irregularities, slipshod work, antiquated procedure, obsolete records,

inaccuracies, and many varieties of downright fraud." [1] Since 1929 improvements have been made in many jurisdictions, but the conclusion would not have to be changed materially today.

REGISTRATION

The function of a system of registration is the preparation of a list of the names of all persons who meet the suffrage requirements of the jurisdiction. On election day the officials in charge of voting permit those persons to vote whose right has been established through the registration procedure. Preferably the registration system should include procedures whereby those persons applying for ballots at the polls may establish that they are the same persons whose names are listed by the registration. The development of registration systems furnishes an illuminating illustration of the factors underlying administrative procedures and what is often called red tape. Originally in small rural communities individuals presenting themselves at the polls were nearly always well known to the election officials, to the watchers at the polls, and to their neighbors. The officials at the polls knew of their own knowledge whether the person requesting a ballot met the suffrage requirements: whether he had lived in the county and the precinct the prescribed length of time, whether he met the citizenship requirement, whether he was of the necessary age. The formality of establishing the possession of the suffrage qualifications was simple enough to be cared for on election day, if indeed, any attention was given to the matter at all.

With the development of urban society and the substitution of secondary or impersonal relationships for the primary group relationships of the rural community, more formal procedures became necessary to identify both those entitled to vote and those not entitled to vote. In urban communities this impersonality of relationships greatly facilitates certain types of election-day frauds, such as the colonization of voters, personation, and the use of gangs of repeaters in different polling places scattered over the city. It is not to be inferred that voting frauds have been, or are, limited to urban communities; the situation in urban communities merely facilitates certain types of frauds because of the absence of personal acquaintance. Consequently, with the broadening of the franchise and the growth of cities, a trend toward the adoption of registration laws,

[1] J. P. Harris, *Registration of Voters in the United States* (Washington: Brookings, 1929), p. 3.

particularly in the post-Civil War period, became apparent. As a substitute for the common knowledge of the rural community, formalized procedures came into use under which individuals might establish in advance of the election those facts, such as residence, age, citizenship, and other matters, necessary to qualify them to vote. On election day the inclusion of a name on the resulting list constitutes evidence that the person named is entitled to participate in the election. Thus, administrative formalities arise to replace the common knowledge, and the group discipline arising therefrom, of the smaller community. The influence of these factors is evident in many registration laws which apply only to the larger communities or have more rigorous requirements for the larger cities of the state.[2]

Registration systems of a variety of types have been used in the states to prepare the voting lists. Registration may be permanent or periodic; that is, an elector may be enrolled on the lists permanently or there may be a complete reregistration at intervals. Registration may be personal or nonpersonal; that is, for registration, personal application by the elector may be required or the authorities may prepare a list from their own knowledge or from sources of information at their disposal. Registration may be compulsory or noncompulsory; that is, either a person's name must be on the list to qualify him to vote, or he may be permitted on election day to establish by appropriate evidence that he possesses the voting qualifications although his name is not on the list.[3]

The chief controversy over registration in the United States during the past ten years has turned on the issue of periodic versus permanent registration. The older form of periodic registration is being gradually displaced by permanent registration in one form or another. Now, according to Professor Weeks, thirty-six states use some form of permanent registration either on a state-wide basis or in designated cities or counties. Under the periodic system of registration com-

[2] Urban political leaders at times attribute the greater stringency of laws applying to cities to a rural desire to reduce the urban vote. If city voters are required to go to the polls once to register and again to vote and rural people do not have to make a special trip to the polls to register, the contention is that it is much more difficult to obtain a high popular participation in voting in the cities.

[3] The standard treatise on registration is J. P. Harris, *op. cit.* Statutory changes since 1929 have been collated and analyzed by O. Douglas Weeks, "Permanent Registration of Voters in the United States," *Temple University Law Quarterly*, 14 (1939), pp. 1-15. For a complete digest of state constitutional and statutory provisions, see J. B. Johnson and I. J. Lewis, *Registration for Voting in the United States* (Chicago: Council of State Governments, February, 1941).

pletely new lists of voters are prepared annually, biennially, or quadrennially. The customary procedure provides for the decentralized preparation of the lists by registration boards sitting usually at the polling place in each precinct. During specified days the registration boards sit and receive the requests of individuals for the inclusion of their names on the lists. Underlying the system of periodic registration is the assumption that this procedure will produce clean lists. Those who have died since the last registration, those who have moved from the precinct, and others disqualified in other ways will not be included on the new lists.

This *a priori* assumption appears to be unsupported by experience. Certain cities notorious for registration and election frauds employ periodic registration; the decentralized and more or less irresponsible conduct of the registration in the polling places throughout the city facilitates the padding of the lists. Bipartisan arrangements between the officials in charge of the registration may result in the falsification of the lists; every name of a nonexistent person on the registration lists permits personation under that name on election day. Even if the registration officials are honest, the conditions of urban society are such that in many precincts registration officials have no more personal knowledge of the residence and identify of those applying for registration than the election officials have of those applying for ballots on election day.

As an indication of the degree of fraudulent registration possible under a system of periodic registration, experience in Chicago may be cited. A citizens' committee in 1934 sent return postal cards to about 501,000 voters. The return on the cards indicated that in 970 precincts 20.2 per cent of the names on the lists were either fraudulent or were those of persons who had moved and lost the right to vote in the precinct in which they were listed. The entire experiment furnished the basis for an estimate, by the sampling method, that 5.4 per cent of the total registration was fraudulent or of persons not eligible to vote from the addresses given.[4]

Permanent registration involves a single appearance by the applicant for registration before the registration officials. His name remains on the register until he changes his residence or becomes otherwise disqualified. The absence of periodic reregistration requires the substitution of other means to purge the rolls of disqualified persons. In the newer permanent systems a continuous revision

[4] Chicago *Daily News*, April 7, 1934.

of the lists occurs. A central staff in the city or county is charged with the duty of removing from the records the names of disqualified persons. Various sources of information are used. The death certificates filed with the vital statistics unit of the health department may be examined to obtain the names of electors who have died. Court records may be examined at intervals to obtain the names of persons adjudged insane or convicted of crimes that disqualify them from voting. The records of telephone, gas, and power companies may be examined to check on removals, and in some jurisdictions the voter's card is shifted routinely in the central office to the records of the precinct of his new residence. Transfer and moving companies sometimes make their records available. In areas where transiency is high or fraudulent registration is suspected, a house-to-house canvass may be conducted to check the accuracy of the lists. In a few cities a thorough canvass of the entire city is made by the police department. In some jurisdictions registrations are canceled because of failure to vote in a specified number of elections. The central staff in charge of the revision of the registration records is usually also vested with the responsibility of accepting the applications of new electors for registration. Except for a short interval prior to elections the acceptance of new registrations is continuous rather than restricted to a few days during the year as under the periodic system.

On the issue of fraudulent registration (and hence potential fraudulent voting) neither system is foolproof. The evidence certainly indicates, however, that the system of periodic registration does not ensure accurate lists and that the system of permanent registration creates an administrative situation in which it is possible to bring about less fraud in registration if there is a will to do so. The decentralized preparation of the rolls by temporary employees (generally recruited because of their loyalty to the party organization) characteristic of periodic registration creates an administrative machinery impossible of supervision by the city or county registration authorities. Precinct registration officials are usually not disinterested individuals; their ward organization is often anxious to have as many imaginary names as possible on the lists in order to lay the basis for fraudulent voting in the election itself. With a small permanent staff, however, in charge of the continuous revision of the permanent lists it is more nearly possible through supervision to avoid these influences. Furthermore, it is possible in a central office to have access to and to use more trustworthy evidence pertaining to residence,

removal, or loss of voting privilege than is accessible to the precinct officials. It does not follow, to be sure, that the list under permanent registration will be freer of the names of persons unqualified to vote. An administrative and political situation is merely created under which it is possible to bring about that state of affairs.

From the standpoint of cost, the system of permanent registration, on the basis of available evidence, appears to be preferable to periodic registration. Once a system of permanent registration is installed the principal items of cost are for the support of a small central staff to accept new registrations and to revise the records and for special canvasses. In periodic registration, however, personnel to accept registrations in every precinct from the entire electorate is necessary and an entirely new set of records must be purchased at each registration.[5] The tendency is that the jurisdictions using permanent registration make use of more modern record keeping and filing systems than is customary under periodic registration.[6] In Table 31 the average annual cost per registered voter under different systems of registration is indicated.

Professor Pollock reports that the introduction of permanent registration has materially reduced the unit costs of registration in Michigan. The cost per registered voter, together with total cost of registration, for each of certain Michigan cities is given in Table 32. The comparison of these figures with those for cities using periodic registration, as shown in Table 31, will indicate the marked difference in cost under the two systems. Furthermore, the costs for Michigan cities include certain nonrecurring items for equipment and like capital items.

[5] It is not a matter for astonishment that in California and probably other states also the printers' lobby actively opposed the adoption of permanent registration. See J. P. Harris, "The Progress of Permanent Registration," *American Political Science Review*, 24 (1930), pp. 963-966.

[6] Recently in Miami, Florida, the punch card was adapted for permanent registration records. The relevant data about the applicant for registration are typed on the face of a punch card which is signed by the elector. "Before each election the cards are mechanically sorted by precincts into alphabetical order. A machine then prints directly from these cards a list of the qualified voters in each precinct. The lists are posted prior to each election so that the electors may see if they are qualified to vote and to check the validity of addresses given by persons living or claiming to live in the precinct." The cards are locked in trays before being sent to the precinct election officials for use on election day. After the cards are returned, the cards of those individuals who voted are punched to indicate that fact. This makes it possible to eliminate mechanically the cards of those persons whose names are removed from the rolls for failure to vote at least once every four years in keeping with the local requirement.—*Public Management*, February, 1941, pp. 52-53.

TABLE 31

AVERAGE ANNUAL COST OF REGISTRATION IN CITIES WITH PERIODIC AND PERMANENT REGISTRATION

TYPE OF SYSTEM	AVERAGE ANNUAL COST PER REGISTERED VOTER (in cents)
Periodic:	
Annual (six cities)	72.2
Biennial (two cities)	60.7
Quadrennial (four cities)	55.3
Permanent (six cities)	29.8

SOURCE: Harris, *op. cit.*, p. 105.

TABLE 32

REGISTRATION COSTS IN SELECTED MICHIGAN CITIES, 1932

CITY	NUMBER OF REGISTERED VOTERS	COST OF REGISTRATION	COST PER REGISTERED VOTER
Hastings	2,604	$ 509.91	19.5¢
Owosso	6,129	1,012.40	16.2
Ann Arbor	13,867	2,589.00	18.6
Kalamazoo	22,109	4,608.03	20.8
Lansing	33,978	3,500.00	10.3
Detroit[a]	489,041	133,345.79	27.3

[a] The Detroit unit cost is hardly comparable with that for smaller cities. The higher mobility of residence in larger cities requires greater expenditure to make transfers in the registration records than in smaller cities. Hence, annual cost per registered voter is not a completely satisfactory unit for cost comparisons between large and small cities.

SOURCE: Adapted from J. K. Pollock, "Election Administration in Michigan," *National Municipal Review*, 23 (1934), p. 348.

From the standpoint of convenience to the voter, the system of permanent registration has obvious advantages. A single application suffices to enter his name on the list. If he moves his residence from one part of the city to another, his registration either may be automatically moved on the basis of information available to the

registration officials or, as in some jurisdictions, the change may be requested by mail. Professor Harris estimates that the number of registered voters is about 15 per cent higher in cities with permanent registration than in cities with annual registration. An important question is whether periodic registration operates to discourage from registration and voting in different degrees among different classes and groups of the entire potential electorate. Hypothetically, it might be supposed that persons with greater leisure and greater freedom to leave their places of employment for the time necessary to register would, as a class, be the beneficiaries of periodic registration. Under the former system of periodic registration in Chicago, however, Professor Gosnell found that "interest in voting as measured by per cent of adult citizens registered varies inversely with economic status." [7] The degree to which this variation could be attributed to the nature of the registration system is, of course, not known.

The effects of different registration systems on the fortunes of the various contenders for power has not been carefully examined. Party organizations in power have almost uniformly opposed the introduction of permanent registration. That opposition, however, cannot be attributed to refined measurement of the probable effect on the vote of a particular registration system; it has been due, in the main, to the fact that permanent registration eliminates the patronage available through the employment of registration officials in each precinct under the periodic system.[8]

[7] H. F. Gosnell and N. N. Gill, "An Analysis of the 1932 Presidential Vote in Chicago," *American Political Science Review*, 29 (1935), p. 984.

[8] Professor Weeks (*op. cit.*) classifies the permanent registration systems into the following groups: (1) Those states with systems based on the model registration system prepared by a committee of the National Municipal League (*A Model Registration System*, supplement to *National Municipal Review*, Vol. 13, 1927). This group of states is subdivided into (*a*) those with laws of state-wide or "reasonably extensive" applicability: California, Indiana, Kentucky, Michigan, Minnesota, Montana, Nevada, New Jersey, New Mexico, Ohio, Pennsylvania, Washington, Wisconsin; (*b*) those states in which the model type of law is applicable only to the largest city or to a few populous cities and counties: Illinois, Iowa, Kansas, Maryland, Missouri, Nebraska, Oklahoma. (2) Those states with permanent registration systems lacking some of the refinements of the model system: Alabama, Arizona, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Louisiana, Maryland (outside of Baltimore and two populous counties), Maine, Massachusetts, Mississippi, North Carolina, Oregon, Utah, Virginia. Of the twelve states without permanent registration, ten use periodic registration, while Texas and Arkansas have no formal system of registration, but prepare the poll books from the lists of those who have paid poll taxes or established their eligibility to vote under clauses of the law exempting them from the payment of

Registration may be personal or nonpersonal. The systems that have been described under which the elector must make personal application to have his name placed on the registration list are personal systems. Under a nonpersonal system the lists are prepared by official agencies from information at their disposal. In the United States the nonpersonal scheme generally involves an annual revision by the precinct registration board which meets to revise the list of the prior year and to add names of new electors in the precinct. The list is usually then posted for the information of the electors of the precinct, and a second meeting of the board is held to permit the appearance of those persons whose names have been omitted and to hear challenges against names incorrectly included in the list. In the United States this form of registration is limited in the main to rural or semirural states or to the rural parts of states, since only in the smaller communities do the precinct registration officials possess the necessary knowledge of the neighborhood to maintain the lists.[9]

In European countries greater reliance on nonpersonal registration prevails. In Great Britain the town clerks send out canvassers periodically to check the lists against the persons actually living in the area in order to add new names and to strike off the names of those no longer eligible to vote. On the continent the existence of elaborate, continual censuses of the population, necessary partly because of compulsory military service, makes it possible to keep the registration records up-to-date without the necessity for personal application for registration by the electors.[10]

The classification of registration systems into compulsory and noncompulsory categories is determined by whether there is a compulsory requirement that a person's name be on the list before he is permitted to vote. Under the noncompulsory system it is possible for a voter to be "sworn in" at the polls; that is, he makes an appropriate affidavit that he meets the suffrage requirements and is supported in this statement by witnesses. The noncompulsory system exists primarily as a concession to those groups which originally opposed any registration. The possibility of "swearing in" voters creates a loophole for fraud; the provision is generally used to the greatest extent in those precincts where fraudulent voting is most probable.

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the poll tax. Thus the Texas and Arkansas systems are, in effect, periodic systems of registration.

[9] See Harris, *op. cit.*, pp. 101-102.

[10] H. F. Gosnell, *Why Europe Votes* (Chicago: University of Chicago Press, 1930), p. 185.

ELECTIONS

In the United States the conduct of elections, even for Federal elective officials, is carried on by state and local governments. And within the states, the conduct of elections, although governed by state legislation, is generally administered by local governmental agencies, with little or no supervision by state agencies. In the consideration of election administration, therefore, attention must be concentrated on counties, cities, or on whatever other unit of local government is responsible for the conduct of balloting.[11]

The task of conducting an election involves the preparation of ballots; the designation of polling places; the making of arrangements for quarters for the polls; the selection, instruction, and supervision of the staff of precinct officials to conduct the election; the preparation and distribution to the polling places of booths, ballots, voting machines, and supplies necessary for election day; the identification of voters as they come to the polls; the presentation of ballots to the voters; and the counting of the ballots after the voting. The conduct of elections is, then, a large but relatively simple administrative task.

For the performance of this job in the more populous cities and counties, there has generally been established a special board of election commissioners. In other places the county board may be the chief local election authority; or the city clerk or the county clerk may be the responsible agency. It is the duty of the central county or city election authority to select precinct officials, to procure and distribute election equipment and supplies to the precinct polling places, to make arrangements for polling places, and to supervise, generally ineffectively, the work of the precinct election officials. The control of the city or county election machinery is a prize eagerly sought by the party organizations, for that control permits the organization to distribute considerable petty patronage and may be used on occasion to prevent embarrassing inquiries into the honesty of elections.

The city or county is divided into precincts, of varying size but usually including a few hundred voters. The polling place in each precinct is manned on election day by a group of precinct officials. The titles of these officials vary from jurisdiction to jurisdiction, but common titles are "judge of elections," "election inspector," "clerk."

[11] The only comprehensive discussion of the subject is by Harris, *Election Administration in the United States* (Washington: Brookings, 1934).

The duty of the precinct election officials is to determine whether persons presenting themselves at the polling place are entitled to vote, to give such persons ballots or access to the voting machine, to count the ballots, and to report the results of the precinct voting to the central election authority.

In form, the precinct officials are appointed by the central election commission or agency; but in most jurisdictions, they are, in fact, named by the party organizations. The law usually prescribes that the precinct officials shall be divided between the two major parties; in practice the precinct captain of each party has the privilege of naming the election officials to which his party is entitled in his precinct. These election-day jobs are a part of the patronage at the disposal of the precinct captain and they are used by him to maintain the loyalty of his followers in the precinct. It hardly needs to be observed that the method of appointing the precinct officials paves the way for fraud, results in the selection of a great many election officials who do not possess the rudiments of clerical learning, and brings generally inefficient conduct of the election. Party control of the election machinery is probably of most significance in direct primaries. In the primaries the incentive toward fraud is probably at its peak, and the internal organization of the precinct election boards furnishes no check against it.[12]

In the conduct of the work at the polling place, the first step is the identification of the person who applies for a ballot. In smaller communities often no formal procedure of identification is followed because the election officials are personally acquainted with the voter. Comparison of the voter's signature with his earlier signature in his application for registration furnishes a means of identification in those jurisdictions with this type of registration practice. Some registration systems include in the records a description of the voter: height, color of eyes, color of hair, and the like. Such descriptions are, of course, practically worthless as a means of identification. Generally, also, the party watchers may challenge the right of a person

[12] In New York City the Board of Elections is required to administer a qualifying examination to election officials nominated by the party organization. The test, *The New York Times* observed, "is divested of all nervous strain and everybody concerned emerges with a glow of righteous satisfaction." This happy state of affairs was brought about by "printing the questions on one side of the examination sheet and the corresponding answers on the reverse side. In order to avoid any confusion whatever a notation in bold-face type on each page directs attention to the answers."—*The New York Times*, December 12, 1940.

to vote; and, if a challenge is made, various sorts of evidence may be offered to establish the identity of the would-be voter.

As votes are cast a list is prepared of those who have voted. The watchers of the parties also check off on their lists the names of those who have voted, and as the day wears on they dispatch runners to bring in the laggards. An incidental but important feature of the voting in machine-controlled precincts is the general provision for assistance to the voter in marking his ballot. Persons incapable of marking the ballot may usually request assistance in this task; the reasons justifying a request for assistance vary from state to state, but they include illiteracy (in those states without a literacy test), blindness, and other physical infirmities. Under this provision the secrecy of the ballot may be destroyed and bargains between party workers and voters may be carried out.

An aspect of election administration of some importance is the practice of making provision for those persons to vote who are unable to appear at the polling place on election day. Absentee-voting laws originated during the Civil War to permit voting by persons serving in the military forces, but the extension of the absentee-voting privilege to civilians has occurred principally since 1900. All states except Kentucky, Mississippi, New Mexico, and Pennsylvania have absentee-voting legislation, but the privilege in Maryland and New Jersey is limited to persons in the military and naval services.[13] In 1936, according to an estimate by Paul G. Steinbicker, about 2 per cent of the votes cast in the Presidential election were absentee votes.[14] The estimate is probably generous.

The laws of the various states on the subject of absent voting are characterized by almost infinite variation. One point of difference regards the geographical limits on absentee voting. In only two states may a person absent from the United States cast an absentee ballot. In a few instances the voter must be outside the territorial limits of the state before he may exercise the absentee-voting privilege. Some states are more generous than others respecting the

[13] For a summary of the legislation and a table of citations to legal provisions, see *Voting in the United States* (Chicago: Council of State Governments, mimeographed, 1940).

[14] "Absentee Voting in the United States," *American Political Science Review*, 32 (1938), pp. 898-907. The discussion that follows is based largely on Professor Steinbicker's excellent analysis of absentee voting legislation. See also J. P. Harris, *Election Administration in the United States*, chap. 8; J. K. Pollock, *Absentee Voting and Registration* (Washington: American Council on Public Affairs, 1940).

cause of absence that may justify the casting of an absentee ballot. In Delaware, for example, the elector must be absent "because of the inherent nature of his or her work or business, such as commercial travellers, railroad employees, pilots and sailors. . . ." Other states merely specify absence from the election precinct. Another point of difference concerns the elections to which absentee-voting provisions apply. North Carolina, for example, permits absentee-voting only in local elections; New Hampshire, only in Presidential elections; Tennessee, in "any election for any purpose whatsoever." The Tennessee practice is the most general rule.

Generally in the casting of an absentee ballot, the elector applies to the appropriate election officials. Usually the statutes fix a prescribed time preceding the election within which this application must be filed. When the ballot is returned to the election officials, it must be accompanied by a properly attested affidavit showing compliance with the requirements of the legislation. These requirements vary but include such matters as a certificate by a notary public or other officer that the person entitled to the ballot actually marked it—a precaution against abuse of the absentee-voting privilege.

At the proper time (in some jurisdictions before the close of the polls) the counting of the ballots begins. The procedure for counting is often prescribed in minute detail by statute. The most detailed statutory provisions require one election official to read from each ballot the choices expressed, while two other election officials (one from each party) watch. The choices are supposed to be tallied independently by two clerks, and their counts are supposed to check with each other at the conclusion of the process. In practice these statutory provisions tend to be ignored for the simple reason that to follow them slavishly would make the count almost interminable. The laws, for example, often prescribe that the vote on each ballot on all offices shall be recorded at one time. In practice, often the count is made on a single office at a time. The law usually requires that the tally sheets shall actually be made as the count proceeds. In fact, however, the count is often made and then the official tally sheets are filled in. Otherwise, the clerks run into difficulty in making their tallies match each other. Apart from outright fraud, error is likely to creep into the count. The long ballot, the weariness of election officials, and, often, their indifferent clerical capacities lay the basis for considerable honest error in counting.

To improve counting, some students of election administration

have advocated a central count by a special staff. Under this system the ballot boxes are sealed at the close of the polls and transmitted to a central place and counted there by a staff of fresh clerks rather than by the precinct officials tired from the work of election day. The advocates of the central count contend that the concentration of the work at one point permits effective supervision of the counting and thus may prevent fraud as well as error. The central count is the prevailing method in England, but it has been used only slightly in the United States. In Indiana, after charges of election irregularities in 1938, the legislature adopted an act requiring a central count within counties. In the conduct of the primary count in Marion (Indianapolis) County in 1940, the ballot boxes were transported to an auditorium where the work was conducted under the scrutiny of spectators in the balcony. Three hundred clerks (half Democratic, half Republican) were employed to do the work J. K. Eads reports that "wide discrepancies in ability and attitude among the workers were observed almost from the beginning. Some tabulators, as is customary in groups chosen in this manner, were barely literate, others were troubled by weak eyes or deafness." The failings of the counting personnel, however, were not attributable to the central count and probably were no more prevalent than under the decentralized count. The chief criticism of the central count was that it was slower than the decentralized count had been.[15] Yet no defeated candidates demanded recounts, as had occurred after the primary of 1938, the irregularities of which led to the enactment of the central-count legislation. Earlier the central count had been used in San Francisco, but it was abandoned partly because of the greater time required in comparison with the precinct count.

The precinct election officials, after the completion of the count, prepare a certificate indicating the number of votes received by each candidate and the number of votes cast for and against each proposition on the ballot. This certificate, together with the ballot box, is sent to the central election authority—election commissioners, city council, county clerk, or whatever agency is vested with authority—and the results are "canvassed"; that is, the returns from all the precincts are added together, and the outcome of the election is pronounced. For state offices the county and city results are

[15] J. K. Eads, "Indiana Experiments with Central Ballot Count," *National Municipal Review*, 29 (1940), pp. 545-548.

certified to some state authority—usually the secretary of state—who canvasses or totals the results from all the counties of the state. The process of canvassing is, of course, a simple exercise in arithmetic, and the results have been known usually long before the official canvass through tabulations made unofficially by the newspapers, party offices, and others.

Provision is generally made to permit a contest of the result of an election as declared by the official canvassing authorities. The contest is sometimes heard by the election officials, sometimes by the courts, and, in the case of legislators, usually by the legislative body, which is generally the sole judge of the qualifications of its members. The ease with which a recount may be brought about varies from jurisdiction to jurisdiction. In some instances a recount may be had as a matter of right. In others proof must be made of misconduct or errors by election officials before the recount is ordered. In some states recounts are discouraged by the requirement that the petitioner for a recount finance the work. "An easy, certain, inexpensive, and prompt recount procedure is essential to a sound administration of elections," America's leading authority on elections concludes. "It constitutes a valuable protective feature against election frauds and errors. The precinct election officers should always feel that a recount is not unlikely. This will serve to make them more careful of the accuracy of their work." [16]

The settlement of contests over elections to legislative bodies by the legislative bodies themselves, rather than by the courts, is a feature of electoral procedure that has often been criticized. It is said that the majority of Congress or of a state legislature will tend to favor the contestee who is affiliated with the majority party without regard to the evidence concerning fraud and error in the conduct of the election. Enough partisanship has occurred in the determination of these cases to give a color of truth to the criticism, but a recent study by Vincent Barnett indicates that, regarding Congress at least, partisanship in the settlement of contests is the exception rather than the rule. He has found that, of the past sixty contested elections decided by Congress, in thirty-eight instances the decision was awarded to persons affiliated with the minority party. When the majority makes a finding for the minority party contestee in almost two-thirds of the cases, it must follow that par-

[16] Harris, *Election Administration in the United States*, op. cit., p. 313.

tisanship in the settlement of contests is certainly not the general rule.[17]

The costs of election administration have received considerable attention in recent years. Students of elections uniformly find that the cost in most jurisdictions is entirely too high. Harris estimates that for the country as a whole the cost is about a dollar per vote cast. Probably the most important source of waste lies in the employment of too many workers to serve at the polls on election day. In Grand Island Township, Michigan, for example, Professor Pollock reports that in 1932 the township had eleven registered voters but for each election six precinct election officers were employed at $3.00 each per day. Other practices that result in an unnecessarily high cost are the renting of quarters for polls when public buildings could be used, and the absence of effective competition in the awarding of contracts for the printing of ballots. Professor Harris has accumulated figures for the more important cities on the total cost of registration and elections per vote cast. The figures range from 37 cents per vote in Salt Lake City to $2.13 in Columbus, Ohio.[18] A series of fairly simple reforms would sharply reduce the unit costs of voting, but such reforms are extremely difficult of effectuation since the spoils of the election machinery are controlled by the party machines, which resist with all their resources proposals to reduce the volume of their perquisites.[19]

Fraud.—The American election system has gained an unenviable reputation for fraudulent practices. Philadelphia, Chicago, Kansas City, and New York have had long and striking records of fraud in elections, but fraudulent acts have been by no means concentrated in large urban communities. On the other hand, it would probably be in error to conclude that the publicized examples of fraud are

[17] Vincent M. Barnett, Jr., "Contested Congressional Elections in Recent Years," *Political Science Quarterly*, 54 (1939), pp. 187-215.

[18] Professor Harris computes that the costs of registration and elections per vote cast in 1934 were as follows: New York City, $1.36; Chicago, $1.35; Boston, 86 cents; Detroit, 79 cents; Baltimore, $1.36; Cleveland (Cuyahoga County), $1.45; Cincinnati (Hamilton County), $1.36; Columbus (Franklin County), $2.13; Dayton (Montgomery County), $1.76; Milwaukee, 56 cents; Minneapolis, 37 cents; St. Louis, 75 cents; Kansas City, Mo., $1.54; San Francisco, $1.42; Omaha, 62 cents; Denver, 67 cents; Salt Lake City, 37 cents.—*Election Administration in the United States*, *op. cit.*, pp. 386-387.

[19] On costs of elections, see Harris, *Election Administration in the United States*, *op. cit.*, chap. 10; J. K. Pollock, *County Election Costs in Michigan* (University of Michigan, Bureau of Government, New Series Bulletin No. 2, April, 1935); R. C. Atkinson, "Party Control and Election Costs in Ohio," *National Municipal Review*, 21 (1932), pp. 595-597.

typical of election procedure everywhere. The degree of fraud varies from place to place and in individual communities from time to time. Moreover, outright fraud is to be differentiated from machine control. The two things often go together, but at times machines build a loyal following that can be brought to the polls so successfully that fraud in the election itself is unnecessary. Yet enough fraud occurs from time to time to depress seriously community morale and to weaken faith in the democratic process. This psychological effect of fraud may be more significant than stolen votes in the power of a corrupt machine; opposition is likely to weaken and falter if there is a feeling that the elections are stolen regardless of how the vote actually goes.[20]

Fraud and error in registration lay the basis for electoral fraud. When the lists of voters contain false names or the names of persons who have moved away, the party organization may readily find persons to vote those names, provided that the precinct election officials are willing to connive in such an arrangement. How do such names get on the registration lists? The lists may be padded

[20] The bibliography on election irregularities is voluminous. The following items are samples of the literature:

Citizens' Association of Chicago, *Bulletin*, No. 86, May 9, 1931, "How Chicago Elections Are Stolen"; M. C. Krueger, "Election Frauds in Philadelphia," *National Municipal Review*, 18 (1929), pp. 294-299; H. R. Waite, "Corruptible Elements in the Suffrage," *International Review*, 14 (1883), pp. 14-30; F. J. Stimson, *The Methods of Bribery and Its Prevention at Our National Elections* (Cambridge: John Wilson & Son, 1889); J. J. McCook, "The Alarming Proportion of Venal Voters," *Forum*, 14 (1892), pp. 1-13, and "Venal Voting: Methods and Remedies," *Forum*, 14 (1892), pp. 159-177; J. W. Jenks, "Money in Practical Politics," *Century*, 44 (1892), pp. 940-952; A. Z. Blair, "Seventeen Hundred Rural Vote-Sellers," *McClure's Magazine*, 38 (1911-12), pp. 28-40; S. C. Stimson, "The Terre Haute Election Trial," *National Municipal Review*, 5 (1916), pp. 38-46; A. C. Millspaugh, "Bi-Partisanship and Vote Manipulation in Detroit," *National Municipal Review*, 5 (1916), pp. 620-626; A. M. Holden, "Craft Prosecutions: 1914-1915," *National Municipal Review*, 5 (1916), p. 583, on 1100 indictments against 800 voters in Pikeville, Kentucky; *ibid.*, p. 580, on election frauds in Indianapolis; Anon., "Bossism in Delaware," *Outlook*, 70 (1902), pp. 471-474; A. F. Macdonald, "Philadelphia's Political Machine in Action," *National Municipal Review*, 15 (1926), pp. 28-35; D. R. Castleman, "Louisville Election Frauds in Court and Out," *National Municipal Review*, 16 (1927), pp. 761-769; D. M. Maynard, "Fraud and Error in Chicago Referendum Returns," *National Municipal Review*, 19 (1930), pp. 164-167; A. H. Yount, "Chicago's Election Frauds," *National Municipal Review*, 3 (1914), pp. 399-400; John Landesco, "Organized Crime in Chicago," *Illinois Crime Survey* (Chicago: Illinois Association for Criminal Justice, 1929), pp. 1015-1021, for an excellent classification of types of frauds. The primary sources are to be found mainly in the reports on contested elections by congressional and state legislative committees. Considerable material may be found in the reports of election cases decided by the various appellate courts.

with imaginary names by the registration officials in keeping with a definite plan to pad the lists and vote the names at the election later. Superfluous names may be on the list merely because of failure to purge the lists of names of persons who have died, removed from the precinct, or otherwise lost their eligibility to vote. When the names of persons who die are not removed from the lists, the basis is laid for, as the argot runs, "voting the cemetery." These remarks suggest the great importance of accurate registration lists, since lists with superfluous names are a condition precedent to a simple and easy type of fraud.

On election day various types of frauds may be used to vote the fictitious names on the registration lists. Sometimes the machine employs repeaters or floaters to go from precinct to precinct to vote under false names already on the listing in each precinct. To organize and manage a squad of repeaters is expensive,[21] and the task of voting the names on the registers may be left to the precinct election officials, aided by the precinct party workers. A Philadelphia precinct election official testified, for example: [22]

[21] The following case report illustrates the nature of this type of fraud. "Two days after the election we look up from our desks to see what is wanted by a tall slender boy who comes in and can hardly believe that it is really Frank who stands before us, smiling with self-consciousness, but with a happiness and satisfaction in his eyes that we have not seen there for over a year. Homeless, jobless, penniless, he has walked the streets for over two years, picking up jobs occasionally, getting thinner and thinner, his clothes completely worn out, and his feet, the last time he came in, literally on the ground. He had grown more and more careless of his appearance, which was not his fault, as he could not get the few things he had wished and rarely had a place to take a bath. Today he stands before us in a light fedora, spring top coat, colorful shirt and tie, new trousers, socks to match and new shoes. In astonishment, I said, 'What in the world has happened?' and he replied, 'I voted on election day.'

"Strolling along on South State Street the night before election, he was approached and asked if he wanted to work the next day. Who wouldn't want to work in his place? He was told to be at State and Harrison the next morning at 4 o'clock, and there, in the early dawn, he and several hundred others were taken out to the respective wards and precincts of the city to help elect our officials. It wasn't as profitable as usual, for we are in a state of depression, and instead of $10 a day he was to get a dollar for each time he voted and three square meals at a restaurant on the northwest side. 'All they wanted to eat,' he said, 'and, gee, we did eat!'

"It was very simple. He was given cards to remind him whose name he was to vote under at the different precincts. At the first polling place the man behind him said that he knew the man whose name he was using, but one of his gangster employers, armed, as all of them were, stepped up to our friend's challenger, who took back what he said. . . ."—Jessie F. Binford, Executive Director, Juvenile Protective Association, Chicago *Tribune*, April 21, 1932.

[22] A. F. Macdonald, "Philadelphia's Political Machine in Action," *National Municipal Review*, 15 (1926), pp. 28-35.

We didn't record a man as voting unless he actually voted, or unless we knew he could be depended on. For example, I was sure my mother wouldn't come to the polls, so it was quite safe to cast her ballot for her. The people who live next door to us are the right sort, but they're lazy and like to stay at home. So I told them I would cast their votes for them. But we played the game fair.

When a person attempts to vote under the name of some other person, the practice is called personation.[23] When there is no attempt at deception but a wholesale voting of names on the registers by the election officials, the practice is known as "ballot-box stuffing." This practice is cheaper and easier than the organization of repeaters and personators.[24] Cruder practitioners of fraud make no effort to give an appearance of legality to their work and duly record as having voted persons whose names do not appear on the registration lists.[25]

Another point at which fraud may occur is during the counting of the ballots. Occasionally the count is a farce; the vote is determined arbitrarily or by agreement among the election officials and the attendant party workers. This type of fraud is most likely to occur at primaries when the only persons with an interest may be the machine workers for each party organization and at general elec-

[23] There is the story of a repeater who had the effrontery to attempt to vote the name of the Episcopal Bishop of Albany, William Crosswell Doane. The precinct official is said to have thought that this was going too far and said: "G'wan! You ain't Bishop Doane." The repeater answered with heat: "The hell I ain't, you —— —— ——!"—T. L. Stoddard, *Master of Manhattan* (New York: Longmans, Green, 1931), p. 45.

[24] The following quotation from a report of the Citizens' Association of Chicago relating to an election of 1927 illustrates the technique in its grosser form: "When there were not voters in the polling place, Sherry would walk to the back door and holler 'all right.' Then men would come from the rear room and from the second floor with bunches of ballots that they had marked, and Sherry would open the ballot box and the men would drop the ballots in the box. At intervals during the day Sherry and O'Malley (an official who has never been apprehended) would take about ten ballots at a time and go into a polling booth and mark them and put them in the ballot box. About 100 ballots were marked in this way. These, with 100 ballots that were marked before the polls opened and put in the ballot box, and a package of 100 ballots that Sherry took to the rear room and upstairs, made a total of about 300 ballots that were marked for persons who did not enter the polling place to vote, and a like number of names were written in the poll books."—Quoted by Harris, *Election Administration in the United States*, *op. cit.*, pp. 351-352.

[25] The charges against the defendants in a Chicago case were that "in 31 instances they allowed persons using the same names to vote twice; that they permitted 26 persons to vote who were not registered, and they let 24 persons whose names had been stricken from the poll books cast ballots."—Chicago *Daily News*, August 10, 1934.

tions in precincts where the minority party is either powerless or a subsidiary of the majority party. A Philadelphia election official, to illustrate, testified that the report of the outcome was made long before all the ballots had been counted. "We always do that," he said. "If we actually counted the ballots our job wouldn't be finished until the next morning. At any rate, the division leader is at the polling place all day, and he knows how almost every person will vote. By checking them off as they deposit their ballots he can tell exactly how the election is going." [26] At times the fraudulent count is accompanied by intimidation of election workers who actually want to count the ballots, but intimidation seldom occurs, since the party worker in the precinct will try to bring about the appointment of pliant precinct officials.[27]

[26] Quoted by Macdonald, *op. cit.*, p. 33.

[27] The following testimony of a Chicago precinct election official is relevant: "Robertson and Nathanson, two of the judges, called the ballots and I worked on the tally sheets. They started to call the ballots and I started to take them down. There was much noise from the watchers and cheers for Joyce. I took it for granted right at the start that Joyce had to be elected. Some of the watchers kept saying: 'Put down some more votes for Joyce.' I was keeping proper tally.

"Jim De Lorenzo was sitting on the table sideways, with one foot on the floor, and as the counting of the ballots continued he appeared to be dissatisfied with the number of votes that Joyce was getting legally. It made him sore evidently, for pretty soon he jumped off the table and called out, with some oath, 'Give us a break.'

"It sounded like a threat and I took it to be a threat. The judges stopped counting for an instant and they looked at De Lorenzo. I couldn't see his face but I could see the faces of the judges and it seemed there was some kind of an understanding. When the count was resumed De Lorenzo stayed right there and compelled me to put down more votes for Joyce on the tally-sheet than he was entitled to.

"As soon as they finished with the vote for State Senator there was a recess and the judges went into the rear of the room. I never saw the ballots after that. After a few minutes I asked one of the watchers why the count on other offices was not proceeding. He replied: 'We are not going to count those ballots. We will be here until six o'clock in the morning if we do. We proportion the votes off. In fact, we weigh them.'

"Then the number of votes to be credited to each candidate was given to me either orally or written on slips of paper by two or three of the watchers, but mostly by De Lorenzo, who was leading the bunch. I made entries on the tally sheets according to their instructions."—Quoted by Citizens' Association of Chicago, *Bulletin*, No. 86, May 9, 1931.

Another Chicago case in which the defendants were convicted may be cited. "Frauds committed in the 41st precinct of the 24th ward, for which the defendants have already been found guilty, were among the most flagrant yet uncovered in the Heller-Hasten contest. The testimony of the chief state witness, Mrs. Angela DeVere, 1517 South Turner Avenue, a gold star mother and a watcher at the precinct, that the votes were not counted, but that each candidate was given a total vote ordered recorded by the two man judges as given to them by Joe

Moreover, during the count ballots may be altered or removed and substitutions made. Alterations may have several objects. A long ballot may be marked for only a few offices. The counting official may take up the burden where the elector stopped and finish the laborious exercise of the suffrage.[28] The purpose of alteration may be to change the vote completely. In a Chicago precinct, investigators for the Citizens' Association reported, for example, that "after the polls closed many 'straight' Republican ballots were converted into 'straight' Democratic ballots by the simple expedient of erasing the cross in the Republican party circle and putting a cross in the Democratic party circle."[29] Alteration of the ballot may have as its object the spoiling of a ballot so that it will be thrown out. A cross may be altered, for example, to make it appear to be an identifying mark, invalidating the ballot.[30] Or a mark may be placed in a second party circle with the same effect.

Sometimes fraud or trickery occurs in the certificate of the results. The ballots may be accurately counted and recorded on the tally sheets, but the certificate reporting the results of the precinct is doctored. An old trick is a transposition of figures. The candidate receives, for example, forty-nine votes; in the recording of this item on the certificate it may be written as ninety-four. Or, perhaps the report is prepared without even this sort of attempt to camouflage fraud as error.

The prevention of fraud is difficult, for efforts at prosecution and exposure are usually fought with all the resources at the command of the local political organization. The methods they use in

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Brownstein, the democratic precinct captain, was corroborated, in part, by the defendants themselves. Their defense was that they were 'overwhelmed' by the male judges and just did as they were told. The two judges, Brownstein and the republican precinct captain, who played a nonpartisan game with Brownstein in the precinct, have not yet been found by the officers of the County court."—Chicago *Daily News*, November 15, 1933.

[28] Indicative of such practices is the following: "Some of these 1,035 votes were marked with crosses plainly different from those before other candidate's names [on the same ballot]. In some instances an 'X' was marked before DeGrazio's name, while other candidates were voted for with crosses made by horizontal and perpendicular lines. In many instances just the opposite was found." —Chicago *Daily News*, June 27, 1934.

[29] Quoted by Harris, *Election Administration in the United States*, *op. cit.*, p. 352.

[30] There is a recondite jurisprudence defining precisely what constitutes a valid cross mark. See Spencer Albright, "Legislation on Marking Ballots," *Southwestern Social Science Quarterly*, 21 (1940), pp. 221-226; E. C. Evans, *A History of the Australian Ballot System in the United States* (Chicago: University of Chicago Press, 1917), p. 66.

resistance of investigation range from the destruction of records to subornation. The detection of fraud, however, is simple because the people who commit fraud are generally astonishingly stupid. Some fraudulent operators are intelligent enough, but most of them leave trails readily followed. Sometimes, for example, a simple comparison of the number of votes cast with the number of voters registered in the precinct shows an excess of ballots over registered voters. Precinct reports that show most of the candidates receiving round numbers of votes are an indication of extremely informal counting since the votes just do not come that way when they are actually counted. Likewise, precinct reports that show a series of zeros for the candidates of one party will bear inquiry, since that state of affairs seldom actually occurs; and reports that show a uniformity of votes for each of many candidates on a long ballot are patently fraudulent because voters seldom mark all the offices. Inspection of the ballots themselves can easily reveal fraud. Handwriting experts can readily identify crosses inserted after the ballot has been cast by the bona fide voter; they can as easily identify ballots marked and stuffed by a single person because of the characteristics of the crosses. Presumptive evidence of the foregoing nature, however, is not adequate to obtain convictions; it is necessary to follow up the statistical indicators, finds the eyewitnesses, and compel them to testify.

No data are available on the extent of fraudulent voting, except respecting situations in which recounts have occurred or in which investigations have been made. Such instances, however, are likely to represent fraud at its extreme, since recounts and investigations are made usually only when there is some reason to suspect fraud. An example of a high degree of fraud was revealed by a field investigation of the Chicago primary of 1926. It was found that in certain precincts over 40 per cent of the votes cast were fraudulent. Classified as fraudulent were instances of persons recorded as voting when those persons made affidavits that they had not voted; persons registered from nonexistent addresses recorded as voting; persons who had moved away from the precinct before the primary; and other *prima facie* cases of fraud. The details are presented in Table 33.

In another analysis of a sample of Chicago precincts a measure of the degree of fraud and error is available. In this study of the vote on referendum measures, the investigation was limited to a recount of the ballots and did not involve questioning of the voters to determine whether they had actually voted. Hence the figures

TABLE 33

FRAUDULENT VOTING IN SELECTED CHICAGO PRECINCTS, APRIL, 1926

WARD	VOTES CAST	FRAUDULENT VOTES	PERCENTAGE FRAUDULENT
10 precincts in 20th Ward ...	6139	2630	42.8
7 " " 27th " ..	4141	1705	42.1
6 " " 42nd " ...	2645	1255	47.4

SOURCE: Derived from data presented by Harris, *Registration of Voters in the United States*, *op. cit.*, p. 356.

in Table 34 furnish a measure only of fraud and error in the counting and in the recording of the vote. The precincts recounted were said to constitute a fairly representative sample of all the precincts of the city; therefore the results probably give an indication of the degree of fraud and error in the entire city at this particular election.

TABLE 34

VARIATION IN TALLIES OF FAVORABLE VOTES ON PROPOSITIONS IN FIFTY-SIX SAMPLE PRECINCTS IN CHICAGO ELECTION OF NOVEMBER, 1926

	VOLSTEAD MODIFICATION	I. & M. CANAL ISSUE	CONSTITUTIONAL AMENDMENT	ROAD BONDS	JAIL BONDS	DAYLIGHT SAVING
Official count	72.3%	73.3%	54.7%	59.0%	61.0%	65.3%
Recount ...	71.7	74.7	50.8	50.5	51.9	61.3
Difference ..	.6	1.4	3.9	8.5	9.1	4.0

SOURCE: D. M. Maynard, "Fraud and Error in Chicago Referendum Returns," *National Municipal Review*, 19 (1930), pp. 164-167.

It is not improbable that the publicized instances of electoral fraud create an exaggerated impression of the actual degree of fraud. Yet scattered fraudulent practices have a significance far greater than might be inferred from the small proportion of votes that are

stolen. A general belief that elections are fraudulently conducted may destroy community morale and thereby devitalize opposition to the activities of corrupt groups. The prevention of electoral fraud is not a matter of obtaining the right kind of election laws. A perfect body of law regulating registration and elections will not prevent fraud; nevertheless such legislation greatly simplifies the task of officials determined to preserve the honesty of elections. Systematic and recurring electoral corruption is not usually an isolated phenomenon; it is generally only one aspect of corrupt rule. To deal satisfactorily with this type of electoral corruption requires a broad attack on community pathology rather than a piecemeal reform movement directed only toward electoral fraud.

THE BALLOT

Secrecy of the vote.—Although secrecy of the ballot has become commonplace, the general use of secret methods of voting is a relatively recent development in American politics. In the colonial period and in the early history of the United States the more prevalent form of voting was the oral, or *viva voce*, method. Under this arrangement each voter would appear before the election officials and announce orally the candidate whom he desired to support. The method of oral voting gradually gave way to a system of voting by ballots, but the ballots by no means assured secrecy of voting. Instead of there being used a single ballot containing the names of all candidates for all offices, the parties or candidates furnished separate ballots. According to Evans: [31]

> The ticket of each party was separate, and, as a general rule, could be distinguished, even when folded, from all other tickets as far as it could be seen. Frequently the party tickets were of a different color. In a municipal election in Massachusetts the Republicans used a red ticket and the opposition a black one; and in the same state in 1878 the Republican ticket had a flaming pink border which threw out branches

[31] Evans, *op. cit.*, pp. 6-7. Fraud with the tissue-paper ticket mentioned in the quotation was simple and in some states the statutes provided for discarding, by random selection, the number of ballots in excess of the number of persons who had voted. The New York law provided: "If after having opened or canvassed the ballots, it shall be found that the whole number of them exceeds the whole number of them entered on the poll lists, the inspector shall return all the ballots into the box, and shall thoroughly mingle the same; and one of the inspectors, to be designated by the board, shall publicly draw out of such box, without seeing the ballots contained therein, so many of such ballots as shall be equal to the excess, which shall be forthwith destroyed."

toward the center of the back, and had a Republican indorsement in letters half an inch high. In another election in Massachusetts the Republicans used a colored ballot, while the Democratic ticket was white with an eagle so heavily printed as to show through the ballot. In one election in Orangeburg County, South Carolina, the Republican ticket was of medium-weight paper, with the back resembling a playing-card, and, according to statements made, could be recognized across the street. The Democrats had a tissue-paper ticket of a pale-blue color. There were two sizes of this tissue-paper ticket so that the smaller could be folded in the larger one, and an outsider could not tell that there was more than one ticket being voted.

Serious concern over the consequences of the absence of secrecy in voting began to be manifested soon after the Civil War when intimidation and bribery of voters became rife. It will be recalled that the groups benefiting from the earlier restricted suffrage clung desperately to their privileged status and, as they were compelled to yield to the demands for a broader suffrage, predicted dire results for those of property and substance from the enfranchisement of the masses. After the Civil War the full effects of the broadened suffrage began to be felt, and concerted attempts came to be made to neutralize these effects by bribery and intimidation. The lack of secrecy of voting facilitated bribery, since a person is not inclined to purchase a commodity of whose delivery he is not assured. Similarly, the lack of secrecy of the vote enabled those in a position to intimidate to apply their sanctions. Without secrecy of the ballot, employers might control the votes of their workmen; landlords, the votes of their tenants; creditors, the votes of their debtors. The degree to which intimidation existed cannot, of course, be known, but the nature of intimidation may be seen in extracts from the report of a Senate committee investigating elections in Massachusetts in the 1870's.[32]

The Boston Elastic Fabric Company employs a large number of hands, most of whom were Democrats, but under the orders of their employer, Mr. McBirney, they were nearly all required to vote the Republican ticket in November, 1878. The foreman of the factory stood at the polls in Chelsea all day on election day between the door and the ballot-box, and required the men employed under him to vote the Republican

[32] Senate Report No. 497, 46th Congress, 1st Session (1880). It hardly needs to be observed that secrecy of the ballot does not completely prevent intimidation. Attempts to intimidate continue to occur, but with the secret ballot penalization of those who decline to be intimidated is more difficult.

ticket. Another of the employes was directed to tell them that this was their employer's wish and they must govern themselves accordingly. This was done and the men very generally obeyed the orders given. One testified that he did not and was soon driven out of that employment.

. . . . . .

At Westerly, in the southwest part of the State, there are two corporations, known as the New England Granite Company and the Smith Granite Company. They employed in 1876 about 150 men in getting out and preparing granite. Direct influence was brought to bear upon these employes about a week before the Presidential election of 1876 by these corporations issuing a hand-bill and circulating it where the men worked, which stated that the election of Mr. Tilden would be a great injury to their business, and by the concluding paragraph, which declared they would secure *their own* interest by voting against Mr. Tilden. . . .

. . . . . .

The plain implication from the language here used is that the injury to the business of the corporation would result in loss of employment to the workmen, and it undoubtedly had the effect to intimidate voters.

. . . . . .

It was shown that in the tenth ward of Providence, at the Presidential election of 1876, the time-keeper employed by The Corliss Steam Engine Company was at the polls with his book, and as every man working for his establishment would cast his ballot he would check his name or take memoranda in his book. Employes complained of this and said they were afraid to vote. The ward was largely Democratic and this action produced disturbance on the part of citizens who sought to have the time-keeper removed because the employes of the Corliss Steam Engine Company were afraid if they voted their principles they would be discharged from the works, and he was finally removed from the place. This company employed several hundred men at that time.

Many states, to ensure secrecy, enacted regulatory legislation to govern the private printing of ballots, but these measures were uniformly ineffective and the groups desiring a truly secret vote turned toward the Australian ballot. This type of ballot, so named because of the place of its origin, was printed by public authority. It contained the names of the candidates of all parties and was coupled with methods of election administration designed to ensure secrecy of voting. The agitation for the new type of ballot originated in large measure from labor and other minority groups which believed their political strength to be diminished by the intimidation and bribery prevailing under the existing system of balloting. In a

volume published in 1889 John H. Wigmore indicated the prime movers in the propaganda in the various states for the Australian ballot. His catalog of these leaders inferentially constitutes an impressive statement of the way bribery and intimidation were thought to affect the outcome of elections. Among the organizations interested in ballot reform in New York were the Reform Club, the City Reform Club, and the Labor Party. In Wisconsin the "Labor press . . . earnestly supported the movement." In Indiana the "Democrats, as the defeated party in the national election, and the especial (though by no means the guiltless) sufferers from the corrupt methods employed, naturally took the lead." In Missouri the Civil Service Reform Association and the Single Tax League were active. In Nebraska the bill was drafted by a committee representing the Typographical Union, the Central Labor Union, and the Knights of Labor. Elsewhere the pattern was, in general, similar; early agitation was led by people outside the governing cliques; eventually the reform gained broader support.[33]

The United States trailed the other Anglo-Saxon countries in adopting this needed reform. The British Parliament had adopted the secret ballot in 1872; South Australia, in 1858. In England the acceptance of the electoral innovation had been hindered by the powerful influence of John Stuart Mill. Although his ideas on the subject do not seem to have had much influence in this country, his arguments are worthy of brief review. Mill argued that in the exercise of the suffrage a person was performing a public function and in arriving at a decision he should consider the general interest; his decision and his vote, like the vote of a member of Parliament, should be a public matter. The duty "should be performed under the eye and criticism of the public; every one of whom has not only an interest in its performance, but a good title to consider himself wronged if it is performed otherwise than honestly and carefully." Mill believed that "people will give dishonest or mean votes from lucre, from malice, from pique, from personal rivalry, even from the interests or prejudices of class or sect, more readily in secret than in public. And cases exist—they may come to be more frequent—in which almost the only restraint upon a majority of knaves consists in their involuntary respect for the opinion of an honest minority." Mill conceded that conditions of intimidation might justify a secret ballot: "When the voters are slaves, anything may be tolerated which

[33] John H. Wigmore, *The Australian Ballot System* (Boston: Boston Book Company, 2nd ed., 1889).

enables them to throw off the yoke." Although he contended that his argument applied to conditions of universal suffrage as well as to conditions of restricted suffrage, his propositions would appear to have more applicability to the second situation.[34] His conception of the electorate as exercising a function of trust for the entire people has tended to disappear with the broadening of the suffrage. A vote has come to be expected to be governed by a class interest; the general interest is to be promoted by a balancing and synthesis of class and group interests.[35]

In the United States the first Australian-ballot law was enacted by the Kentucky Legislature in 1888. This measure applied only to municipal elections in Louisville, since the state constitution explicity required *viva voce* voting at elections of state officers. Intimidation and bribery remain but probably not to the same degree as they existed before the introduction of the Australian ballot.[36] The secrecy of the ballot may be destroyed, as we have seen, by statutory provisions to permit "assistance" to illiterate, blind, or otherwise incapacitated voters. Another device sometimes used to destroy the secrecy of the vote and to facilitate purchase is the "endless chain" or "Tasmanian dodge." Under this scheme it is necessary to take from the polling place an official ballot; the purchaser marks the ballot as he desires it to be voted, delivers it to an elector who enters the polling place and procures a ballot. In the booth the voters substitutes the marked ballot for the fresh one, inserts the marked ballot in the ballot box, and delivers the fresh ballot to the party worker. This ballot is marked, given to another voter who repeats the process; the chain goes on unbroken. To check this practice, a substantial number of states employ a system of numbered ballots. When a voter receives a ballot, the number is recorded opposite his name; before he is permitted to deposit the ballot he

[34] See J. S. Mill, *Representative Government*, chap. 10, "The Mode of Voting."

[35] It is of interest to note that in England the fears of the Conservative opponents of the secret ballot were not justified by the electoral results after the adoption of secrecy. The groups that feared they would lose power by secrecy actually increased their power, but not, of course, because of the secrecy of the ballot. See J. H. Park, "England's Controversy Over the Secret Ballot," *Political Science Quarterly*, 46 (1931), pp. 51-86.

[36] The Australian ballot, according to Spencer Albright, is used exclusively in all the states save Delaware, Georgia, and South Carolina. South Carolina still uses ballots distributed by the parties, and in Delaware and Georgia there are departures from the essentials of the Australian ballot.—*Ballot Analysis and Ballot Changes Since 1930* (Chicago: Council of State Governments, mimeographed, 1940), p. 1.

must show the numbered stub (the ballot is folded so as to show the number) to the election officials who tear it off. In some instances a venal voter may mark his ballot so as to identify it to the election officials and those watching the count; in this way the purchaser may assure himself that he has received delivery. Identification of an individual ballot in this way is illegal; ballots signed plainly fall within the proscription, but other types of symbols designed to identify are more difficult to deal with.

It should be observed that the ballot laws constituted an entering wedge for the detailed regulation of party activity that was destined to come about. When it was decided that public authorities should print ballots containing the names of the candidates of all parties, it was necessary legally to define "party" and to define by law the procedure which the party should follow in making nominations, for otherwise the agency in charge of the preparation of ballots might be faced with the problem of deciding which of several party lists should be printed, without having any legal criterion for decision. It was necessary to require that nominations be made far enough in advance of the election to give time for the preparation of the ballot.[37]

In some instances public control of the ballot is used to exclude minor parties from the ballot or to make it difficult for them to meet the requirements to place their candidates on the ballot. Parties are sometimes defined in terms of the number of votes cast for its candidates at the preceding election. In Ohio, for example, "when any political party fails to cast 10 per cent of the total vote cast at an election for the office of governor it shall cease to be a political party

[37] The regulation of party action inherent in the Australian ballot law was given as a reason by Governor Hill of New York for his veto of an act passed by the legislature of that state in 1889:

"I am unalterably opposed to any system of elections which will prevent the people from putting candidates in nomination at any time and voting for them by a printed ballot up to the very last minute before the closing of the polls on election day. This is an inherent right under our free institutions, which the people will never knowingly surrender. . . .

"The right of suffrage and the existence of elections are both made absolutely dependent upon previous nominations. If no such nominations should be made, all the people of the state would be disfranchised. It is not enough to say that such event is not likely to happen. A bill which makes the right to vote depend upon irresponsible voluntary bodies, thereby making disfranchisement of all the people possible, is equally unconstitutional whether such event be probable or not. This result proceeds not from special defects in this particular bill, but is inherent in the very theory of an exclusive official ballot upon which the bill is framed."—Quoted by Evans, *op. cit.*, p. 24.

within the meaning of this act." By raising the percentage required to keep party candidates on the official ballot, legislatures sometimes discriminate against minor parties. Usually, however, provision is made to permit a new party to place its candidates on the ballot by petition. In Oklahoma, for example, any "political party presenting a petition of 5,000 names of voters . . . shall have the names of its candidates for state and local offices placed on a ballot." The fixing of the number of signatures at a high figure frustrates the desire of minor parties to have the names of their candidates on the ballot.[38]

Ballot forms.—No uniform pattern is followed by the different states in the design of ballots. Three principal types of ballot forms have been developed, although there are additional minor variations. They are the office-block ballot, in which all candidates for each office are grouped together; the party-column ballot, in which all the candidates of each party for all offices are grouped together in columns; and the office-block ballot with supplementary provision for straight-ticket voting.

The party-column ballot, used in thirty states, is sometimes called the Indiana-type ballot because the Indiana law of 1889 has served as a model for other states in the adoption of this form of ballot. The Indiana law of that year required that all nominees of any party should be

> . . . placed under the title and device of such party or petitioners as designated by them in their certificate or petition; or if none be designated, under some suitable title and device. . . . The arrangement of the ballot shall, in general, conform as nearly as possible to the plan hereinafter given, and the device named and list of candidates of the Democratic party shall be placed in the first column on the left-hand side of said ballot; 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.[39]

In most of the states using the party-column ballot it is possible to vote a straight party ticket—that is, vote for all the candidates of a single party for all offices—by making a single cross in the circle at the head of the column containing the party candidates.[40] Voting

[38] See W. E. Hannan, *Provisions of the Laws of the Various States with Respect to the Formation of a New Political Party* (Chicago: Council of State Governments, mimeographed, 1938).

[39] Quoted by Evans, *op. cit.*, p. 36.

[40] Albright lists and classifies the party-column states as follows: (1) states that make provision for straight-ticket voting and print the party emblem at the head of the column: Alabama, Delaware, Indiana, Kentucky, Louisiana, Michigan,

a straight ticket is far easier than voting a split ticket, since splitting support among the candidates of the parties requires the recording of a choice for each office. Professional party workers generally favor the use of the party-column ballot on the theory that it discourages independent voting and makes easier the amassing of a large vote for the party nominees for the inconspicuous offices as well as for the more important offices. No careful analysis has been made of the effect of the "straight-ticket" voting provision; and, indeed, it would probably be difficult to isolate that factor.[41]

In contrast with the party-column ballot is the office-block, or as it is sometimes called by virtue of its origin, the Massachusetts ballot.[42] Names of all candidates, by whatever party nominated, for each office are grouped together on the office-block ballot. The supposition is that the voter will be compelled to consider separately the candidates for each office, in contrast with the straight-ticket voting of the party-column ballot. Pennsylvania employs a variation of the office-block ballot; the candidates of all parties are grouped by offices sought, but provision is made for straight-ticket voting by a single mark.[43]

Long vs. short ballot.—Whether the ballot is in form a party-column or an office-block ballot, it is usually a long ballot containing a large number of names and perhaps constitutional amendments and other propositions on which the voters are asked to express an

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Missouri, New Hampshire, New Mexico, Ohio, Oklahoma, Rhode Island, Utah, West Virginia; (2) states that make provision for straight-ticket voting but do not print the party emblem at the head of the column: Arizona, Connecticut, Georgia, Idaho, Maine, North Dakota, South Dakota, Texas, Vermont, Washington, Wisconsin; (3) states that make no provision for straight-ticket voting: New Jersey, North Dakota, Wyoming.—*Ballot Analysis and Ballot Changes Since 1930*, *op. cit.*, p. 11.

[41] By the comparison of election results over a sufficient length of time and in a sufficient number of states employing different types of ballot, it might be possible to arrive at some estimate of the influence of the "straight-ticket" voting provision in facilitating clean sweeps of all offices by a single party.

[42] For a collection of facsimiles of a variety of ballots, see C. O. Smith, *A Book of Ballots* (Detroit: Detroit Bureau of Governmental Research, 1938).

[43] Another classification of ballots is partisan and nonpartisan. The partisan ballot includes either party symbols or other identification of the party affiliation of the candidates. The nonpartisan ballot is used primarily in local elections. Party machines are usually strongly opposed to the nonpartisan ballot; their supposition is that the party emblem or party name attracts voters while the absence of party identification from the ballot makes easier victories by independents. For a discussion of the workings of the nonpartisan ballot, see J. T. Salter, *The Non-Partisan Ballot in Certain Pennsylvania Cities* (Philadelphia, 1928). See also M. C. Moos, "Judicial Elections and Partisan Endorsement of Judicial Candidates in Minnesota," *American Political Science Review*, 35 (1941), pp. 69-75.

opinion. In 1932 the "average party-column ballot consisted of 565 square inches of paper, on which were printed over 102 names and three propositions." In the office-block states the ballot averaged 349 square inches and contained the names of 77 candidates and four propositions.[44] In the off year of 1934 the average ballot had an area of 398 square inches, and the average voter was asked to express 22 choices.[45] The number of expressions of opinion demanded of the American voter under the long ballot constitutes a greater burden than is borne by any other voter in the world. The ballot is so long, in fact, that the voter abdicates and refuses to perform a substantial part of his duty. The tendency is that the vote cast becomes lighter as the office is lower down the ballot.

The variation in votes cast for different offices furnishes to some degree a measure of the effect of the long ballot. In the absence of provision for voting a straight party ticket, the voter will express a choice on the candidates for those offices of greatest importance and will neglect to mark the ballot in many other cases. At the November, 1934, election California voters were asked to vote on eight state officers, a United States Senator, and Representative in Congress, and to express a preference on twenty-three constitutional amendments and initiated measures. In addition, in some counties local offices and local issues of policy were included on the ballot. To cast a complete ballot, the voter had to make a choice on at least thirty-three matters. Of the 2,360,916 voters who came to the polls, nearly all (98.6 per cent) expressed a choice for one or the other of the candidates for governor. Only 81.2 per cent, however, put a cross alongside the name of a candidate for the state assembly. Stated in absolute figures, over 440,000 of the voters expressed no preference for candidates for the lower house of the state legislature. The lowest vote recorded was on a proposed constitutional amendment to permit cities and other political subdivisions to adopt agreements for the joint exercise of powers and for the joint performance of functions—not a proposal to arouse the most intense passions of the elector. On this measure only 54.5 per cent of those coming to the polls aligned themselves one way or the other; over 1,000,000 voters failed to put a cross in the "yes" or "no" box on this proposition. The complete tabulation is given in Table 35.

[44] Albright, "How Does Your Ballot Grow?" (Bulletin, American Legislators' Association, May 10, 1933).

[45] Albright, "General Election Ballots in 1934," *Southwestern Social Science Quarterly*, 16 (1936), pp. 85-95.

TABLE 35

TOTAL VOTE CAST FOR CANDIDATES FOR CERTAIN OFFICES AND FOR AND AGAINST STATE-WIDE PROPOSITIONS AT CALIFORNIA ELECTION OF NOVEMBER 6, 1934

OFFICE OR ISSUE	TOTAL VOTE CAST ON EACH OFFICE OR ISSUE	PERCENTAGE OF TOTAL COMING TO POLLS WHO EXPRESSED CHOICE ON EACH OFFICE OR ISSUE
Total vote cast	2,360,916	100.0
Governor	2,329,449	98.6
Lieutenant governor	2,249,694	95.2
Secretary of state	2,112,481	89.4
Controller	2,042,854	86.5
Treasurer	2,122,136	89.8
Attorney general	2,063,534	87.4
United States Senator	2,058,940	87.2
State Board of Equalization[a]	2,056,926	87.1
State assemblymen[a]	1,918,213	81.2
U.S. Representatives[a]	2,029,510	85.9
Proposition No. 2, initiative measure on liquor[b]	1,976,618	83.7
Proposition No. 22, constitutional amendment authorizing agreements between political subdivisions[b]	1,288,230	54.5

[a] These figures constitute the total of all votes cast for all candidates in all districts of the state.

[b] The two propositions are the ones on which the highest and lowest of the votes on the twenty-three propositions were recorded.

The California figures given in the table probably show less variation in the voting on different offices than generally occurs. The voter becomes fatigued as he fights his way down the bed-sheet ballot, and the farther he gets from the head of the ticket the nearer he is to exhaustion. In Michigan, Professor Pollock has pointed out, "in the general election of 1936, 156,000 fewer votes were cast for congressmen than for governor. In Illinois, in 1932, 300,000 fewer voters voted for the office of clerk of the Supreme Court than voted

for the presidency, and only one voter out of three expressed an opinion on a single constitutional amendment which was submitted." He says that in Michigan primaries "only two out of every seven voters who vote for governor manage to last out the difficult ordeal of marking their ballots and registering their votes for the last office on the ticket, the very important office of county surveyor!" [46]

The general effect of the long ballot is that it becomes impossible for the electorate as a whole to be informed on the merits of all candidates. The more inconspicuous the office, the fewer the people who know anything or have any opinion about the candidates. The result is that the party organization has an easier task in putting into those offices the kind of men who will be amenable to its wishes or allied with it. On the other hand, the head of the ticket is under the glare of publicity, and the machine vote is not so likely to determine the outcome of the election for that position. It must be remembered that the long ballot usually prevails in the direct primaries, as well as in the election, and that participation of the voters is generally much lower in primaries than in elections. A compact machine vote acting under leadership can exert great influence in the selection of the nominees for the inconspicuous offices, since the total vote cast in the primaries for these offices is relatively very small indeed. The long ballot and the structure of government that it reflects can be given considerable credit for the perpetuation of machine control of state and local offices when apparently the electorate as a whole would direct differently if it had usable channels of expression.

Antimachine reform groups concerned with local governments have placed great emphasis on the reduction of the number of offices to be filled by popular election. Their prescription of the short ballot rests on the assumption that if the task of the voter is simplified, he will make more informed choices at the polling place. Furthermore, the advocates of the short ballot believe that, with the short ballot, no longer could minor machine politicos gain lodgment in inconspicuous offices under the concealment of the bed-sheet ballot. The suppositions of the short-ballot advocates are undoubtedly correct under certain conditions, but the adoption of the short ballot does not always throw the machine from power. It may, however, compel the machine to mend its ways somewhat.

The movement for the short ballot has been confined mainly to

[46] J. K. Pollock, "New Thoughts on the Short Ballot," *National Municipal Review*, 29 (1940), pp. 18-20.

the state and local governments, since it has been the structure of those governments that contributed primarily to the length of the ballot. However, a minor aspect of the movement to reduce the acreage of the ballot paper has concerned the election of the President. The custom has been to place on the ballot the names of all the Presidential electors pledged to each candidate for the presidency. The Presidential electors have had, of course, for over a century no function save that of a rubber stamp, yet their names have been placed on the ballot in conformity with the legal theory that people vote, not for the Presidential and Vice-Presidential candidates, but for electors who in turn select the President and Vice-President. In shortening the ballot a legal problem was presented in determining how to remove the electors' names from the ballot and at the same time provide for the selection of electors. Nebraska, in 1917, adopted a law that removed the electors' names from the ballot and that directed the governor to appoint as electors the persons "selected in the preceding delegates' state convention by the political party whose candidates for president and vice-president received the highest number of votes." Iowa, in 1919, adopted legislation to remove the electors' names from the ballot and at the same time adopted the legal fiction that a ballot marked, let us say, for the Democratic Presidential candidate was really a vote for the Democratic electors from the state.[47] The Iowa technique of meeting the legal problem is the method generally used. Spencer Albright points out that the Presidential short ballot really received its impetus from the use of the voting machine. The use of the machine, because of its limitations, required a vote for all the Presidential electors of a party at one stroke of the lever. Legislation to permit the use of the voting machine without a listing of the electors was adopted in Iowa in 1900; other states have since followed. In the 1940 election states with a total electoral vote of 296 used the Presidential short ballot.[48] Since most states permit a vote for all the electors for a Presidential candidate by the marking of a single cross, the Presidential short ballot does not reduce the burden of the electorate materially but it does, of course, reduce the sheer size of the ballot.

Voting machines.—Since 1892, when the city of Lockport, New York, made the first use of voting machines, the voting machine has

[47] L. E. Aylsworth, "The Presidential Short Ballot," *American Political Science Review*, 24 (1930), pp. 966-970.

[48] Albright, "The Presidential Short Ballot," *American Political Science Review*, 34 (1940), pp. 955-959.

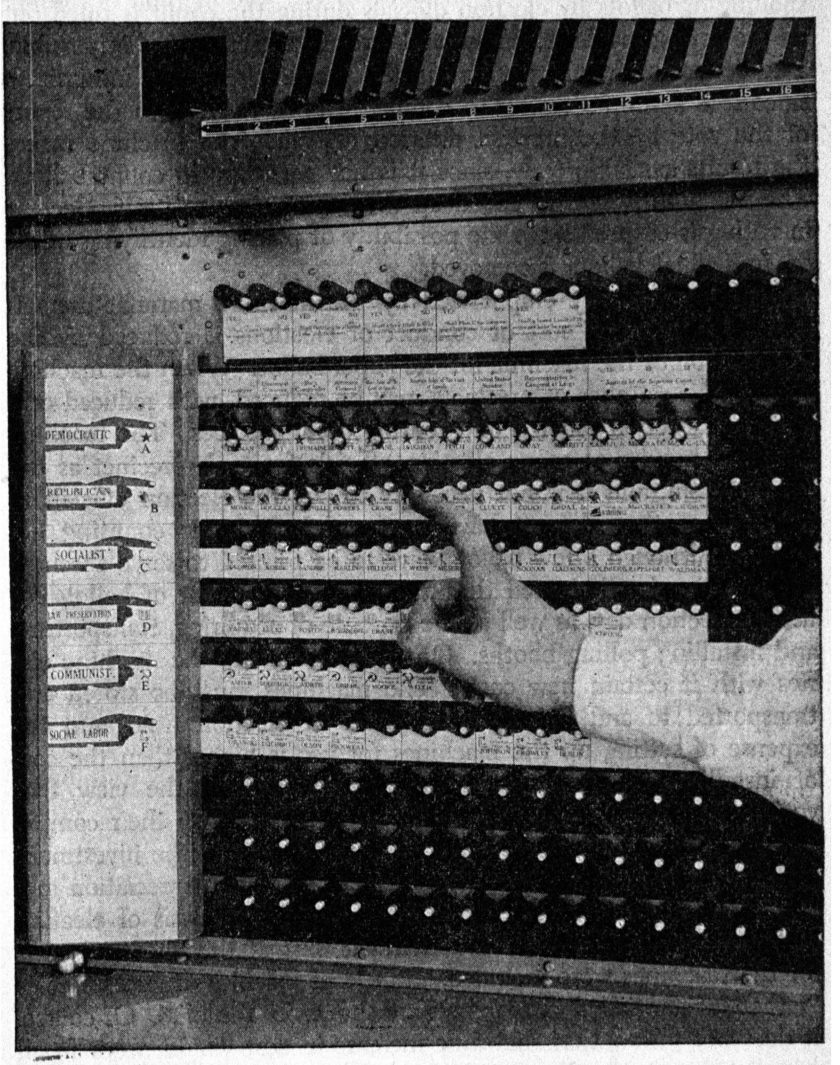
been gradually taking the place of the paper ballot.[49] In 1898 Rochester, New York, adopted the machine as the sole method of voting, and several other New York cities followed during the next year. Thirty-four states have at one time or another authorized the use of voting machines, but some state laws have been held void while others have been repealed. In slightly more than half the states laws are in effect permitting the use of machines in all or part of the localities of the state.[50] Most of these laws, however, merely authorize the local governments which usually administer elections to install voting machines. Hence, the degree of their use varies greatly among the states that authorize their use.

In essence, the voting machine is a mechanical device for recording and counting automatically the choices registered by the voter. The machine is provided with a face equipped with levers corresponding to each candidate or proposition to be voted upon. On the face of the machine, adjacent to each lever, is a printed paper indicating the candidate for whom a vote will be recorded if that particular lever is pulled down. In operating the machine, the voter pulls a lever to close the curtain to conceal himself. This movement clears the machine for operation, for unless the curtain is closed the machine cannot be operated. The voter then pulls the levers to indicate his choices. Machines are manufactured with a single lever to pull to vote a straight ticket, corresponding to the party-column ballot. If the law of the state concerned prescribes the office-block ballot, the machine is designed to require the movement of a lever for each office. After lowering the levers to indicate his choices, the voter pulls the lever to open the curtain, which movement also actuates the counters to record his choices. At the close of the polls a panel on the back of the machine is removed, and the election officials read off, record, and report the total vote indicated there for each candidate.

The advocates (and manufacturers) of the voting machine are voluble in its praise. The machine prevents certain types of frauds and errors in the conduct of elections. The "Tasmanian dodge,"

[49] On voting machines, see T. D. Zukerman, "The Case for Mechanical Balloting," *National Municipal Review*, 14 (1925), pp. 226-233; J. P. Harris, *Election Administration in the United States*, *op. cit.*, chap. 7; Spencer D. Albright, *Ballot Analysis and Ballot Changes Since 1930*, *op. cit.*, chap. 13.

[50] According to Albright, the following states have never enacted a voting machine law: Delaware, Idaho, Louisiana, Mississippi, Missouri, Nevada, New Mexico, North Carolina, North Dakota, South Carolina, South Dakota, Vermont, West Virginia, and Wyoming.



Automatic Voting Machine Corporation

FACE OF VOTING MACHINE

for example, cannot be worked on a voting machine. The fraudulent spoiling of ballots by election officials during the count is ruled out by the voting machine. Fraud and error in the count are impossible. The danger of fraud in reporting the precinct results is minimized, since it is a simple matter to compare the machine with the report of the vote by the precinct election officials. The machine makes the results available early, since it is not necessary to count ballots. The machine is said to speed up the voting process itself. Secrecy in voting is ensured since the possibility of placing identifying marks on individual ballots is removed.

A point strongly emphasized by the machine manufacturers is the claim that the cost of conduct of elections is reduced by the substitution of the machine for the paper ballot. When the machine is used, the number of precincts may be reduced, with reduced cost of hiring election officials and renting polling places. The machine does not require so many election officials for each precinct as the older system, and it is not necessary to pay the election officials as much since they do not have to spend long hours counting the ballots. Although a few ballots have to be printed to serve absentee voters, there is eliminated the major part of the cost of ballots for use on election day, as well as the expense of acquiring, transporting, and installing polling booths. On the other hand, the machine carries with it certain new costs. The machines must be stored and transported to and from polling places at election time, and the expense of setting up the machines for use is higher than the cost of installing voting booths. Most writers express the view that voting machines reduce election costs, but frequently their computations do not take into account a capital charge on the investment in the machines and do not make any charge for depreciation and obsolescence. Joseph P. Harris made a detailed analysis of election costs in New York City and concluded that, if the overhead costs for the machines were included, the use of machines increases costs "rather substantially." His figures are shown in Table 36. Of course, it does not follow that the same increase in cost would occur in all jurisdictions under all conditions; and, even if it did, it might be concluded that the assurance against fraud, the assurance of an accurate count, and other features of the machine would be worth the additional cost.

TABLE 36

COST OF ELECTIONS IN NEW YORK CITY, INCLUDING OVERHEAD COSTS FOR VOTING MACHINES

YEAR	NUMBER OF PRECINCTS	NUMBER OF MACHINES USED	COST PER VOTE CAST
1924	2,889	none	$1.25
1925	3,073	55	1.37
1926	3,136	616	1.30
1927	2,996	1,867	1.42
1928	3,493	2,964	1.19
1929	3,411	3,413	1.41
1930	3,421	3,426	1.47

SOURCE: Adapted from Harris, *Election Administration in the United States*, *op. cit.*, p. 271.

QUESTIONS AND PROBLEMS

1. Classify and define the types of voting registration systems.
2. Examine and summarize the laws of your state regulating the registration of voters.
3. Does a system of permanent registration assure more accurate lists than periodic registration? Why?
4. What influence may the form of the registration system have on the proportion of the potential electorate actually registered as voters?
5. Ascertain from the legislation the general structure of the election machinery in your community.
6. If practicable, observe the conduct of an election as a watcher.
7. What are the principal forms of election fraud?
8. What sorts of groups were active in bringing about the adoption of the Australian ballot? Why?
9. What are the principal forms of ballots?
10. What are the advantages, if any, of voting machines over paper ballots?

Part IV

DIVERSE POLITICAL TECHNIQUES

Chapter 22: THE ROLE OF FORCE

FREQUENTLY TEXTBOOKS on politics do not mention the oldest political technique, force. Consequently it is probably essential that the use of violence be oriented in a concept of politics in order that its political aspects readily may be perceived. It will be recalled that politics has been viewed as a struggle for ascendancy or for power;[1] that those who seek power do so in order to gain certain ends, power either for its own sake or for material or moral values; that the process of politics involves the reconciliation or settlement, at least provisionally, of conflicts of interest between different groups in society; that those seeking power and influence employ certain methods or techniques. The most conspicuous of these, in American society, have been the seeking of control of the government through the electoral process by coalitions of interest called political parties; the manipulation of public attitudes, sympathies, and prejudices by propaganda; and the compromise of conflict through representative bodies and through administrative agencies.[2]

The preceding chapters of this book have been concerned chiefly with these conventional methods of gaining power and influence, namely, those employed by pressure groups and political parties. In the remaining chapters we may direct our attention to certain additional practices or techniques which affect the pattern of political power: violence, bribery, and education.

Force and violence may be used for political ends, to maintain a stalemate, or to exterminate an opponent. In political conflict the use of violence is almost always an underlying potentiality; if the stakes are not deemed fundamental, if deeply cherished values are not at issue, if the cultural pattern or the customary habits of behavior discourage resort to force, the adjustments arrived at through pacific means may be acceptable to the contenders for power; yet the condi-

[1] See chap. 1.

[2] For suggestive brief treatments of the subject matter of this chapter, see C. E. Merriam, *Prologue to Politics* (Chicago: University of Chicago Press, 1939); James Marshall, *Swords and Symbols* (New York: Oxford University Press, 1939).

tions under which only pacific means are used are transient and may easily be upset.[3] Furthermore, nonviolent methods for the settlement of political conflict sometimes work because of the threat of violence in the background; thousands of farmers are dispossessed by "due process of law" and accept meekly; the vision of the sheriff and the jail in reserve eventually loses its force and sheriffs and judges are threatened by mobs in overalls.[4] The concentration of scholarly interest on the pacific means of politics has coincided with, and perhaps reflected, a liberal and democratic ideology which frowns on the use of force. The diversion of scientific attention from violence by the barrier of cultural values decrying force has delayed systematic analysis and description of the role of violence in our political order.

Without pretensions toward precision, a few words are necessary in definition of force and violence.[5] The bayonet, the bullet, the billy, the blackjack are common instruments of force, means of coercion either by actual physical violence or the threat of physical injury. Nor should more subtle instruments of torture or the instruments of the penal law—the gallows, the dungeon, the electric chair —be omitted. The exertion of force may be in the name of the state, through the duly constituted civil or military authorties, or it may be under private auspices acting illegally, since the state makes a claim to a monopoly of force.[6] Violence may be resorted to in international political conflict and intranational disputes as well. Obvious to all, war remains the primary technique for the settlement of serious international friction; yet, not so obvious, in intergroup adjustments in domestic politics not infrequently the exertion of force or the threat of violence occurs. Violence may be systematically applied to suppress dissent or resolve conflict, or it may occur in isolated,

[3] See Frances G. Wilson, "Political Suppression in the Modern State," *Journal of Politics*, 1 (1939), pp. 237-257. Consider the following sentences from Wilson's article: "Under what circumstances does the state resort to suppression? A period of repression for any group is a time of strong emotional drives or deep feelings of resentment and affection. The tolerant days are those of indifference." Again: "Yet democracy continues to be, in no small measure, because a social situation exists in which repression is not needed."

[4] See J. O. Babcock, "The Farm Revolt in Iowa," *Social Forces*, 12 (1933), pp. 369-373.

[5] For a more extended definition, see W. Y. Elliott, "Force, Political," *Encyclopedia of the Social Sciences*.

[6] John Dickinson says: "The elimination of private force between individuals and between subordinate groups as a means of furthering their interests was the earliest, and must always remain the chief, object of governmental intervention in the adjustment of interest conflicts."—"Social Order and Political Authority," *American Political Science Review*, 23 (1929), 625.

sporadic instances, as in assassination and dynamiting. The ends of violence, the values sought, are almost as diverse as the objectives pursued by other political techniques. The end of an exercise of force may be to preserve the national unit from external aggression, to preserve national security. In matters internal, the object may be to preserve the distribution of property and income; to prevent rebellion; to suppress dissentient racial or religious minorities; or simply, in the administration of the criminal law, to act for the community to compel adherence to legal principles expressing the consensus of the community as a whole. That consensus, or law, may, to be sure, reflect class or group interests.

THE TACIT ASSUMPTION OF VIOLENCE

In almost all political disputes there is an underlying possibility that one or the other factions seeking ascendancy may resort to the use of violence, and this threat of disruption of the peace conditions the operation of representative and deliberative procedures. Although the actual employment of violence in our liberal and democratic society is frequent enough, the saber more often exerts its influence without being drawn. Regimes are always prepared to defend their status, their values and interests, with force if the need arises; and those groups that deem themselves insufferably suppressed may likewise cease to be satisfied with debate and discussion and may appeal to arms.[7] Tenuous is the line between conditions under which the arbitration of differences by discussion will bring acceptable results and the conditions under which violence will flare up. A fundamental, although not often recognized, task of democratic government is the adaptation of its policies and the distribution of its favors and honors so as to alleviate conditions which might give rise to insurrection and disorder by group or section. But the task of maintaining that pacific equilibrium is facilitated by the knowledge that insurrection will be met with suppression.

The resort to violence is not difficult to understand; it is the maintenance of peaceful methods of solving political disputes that is sometimes puzzling. What kinds of questions are likely to give rise to violent dispute? What conditions favor settlement of issues

[7] A cardinal doctrine in articles of American political faith is the right of revolution, a justification of the use of violence to overthrow the Government under intolerable conditions. The doctrine is most eloquently formulated in the Declaration of Independence.

without resort to force? Walter Lippmann has dealt with such questions by the assertion that in stable and mature societies the differences between opposing factions are not great. If that were not the case, he argues that the "outs" would be always considering rebellion and the "ins" would usually adopt policies entirely unacceptable to the "outs." In fact, elections are not followed by such abrupt and wide shifts of policy; the working assumption is that the winners will not push their advantage so far. The basis of that assumption and practice is the fundamental likeness in the views and interests of the "ins" and "outs." [8] John Dickinson has reached similar conclusions: [9]

> For representative government, no less than for direct democracy, there must be a willingness on the part of conflicting interests to live together on peaceful terms and to make at least such mutual concessions as are needful for that purpose. Where this is not the case—where the cleavage between particular interests is so deep that they stubbornly refuse all concessions—no form of popular government, whether direct or representative, is possible. Such a condition is ordinarily a mark of the political immaturity of the people among whom it exists.

Whether these speculations really throw any light on the nature of the conditions productive of violence is doubtful. Their substance is that men fight when there are "profound" differences or when something "fundamental" is at stake. That amounts to saying that men resort to force over those things about which they feel like resorting to force—not a very illuminating observation. It is clear, however, that the content of the category of issues soluble only by the sword constantly changes. Issues which at one time create intermittent, bloody internal dissension may at another time be ignored or settled by means no more bloody than the ceremonial bellicosity of parliamentary debate. In other words, the things that people feel like fighting about are not always the same. That conclusion points to the great importance of the attitudes of a culture toward violence. A society habituated and attached to debate and discussion may be able to settle through these means matters which in a different culture or a different time would provoke armed revolt or relentless repression. Yet the veneer of restraint and tolerance is thin; and a constant responsibility of the political therapeutist is the anticipa-

[8] *The Phantom Public* (New York: Harcourt, Brace, 1925), p. 127.

[9] John Dickinson, "Democratic Realties and Democratic Dogma," *American Political Science Review*, 24 (1930), pp. 283-309.

tion, prevention, and amelioration of differences based on deep cleavages of sentiment.[10]

Although settlement of political differences by parliamentary means is the predominant method in the American culture, resort to violence is often in the background as an ultimate possibility. It is difficult to make vivid that possibility except by indication of instances in which violence has actually come to the surface. A recurrent characteristic of American politics is the appearance of cleavages along sectional lines.[11] Generally these disputes are ironed out to the satisfaction of the competing interests, but at times force has been the final arbiter. The Civil War was preceded by a long conflict in polemics that eventuated in a sanguinary conflict. Any other attempt at secession would probably likewise be met with force. Yet to contend that national unity is maintained by force alone is not tenable, for it has more substantial foundations. Nevertheless sectional differences irreconcilable by normal means would have to be resolved by force. And those decisions arrived at through parliamentary methods will, if necessary, be carried out by force. Thus violence may break out at two points in the political process: as a means of settlement in substitution for deliberative processes, as a means of compelling acceptance of the result of the deliberative process.[12]

[10] It may be suggested that the continued acceptance of the adjustments and decisions between conflicting interests by democratic processes rests on a general faith in ultimate improvement of status by peaceful means, a faith or belief not dissimilar in nature and function to Sorel's myth of the "general strike." Consider the following passage: "The existence of representative government, of course, is not based on institutional machinery; it must rest on a disposition and desire of the people for that kind of government. It must rest on a willingness to compromise, a widespread tolerance. . . . Obviously men are willing to compromise when resources are adequate to go around, when the outcome of the issue is not a matter of life and death. . . . Representative government, moreover, rests upon a faith in gradualism, a general acceptance of the proposition that through governmental action a slow but certain adjustment of injustices will occur. Planning offers a method for the partial implementation of the theory of gradualism. It projects present consensus on gradualism and constitutes a promise of continuation. Moreover, faith in a dramatic, long-range plan may serve as a catharsis for the discontent which sometimes arises from impatience with the short-run errors of representative government."—National Resources Committee, *The Future of State Planning* (Washington, 1938), p. 24.

[11] See above, chap. 2.

[12] Probably the first example of sectional differences in which force was brought into play was the "Whisky rebellion" of 1794. Farmers in western Pennsylvania counties beyond the Allegheny Mountains lacked a readily accessible market for their grain which was converted into whisky, a product more easily transported and sold. Stout resistance to the collection of Federal excise taxes brought Federal armed forces to quell the insurrection.

The military establishment thus has its internal potentialities as well as its more obvious external uses. It is prepared to maintain by force, if necessary, the dominant values of a culture in internal conflict.[13] Yet one of the striking developments in liberal, democratic cultures has been the subordination of the military class *per se* to other controlling groups. Political dominance in our time has not been achieved by those most skilled in the management of military operations; the United States has had military leaders as Presidents, Washington and Grant to name two, but it could not be said that these men achieved leadership through military skill in the same sense that a medieval prince fought his way to ascendancy.[14] The replacement of the military class at the apex of the political pyramid by the industrial leader has not occurred because the warriors were beaten at their own game; the governing classes of a civilization must be recruited from those able to meet the peculiar requirements of a given time and place.

The potentiality of the exercise of violence is not limited to its use by government and by those interests associated with government in the suppression of dissident and dissatisfied groups. Submerged groups may attempt to use force to gain their ends. Sidney Hook has gone so far as to declare that "practically all" successful movements of social revolt have at one time or another in the course of their development used violence. The corollary of this finding is that movements of social revolt will not gain power unless they do use violence. The exception might be a movement directed against a ruling group which for some reason or another finds itself unable or unwilling to defend itself. Hook goes further and holds the opinion that so-called "peaceful" reform in which the actual use of violence does not occur succeeds because of an implicit threat of

[13] Friedrich says: "The political scientist must likewise conclude that the military establishment is a necessary concomitant of all government, that it transcends territorial objectives and ultimately is rooted in the general objective of security. Group dissensions within are as threatening as external conflicts. The people of the United States, whose most dangerous war has undoubtedly been the Civil War, should be the last to overlook the lessons which this political rule can teach."—*Constitutional Government and Democracy* (Boston: Little, Brown, 1941), p. 70.

[14] Machiavelli's maxim by inference describes a type of earlier situation: "A prince ought to have no other aim or thought, nor select anything else for his study, than war and its rules and discipline; for this is the sole art that belongs to him who rules, and it is of such force that it not only upholds those who are born princes, but it often enables men to rise from a private station to that rank. And, on the contrary, it is seen that when princes have thought more of ease than of arms they have lost their states."—*The Prince*, chap. 14.

violence. A recurring and telling argument for reform is that it may prevent revolution.[15]

Those who challenge the dominant cluster of interests by force or threat of force are, however, likely to be met by force, applied either by government through judicial or military channels or applied by private militia. Drastic laws, for example, have been enacted in about twenty states for the punishment of "criminal syndicalism." In most of the states in which these laws were passed there was a background of activity by the I.W.W. or other radical groups which advocated, and from time to time used, violence. One observer notes: [16]

> In practically every state where a criminal syndicalism bill was passed, there is evidence of a bill having been sought by those interests and industries which were having trouble with the I.W.W., feared trouble with them, or were apprehensive concerning the effect of the I.W.W. and radical doctrines on the more conservative unions in a period of labor unrest. These interests were found in various forms, as unorganized groups of business men or individual employers in the industries affected, as groups organized in state or city-wide employers' associations, and as corporations or groups of corporations controlling the dominant industry and having a firm hold on the political life of the state.

Although American repression of radical minorities has been, in the main, the result of visions of spooks under the bed, it needs to be pointed out that democratic societies labor under a special handicap in preserving the political regime of debate, discussion, and elections against minorities committed to the use of violence. Commitment to democratic procedures denies resort to violence; effective democracy implies practically universal acceptance of the results of democratic procedures. Speaking of the dead democracies abroad, Loewenstein says: [17]

> Democracy and democratic tolerance have been used for their own destruction. Under cover of fundamental rights and the rule of law, the anti-democratic machine could be built up and set in motion legally. Calculating adroitly that democracy could not, without self-abnegation, deny to any body of public opinion the full use of the free institutions of speech, press, assembly, and parliamentary participation, fascist ex-

[15] Sidney Hook, "Violence," *Encyclopedia of the Social Sciences.*

[16] E. Foster Dowell, *A History of Criminal Syndicalism Legislation in the United States* (Baltimore: Johns Hopkins Press, 1939), pp. 51-52.

[17] Karl Loewenstein, "Militant Democracy and Fundamental Rights," *American Political Science Review*, 31 (1937), pp. 417-432, 638-658.

ponents systematically discredit the democratic order and make it unworkable by paralyzing its functions until chaos reigns.

The private army completes the work when chaos is complete. The difficult problem of a democracy is to sterilize the violent and at the same time leave an avenue of adequate width open for the play, counterplay, and balancing of pressures through the devices of debate and discussion.

THE STATUS OF LABOR AND VIOLENCE

On two great issues in American domestic politics pacific procedures have been freely supplemented by violence. The parliamentary techniques of discussion, compromise, and acceptance of the outcome of the representative process have not sufficed to resolve conflicts of interest between employer and employees and between white and black.[18] In the long dispute between employer and employee, reliance on violence, by both parties to the dispute, has apparently arisen from the fact that matters have been at stake which both disputants have regarded as fundamental and which could not really be compromised. The right to organize and the right of collective bargaining are not subject to compromise; the employers either will or will not "recognize" the union; employees either do or do not enjoy the privilege of freely organizing and bargaining collectively. There is no halfway ground.

There is, of course, no halfway ground on many issues, but the issues between employer and employee have been regarded by both as involving rights not to be lightly surrendered. The state of mind of employer and employee has been such as to lead each to believe that it could not yield to the other without irretrievable loss. Senator Kenyon, in a statement resulting from an inquiry into a strike in West Virginia shortly after the World War, described a typical situation: [19]

[18] It might be added that the outlawing of the liquor business by the prohibition amendment paved the way for the creation of *de facto* underworld "governments" with jurisdiction over the illegal liquor business. The formal legal denial of the legitimacy of the liquor business, together with the actual existence of the business, left the "regulation" of the business to private "governments" whose police were armed gangs. When the formal government refused to determine the conditions under which the business might be carried on, informal "governments" arose to "license" producers, distributors, and retailers. These informal governments enforced their edicts by private violence and had a continuous history of internal insurrection and aggression from without.

[19] Senate Report No. 457, 67th Congress, 2nd Session (1922), p. 4.

The issue is plain and perfectly apparent. The operators in this particular section of West Virginia under consideration openly announce, and did before the committee, that they will not employ men belonging to the unions, for, as they say, they believe they will become agitators; and further, that they have the right, and will exercise it if they desire, to discharge a man if he belongs to the union, and in making these claims they believe themselves to be within their constitutional rights.

On the other hand, the United Mine Workers are determined to unionize these fields which are practically the only large and important coal fields in the United States not unionized.

Here we have the situation of two determined bodies trying to enforce what they believe are rights, which rights are diametrically opposed to one another, and we have the situation of an irresistible force meeting an immovable body. In such case there can be nothing but trouble.

The facts about the "trouble" that has occurred in such cases are fairly well known. The strike often involves the direct use of violence. Indeed, it could be said that even the "peaceful" strike is an act of violence. In turn, employers have used all manner of violence against their employees. A distinction might be made between public and private violence in industrial disputes. Sometimes the antagonists in an industrial dispute involving violence exert private violence; that is, the parties to the dispute do not act under the color of public authority. In other circumstances the exertion of public authority by police, National Guardsmen, deputy sheriffs, and, occasionally, Federal troops is involved. The distinction is not of much import, however, since private violence has often been thinly cloaked with the veil of legality. Company police have often been deputized as public officials and have acted under public authority, but have remained under private direction. In other instances, employer domination of the public authorities concerned has made the public nature of these officials pure fiction.

Some of the most violent industrial disputes have involved the efforts of employers to maintain their position against the right of labor to organize so as to bargain collectively effectively. The dispute has been not so much an economic dispute as a struggle for power: the employers defend their historic position while the employees, driven perhaps by the profound psychological insecurities of the worker in the modern industrial system, seek the right to gain strength through union. In "labor troubles" the unequal distribution of the hazards of the industrial system may be more important than the unequal distribution of rewards. A classic statement of the posi-

tion of employers on the issue is by John Kirby, Jr., presented by him as president of the National Association of Manufacturers to a Senate committee in 1913: [20]

> The record of organized labor leaves no room for argument as to what the attitude, not only of employers and associations of employers, but of every patriotic individual and newspaper of this land of ours, should be toward it. It pronounces in no uncertain terms that when an employer bows to its demand for recognition he becomes a party to an un-American, illegal, and infamous conspiracy, and adds his strength to a cause which he knows is gradually undermining our industries, intimidating capital, restricting our export markets, fostering the personal interests of the leaders and agitators who preach the doctrine of unrest and hatred of the employer, for the purpose of perpetuating their jobs, and not for love of their fellow workers.

More recent public statements by employer leaders are usually not so unrestrained. In fact, the principle of collective bargaining is often accepted but hedged about with conditions that would prevent true collective bargaining. Robert P. Lamont, representing the American Iron and Steel Institute, opposed the enactment of Section 7(*a*) of the National Industrial Recovery Act in the following terms: [21]

> The industry stands positively for the open shop; it is unalterably opposed to the closed shop. For many years it has been and now is prepared to deal directly with its employees collectively on all matters relating to their employment. It is opposed to conducting negotiations concerning such matters otherwise than with its own employees; it is unwilling to conduct them with outside organizations of labor or with individuals not its employees. The industry accordingly objects to the inclusion in this pending bill of any provisions which will be in conflict with this position of the industry, or of any language which implies that such is the intent of the legislation.

Industrial warfare has been so commonplace that specialized concerns have arisen to furnish to employers, on a commercial basis, corps of experienced strikebreakers. Men furnished as strikebreakers by detective agencies and similar organizations are generally not equipped to man the plants; their principal skill is in stamping out labor organizations. Strikebreaking services existed even before 1900, but they have become more numerous since that time. The nature

[20] Senate Report No. 6, Part 6, 76th Congress, 1st session (1939), p. 28.
[21] *Ibid.*, p. 78.

of the service furnished by these companies is illustrated by a circular distributed in 1913 by the Waddell-Mahon Corporation: [22]

As an evidence of our ability as strike breakers, we invite your attention to the labor difficulties now ensuing along the copper range of the Upper Peninsula of Michigan between the Calumet & Hecla Copper Co., the Commonwealth Copper Co., the Quincy Copper Co., et al., and the Western Federation of Miners. In amount of capital and number of men involved this strike is the most important of the present year. We point with pardonable pride to the fact that this corporation has been selected by Sheriff James A. Cruse, of Houghton County—the storm center of the strike—to aid him in maintaining the integrity of the law. We are now engaged in "policing" the 1,019 square miles of territory contained in Houghton County. We are safeguarding the property of the mine owners against intrusion and violence. We are also protecting the lives and the homes of the 80,098 men, women, and children of Houghton County against overt acts. The Western Federation of Miners is doomed to inevitable disaster and defeat in the Upper Peninsula of Michigan. We make this prediction at this time, and if you will follow the story of the strike as it appears in the daily newspapers, and particularly in the Boston News Bureau, the well-known financial organ, which has a special correspondent on the ground, you will see that our prediction will be fulfilled daily. We are sure of defeating the Western Federation of Miners in this operation because we have met and defeated them before. Last year, when the agitators of this union sought to paralyze the copper industry of Nevada and Utah, we were retained by the Utah Copper Co. and the Nevada Consolidated Co., and broke the great strikes at Bingham Canyon, Utah, and at Ely and McGill, Nev. We ask you to watch the progress of the present strike, because we know it will be a triumph for law and order, a triumph for the mine owners, and will furnish still another evidence of the success we have always met with in breaking strikes. We ask you to judge us by results.

The number of agencies providing services such as those advertised by the Waddell-Mahon Corporation in 1913 is doubtless much larger now. A Senate subcommittee concluded in 1939 that [23]

[22] Senate Document No. 381, 63d Congress, 2nd Session (1914).

[23] Senate Report No. 6, 76th Congress, 1st Session (1939), p. 29. A droll consequence of the professionalization of strikebreaking is that the strikebreakers have an interest in extending the strike to lengthen their employment and in intensifying disorder to justify the employment of additional strikebreakers or strikeguards. The process of intensifying the strike is called "heating up the job." "In order to do this," one strikebreaker testified, "the men that are hired or already working, or the men that want to get on, either get a delegation of four or five men or they get some of their friends, and the best thing they do is

. . . there exists today a considerable group of persons and firms holding themselves out to supply outsiders in industrial disputes. The news of an impending strike not only finds the larger and well-established detective agencies equipped for strike service, but evokes a response from numbers of fly-by-night strikebreaking agencies, and veteran strikebreakers, all promising to supply strikebreakers or guards. The files show that this latter class of individuals and firms varies from year to year, changing firm names and office addresses. These are the professional "finks" striving to set up in business for themselves.

In some localities employers do not patronize the commercial agencies but obtain strikebreakers from the employers' association which, in this respect, performs the functions of a consumers' cooperative.

Alongside the strikebreaking agencies are corporations that sell munitions for use in the suppression of strikes. The inventories of the private arsenals of the Republic Steel Corporation and the Youngstown Sheet and Tube Company, which cooperated in the "Little Steel" strike of 1937, indicate the magnitude of the munitions business as well as the effectiveness with which industry arms itself. These two corporations had on hand 1,881 firearms, 313 gas guns, 153,930 rounds of ball cartridge ammunition, 10,234 rounds of shot cartridge ammunition, and 10,064 rounds of gas ammunition. During the period January 15, 1933 to June 26, 1937, the Republic Steel Corporation "with 52,775 employees purchased more than 10 times as many gas guns, and more than 26 times as many gas shells and gas projectiles, as the police department of the city of Chicago, with a population of 3,376,438 persons." [24] Employees organizations do not have access to the same sources of supplies as do the employers [25] and they are usually less well armed. A degree of control over the private use of machine guns and sawed-off shotguns exists under the National Firearms Act of 1934, which placed a prohibitive tax on the sale of these devices to persons other than public agencies. The act,

slug a picket or two, which will bring a bunch more out on the line for a while, or go in and throw a rock through a business representative's window, or something like that. During the National Screw they broke out the windows in the Union headquarters there. The fellows would take turn about breaking them out. Of course, that kept the strike going."—*Ibid.*, p. 98.

[24] *Ibid.*, Part 3, pp. 45, 57.

[25] The Lake Erie Chemical Co., an important munitions firm, wrote in 1936 to a union of chauffeurs and helpers: "We are restricting the sale of our tear gas weapons to law-enforcement agencies, and therefore are not in a position to quote, in answer to your letter of May 10th. We do not sell through dealers." The Senate committee found, however, that the company "made every effort to sell to persons not connected with law-enforcement agencies, provided they were on the employer's side of the industrial conflict."—*Ibid.*, p. 92.

however, has been evaded by means of sales to industrial concerns indirectly through local police officials,[26] and no effective public control of other types of weapons used in industrial disputes exists.[27]

In terms of public policy, the conflict between employer and employee has been one in which the employer has defended the legal *status quo*; the employees of the newer and larger industrial units have sought a redefinition of public policy. The process of accommodating formal public policy so as to bring about workable legal principles governing the relationships of employer and employee has lagged. Consequently, in the conflict between employer and employee the employer has been able to picture himself as the defender of the legal order, and the duly accredited functionaries of the legal order have tended to be allied with the employer. The employee, on the other hand, has been at a strategic disadvantage since his activities have been directed, if not against the legal order, at least toward a reformulation of formal public policy.

The depth of feeling that characterizes the friction between employer and employee is illustrated by the extreme difficulty of developing and applying new juridical principles to govern their relationships. In a few industries a period of strikes and strikebreaking has been followed by the development of a *modus vivendi*, or an acceptance of the principle of collective bargaining, under which specific problems are dealt with as they arise. In such circumstances, in effect a new "law" or policy has arisen by common consent and is obeyed by all parties concerned, although it does not have behind it the power of coercion of the state. In another type of situation, of which the railroad industry is about the only specific case, the principle of collective bargaining has been enforced in a particular industry by public authority, an authority that is generally accepted by all parties concerned. However, the adoption of a like public policy to govern relationships between employer and employee more generally (that is, within Federal jurisdiction) under the National Labor Relations Act has not been followed by a complete substi-

[26] *Ibid.*, Part 3, p. 182.

[27] As early as 1916 control over industrial munitions was proposed. The Commission on Industrial Relations recommended "the enactment by Congress of a statute prohibiting the shipment in interstate commerce of cannon, gatling guns, and other guns of similar character, which are not capable of personal use, when consigned to anyone except military agencies of the State or Federal governments."—Senate Document No. 415, 64th Congress, 1st Session (1916), Vol. I, p. 99. The National Firearms Act was designed primarily to prevent the sale of submachine guns to gangsters.

tution of pacific for violent means of settlement of disputes. The formal legal order has not reflected a consensus, and the exertion of violence on perhaps a slightly diminished scale has continued.

The National Labor Relations Act provides that "Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection." The act provides penalties for interference by employers with the exercise of these rights by employees. Public policy is, thus, fairly definite, but the reordering of relationships envisaged by the framers of the act has come about only partially, and violence continues to be applied in industrial disputes. The National Labor Relations Board reported in 1938, for example: [28]

> In some cases the employer, for the purpose of disorganizing and defeating union activity, has sought to instigate or cause the commission of acts of violence against union organizers and leaders and union members. In one case an overseer of the company offered to buy an employee a gallon of whiskey if he would "stamp hell out of" an active union employee. In another case, a forelady supplemented her attempt to dissuade employees from accepting union pamphlets by the following suggestion having reference to the organizer who distributed the literature: "What do you say, girls, we give her a beating?" Marked conduct of this sort was revealed in *Matter of Clover Fork Coal Company*. The company and the Harlan County Coal Operators' Association, an employer organization of which the company was a prominent member, conducted a literal reign of terror against unionization. Union organizers were ordered out of the county at the point of guns; one organizer's hotel room was flooded with tear gas; another organizer, a minister, was shot at. The general superintendent of the mine told employees: "If one of my men will pick up a stick and whip hell out of one of them organizers, I will . . . see he don't put in a day in jail and I will pay the fine." On another occasion he proposed that the men throw the union organizers into the river.
>
> In some strike cases, the employer not only sought to incite or did incite violence against union organizers and members, but in connection therewith sought to create a situation of general disorder in order to demoralize the striking employees and to justify appeals to "law and order." In *Matter of Remington Rand, Inc.*, large numbers of professional strikebreakers and operatives, known as "missionaries," "nobles," and "undercover" men, were hired by the company for such purposes.

[28] National Labor Relations Board, *Annual Report*, 1938, pp. 54-55.

They jostled pickets and terrorized striking employees. In *Matter of Sunshine Mining Company*, supervisors fostered the formation of two strikebreaking organizations, the "Vigilantes" and the "Committee of 356." Through them the company sought to enlist the intervention in the strike of local law enforcement agencies and the governor of the State. A mass demonstration was arranged by these organizations against the strikers, and handbills were distributed stating: "Vigilantes are ready to take care of any radical organizers . . . ropes are ready." Confronted by this situation the pickets disbanded before the demonstration was held. There then followed a victory celebration, with the company furnishing beer tickets, good in any saloon. Violence occurred; in one instance, a supervisor led a crowd of about 400 men who attempted to lynch one of the strikers.

What does the exertion of force in industrial disputes have to do with politics, it may be asked. It all depends on what one means by politics, but a comprehension of the political significance of these examples of violence requires that they be viewed in a larger context than the incidents surrounding individual acts of violence. No particular importance may be attached to the event of a company guard shooting a single striker or a striker blackjacking a strikebreaker. Consider, however, the function of thousands of such individual incidents in the maintenance or disturbance of the power structure of our society. What has been the effect of forcible repression of union activity in plant after plant, in state after state, for year after year? Innumerable acts of violence, sometimes brought about or at least stimulated by joint action of employers, have undoubtedly had the effect of discouraging collective action by employees, of maintaining a disunited labor movement, of keeping labor weak. Massacres make martyrs, to be sure, but they also make men meek. The total effect of the employer violence has been to retard employee organization and consequently to retard the development of a working-class consciousness. A relatively weak labor movement is unable to seek its end effectively in the political sphere, more narrowly defined, that is, through influencing political parties and through the application of pressure against legislative bodies and other official agencies. The function of violence in the maintenance of the power of the employing classes seems so patent as to require no elaboration.

On the other side of the picture, strikes and the violence that accompanies them have undoubtedly been an important technique for gaining influence by the employee groups. The use of strikes and violence by employees has had a peculiar relationship to public

policy. "The two great peaks in the history of industrial disputes in America," John I. Griffin concludes, "were marked by noteworthy interest in the labor movement on the part of the government, an interest motivated in the one case by military necessity and in the other by political expediency." [29] He refers to the World War and the New Deal period. The conclusion might be that employee groups have been most free to promote their interests by strikes only when the Government was favorable to them. And, in a sense, industrial disputes constitute a kind of civil warfare permitted by government. The formal governmental machine, unable to find a formula to bridge a social cleavage, permits the solution of the conflict by private violence. The side favored by the Government tends to have the upper hand. Unrestricted repression of workers is likely to occur with either the tacit consent or open collaboration of the Government; labor groups are likely to promote their cause more vigorously when a Government is in power that looks with favor on labor.

Although the contention has been in these pages that, broadly considered, all violence in industrial disputes has a political function, it should be pointed out that a special type of strike is characterized by students of labor problems as a "political strike." Hiller says: "Strikes not only affect the relations between employer and employees, but also disturb the equilibrium between social classes. Such changes arise in part as slow accompaniments of a historic movement, and in part as instant results of conflict. Strikes which abruptly change the legal position of the social group involved, or which are intended to do so, are political, in the specific sense of the term." [30] Examples of political strikes are furnished by the series of strikes in Belgium to gain the franchise: in 1891, 1893, and 1913 strikes were called for the specific purpose of compelling suffage reform.[31]

The general strike, in theory, is a technique of revolution. The theorists of the syndicalist movement considered the general strike as a means whereby the working classes could paralyze a society and wrest control of the government from the dominant classes. Yet the more profound syndicalist thinkers have regarded the idea of the general strike as a social myth. Other revolutionary labor leaders have also viewed and used the strike, not primarily as a means for gaining im-

[29] J. I. Griffin, *Strikes* (New York: Columbia University Press, 1939), p. 204.

[30] E. T. Hiller, *The Strike* (Chicago: University of Chicago Press, 1928), p. 233.

[31] For other examples, see *Ibid.*, chap. 19.

mediate economic advantage, but as a device for creating disorder and for harrying the capitalist classes as a preliminary for revolution. The syndicalist movement has been represented in the United States chiefly by the I.W.W.[32] Communist-dominated unions regard the strike and the accompanying violence as merely an incident in class warfare—a different view from that of the conservative unions, which consider the strike primarily as a means for promoting and protecting labor interests within the framework of the capitalist society.

ACCOMMODATION IN RACIAL CONFLICT

One of the most enduring cleavages that divide men and provoke friction occurs along lines of race. The contrivance of systems of peaceful relationships between racial groups is so formidable a task that the instances in which a *modus vivendi* unaccompanied by violence or repression has evolved are exceptional. The cleavage between racial groups is made deep and difficult to bridge by the high visibility of the insignia of group affiliation; it is either "we" or "they." Facile identification of the individual's group credentials draws sharp the line between "us" and "them" and solidifies each group internally. Racial distinction, of course, involves more than biological differentiation. It often includes a wide variety of cultural differences. Moreover, cultural conflicts are often aggravated by the addition of economic competition along racial lines. As more and more lines of cleavage coincide, the intensity of friction increases. A common interest by segments of the membership of each group often mitigates group friction, but the gulf of racial difference often prevents this crisscrossing—witness the relations of white and black workers in the trade-union movement.

Violence appears in race relations in a number of forms. In some circumstances repression of and discrimination against mi-

[32] Paul F. Brissenden, *The I.W.W.* (New York: Columbia University Press, 1919). See also the valuable, brief comment by W. H. Crook, "The Revolutionary Logic of the General Strike," *American Political Science Review*, 28 (1934), pp. 655-663. Dr. Crook concludes that ". . . in these days a successful general strike in Western civilization is likely to occur only where the labor forces have faced the full revolutionary logic of that weapon, and where the ruling class or the government has at the same time remained so blind to progress and so unjust to the masses of the people that anything, even revolution, is preferable. Even at that, success in the use of the weapon demands that the cause be so clear that most of the citizens outside the ranks of labor, and the majority of the military and naval forces, express strong sympathy with the strikers."

nority groups are the accepted public policy; under such circumstances the dominant group has at its command all the machinery of the state to maintain its status of superordination. In other circumstances the articles of the law may proclaim equality among all individuals regardless of race, but in fact the machinery of government may be used to discriminate against the subordinate group with varying degrees of exercise of legal violence. In other situations interracial friction may be accompanied by the exertion of private violence.

In the United States, friction has flared up from time to time between nativist groups and successive waves of immigrants, but the most persistent social conflict has been between black and white. Prior to the abolition of slavery the laws of the slave states prescribed a special subordinate status for Negroes. Since abolition the Federal Constitution has prohibited denial of equal protection of the law. In fact, however, the dominant race has controlled the machinery of government, and discrimination in goverance has been the practice. Moreover, private violence, the most spectacular form of which is lynching, has played a role of considerable importance in the definition of the relative status of the groups concerned.

The records of the Tuskegee Institute indicate that from 1882-1938 there were 4,687 lynchings, of which 3,398 involved Negroes, and 1,289, whites. The lynching of whites has tended to decrease in relative importance; since 1910 the ratio of Negro to white lynchings has been about nine to one. The number of lynchings alone does not furnish a complete picture of the extent of the will to lynch; in 1938, for example, there were 6 lynchings but there were 42 instances in which officers of the law prevented lynchings.[33] Apart from the lynching of individuals, large-scale race wars have occurred from time to time in certain cities. In the catalog of violence in race relations there must, of course, be included the activities of the Ku Klux Klan in the restoration of the interracial balance of power that had been upset by the Civil War and reconstruction.

An interpretation of the function of lynchings in interracial relations similar to that of violence in industrial relations could be made. The individual lynching has an effect far beyond the immediate neighborhood in which it occurs. It serves as a reassertion of white supremacy vicariously shared by many who do not participate in

[33] See J. W. Johnson, "The Negro and Racial Conflict," in Francis J. Brown and Joseph S. Roucek, *Our Racial and National Minorities* (New York; Prentice-Hall, 1937).

the event itself; to all Negroes it serves as a reminder of the actual status they enjoy. The lynching dramatizes the relationship between the races and serves to supplement other devices for governing race relations.

VIOLENCE AND ITS SOCIAL CONTEXT

To isolate violence for analysis as a technique of politics wrests it from its social setting and perhaps exaggerates the significance of force alone. Exclusive reliance on brute force in political conflict does occur, but in our culture force has usually been only one of a battery of techniques to gain an end or to maintain a status. And perhaps, to be effective over the long run, force must be supplemented by other methods.[34] Machiavelli perhaps had something of this sort in mind when he wrote: [35]

> You must know there are two ways of contesting, the one by the law, the other by force; the first method is proper to men, the second to beasts; but because the first is frequently not sufficient, it is necessary to have recourse to the second. . . . A prince, therefore, being compelled knowingly to adopt the beast, ought to choose the fox and the lion; because the lion cannot defend himself against snares and the fox cannot defend himself against wolves. Therefore, it is necessary to be a fox to discover the snares and a lion to terrify the wolves. Those who rely simply on the lion do not understand what they are about.

The axiom that "those who rely simply on the lion do not understand what they are about" has repeatedly been a maxim to guide practical conduct. Instead of the fox, propaganda is now the most frequent companion of the lion. The object of the propaganda may be to justify the use of violence [36] or to supplement violence. In industrial disputes neither employer nor employee relies on force

[34] John Dickinson argues that political authority does not rest solely on a basis of force. "It rests on obedience, whether produced by reverence, habit, rational conviction, or the fear of compulsory sanctions. That it cannot be said to rest ultimately on force appears from the fact that the use of force against recalcitrant individuals will not be effective unless acquiesced in, and if need be supported by, the preponderance of the impartial elements in the community not directly concerned with the controversy. Only in extremely rare instances can such acquiescence and support be procured by terrorization of the whole community." "Social Order and Political Authority," *American Political Science Review*, 23 (1929), p. 627.

[35] *The Prince*, chap. 18.

[36] Frances Wilson observes that "it is fairly obvious that repression is most successful when the official policy of government is faithfully representing a broad and basic interest of the population."—*Op. cit.*, p. 239.

or the threat of force alone. A refined technique, publicized under the title of the "Mohawk Valley Formula," was developed in 1936 by Remington Rand, Inc. The "Mohawk Valley Formula" is not radically different from general practice. It was outlined by the National Labor Relations Board as follows: [37]

First: When a strike is threatened, label the union leaders as "agitators" to discredit them with the public and their own followers. In the plant, conduct a forced balloting under the direction of foremen in an attempt to ascertain the strength of the union and to make possible misrepresentation of the strikers as a small minority imposing their will upon the majority. At the same time, disseminate propaganda, by means of press releases, advertisements, and the activities of "missionaries," such propaganda falsely stating the issues involved in the strike so that the strikers appear to be making arbitrary demands, and the real issues, such as the employer's refusal to bargain collectively, are obscured. Concurrently with these moves, by exerting economic pressure through threats to move the plant, align the influential members of the community into a cohesive group opposed to the strike. Include in this group, usually designated a "Citizens Committee," representatives of the bankers, real estate owners, and business men, i.e., those most sensitive to any threat of removal of the plant because of its effect upon property values and purchasing power flowing from payrolls.

Second: When the strike is called raise high the banner of "law and order," thereby causing the community to mass legal and police weapons against a wholly imagined violence and to forget that those of its members who are employees have equal rights with the other members of the community.

Third: Call a "mass meeting" of the citizens to coordinate public sentiment against the strike and to strengthen the power of the Citizens Committee, which organization, thus supported, will both aid the employer in exerting pressure upon the local authorities and itself sponsor vigilante activities.

Fourth: Bring about the formation of a large armed police force to intimidate the strikers and to exert a psychological effect upon the citizens. This force is built up by utilizing local police, State Police if the Governor cooperates, vigilantes, and special deputies, the deputies being chosen if possible from other neighborhoods, so that there will be no personal relationships to induce sympathy for the strikers. Coach the deputies and vigilantes on the law of unlawful assembly, inciting to riot, disorderly conduct, etc., so that, unhampered by any thought that the strikers may also possess some rights, they will be ready and anxious to use their newly acquired authority to the limit.

[37] 2 N.L.R.B. 664-666.

Fifth: And perhaps most important, heighten the demoralizing effect of the above measures—all designed to convince the strikers that their cause is hopeless—by a "back to work" movement, operated by a puppet association of so-called "loyal employees" secretly organized by the employer. Have this association wage a publicity campaign in its own name and coordinate such campaign with the work of the "Missionaries" circulating among the strikers and visiting their homes. This "back to work" movement has these results: It causes the public to believe that the strikers are in the minority and that most of the employees desire to return to work, thereby winning sympathy for the employer and an endorsement of his activities to such an extent that the public is willing to pay the huge costs, direct and indirect, resulting from the heavy forces of police. This "back to work" movement also enables the employer, when the plant is later opened, to operate it with strikebreakers if necessary and to continue to refuse to bargain collectively with the strikers. In addition, the "back to work" movement permits the employer to keep a constant check on the strength of the union through the number of applications received from employees ready to break ranks and return to work, such number being kept secret from the public and the other employees, so that the doubts and fears created by such secrecy will in turn induce still others to make applications.

Sixth: When a sufficient number of applications are on hand, fix a date for an opening of the plant through the device of having such opening requested by the "back to work" association. Together with the Citizens Committee, prepare for such opening by making provision for a peak army of police by roping off the areas surrounding the plant, by securing arms and ammunition, etc. The purpose of the "opening" of the plant is threefold: To see if enough employees are ready to return to work; to induce still others to return as a result of the demoralizing effect produced by the opening of the plant and the return of some of their number; and lastly, even if the manoeuvre fails to induce a sufficient number of persons to return, to persuade the public through pictures and news releases that the opening was nevertheless successful.

Seventh: Stage the "opening," theatrically throwing open the gates at the propitious moment and having the employees march into the plant grounds in a massed group protected by squads of armed police, so as to give to the opening a dramatic and exaggerated quality and thus heighten its demoralizing effect. Along with the "opening" provide a spectacle—speeches, flag raising, and praises for the employees, citizens, and local authorities, so that, their vanity touched, they will feel responsible for the continued success of the scheme and will increase their efforts to induce additional employees to return to work.

Eighth: Capitalize on the demoralization of the strikers by continuing the show of police force and the pressure of the Citizens Com-

mittee, both to insure that those employees who have returned will continue at work and to force the remaining strikers to capitulate. If necessary, turn the locality into a warlike camp through the declaration of a state of emergency tantamount to martial law and barricade it from the outside world so that nothing may interfere with the successful conclusion of the "Formula," thereby driving home to the union leaders the futility of further efforts to hold their ranks intact.

Ninth: Close the publicity barrage, which day by day during the entire period has increased the demoralization worked by all these measures, on the theme that the plant is in full operation and that the strikers were merely a minority attempting to interfere with the "right to work," thus inducing the public to place a moral stamp of approval upon the above measures. With this, the campaign is over—the employer has broken the strike.

The significance of propaganda in industrial disputes is indicated by the fact that strikebreaking agencies now include propaganda as well as guards in the services they have for sale to employers. The nature of the propaganda work is shown by a letter of an agency soliciting business from the Republic Steel Corporation in 1934: [38]

In the first place to insure a prompt and early return of your employees, they should be confused, dissension should be spread among them, and they should be influenced, encouraged and urged to go back to their jobs by your own trained agitators and propagandists. Those timid, hesitant loyal employees, mostly of the better element, also your most desirable and key men in the plant will only need urging, encouragement and a touch on the elbow to convince them it will be to their best advantage to go back to their jobs.

We have a whole kit of expressions and remarks accumulated by us in the last twenty years that have proven themselves in the handling of industrial disturbances time and again. Facts that the agitators for good reasons have failed to mention to your employees. Facts that are so powerful and put over with such telling effect to each striker by our propagandists that you will note a change at once in their friendly attitude towards you and other officials. . . .

For this purpose we are prepared to supply high pressure salesmen-propagandists possessing natural leadership qualifications, men of intelligence, courage and great persuasive powers, who go right into the homes of the strikers, whose return is desired by you, to carry your side of the story and counteract the evil influence of the strike agitators and the radical element.

[38] Senate Report No. 6, 76th Congress, 1st Session, *Strikebreaking Services* (1939), pp. 38-39.

Every propagandist used on an operation, before calling on any of the strikers, has connected with a local or nearby merchant to sell specialty products which is a perfect camouflage and does not arouse any suspicion, being apparently just a salesman calling on them. The propaganda being spread to them is considered unbiased as of course we are not known to be connected with your organization. . . .

In industrial disputes the propaganda campaigns of employees are oriented somewhat differently from those of employers. The employer seeks by propaganda to depress the morale of the strikers and to gain the support of community sentiment.[39] Employee propaganda is rarely directed toward the employer. Labor leaders in their propaganda have two objects: to maintain the morale and unity of the strikers themselves; and to gain, if not the support, the neutrality of the public generally. Seasoned labor leaders are well aware that a community sentiment favorable to the employer furnishes a framework of attitudes tolerant of violent suppression of labor groups. Generally, however, the facilities and resources of employee groups for propagandizing the general public are quite limited. In some circumstances employee groups succeed in arousing the sympathy and support of the general public; if public sentiment is strong enough, the employees may gain the important point of governmental neutrality in the strike.[40]

Conservative labor leaders usually operate on the assumption that unprovoked acts of violence by strikers may alienate public sympathy. (The contention might well be made that any strike is by nature an act of violence, but strikes may be accompanied by different degrees of actual physical force.) An important task in strike management, is then, the maintenance of discipline among the strikers. Employers are equally well aware that acts of personal violence by strikers may have the effect of discrediting labor, and employer efforts to provoke violence by workers are not uncommon. Worker violence will furnish justification for repressive measures. In an Ohio strike, for example, a company spy worked himself into the inner circles of the union and "tried to get some of the strikers to set off a charge of dynamite in the plant, and suggested that the

[39] Employer propaganda directed toward the community as a whole is often managed by citizens committees or other dummy organizations. See L. G. Silverberg, "Citizens' Committees: Their Role in Industrial Conflict," *Public Opinion Quarterly*, 5 (1941), pp. 17-37.

[40] For a discussion of employee tactics in relationship to the public, see E. T. Hiller, *op. cit.*, chap. 15.

pickets prevent the United States mail from going into the plant." [41] In other instances strikebreakers are imported, not to resume plant operation, but to provoke violence by the strikers, the effect of which is to pave the way for the forcible repression of the strike.

Similarly, in interracial relations the individual acts of violence must be viewed as only one of many methods of determining the relative status of the two groups. Violence tends to be used in what might be called marginal cases. Customary rules to govern status and relations grow up and tend to govern most situations. An elaborate system of customs and etiquette of race relations, for example, has grown up in the southern states, and generally these rules are obeyed.[42] Rationalizations of the prevailing status are preached by both whites and blacks. Apparently where the social stratification is most firmly established and accepted, the incidence of violence is lowest.[43]

> Statistically, per ten thousand population, Negroes are safer from mob deaths in the old Black Belt, where more than half the population is Negro, than anywhere else in the South. . . . In the Black Belt race relations revolve about the plantation system, under which Negro tenants and wage hands are practically indispensable. Here the variant economic and cultural levels of the mass of whites and the mass of Negroes are well defined, and far removed.

On the other hand, the highest incidence of lynchings is in counties where less than one-fourth of the population is Negro. "Here, in the open country, the proportion of Negro farmers who own land is greater than in the Black Belt counties and the proportion of whites who own land is less. This fact makes for a sense of competition." [44] The decline in lynching over a long period suggests that perhaps the customary rules defining the status and relationships of the races have become more firmly established and more generally accepted; thus the necessity for violence to maintain the prevailing relationships declines.

The general arguments have been that violence is likely to be associated with and supplemented by other political techniques, and that it is only under some, not all, conditions that force may be

[41] Senate Report No. 6, 76th Congress, 1st Session (1939), p. 46.

[42] See the acute analysis by John Dollard, *Caste and Class in a Southern Town* (New Haven: Yale University Press, 1937).

[43] Southern Commission on the Study of Lynching, *Lynchings and What They Mean* (Atlanta, 1931), p. 12.

[44] *Ibid.*

effectively used. Data exemplifying these propositions have concerned relatively minor incidents of domestic politics; but similar interpretations apply to revolutions, domestic upheavals on a much larger scale. A theory has been urged that revolutions are but the skillful application of force at vital points of social power by small groups of conspirators.[45] That idea is "a pure fiction so far as an appreciation of what happens in a real revolution is concerned."[46] Studies of revolutions by Crane Brinton and others suggest that the actual exertion of force is likely to come after a regime has all but collapsed for other causes, and that the dramatic stormings of Bastilles are comparatively insignificant in the total process of revolutions.[47]

QUESTIONS AND PROBLEMS

1. What considerations indicate the relevance of a treatment of violence alongside discussions of parties and pressure groups?

2. Under what conditions does the resort to force in internal politics occur?

3. How significant do you believe the fear of revolution is in persuading dominant groups to make concessions to social reform groups?

4. Has the function of violence in the definition of the status of labor in American society been overestimated in the discussion in this chapter?

5. How do you account for the prevalence of violence in the relations of worker and employer?

6. What is the significance of violence in industrial relations in comparison with other methods of class warfare?

7. Differentiate the ordinary strike from the "political" strike.

8. Can power be maintained or disputes be settled by the use of force alone?

[45] Curzio Malaparte, *Coup d'Etat, The Technique of Revolution* (New York: Dutton, 1932).

[46] G. S. Pettee, *The Process of Revolution* (New York: Harper, 1938), pp. 5-6.

[47] Crane Brinton, *The Anatomy of Revolution* (New York: Norton, 1938).

Chapter 23: PECUNIARY SANCTIONS

AT VARIOUS POINTS in this volume aspects of the role of money in political activity have been touched upon. In this chapter the discussion of that subject will be carried a step further by the analysis of a technique of politics that consists in the exertion of pressure through economic sanctions, generally pecuniary in form. For an understanding of the significance of these economic sanctions, it is necessary again to recapitulate the political theory of this volume. The general proposition has been advanced that politics is concerned with power, with the relationships of the governor and the governed. In the process of establishing and maintaining through adjustment a political order, at least of the democratic variety, friction, conflict, and competition occur between various interests in society. When a governing agency, for example, evolves a policy of regulation of a public utility, it does so at the behest of certain groups that would benefit by the adoption of that policy and usually against the opposition of the utility. When a scheme of unemployment insurance is urged, there are proponents and opponents. These pressures and counterpressures persist in varying degrees to influence the application of whatever policy is adopted. For each pressure upon government, there is usually a counterpressure. Thus, the governing agency is always something of an umpire or a buffer and mediator between opposing interests.

In the settlement of these conflicts of interest, each contender may attempt to win its fight by presenting evidence to public authorities, supplemented by argument. The battle may be carried to the public with efforts on both sides to gain public favor which may be reflected in governmental action. In extreme situations the issue may be resolved by violence. Under certain conditions the dispute may be solved, provisionally at least, by economic sanctions. The most obvious device is that of bribery of the governmental umpire; but economic sanctions take a variety of other forms, such as the blacklisting of workers active in union affairs. Or, a boycott may be coercive. The phenomenon of economic sanctions must be

viewed in its entire context in order to perceive its political significance. Analysis in these terms heretofore has been discouraged; moral disapprobation has tended to induce scholarly myopia, despite the fact that we have had in the United States an impressive incidence of corrupt political techniques, perhaps no higher, however, than in certain other cultures.[1] The essence of the contention of this chapter is that these economic sanctions and techniques may perform functions in political conflict similar to those of parliamentary debate and discussion or violence. Although these devices are usually morally beyond the pale, they must be analyzed to understand politics generally.[2]

LEGISLATIVE CORRUPTION

Legislative bodies, being vested with wide discretionary powers to arrive at diverse solutions of questions profoundly affecting various groups and interests in society, become the foci for pressures and counterpressures applied by every conceivable method. The legislative body receives the impact of social differences during the stage of most intense conflict and tension. At this point in the contest, the competing interests attempt to force upon the representative body their respective views. For every demand that the legislative body move in one direction, there is a counterdemand that it act contrariwise; and perhaps a third and fourth alternative may be urged. Ordinarily there is no traditional pattern which may be applied in the solution of these conflict situations as the judiciary is said to fit a given case into the grooves of law and precedent. The striking of an acceptable balance between the interests involved in the issue becomes a test of strength.

This view of the legislative process presupposes the existence of competing groups whose differences may be settled by action of the

[1] See, for example, W. S. Davis, *The Influence of Wealth in Imperial Rome* (New York: Macmillan, 1910).

[2] On this subject generally the following are among the more useful works: Lincoln Steffens, *Autobiography* (New York: Harcourt, Brace, 1931); R. C. Brooks, *Corruption in American Politics and Life* (New York: Dodd, Mead, 1910); Matthew Josephson, *The Robber Barons* (New York: Harcourt, Brace, 1934); C. E. Merriam and H. F. Gosnell, *The American Party System* (New York: Macmillan, 1929); M. R. Werner, *Tammany Hall* (Garden City, N. Y.: Doubleday, Doran, 1928); Gustavus Myers, *History of the Great American Fortunes* (3 vols., Chicago: C. H. Kerr, 1908-1910); David Loth, *Public Plunder, A History of Graft in America* (New York: Carrick & Evans, 1938); Franklin Hichborn, *"The System" as Uncovered by the San Francisco Graft Prosecution* (San Francisco: James H. Barry, 1915); C. C. Regier, *The Era of the Muckrakers* (Chapel Hills: The University of North Carolina Press, 1932).

legislative body. Sectional interests may be at issue: the North versus the South, metropolis against country, West versus East, seacoast against the back country. Functional or class cleavages may be involved: the farmer against the banker, consumers versus manufacturers, creditors against debtors. In the solution of these conflicts of interest, broad policies or laws affecting large numbers of individuals on both sides of the issue must be formulated. Characteristically the groups at interest are not firmly cemented together. The expression of their will is not the simple result of a meeting of a board of directors. The legislator has to employ all his political senses and judge every isolated manifestation of the larger opinion. The issues between broad interests of this type involve tremendous values in the aggregate, but in so far as each particular individual is concerned, the gain or loss from a proposed course of action is usually relatively small.

Quite different are the characteristics of the competing interests and values involved in legislative questions where bribery and other corrupt techniques allegedly are employed. At least one of the parties whose rights are at issue is either a single corporation, an individual, or a small group with closely knit interests able to act as an individual. Often the opposing interest is the "general public" or some other poorly organized group with a slight consciousness of a community of interest. Upon the legislative decision depends enormous values, usually of an economic character. An immediate gain or loss would occur from the passage or rejection of a bill. It needs to be emphasized that the stoppage of a bill is quite often more anxiously sought than its passage.[3] The bill that is passed or killed in such a situation is not a general law but is in the nature of a decree applicable to only a few individuals usually in a unique situation.[4] Viewed from the side of the opposing interests, of course,

[3] Cf. the remark of C. S. Mellen, former president of the New York, New Haven and Hartford Railroad Company, previously cited: "We did not seek so, much positive legislation. . . . We could get along very well if we were let alone —very well. . . . It is not so much the things we want to do to the other fellow, as to prevent what the other fellow wants to do to us."—Senate Document No. 543, 63rd Congress, 2nd Session, p. 924. Similarly the former president of the Street Railway Association of the State of New York testified: "I wish to answer that in this way. There was very little affirmative legislation desired, but there were a great many bills that would have made it impossible to have operated our roads."—New York Legislature, *Report of Joint Committee . . . To Investigate Corrupt Practices* (1911), p. 179.

[4] This proposition may be illustrated by the activities of the legislative agent of the Royal Baking Powder Company in relation to the Missouri Legislature of 1901. At a previous session a bill had been passed prohibiting the use of poisons,

it may affect great masses. In some instances the conflict is immediately between two special interests involving only incidentally or more remotely the public interest.[5]

Mention of the types of questions in which bribery has been charged may support these general remarks. Land grants by legislative bodies for the purpose of subsidizing some private enterprise or

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including "arsenic, calomel, bismuth, ammonia, or alum," in food. The word "alum" was the joker. It prohibited the use of alum baking powder, a prohibition not without benefit to the Royal company for the latter had control of the cream of tartar baking powder business. In 1901 a bill to repeal this act was before the senate. In a confession the lieutenant governor, who presided over the senate, stated that a member of the committee in charge of the bill came to him "and said that it ought to be worth a good deal to the Royal Baking Powder Company to keep the anti-alum law on the statute books; and that the boys on the committee did not think that they ought to prevent its repeal without some compensation. I asked him what the boys wanted. He said they wanted $1,000 apiece for six of the committee, which was all of the committee except Senator Dowdall, and $1,000 for the Senator who introduced the bill." The lieutenant governor communicated this proposition to the representative of the company who wired that the proposition was agreeable. The lieutenant governor said that he received $8,500, being $7,000 for the seven senators and $1,500 for himself. The confession is quoted by Lincoln Steffens, *The Struggle for Self Government* (New York: McClure, Phillips, 1906), pp. 32-35. See *State* v. *Sullivan*, 84 S.W. 105 (1904), sustaining conviction of a legislator for solicitation of a bribe in connection with a 1903 bill to repeal the anti-alum act.

[5] As in the railroad wars of Daniel Drew and Commodore Vanderbilt before the New York Legislature at Albany. See Charles F. Adams, Jr., *Chapters of Erie* (Boston: Osgood, 1871). Of conditions at Albany at about this time, Tweed, whose qualifications to speak upon this matter should require no lengthy comment, testified:

"Q. Was it common report around the State house, and in Albany generally, that certain men made it their special vocation to see members, and to control their votes by giving them money?

"A. Yes, sir; and it was understood in the Lower House that there was an organization formed of men of both parties, Republicans and Democrats, called the Black Horse Cavalry, composed of twenty-eight or thirty persons, who would all be controlled by one man, and vote as he directed them. Sometimes they would be paid for not voting against a bill, and sometimes they would not be desired, if their votes were not necessary. When the vote was called, they would step into the ante-room of the lobby, and if their vote was required, someone would step out, and have them vote; if they wasn't, they wouldn't come in at all.

"Q. Do you know who composed that brigade—that Black Horse Cavalry?

"A. No; they kept changing all the time; every year they had a new leader. They generally quarrelled at the end of the session, and started the new year fresh.

"Q. If this was a matter of public repute, how could it possibly go on so long? What did you do to keep public sentiment suppressed?

"A. Well, we used money wherever it was necessary.

"Q. But you couldn't buy all the people of the State?

"A. Buy the representatives up there, as a general thing."—Quoted by Werner, *op. cit.*, p. 174.

for the benefit of specific groups were sometimes followed by charges of bribery.[6] Subsidies in other forms have been the occasion for the expenditure of vast sums for the promotion of legislation.[7] Tariffs on specific items controlled domestically by a monopoly are in the nature of a subsidy.[8] The rapid growth of cities created great wealth in the form of rights to furnish transportation facilities, gas, and electricity. Bribes often influenced the grant of franchises by state legislatures and city councils.[9] As public sentiment was for a time strongly opposed to monopoly in any form, there was a popular basis for the chartering of new and competing utility companies, a practice that was perverted into "sandbagging."[10] Legislation for the regulation or taxation of railroads and other compact and powerful interests has been fought by bribery and kindred methods.[11] Cir-

[6] For example, see Report of the Joint Select Committee Appointed to Investigate into Alleged Frauds and Corruption in the Disposition of the Land Grant by the Legislature of 1856 and for Other Purposes, Appendices to Wisconsin Senate and Assembly *Journals* (1858).

[7] House Report No. 268, 43rd Congress, 2nd Session (1875), Report and Testimony on Investigation of Means Employed to Secure Subsidy for Pacific Mail Steamship Company.

[8] See Senate Reports Nos. 436, 457, 477, 485, 487, 606, 624, 53rd Congress, 2nd Session (1894), Investigation of Alleged Attempts at Bribery of Certain Senators.

[9] In San Francisco, persons desiring telephone franchises, trolley permits, prizefight monopolies, high gas rates went to Abe Ruef, the boss who had been catapulted to power by a labor movement. Ruef dealt with the Board of Supervisors through one of its members, Gallagher, who said that he received in all $169,350 from Ruef, retaining $27,275 for himself and dividing the remainder among his associates on the board. There was some difficulty in persuading the members that Gallagher was not "grafting" on them, i. e., keeping more than his share, but Ruef refused to discuss the matter with a representative of the supervisors. Gallagher, however, was given a larger amount that the others to compensate him for his services.—Hichborn, *op. cit.*, pp. 155-158.

[10] In some jurisdictions known as "strike" legislation, that is, legislation introduced with no intention of passage but as a basis for demanding money to prevent its passage from utility concerns that would have been injured by the establishment of a competing concern. In some jurisdictions these bills were known as "fetchers." In Arkansas they were referred to as "revenue raisers" or as bills that "will bring the persimmons down."—See *Sims* v. *State*, 198 S.W. 883 (1917). On the general subject of "sandbagging" or "highjacking," see Charles Norman Fay, *Big Business and Government* (New York: Moffat, Yard, 1912); C. S. Raymond, "Spoiling the Egyptians," *American Magazine*, 73 (1911-1912), pp. 523-532; W. T. Stead, *If Christ Came to Chicago!* (Chicago: Laird & Lee, 1894), pp. 176-183; B. O. Flower, "Mayor Johnson's Latest Victory," *Arena*, 28 (1902), pp. 317-320; J. W. Folk, "Municipal Corruption," *Independent*, 55 (1903), pp. 2804-2805.

[11] One of the methods formerly employed by the railroads in retaining official favor was the issuance of free passes for railroad transportation to officials and to others at the request of officials. The following table indicates the extent of

cumstances surrounding the early use of money by insurance companies in legislative work strongly suggested bribery.[12] Acts of legislatures concerning the personnel, forms, and procedures of government which affect a specific vested partisan interest have at times been the occasion of bribery.[13] Inquisitorial activities of the legisture may threaten to uncover unsavory facts. If all other obstructive tactics fail, bribery may succeed in stopping the investigators.[14]

Charges of bribery in connection with action by city councils

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the practice by the Nashville, Chattanooga & St. Louis Railway during the year 1913:

Issued on Account of	Number	Mileage
Various U. S. Officials	151	37,757
State senators	5,814	1,788,560
State representatives	8,439	2,969,038
Other state officials	1,086	444,158
County officials	388	130,540
City officials	170	59,957
Total	16,580	5,573,135

The above table is from 31 I.C.C. 261. See also 26 I.C.C. 491 (1913). See also G. W. Berge, *The Free Pass Bribery System* (Lincoln, Neb.: Independent Publishing Co., 1905). On other methods, see B. O. Parsons, "Twenty-five Years of Bribery and Corrupt Practices, or the Railroads, the Lawmakers, the People," *Arena*, 31 (1904), pp. 12-49; Massachusetts Senate, Report of Joint Special Committee to Inquire if Any Railroad Corporation, Chartered, &c., Has Paid Money to Influence Legislation, &c. (1869); New Hampshire House of Representatives, Committee on the Judiciary, Proceedings and Testimony before the Judiciary Committee of the House in the Investigation of Charges of Bribery of Members of the Legislature (1887).

[12] For example, the legislative agent of the New York Life, Andrew Hamilton, received from the company a total over the period from January 1, 1895 through 1905 of $1,312,197.16. Of this sum, $707,999.90 was charged to the legal expense account, but it was in addition to outlays in connection with suits or other ordinary legal work of the company. These payments were made on the authority of the president of the company without being brought specifically to the attention of the board of directors. Hamilton was not required to give any accounting of how the money was spent even to the president of the company, his employer, it being considered that for the successful prosecution of his work" all his transactions should be regarded as confidential." The Armstrong committee of the New York Legislature found that enormous sums had been expended in "a surreptitious manner." Irregular accounts had been kept to conceal payments for which proper vouchers had not been required. This course of conduct, the committee said, "created a widespread conviction that large portions of this money have been dishonestly used."

[13] For example, the earlier election of United States Senators by state legislatures; or Tweed's activities in connection with the New York City Charter and the state legislature (Werner, *op. cit.*, pp. 171-188). On the use of "ripper" legislation by a state boss to control local machines, see C. R. Woodruff, "The Pennsylvania Rippers," *Municipal Affairs*, 6 (1902), pp. 214-219.

[14] See *People* v. *Bunkers*, 84 Pa. 364 (1905).

have often involved decisions on questions primarily of an administrative character, matters which are not handled by councils to the degree that once prevailed. This category of questions includes: the granting of permits to construct switch tracks, exceptions to general ordinances for the benefit of particular individuals, permits for the construction of bay windows and other structures protruding into the street, ordinances allowing the vacation of streets for various purposes, and appropriations for the purpose of paying claims or in the nature of an indemnity to particular individuals.[15] City councils have awarded contracts, approved the payment of bills, and performed purchasing functions, sometimes to the accompaniment of the payment of "commissions" to the councilmen.[16]

It seems clear, if the foregoing illustrations are representative, that bribery and similar techniques are used in relation to legislative bodies primarily when a limited group has something to gain or lose by legislative action and not in the solution of issues involving the divergent rights and interests of large and unorganized sections of the population alone.[17] Bribery and allied techniques, in the nature of things, are used only in matters of this sort. The foregoing examples also make clear the obvious point that the parties bribing legislative bodies are individuals or social aggregations with the capacity to behave as individuals. Since every relative gain of position in the social hierarchy must be obtained at the expense of others, some class or group is injured by such action.[18] It seems that as a rule the interests injured by legislative action (or inaction) resulting from bribery possess but slight feeling of a community of interest, are

[15] See, on the Detroit council, *National Municipal Review*, 1 (1912), p. 726; Duane Mowry, "The Reign of Graft in Milwaukee," *Arena*, 34 (1905), p. 592.

[16] See R. O. Huus and D. I Cline, "Election Frauds and Councilmanic Scandals Stir Cleveland," *National Municipal Review*, 18 (1929), pp. 291-292; *Fleming* v. *State*, 171 N.E. 27 (1930); *People* v. *Ellen*, 100 N.W. 1008 (1904); *State* v. *Durnam*, 75 N.W. 1127 (1898); *State* v. *Sweeney*, 231 N.W. 224 (1930); *York* v. *State*, 156 S.E. 733 (1931); *Turner* v. *State*, 160 S.E. 509 (1931); E. Raoul, "The Graft Situation in Atlanta," *National Municipal Review*, 19 (1930), pp. 809-811; *Rudolph* v. *State*, 107 N.W. 466 (1906).

[17] In some cases collections have been made from police men and firemen to obtain salary increases by bribery but as far as the record shows the promoters of these funds have been swindlers. For example, see A. M. Holden, "Graft Prosecutions of a Year," *National Municipal Review*, 5 (1916), p. 573.

[18] Unless new or compensatory types of deference are created. See H. D. Lasswell, "The Problem of World Unity: In Quest of a Myth," *International Journal of Ethics*, 44 (1933), p. 77.

weakly organized, or at best possess a relatively weak cohesion with reference to the question at issue, and are, on the whole, perhaps dimly conscious of their loss.

All the conditions of the situations in which bribery occurs, however, may be found at times when the same sorts of issues are fought out without resort to corrupt political techniques. What conditions prevail when bribery is a widely used political technique? It may be that bribery in such matters occurs on a large scale only in a relatively chaotic society in which new interests are forging upward, rapid realignments of wealth are being formed, the introduction of new inventions, social and technological, is rapidly upsetting the old economic order, society is relatively unstratified, or old class alignments are being shifted and reformed. Under such conditions individuals rather than broad groups or classes, bound by custom, are the dynamic factors.[19] It will be remembered that bribery of legislatures usually involves action by such individualistic rather than class interests. In a relatively democratic and individualistic society under the chaotic conditions described, bribery may be the most effective way in which new interests of the types mentioned may achieve power rapidly.[20] Other techniques are not, as a practical matter, available. When, however, the atomistic society becomes more stratified and there is a consolidation and integration of ruling economic and social interests on a fairly stable basis, usually not much is to be gained by bribery. The new ruling class becomes hallowed and receives popular deference. Then the more common and less-censured types of political techniques are usually employed, although privilege may be as prevalent as when bribery is frequently used.[21]

The great era of legislative bribery in the United States appears to have been from about 1870 to 1910, although the terminal points of the age of concentration of corrupt techniques varied in different sections of the country. The great factor in the change of tone of legislative life is the fact that most of the items of great value—lands,

[19] For a defense of bribery as a means of facilitating "progress" by industry, see H. J. Ford, "Municipal Corruption," *Political Science Quarterly*, 19 (1904), pp. 673-686.

[20] Consider the discussion of money in French politics in relationship to Parliament in the light of these remarks, by J. K. Pollock, *Money and Politics Abroad* (New York: Knopf, 1932), chaps. 17-19.

[21] Consult the stimulating discussion by Harold D. Lasswell in his article on "Bribery" in the *Encyclopedia of the Social Sciences*.

timber, franchises, privileges—have already been legislated into private hands. As Charles A. Beard has said, [22]

. . . the law of diminishing returns has set in against municipal corruption in its grosser forms, and so we may expect to see an increasing number of the so-called "interests" becoming good and non-partisan. They are like Great Britain. Having possession of the earth, she is for peace and the *status quo*. Certain financial groups in New York that formerly looked with kindly toleration on Tammany, having "got theirs," are now for efficiency and economy. Providence works in mysterious ways His wonders to perform, and those who are weary of Tweed rings and gas scandals may look forward with confidence and hope. The age of great graft in our cities is over; we have eaten our cake. We shall be bothered with petty graft, but that is not so dangerous to public morals.

Beard's observations are substantiated by the following statement of a legislator: [23]

The crude methods of the nineties, I have said, are no longer so evident. The body of professional lobbyists continuing from year to year, whose influence must be purchased to secure favorable action or forestall adverse action, no longer exists. However, from time to time the legislator meets with proposed legislation in which the money involved in the grant of some special privilege reaches such great amounts that the old methods of direct corruption are again resorted to. This has been the case, for example, in many states where horse and dog racing have been permitted. Involving as they do the granting of a virtual monopoly by special license, the stakes are great and worth playing for. In this sense such legislation resembles that of the early days of the railroads and later of the street railways, where the granting of the original franchise meant millions to those successful in obtaining it.

The era of the muckrakers and of the Progressive movement brought increased moral disapprobation of corrupt techniques, and the principal corrupters of legislatures were stimulated to develop substitute techniques of influence. The rise of the propaganda and public-relations experts of the pressure groups in some ways contributes toward a reduction in the reliance on corrupt techniques. Results, formerly secured by bribery or kindred methods, may be secured by more or less legitimate methods. The banding together

[22] "Politics and City Government," *National Municipal Review*, 6 (1917), pp. 201-206.

[23] Henry Parkman, Jr., "Lobbies and Pressure Groups: A Legislator's Point of View," *The Annals of the American Academy of Political and Social Science*, 195 (1938), pp. 95-102.

of all interests of a certain type in an association or pressure group itself may tend toward the elimination of conditions leading to bribery. Instead of obtaining by questionable means a privilege for a single concern or individual, the formulation of a general policy treating all members of the group alike is demanded. Group interest rather than individual interest comes to be at stake, and the welfare of a group can more readily be promoted openly before the public. A general policy even if it involves a degree of favoritism toward the group as a whole does not arouse public antipathy to the same extent as similar favoritism toward an individual concern.

CORRUPTION IN ADMINISTRATION

The distinction between corruption in legislation and corruption in administration is primarily one of form. In the first instance, the question of lawmaking is involved; in the second, bribery and like techniques are used generally to mitigate the severity of the application of a law that has already been adopted. The two types of corruption do not usually occur separately in nature: where there is one there is likely to be the other.

When does corruption in administration have "political" significance? At least two types of situations may be differentiated. Administration may involve the application of a rule of law which affects private rights, privileges, or behavior; or it may involve the performance of a public service or activity which is, to be sure, of benefit to the citizen but does not involve the application to him of a rule of conduct enforceable by sanctions. The first situation, then, is that of the policeman and the judge, who appear under different designations in all regulatory activities of government. The second is that of the provision of a service. In one set of circumstances the public official applies law; in the other, he renders a service.

Each of these two types situations requires further analysis. In the provision of public services, buildings and other works must be constructed, personnel must be employed, supplies and equipment must be acquired. In other words, public funds must be expended. Under some circumstances unfaithfulness to public trust is closely comparable to the violation of a private trust. A public purchasing agent who accepts a "commission" from a vendor may be doing essentially the same thing as the purchasing agent of a private corporation who commits the same act. The public official who sells

appointments to office has from time to time his counterpart in private enterprise. The public official who shares in the profits of the public-works contractor performs the same sort of act as officials of private corporations occasionally have done. Under all these circumstances the public official and the corporate official violate their duties in an agency relationship, but, as we have described them, the acts of both are essentially crimes no different from common thievery or larceny.[24] About the only difference between the act of the public official and of the corporate official is that, in the eyes of the public, the public official has done a greater wrong, for people expect public officials to adhere to higher standards of ethics than those that bind the private individual.

Let us change the circumstances of the action of the official concerned with a service function. Suppose that the public official who illicitly obtains funds in the ways suggested above uses the money, or a substantial part of it, to finance the vote-getting and friendship-creating activities of his political organization. Suppose that contracts are awarded to persons who happen to be important cogs in the party organization with a considerable following of their own. The acts then gain a "political" significance. They become a part of the process of building up a combination powerful enough to govern the locality, the state, or the nation. They aid in the cementing together of the controlling group. In American cities, at various times and places, the judicious allocation of expenditures has aided mightily in financing the machine, in holding it together, in maintaining its power. Theodore Roosevelt's characterization of the effect of these practices as "the cohesive power of public plunder" was an apt description. By consideration of the difference between an individual act of illicit private gain and an act that contributes to the maintenance of the machine in power, the "political" or power-giving effect of the latter act becomes readily apparent.

A somewhat similar distinction may be made in corruption in administrative situations that involve the application of law to determine the rights, privileges, obligations, or conduct of private individuals. Suppose that a subordinate inspector is bribed in an isolated situation to overlook a violation of a building regulation. Suppose in another situation, however, that bribery is the general rule and "public policy" comes to be determined by bribery. In the regulation of moral questions, such as prostitution, gambling, and liquor,

[24] See John T. Flynn, *Graft in Business* (New York: Vanguard, 1931), for an account of the various types of business graft.

in some circumstances the general rule has been established by a corrupt process, and the general rule becomes something other than that set forth formally in the statutes. The formal law is forgotten and a new equilibrium or new adjustment is made between those community forces desiring prohibition of a particular practice and those interested in its continuance. The "normal" process of adjustment might be to change the law, but often that path is not followed. In effect, a readjustment occurs or a new "law" or rule is made without a changing of the formal statutes, and in the process pecuniary pressures at times play an important part. Now, in circumstances like those mentioned, the situation is fundamentally the same as in the instances of legislative corruption mentioned earlier.

These abstract remarks probably require concrete illustration. Suppose that the law in effect in a particular city prohibits gambling, but that a sufficiently strong sentiment in favor of gambling (or perhaps a sufficiently weak opposition) exists to permit the local machine to grant concessions to various sorts of gambling establishments. A second question immediately arises: Who is to have the privilege of operating the "numbers" game or whatever sort of gambling is permitted? Who is to have the monopoly? The process of bribery affects both questions: whether gambling shall be permitted and who shall control it. It is probably correct to say that "wide-open" towns are on the whole wide open with the tacit consent of the community; bribery is more important in the determination of who shall control the monopoly. When the "franchise" to run the numbers game, for example, is granted to a particular syndicate, it usually means that the law will be enforced against "unlicensed" competitors. This sort of situation may be looked at from two angles. From one point of view a new "law," a new public "policy," is adopted and in the process the pecuniary calculus has played a part. From another point of view, within the new public policy a monopoly has been granted to one individual or group rather than to another. Discrimination has been practiced in the application of the informal policy.[25]

In the foregoing situation a "political" process was involved; a new policy was made which under the circumstances was workable. Let us observe another effect. Usually the granting of a gambling concession to a "syndicate" cements the syndicate to the party organization in control in the jurisdiction involved. The employees

[25] See Key, "Police Graft," *American Journal of Sociology*, 40 (1935), pp. 624-636.

and workers in the syndicate will generally be found to be quite active in political campaigns; many of them may occupy positions in the party hierarchy; and they will be found among the campaign contributors.[26] The effect is not unlike that of the adoption of a policy favorable to a legitimate interest in society; by that policy the group benefited may be bound to the dominant machine by ties of gratitude.

The scientist should perhaps be able to say under precisely what conditions bribery and like techniques will be used to modify public policy through administration. It might be pointed out that in many American cities laws that enjoy very incomplete public support, that are technically unworkable, or that conflict sharply with the mores of a considerable part of the population have been, in effect, repealed through a process of bribery. The prohibition amendment, for example, was nullified in many localities long before it was formally repealed, and considerable corruption was involved. Prior to prohibition, and to some extent afterward, the laws regulating the sale of liquor were modified by a similar process. A like process has occurred with reference to antigambling laws.[27] In times past to a greater degree than now prostitution was subject to the same sort of informal licensing and regulation in violation of the formal law. In all these situations the general public attitude was not violently in favor of enforcing the formal public policy which was, in a sense therefore, unworkable.

Yet corruption in the administration of legislation has not been limited to unworkable legislation. Occasionally in cities the administration of legislation regulating weights and measures, for example, has been systematically corrupted. The official definition of the

[26] Some of these propositions are illustrated by the trial and conviction of Enoch L. (Nucky) Johnson, Atlantic City political leader, for Federal income-tax evasion. Johnson admitted that the chief of the numbers syndicate paid him $158,800 in 1935, 1936, and 1937. His defense against the tax evasion charge was that about half his receipts had been in the nature of a business expense in that they were used in "oiling" his machine and that he had reported and paid the tax on the other half. He explained that his political expenditures included outlays for the purchase of the support of local newspapers, for coal, rent, and other party charities, and for party workers. See the reports of the trial in *The New York Times*, July 22 to 26, 1941.

[27] The rational way to eliminate bribery and corruption in many of these situations is to repeal the law that is invalidated through corrupt techniques, but that is easier said than done. For an interesting discussion of the problem with respect to gambling, see E. W. Burgess, "The Next Step in the War on Crime—Legalize Gambling" (privately printed, H. G. Adair Printing Co., Chicago, 1935).

pound has been, in effect, altered by large-scale bribery; individual and chain retailers have systematically made payments for the privilege of using scales that cheated the buyer. It could hardly be said that legislation of this sort is unworkable. The sequence of events probably is that when corruption becomes thoroughly established in one section of a governmental unit, it tends to spread to all sorts of activities administered by that government.

These remarks lead to a consideration of the difference between corruption as an end and corruption as a means. Under some circumstances bribery and other corrupt practices are primarily a means of accomplishing some end. Through corrupt techniques a new equilibrium of power (resulting in the establishment of a particular legislative policy or in the enforcement of existing law in a particular way) is brought about. Or through corrupt arrangements particular segments of the community may be tied with other elements of the community in a way to form a ruling combination. In these circumstances the primary function of corruption may be as a means or method. Under other conditions, however, the group controlling a community (or at times a nation) may become so thoroughly corrupted that the graft system becomes an end in itself and the end is the personal enrichment of the ruling clique. This has happened from time to time in American cities, and individual cities have become so completely demoralized that corruption is more or less the normal thing.[28] The governing clique comes to levy its fee on almost everything that the city does. The distinction between corruption as an end and as a means is plain, but in practice the two usually occur together but in different proportions.

This discussion suggests a distinction between bribery, in which an effort is made to influence those holding power, and extortion, in which those holding power demand and obtain money through the threat of following an undesired course of action. In thoroughly corrupt regimes threat of bodily harm, of incarceration, or of other injury may be used to extort money or other things of value. A

[28] A St. Louis grand jury, for example, reported with respect to the city council in 1901: "Our investigation, covering more or less fully a period of ten years shows that, with few exceptions, no ordinance has been passed wherein valuable privileges or franchises are granted until those interested have paid the legislators the money demanded for action in the particular case. . . . So long has this practice existed that such members have come to regard the receipt of money for action on pending measures as a legitimate perquisite of a legislator." —Quoted by S. P. Orth, *The Boss and the Machine* (New Haven: Yale University Press, 1921), p. 101.

stock defense of persons charged with bribery is that they were compelled to pay, perhaps to protect the interests of their widowed stockholders for whom they were serving as trustees. And, indeed, it is often difficult to determine whether a particular set of facts constitutes bribery or simple extortion.

In the analysis of the role of corruption in politics the observer often directs his attention to too small a part of the total constellation of political power in a particular situation. A corrupt machine and its adherents recruited through the grosser techniques of corruption generally have as bedfellows important elements of the more respectable side of society. Together all these groups can control; if they are divided, some other combination might govern. Corrupt party machines often stay in power with the aid of powerful business, financial and, sometimes, labor groups in the community. The allies in the combination may not be entirely happy about their associates, but they prefer the arrangement to possible alternatives. Lincoln Steffens, for example, quoted a railroad lobbyist: "We have to let these little skates get theirs; we have to sit by and see them run riot and take risks that risk our interests, too. We can't help it." Their company and the "interests associated with us are not rich enough to pay all that politics costs." [29]

The old-time machine has apparently lost in most jurisdictions much of its potency; or it has at least altered its methods so as to appear differently. Occasionally commentators rise up to declare that the machine is obsolescent in the new "service" state; these observers rationalize the conspicuous urban machines as sports that have lived beyond their years and confidently predict that the machine and its corrupt techniques are on the way out. Undoubtedly corrupt political techniques seem to be less prevalent in American jurisdictions than they were thirty or forty years ago; all the data are not accessible but if all could be known the realities would probably be found to conform in general to the appearances.

THE WEB OF PECUNIARY RELATIONS

A general theory of the pecuniary phases of political behavior must take into account more than the situations of gross corruption. A highly specialized society with the accompanying system of exchange is bound together by a webwork of pecuniary relations that

[29] *Autobiography, op. cit.*, p. 567.

profoundly affects the structure of political power. The traditional analysis of these relations in terms of a market, by hypothesis without friction, has deflected attention from their political effects. Analysis of economic behavior often conveys the impression of a perfectly fluid social structure. The impression is, of course, erroneous. The pecuniary relations often have secondary effects not ordinarily covered by the traditional economic analysis.

Consider the remarkable unanimity of the business and financial community on many public questions. To a high degree this cohesion comes from the sharing of common interests, but not infrequently sections of the business and financial community are kept in line through pecuniary leverage. Interlocking directorates are sometimes cited as a concrete mechanism for achieving business and financial unity, yet probably other relationships are in the large more significant. In the relationships of client and counsel, manufacturer and customer, distributor and customer, banker and debtor, employer and employee, investor and broker, there exist powerful mechanisms for disciplining those whose conduct deviates from that demanded by group opinion. These relationships are not determined solely on an economic calculus, and, even if they were, one can always find another source of supply of a material or a service. Let a manufacturer espouse views unacceptable to the business and financial community generally, and he may discover that he has become an undesirable credit risk and his customers may seek other sources of supply. Such instances are, to be sure, rare, but their rarity is a tribute to the effectiveness of the threat of economic coercion in the maintenance of conformity to group mores. Lurid portrayals of men of wealth conspiring to exert their economic power to maintain the position of business as a whole are, of course, generally absurd. Without design the system as a whole tends to produce conformity to its values.

In specific businesses that are compelled to pay considerable attention to their governmental relations, private economic relations sometimes run perilously close to bribery. The old-time railroad custom of "retaining" the leading attorney (who usually had precious little legal work to do) in each county seat along the line was designed to influence persons of great importance in each community. Some electric utilities have followed the same practice. In another connection the practice of a utility of maintaining balances in widely scattered country banks in order to have the friendship of influential persons in each community has been mentioned.[30] In

[30] See above, p. 238.

some instances power is gained through the ability to influence the career lines of individuals.[31]

Another secondary effect of the power of money is the control of centers for the diffusion of ideas and for opinion manipulation. The tendency of newspapers to follow in general the point of view of the dominant economic groups in their respective communities is evident. In some instances this parallelism has been brought about by corrupt means,[32] but more often it rests on the simple fact that newspaper publishers are the same sort of people with the same sorts of interests as other members of the economic elite. Pressures thought sinister are brought into play only as punitive and disciplinary measures when ideological insurrection occurs or is threatened.[33] In many instances the urge to conform by those in a subordinate position is so strong that those who control the purse do not have to take any deliberate steps to make their power felt.[34]

[31] Donald Richberg says: "The individual public servant cannot fight the machine for long. He is forced out, or scared out, or bought out, or starved out, or tired out, or—in a host of cases—he is absorbed into the machine. Either he is given a better public job, with the understanding that he will be 'good,' or he is given a private job where he must be good. During my long struggle with the gas company, I saw added to the company payroll a public utility commissioner, a corporation counsel, a United States senator, a justice of the state Supreme Court, a tax assessor and a host of other former public officials."—*The Tents of the Mighty* (New York: Clark, Willett & Colby, 1930), pp. 117-118.

[32] The leader of the campaign against a prohibition amendment in Pennsylvania in 1889 said: "We bought them by paying down so much cash. I visited the editors in person or had some good man to do so and arranged to pay each paper for its support a certain amount of money. Throughout the state we paid weekly papers from $50 to $500 to publish such matter as we might furnish either news or editorial, but the city dailies we had to pay from $1,000 to $4,000. Other papers we could not buy straight out, consequently we had to pay from thirty to sixty cents per line for all matter published for us, according to the circulation and ability of the paper."—Quoted in Colvin, *Prohibition in the United States* (New York: Doubleday, Doran, 1926), p. 205.

In California during the days of Southern Pacific domination, Fremont Older says: "There was hardly an editor who dared criticise to any extent the railroad domination. Country editors, many of them, were satisfied with an annual pass for the editor and his wife. Some of the larger ones expected and got money for advertisements. Some of the metropolitan papers fared better. . . ."—Fremont Older, *My Own Story* (San Francisco: Call Publishing Co., 1919), p. 21.

[33] On the case of the Chattanooga *News*, see Gordon Gaskill, "A Newspaper Is Killed," *The New Republic*, January 15, 1940.

[34] William Green has written: "I had been invited to address a mass meeting on Sunday afternoon, October 10, under the auspices of the Young Men's Christian Association in this 'open shop' town [Detroit]. On October 5, the Detroit newspapers carried a statement that the invitation would be cancelled and next day I received an official call from the president and secretary of the Y.M.C.A. who advised me that the board of directors had decided to withdraw the invitation. They expressed sincere regret and explained that the Y.M.C.A. had under

The relationship between moneyed interests and political parties, discussed fully in another connection,[35] reveals another type of opinion-forming center that is strongly influenced by pecuniary means. The etiquette of campaign contributions is also indicative of an aspect of pecuniary power that it is essential to understand—that the power is not in a broad sense a sordid matter. It is in many respects in accordance with the prevailing mores. To make a campaign contribution with the expectation of receiving a specific return in the form of public action is considered to be "bad" form. To contribute, however, to the support of a party that espouses a general policy or point of view under which the individual contributor and others as well may benefit is morally approved. The relationship is more subtle than merely one of "buying" a policy; we tend to contribute to "our" crowd.

Consider the secondary effects of the relationship of employer and employee. In isolated company towns the power to hire and fire has served as the basis for dictatorial control of almost every phase of community life. Such communities present, the Commission on Industrial Relations declared in 1916, "every aspect of a state of feudalism except the recognition of specific duties on the part of the employer."[36] In many localities blacklisting by employers has been used to maintain a subservient laboring class.[37] Quite apart from these more or less pathological situations, in many communities employers gain great power in the community partly, but only partly, from the power to hire and fire.

The foregoing specific examples have no great importance in themselves but they serve to illustrate the broad proposition that economic relations have an effect in the determination of the structure of social power. The dominant economic groups gain internal

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way a building program running into several million dollars and they were apprehensive that if this mass meeting were held the building program would be jeopardized."—*Labor and Democracy* (Princeton: Princeton University Press, 1939), p. 115.

[35] See above, chap. 15.

[36] Senate Document No. 415, 64th Congress, 1st Session (1916), Vol. I, p. 78.

[37] Consider the following letter of November 7, 1919, from the Pittsburgh Steel Products Company to the Page Steel and Wire Company at the time of the great steel strike: "Attached hereto is list of former employees who have failed to return to work in our Plant. This list is forwarded to you so that proper action can be taken—should they apply for work at your Plant. We would ask that you kindly consider this as confidential."—Commission of Inquiry, The Interchurch World Movement, Report on the Steel Strike of 1919 (New York: Harcourt, Brace and Howe, 1920), p. 219.

coherence by the network of pecuniary relations, and by the same means they gain loyalty and enforce submission from subordinate groups and individuals. In the analysis of the political effects of pecuniary relations it is necessary to differentiate between the short-term maneuvers for position by specific interests and the long-term effect of the entire economic system in the perpetuation of the political system. *In toto* the long-term political effects of these pecuniary relations in the cementing of the loyalty of retainers and beneficiaries is impressive. Contrariwise, maladroit exercise of economic power may stimulate revolt. Some observers occasionally assert that pecuniary power is limited to capitalistic regimes, but that conclusion is only superficial. Broadly considered, the power under discussion is the power to allocate the flow of income. That power exists at some point or points under any regime, and its use to induce regional or class famines to bring submission and regional or class prosperity to reward loyalty under dictatorial regimes far exceeds in scope and effectiveness the comparatively weak and unsystematic control in private hands under a capitalistic order.

QUESTIONS AND PROBLEMS

1. Consider the rationale of the inclusion of the discussion of bribery in this volume in the light of the analysis presented in chapter 1.

2. What have been the peculiar characteristics of political disputes in which bribery has been used? Does bribery always occur in disputes with these characteristics?

3. Is it possible to define the social conditions under which corruption will be rife?

4. Under what circumstances does corruption in administration have "political" significance?

5. What underlying trends have tended to reduce the amount of corruption in American politics?

6. Analyze a corrupt incident in the politics of your state or city in terms of the theories advanced in this chapter.

Chapter 24: EDUCATION AS POLITICS

SUPERFICIALLY there may appear to be no connection between politics and education. They may seem to be unrelated, but this is a consequence of the narrow conceptions of both politics and education that are customarily propagated. If the analysis of politics is confined to the machinations of the moment of political parties and pressure groups, perhaps politics has only a slight connection with education. If the range of analysis, however, is extended to cover the broad outlines of the political order—or perhaps the "structure of society"—the current maneuvers of politicians become of less significance. The political order, viewed in the perspective of time, has a continuity and a permanence that go unobserved when attention is concentrated on the transient tempests of the day. The material with which politicians must work is rarely notable for its malleability.

The political order is fundamentally an expression or reflection of the beliefs, attitudes, customs, habits, prejudices, hates, and likes of the people. An understanding of the political order requires an understanding of the human beings concerned. How did they acquire the beliefs, attitudes, customs, habits, likes, and dislikes—or the culture—that condition their behavior? The answer is, education, if one defines education broadly enough. Almost from birth the individual is influenced or conditioned by a battery of educational forces. The family, the church, the school, the poets, the novelists, the newspapers, the movies, the radio, political parties, trade unions, and other agencies are likely to have had a hand in the education of the individual. By all these and other means the beliefs, habits, and values of a society are impressed upon its members. The process of education tends to transmit the beliefs and customs of the group concerned. It molds the beliefs of the members of the society, and those beliefs furnish a framework which profoundly conditions the practical operation of government and politics.

THE POLITICAL ORDER AS HUMAN ATTITUDE

To indicate more clearly the political function of education, we must revert to the general theory of politics used as a basis for analysis in this volume. In popular usage, politics generally connotes political parties, political campaigns, the art and practice of intrigue, or other like matters. "But the truth is," as Walter Lippmann said a quarter of a century ago, "that we overestimate the importance of nominations, campaigns, and office-holding; . . . we tend to identify statecraft with that official government which is merely one of its instruments. Vastly overadvertised, we have mistaken an inflated fragment for the real political life of the country." [1] Beneath the surface manifestations of political life is a more enduring and more fundamental political system.

By politics may be meant the study of the relationships of the governors and of the governed in the broadest sense. By political system may be meant the pattern or form which these relationships take at a given time. Defined in these terms, politics encompasses considerably more than the formal machinery of government. A description of Congress, of the composition of its two houses, of legislative procedure, of the composition, powers, and functioning of the judiciary, of the position of the President, of the mode of making nominations, and of the manner of conducting political campaigns gives an entirely inadequate answer to the question, "Who rules America?" The abstraction of political institutions and procedures from their social context, as is often done in the analysis of American government, does not promote an understanding of the process of governance. Nor would a statement of the form and function of the British Parliament furnish any notion of the important role of the British "governing class" in the political system of Great Britain.

Some political theorists describe the relationships of the governors and the governed almost exclusively in terms of political power. The political system in any society, in their terminology, may be envisaged as an equilibrium between the various groups and interests contending for power within the state. The aim of political activity, then, is power. The fruits of power are deference, prestige, income, and safety. The members of the ruling elite enjoy the deference of the masses. The flow of income is allocated among various

[1] *Preface to Politics* (New York, 1913), p. 46. Quoted by permission of The Macmillan Company, publishers.

groups by the political system; the least powerful generally receive the least material rewards. The equilibrium, or balance of power forming a particular political system, may be stable or highly unstable. A thoroughgoing revolution may almost completely change the composition of the ruling groups, and the political equilibrium is usually constantly being adjusted to make allowances for growing strength in one sector of society, for new weaknesses in another. The ruling groups may recruit the more able of the submerged classes and thereby forestall serious alterations in the political order. Thus, in a broad view of the political system, it might be concluded that the shifts of control between the Republican and Democratic parties in the American national Government, in a state, or in a city by no means constitute far-reaching transfers of power in our political system. Such changes merely constitute minor adjustments within the larger capitalistic, political order. They are surface ripples that conceal the underlying, stable elements of the political order—elements that possesses a high degree of continuity.

If the emphasis on the element of power in politics is distasteful in a democratic culture, the political system may be conceived as a complex system of loyalties. The phrase "system of loyalties" is used deliberately. A state does not consist of citizens sharing identical loyalties toward identical objects. There may be loyalty to the nation, to the region, to the national heroes, to the capitalistic system, to particular institutions, to the constitution, to abstract national symbols, ideals, and aspirations. The pattern of orientation of loyalties is complicated by the multiple loyalties of individuals. And these may come to be competing or conflicting loyalties. Loyalty to the church, for example, at times weakens, at other times reinforces, the political system as a whole. The makers and the preservers of a political system have the function of weaving these divergent loyalties into a cohesive whole. When in that task there is failure, the political order is likely to be disrupted and to fall.

If analysis in terms of power or loyalty does not seem to cover the situation adequately, political systems could be described in terms of individual attitudes. A political system could be said to exist in the attitudes, and the consequent overt behavior, of its citizens toward a series of matters, such as the distribution of property and income, the nation, other nations, the legal system, the political institutions, the holders of power, the duty of obedience. A political order could be said to derive its fundamental form from the attitudes of its citizens; conversely, a change in the political order either may

be caused by, or of necessity may be followed by, a marked change in the attitudes of its citizens. If one contemplates the degree of stability of attitudes toward matters fundamental, he gains a notion of the relative insignificance of political parties in the American political order as a whole.

If one tends to be of a philosophic bent of mind, a description of the political order as a system of values might be more satisfactory. A given political system could be considered as a hierarchy of values—that is to say, a culture or a society attaches value to certain practices, institutions, customs. In the process it frowns upon, or in a sense attaches negative values to, conflicting elements of other ways of life. A scale of values results, ranging from those most sacred to the negative values of darkest hue.

Whatever terminology is employed, the essence of the matter is the same. In any political order there are those dominant in terms of power, there are predominant loyalties, there are sets of attitudes which prevail, or there are closely guarded values. It all amounts to saying that in any political order there are those who manage the system because they have the power, because they command the loyalties of the masses, because the generality possesses a system of attitudes favorable to their control, or because they have been able to ensconce themselves as the guardians of the values of the order.

From another viewpoint, whatever terminology is used, the essence of the matter is the same. In the final analysis the political order reflects the attitudes and beliefs of the human beings making up the society. For a time a tyrannical elite may control, but it soon attempts to convert forced acquiescence into cheerful consent. Moreover, the ideology of a people possesses great staying powers. The long dominance of the ideology of capitalism in the American popular mind illustrates the point. Parties operate within the confines of the prevailing ideology. When one begins to understand the nature of fundamental beliefs and their effect on political behavior, he has laid the basis for comprehending the political function of education.

THE POLITICAL FUNCTION OF EDUCATION

That political systems strive to perpetuate themselves is one of the first principles of political behavior. Those possessing power seek to retain it; the prevailing loyalties are sheltered against competition of possibly more alluring faiths; the dominant values are cherished and protected. The defenses of a political system operate against

both external aggression and internal subversion. The process of defense and accommodation of a particular order within its international environment is readily perceptible; but the internal defense and self-perpetuation are not always so apparent, since the observer as a participant in the system does not usually have a psychological base of detachment from which to watch the process. Moreover, while armies, navies, and diplomacy, instruments for external defense and adjustment, are physically and dramatically visible, many of the methods and devices operating to preserve the internal structure of a political system work more subtly or perhaps without conscious direction. The significance of the family, for example, in the perpetuation of political systems remains impressive. The disappearance of formalized hereditary ruling classes did not eliminate hereditary transmission of economic, social, and political status.[2] Yet it is not to be supposed that prospective fathers as a general rule coldly reason that they belong to, let us say, the bourgeois class, that they desire to

[2] The family is an important instrumentality in the projection of a given structure of politics through time. In hereditary aristocracies the various classes occupied a given status and the transmission of political status by inheritance was formalized. Formalized hereditary aristocracies are largely a thing of the past, but there remains a tendency for sociopolitical status to be passed on to the younger members of the family. In another connection reference has been made to the fact that a marked tendency exists for the party affiliations and attitudes of children to be similar to those of their fathers. Family environment is certainly not the sole conditioning factor in this process, but the accident of birth into a family of a particular status subjects the individual to all the forces which play on the family. Beyond the formation of partisan attitudes, narrowly considered, the younger member of the family enjoys all the opportunities and limitations of the family status; he has a chance to obtain and retain a status in society equivalent to that of the family. "Apart from brief periods of violent revolution," says Mosca in a generalization presumably based primarily on observation of European experience, "personal qualities are always less important, as regards attaining the highest positions in life, than birth or family. In any type of society, whether ostensibly democratic or otherwise, being born to a high station is one of the best claims a person can have to staying there."—*The Ruling Class* (New York: McGraw-Hill, 1939), p. 123.

In the United States one of the most powerful and influential groups consists of business leaders. How business achieved that status is beyond the scope of the immediate question, but how do men become members of the general group of business leaders? Taussig and Joslyn in their study, *American Business Leaders* (New York: Macmillan, 1932), have furnished the most complete answer to this question. About seven out of ten present-day business leaders are sons of business or professional men. Yet in 1880, the approximate date of birth of the group of business leaders included in the study, only 10.2 per cent of the total gainfully employed married male population consisted of business and professional men. On the other hand, in 1880, 41.6 per cent of the total gainfully employed married male population was made up of farmers. They contributed, however, only 12.4 per cent of the business leader group. Thus the business and professional groups contribute disproportionately to their successors of the next generation,

perpetuate their class and the system of which it is a part, and that they therefore decide to become fathers that their class with its power and perquisites may be perpetuated. Children tend to grow

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although there is substantial infiltration by the sons of members of outside groups. Taussig and Joslyn are inclined to the view that business leadership is not a closed caste, and that the differential rates of contribution of occupational groups to the powerful, if not dominant, group of business leaders is a matter of inequality of native endowment rather than an inequality of opportunity. From the political point of view it is immaterial whether biological superiority or environmental opportunity leads to the result; the phenomenon of political interest is the tendency of politicoeconomic status to be projected from father through son. Of equal political interest, however, is the fact that substantial numbers of the sons of unskilled and skilled laborers and farmers were able to make their way into the class of business leaders. When class lines are so rigid that men of talent are excluded from the most influential groups, the power of the dominant group is likely to be challenged. A discriminating recruitment of the able into the governing groups is a sign of political health. Aristotle observed that certain governments continued firm and stable from the wise conduct of the magistrates toward those who have no part in the management of public affairs by "introducing those who are of most consequence amongst them into office." On the general problems of stratification and interclass mobility, see Pitirim Sorokin, *Social Mobility* (New York: Harper, 1927).

In the more narrowly "political" sphere, no studies of American experience seem to be available. There are conspicuous examples of "political" families, such as the Lodges and La Follettes, but the chances are that extensive analysis would show that movement into our "politician class" is much less restricted than movement into the class of business leaders. An important analysis, however, has been made of English cabinet members by H. J. Laski, "The Personnel of the English Cabinet, 1801-1924," *American Political Science Review*, 22 (1928), pp. 12 ff. He concludes, *inter alia*: "In our period, 306 persons held cabinet office, and of them 182 were aristocrats (i.e., sons of persons holding hereditary titles). But if we subtract from the 306 the 93 who earned their living, no less than 213 or practically 70 per cent were rentiers." He concludes that the reform acts of the nineteenth century which broadened the suffrage "had little effect upon the position of the aristocracy in politics. Policy may have changed, but the men who made policy came, in much the same degree, from the same origins as their predecessors. Even today, the aristocracy, together with the lawyer and the rentier, possesses a predominance in the personnel of English politics." He believes that "the root of the hold retained by members of the aristocracy is economic in character. In part, and perhaps mainly it is derived from the possession of an income which renders these persons independent of the need to earn a living. In a lesser degree, the territorial influence of the aristocracy enables it to find seats for its members with less difficulty, and at an earlier age, than is possible for other classes." He finds that businessmen have been entering the House of Commons since 1895 in increasing proportion. "There is, however, no sign that they are likely to enter the cabinet in any increasing degree. . . . Where they are outstandingly successful, on the other hand, their sons not seldom enter the House and, later, the cabinet. A business man, therefore, can, within the ambit of our system, found a dynasty of rentiers to whom the cabinet will lie open, even while he can hardly hope to enter it himself."

into adults like their elders, not because of design, but because there is no one else for them to imitate.

One of the great mechanisms for the maintenance of any political order is its educational system. At times the school system is employed to this end as deliberately and consciously as the military in a war of defense; in other situations, particularly in well-established political orders, the school system performs this function without reasoned intent something after the fashion of our unthinking hypothetical prospective father. H. D. Lasswell says: [3]

> A well-established ideology perpetuates itself with little planned propaganda by those whom it benefits most. When thought is taken about ways and means of sowing conviction, conviction has already languished, the basic outlook of society has decayed, or a new, triumphant outlook has not yet gripped the automatic loyalties of old and young. Happy indeed is that nation that has no thought of itself; or happy at least are the few who procure the principal benefits of universal acquiescence. Systems of life which confer special benefits on the other fellow need no plots or conspiracies when the masses are moved by faith and the elites are inspired by self-confidence.

In other words, when college deans and school superintendents convene, make speeches to one another about the duty of the schools to preserve the political system, and issue manifestoes urging all lesser educators to indoctrinate the cherished values of the social system, internal weakness and doubt have probably already gained a foothold. In the absence of doubt, these things take care of themselves more or less automatically.

"The schools," it has been said, "are the organized transmitters of group tradition and of group wisdom. . . ." [4] "Fundamentally and comprehensively considered, education is a process of inducting the young and immature into the life and culture of the group. . . ." [5] Through education there are transmitted to the succeeding generation the traditions, loyalties, values, mythology, mores, attitudes, and folklore as well as the skills of the group. An entire way of life is inculcated. If one views the educational process broadly, the protracted discussion among students of education about the pros and cons of indoctrination becomes patently absurd. Indoctrination is

[3] *Politics* (New York: Whittlesey House, 1936), pp. 29-30.

[4] C. E. Merriam, *The Making of Citizens* (Chicago: University of Chicago Press, 1931), p. 89.

[5] G. S. Counts, *The Prospects of American Democracy* (New York: John Day, 1938), p. 296.

inevitable. Education weaves the moving pattern of the present into the future.

In the selection of the values and attitudes to be inculcated, any school system chooses those which are cherished by the dominant elements in the political order. That this occurs is partially because the educational system cannot extract itself from its matrix within the general social order, and partially because it functions as an agent of or is subject to the control of the governing elite of the political order. The truth of this observation is susceptible of verification by simple observation on every hand, but if documentation is desired one may cite Counts's study of the social composition of boards of education: [6]

> The outstanding conclusion to be drawn from this study of the occupations of the members of boards of education is that the control of education and the formulation of educational policy are intrusted very largely to representatives of the more favored classes. To this statement exceptions may be made for isolated city boards here and there and for the boards in the smaller districts and rural communities. The important boards are dominated either by those who control the economic resources of the country or by those who are associated rather intimately with the economically powerful classes. In other words, the ordinary board is composed, for the most part, of merchants, lawyers, bankers, manufacturers, physicians, and persons in responsible executive positions.

These conclusions are not especially startling; what would have been astonishing, knowing what we do about the way our world runs, would have been a contrary finding. What is perhaps significant is that the "more favored classes" control the schools directly rather than by delegating control to more or less professional, that is, specialized, politicians.

A pertinent inquiry may be, from what source comes this program to be inculcated by our schools? The practicing pedagogue may deny consciousness of systematized compulsion on matters curricular. The student of comparative education will look in vain for an analogy in the United States to the elaborate reorganization of the curriculum and personnel of Italian schools to the end that fascist patriotism might be effectively taught. Nor will he find institutional parallels to the central Ministry of Education of France with its broad authority exercised, ineffectively as it turned out, to

[6] *Social Composition of Boards of Education* (Chicago: University of Chicago, 1927), p. 74.

promote the survival of *la belle France*. He perhaps will see here nothing on the order of the Russian scheme where the Communists "have seized upon the schools as one of the most effective agencies for the purpose of building up a new generation impregnated with Communist doctrines and ideals," where "revolutionary history, struggles, victories, heroes, achievements are developed from the earliest years of the school curriculum to the last, often with great skill and always with great enthusiasm." [7]

The integration of the activities of our loosely organized school system, with its forty-eight state school organizations, is accomplished in large measure through the operations of generally accepted goals, mores, and social values. We do not require an authoritatively or positively promulgated program of education; everyone understands in a general kind of way what sort of things are to be taught. It is primarily when the schools diverge from this poorly defined groove and clash with the dominant groups in the political system that it begins to feel the pressure to conform. The control of the school system is primarily marginal; that is, it is exerted at the periphery of subject matter the great mass of which occasions no disagreement. And indeed this would probably tend to be the case in any well-established regime.

Experience in the inculcation of nationalism, which for present purposes may be defined as loyalty to this nation as opposed to others, illustrates these general propositions. That the school system inculcates such attitudes is a commonplace. Indeed, the rise of universal free education has paralleled the development of nationalism and education has proved a strong prop for intense nationalism. The state schools, says Professor Hayes, "have been the basic and most reliable agencies of nationalist propaganda among the masses." [8]

American school children learn from their textbooks that "America stands for one folk equal before God and man in their rights and privileges"; that "ours is a government not of force or fear but of ideals"; that we are "the greatest democratic nation in the world"; that the melting pot has formed "one of the finest systems of population which has ever appeared"; that "the American invents as the Greeks chiseled, as the Venetian painted, as the modern Italian sings"; that the United States "has done more for world advancement than any other nation"; that "our representative sys-

[7] Merriam, *op. cit.*, p. 93.

[8] C. J. H. Hayes, *Essays on Nationalism* (New York: Macmillan, 1928), p. 86.

tem is the oldest in the world, and no country has more safety, more freedom, more opportunities for its people." [9]

Although we usually think of historians as the principal embalmers of our folklore, writers on other subjects also have a nationalistic tinge. As Professor Hayes states it in somewhat picturesque but generally correct terms: [10]

> Elementary readers are packed with nationalist poems, with ultra-patriotic legends, and with tales of the mythical and always exemplary deeds of ancestral demigods. Geography is usually centered in the providential economic and territorial primacy of one's own country, and from its study the pupils gather that their nation is, or should be, the most favoured of all God's creation, and that it has, or should have, "natural boundaries," great "natural resources," and vast wealth. From their study of civics, the same pupils are led to believe that their country is the freest, the most liberty-loving, the most progressive, the best governed, and the happiest on earth.

When one turns from the sphere of nationalism to the internal structure of political power of the nation, it can readily be seen that the schools perform a similar function in the perpetuation of the internal distribution of power. The textbooks, reinforced by classroom teaching, sanctify the existing formal governmental order which in turn serves as a prop to the general economic order. A set of rigid stereotypes which color thinking and condition reactions for a lifetime is inculcated. One text says: [11]

> Our country has developed into a true Representative Democracy. That is, our people select their own officials, and have all an equal vote in changing them when necessary. These representatives are pledged to direct our Government for the equal benefit of us all. There is the same law for all, the same permissions and the same restraints. That is the nearest approach to the ideal of equality that man has yet been able to attain.

The Constitution is said to be "the most marvelous written political instrument that has ever been made." The general result of the educational process is that the system of separation of powers, the

[9] The quotations are from Bessie L. Pierce, *Civic Attitudes in American School Textbooks* (Chicago: The University of Chicago Press, 1930), pp. 106-125.

[10] *Op. cit.*, p. 88.

[11] From Pierce, *op. cit.*, chap. 11; see W. Y. Elliott, "The Constitution as the American Social Myth," in Conyers Read (ed.), *The Constitution Reconsidered* (New York: Columbia University Press, 1938).

principle of division of powers between state and Federal governments, and the position of the Supreme Court are canonized. The prospective citizen is equipped with a ready system of verbal formulaes with which to exercise his sovereign functions as a voter.[12]

Apart from notions relating to the formal structure of government, the values of a bourgeois, capitalistic society are inculcated. On these questions there appear to be no extensive studies on which to draw to indicate the kinds of attitudes transmitted; nevertheless it would probably be correct to say that the notion of the right of private property, the virtues of individual initiative, the certainty of progress, the social wisdom of business and financial leaders are thoroughly instilled by the educational process. These attitudes are quite as important as notions about the formal governmental machinery in the preservation of the existing political order broadly considered.

What is not taught in the schools is perhaps as important as what is taught in the maintenance of the prevailing attitudes and pattern of politics. In our political order, as perhaps in any political order, the continuation of the existing regime depends in part on the exercise of power in such a way that the masses are either not conscious of the nature of the regime, or are so habituated to the modes of the exercise of power that they are not aware of the effects of the order. School pupils learn little of the benefits accruing to the holders of power, of the nature of the distribution of income and other perquisites, of the utilization of government by privileged groups. Nor do they learn much of the effects of our political system on the submerged groups. The result of the press of power is not a major element in the curriculum.

It has been noted that we do not have a unified educational machine with a duly constituted central organ for the determination of the values to be inculcated through our schools, but that corrective pressure comes to be applied at the margin when the schools deviate from the generally accepted folklore. The detailed story of the nature and application of these pressures has been collected and recorded by Bessie Louise Pierce in her volumes, *Public Opinion and the Teaching of History* and *Citizen's Organizations and the Civic Training of Youth*. The Daughters of the American Revolution insist that "the colleges and schools faithfully present facts of history and government in the United States and inculcate both a

[12] Consider in this connection the significance of the prevalent attitudes in limiting political campaigns and in molding behavior discussed above, chap. 18.

reverence for truth and a proper understanding and appreciation of the high destiny for which the Republic was founded." The Veterans of Foreign Wars have as one of their objectives the education of "posterity in the principles of true Americanism through publications and work in public schools and institutions" and to this end the organization has brought pressure on schools and textbook writers. The peace organizations bring their strength, such as it is, to bear, and, like the American Legion, have prepared a book for use in the schools, but the object of the peace leagues is to "help children learn how to live happily in an inter-dependent world." The activities of the public utilities in seeking a proper presentation in textbooks and schoolrooms of the role of utilities was not so long ago exposed by the Federal Trade Commission. On the other side the American Federation of Labor has been vigilant in its surveys of textbooks to assure itself that textbooks "give the labor movement and the problem of industry adequate and just consideration." Almost every group and interest analyzed in the first few chapters of this book exert themselves in one way or another to influence the course and tenor of public instruction, just as they apply pressure to influence the decisions of legislative bodies and administrative agencies.

The nature of pressures on school systems is vividly recounted in Howard K. Beale's *Are American Teachers Free?* He records his findings in over eight hundred pages and emerges with the conclusion, which probably was not unanticipated, that American teachers are hemmed in on all sides. He analyzes with care freedom in the discussion of war problems, peace and internationalism, patriotism, politics, economic and social questions, history, religion, and science. He describes the pressures on textbook writers and examines the special conditions in private schools and in Negro schools. He classifies extrascholastic pressures on the teacher and intrascholastic pressures. Without doing violence to his bulky work, it might be compressed into the statement that teachers generally must teach those points of view which find favor in their community. Or, at any rate, they must not teach viewpoints that clash violently with the values held dear by the dominant classes within the community. What is taught, therefore, varies somewhat from locality to locality, and the pattern of control differs from place to place. In a one-industry town the identity of the controllers of the schools may be quite definite; in a city with varied interests the teacher may

be puzzled to ascertain his master in the interplay of conflicting interests.

The discussion thus far has dealt in general with the rather shadowy but none the less effective control over the educational system by the dominant elements of society. In numerous respects this control has been formalized in legislation, and there is a large body of law prescribing the curriculum or phases of it. A special type of this control consists in the legislative insistence that prescribed ceremonies and rituals be performed in the schools, as example of early inculcation of habitual obeisance to institutional symbols common to a variety of organizations.

It is not necessary to prove a conspiracy among the controlling groups of society aimed at guiding the educational system in order to establish the function of the schools in the perpetuation (or attempted perpetuation) of the main outlines of the prevailing order. The function played by the school system is not necessarily the result of plotting by designing and wicked men. The teacher and the school are a part of the existing political order and they are immersed in the prevailing beliefs of the society. And they cannot rise above (or very far above) the web of their environment. It is more or less inherent in the nature of social behavior for the educational system to be bound by the prevailing mores.

Thus the educational system is a great instrument of governance, a political device probably more effective than police and prisons, which functions by and large as a means for aiding the dominant elements in any political order to maintain their power.[13] That the hypothesis is generally correct is more or less self-evident and probably would be conceded on all sides. There is nothing startling about the line of argument. A confirmation of the hypothesis, as well as a tribute to the effectiveness of the schools as political tools, is the promptness with which revolutionary groups on attaining power proceed to cleanse the schools of the taint of the old order and to install their own special brand of truth.

The school system is, of course, by no means the only agency of education. The family itself is undoubtedly important in the formation of attitudes and beliefs of the young. Newspapers begin

[13] H. H. Remmers reports that "measurable and significant changes in socially important attitudes can be produced in the upper elementary grades and at the high school level in as little as fifteen minutes of instructional activity." Moreover, "once changed, attitudes tend to persist as changed."—"Propaganda in the Schools—Do the Effects Last?" *Public Opinion Quarterly*, 2 (1938), pp. 197-210.

to have a part in the process of education somewhat later than the schools, but the influence of the newspaper is exerted for a much longer period. Magazines and books play a part. The movies constitute an extremely influential agency in the formation of social attitudes within a limited range. The radio, the church, and a thousand and one other agenices participate in the educational process broadly considered.

THE SCHOOLS AND POLITICAL EVOLUTION

The foregoing analysis of the nature of politics and of the role of the educational system in the political order lays a basis for a discussion of the various proposals that it is the responsibility and duty of the schools to remake the social order. It is essential that two basic points already advanced be kept clearly in mind: first, that in the political order there is a ruling group or groups, more or less clearly defined; second, that the educational system, in addition to transmitting skills, tends to aid in the maintenance of the pattern of political power.

Although he is by no means alone, the most vocal advocate of the proposition that the school system should transform the social order is George S. Counts of Columbia University. In numerous books, pamphlets, and articles he has pictured a political order toward which the schools should build. In one of his recent volumes he has outlined the kind of political system which he thinks should be the objective of the school system. He says: [14]

> Conceivably, a closely integrated economy might be managed in the interests of the great masses of the population. Under such an arrangement no class or group would be regarded as a means for the elevation of another, no aristocracy of either birth or property would be allowed, no great concentration of wealth or income in private hands would be permitted, no grinding poverty or degrading slums, placing their indelible stamp on the generations, would be tolerated. On the contrary, the moral equality of all men, as proclaimed in the Declaration of Independence, would be recognized as a controlling ideal and would be accepted as a guiding principle in the reconstruction of social life and institutions. The productive energies of the nation would be devoted first to laying the foundations of material security for all. Thereafter they would be dedicated to raising the cultural level and enriching

[14] *Social Foundations of Education* (New York: Scribner's, 1934), pp. 540-541.

the lives of the people, to making the entire country a pleasant and beautiful place in which to live. The natural endowment and the resources of technology would be administered in the name of society as a whole. . . . An economy, not only of security, but of abundance lies within the realm of the possible. The American people merely lack the will, the knowledge, and the discipline necessary to achieve it.

With the characteristics of Professor Counts' blueprint one need have no quarrel. The analysis would be the same for any scheme of values different from those prevailing, proposed to be systematically propagated through the schools. The reconstruction of a political order in general means a reallocation of power and pelf, or those things enjoyed in greater degree by the "more favored" or dominant elements of that order. It is proposed that the schools set out to "build a new social order." The proposition is patently fantastic. The educational system is hardly in a position to do battle with the beneficiaries and defenders of the prevailing order; it must, in the nature of politics, remain submissive.

Professor Counts and others have seen the difficulties. "A major task which confronts us," he said in 1927, "is that of devising some means of so controlling the school that it may not become the subservient tool of some powerful interest or group in the community." [15] Later he advanced the notion that the schools, like legislatures, have a representative function. "Whatever may be their legal position," he argues, "they represent the masses of the American people and are therefore under obligation to protect the interests of those masses." [16] If the masses are dominant in the American political order, the schools represent them; if the masses are not dominant, the schools cannot represent them no matter what the ethical obligation may be.

In a curious sort of book George A. Coe has attempted to solve the dilemma.[17] He recognizes that in the modern national state the dominant classes and interests of the state generally bring under their sway all the important institutions. He pleads for a sort of autonomy for the school system. This sovereign agency within the sovereign state would be vested with authority to determine what values and notions would be transmitted through the school system. The observed tendencies of political behavior contradict the validity of the proposal. No political order, unless it is already in the process

[15] *The Social Composition of Boards of Education*, op. cit., p. 91.
[16] *Social Foundations of Education*, op. cit., p. 541.
[17] *Educating for Citizenship* (New York: Scribner's, 1932).

of disintegration, will tolerate, nor can it afford to tolerate, movements or competing institutions which threaten its existence. It cannot be denied, of course, that our school systems enjoy a certain amount of autonomy, but it is a limited autonomy. The schools can stay in the pantry as long as they do not get into the jam.

About the only sort of regime in which the schools could exercise the power that Mr. Coe suggests would be what could be called a "pedocracy." By that word is meant a state ruled by schoolmen; a theocracy in which the priests would be replaced by pedagogs. Under such a scheme the teachers and others constituting the educational system would become the dominant element in the political order and would be in a position to remake society as they pleased. Now Professor Counts has this to say on ruling classes: [18]

> In shaping educational policy, the peculiar limitations of any dominant social class should be noted. Whether that class is a priesthood, a holy order, a military aristocracy, the bourgeoisie, or the proletariat matters not. They all suffer from the same affliction. A dominant class is a privileged class, a class that is favored by the existing social arrangements. It therefore tends to be conservative, to exaggerate the merits of the prevailing order, and to fear any agitation favoring fundamental changes in the social structure. It represents the past rather than the future; its creative period lies in a preceding age; its genius has already found expression.

Although it may be pleasant to some people to contemplate being governed by a soviet of school superintendents, one will have to admit that such a ruling group would probably suffer from the same afflictions that beset other dominant classes. They would cling to their power and perquisites as desperately as the besieged capitalists or the ruling oligarchy of the American Federation of Labor.

The line of argument advanced may be recapitulated. The first proposition advanced is that in the political system there exists a set of dominant interests. It is, to be sure, difficult to define this group sharply in the United States, but there is a much higher degree of continuity in the governing interests than would be deduced from concentration of attention on the democratic mechanisms of elections and parties. Second, it is contended that political systems generally seek to perpetuate themselves. That proposition is self-evident; it is extremely rare that the dominant element in any society knowingly commits political suicide. (They more often absent-mindedly com-

[18] *Social Composition of Boards of Education*, *op. cit.*, pp. 91-92.

mit political suicide through stupidity.) Third, it is stated that the school system performs a political function in the transmission of the prevailing values and attitudes in the political order. Fourth, it is contended that unless the schools should themselves become the dominant element in a political system, they must serve more or less as agents of the dominant classes in society. Fifth, in the United States it might be argued that the leaders of educational systems occupy a seat at the table of political power, but they by no means dominate. Finally, it follows that the notion that the schools can remake the political order has no basis. Political power may be redistributed gradually or rapidly, but these changes occur by and large through the action of forces outside the schools. The educational system, like almost any great institution, must generally tend to be a conservative influence in that it conserves present values.[19] The inertia of the educational organization will probably always tend to keep it somewhat behind, rather than ahead of, the times.

QUESTIONS AND PROBLEMS

1. Under what sort of conception of politics does the analysis of education become relevant in the study of politics?

2. Consider the relative political significance of the family and the school.

3. Define the political function of education.

4. By what methods is the political orthodoxy of American schools maintained?

5. Is the influence of education generally exerted for the maintenance of the *status quo* or in the direction of political change?

6. What is the significance for the political order of universal compulsory education?

7. What difficulties are encountered in the effectuation of proposals that the schools exert their power to remake the political order?

8. Reflect on your own education and its political effects in terms of the discussion in this chapter.

[19] "Our present system of education compels one toward a static position; thus, many explanations hold the stage long after the life to which they apply has been modified or has evolved into new phases. To offset this, a paradox in education might be very beneficial in this third decade of the present century. Teach one fixed idea;—that much, if not all, of life is continually changing. Crystallize the apparent fact that we are in, and a part of, an ever changing world and civilization."—C. H. Titus and V. H. Harding, *Government and Society* (New York: Crofts, 1929), p. 12.

APPENDIX

MAJOR PARTY PLATFORMS

1940

DEMOCRATIC PLATFORM

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 out 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 intermeddling. 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 antidemocratic 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 again 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 inconsistent 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 continue 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 consid-

eration 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 monopoly, 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 reemployment, 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 coordinating

the health functions of the Federal Government. We pledge to expand these efforts, and to provide more hospitals and health centers 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 youth 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, youth 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 youth 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 appoint-

ment 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.

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

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 tranquillity; 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.

I

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 Tranquillity 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.

II

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.

REEMPLOYMENT

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 associations; 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 prevention, 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 conserve 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.

UNAMERICAN 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 IN 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.

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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