The Effects of Presidential Elections on Party Control of the Senate under Indirect and Direct Elections

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Abstract: Traditional political history portrays presidential elections as dramatic events that unified a loose confederation of state parties and frequently decided party control of the national government. In this paper we investigate presidential coattails and the partisan effects of state electoral institutions on Senate elections. We find a strong role for presidential elections under both indirect and direct elections, but one subject to the mediating influence of state electoral laws and institutions. We also find that passage of the 17th amendment further tightened the responsiveness of Senate to presidential elections and reduced the anti-Democratic bias of indirect elections.

The Effects of Presidential Elections on Party Control of the Senate under Indirect and Direct Elections

Traditional political history presents presidential elections as if they were the mainsprings of American electoral politics. One does not have to subscribe to the maligned "presidential synthesis" genre of 19th century American political history to appreciate their central importance for collectively settling fundamental national issues and embarking the country on a new policy course. Presidential elections could have these broad, lasting effects not only because they secured control of the White House, but also because they frequently allowed the victorious party to take over Congress for an extended period. Instances of such elections include Jackson's defeat of Adams in 1828, Lincoln's victory in 1860, McKinley's in 1896, and Roosevelt's in 1932. Numerous other, less historic presidential elections exhibited similar, albeit more modest and less durable coattail effects. In 24 of the 26 presidential elections from 1840 through 1940, the party that won the White House also gained control of the House of Representatives. Even stronger evidence of the diffusion of presidential success can be seen in instances of synchronized party turnover in control of the executive and legislative branches. In four of the five presidential elections where an opposition's party challenged for control of both the presidency and the House of Representatives, and it won the former, it also won the House.

Elsewhere (Engstrom and Kernell 2003) we report systematic evidence of presidential coattails as an important determinant of House elections from 1840 through 1940. Although the national presidential vote accounts for much of the overall variance in House elections, its strength varies significantly from state-to-state and over time according to the presence of mediating election laws and institutional practices. Introduction of ballot reform (and the specific form it took), redistricting, and separated polling dates systematically dampened or

strengthened the effects of the presidential vote on the partisan composition of states' House delegations.

In this paper we turn to investigate presidential coattails and the effects of states' mediating institutions on Senate elections. The specific sources of mediation differ, of course, with indirect election posing a formidable barrier to the influence of national forces.[1] Just as the framers had apparently intended, "Senate elections were … nearly completely detached from presidential politics," concluded Crook and Hibbing (1997; 852) from their statistical analysis of national electoral trends. But just as we found House elections varying in their responsiveness to national forces according to their electoral institutions, so too might state legislative elections and by extension, Senate elections. After adoption of the 17th amendment, Senate elections presumably began to respond directly to presidential voting and whatever state mechanisms were in place to limit coattail voting.

Certainly indirect elections, along with the Senate's longer and staggered terms and its malapportioned seats, provide ample reason to suspect that this chamber's party ratios would have been much less responsive to presidential elections than those for the "popular branch." Yet, even in the Senate, one can find traces of presidential elections in the chamber's changing party composition. The party winning the presidency also won or retained control of the Senate in seventeen out of the nineteen presidential elections between 1840 and until direct election in 1914. On four of the six occasions where an out party won the White House and also sought to take away the Senate, it succeeded. So, perhaps this era's indirect Senate elections were not quite so insulated from short-term national forces as the framers had intended and previous research appears to confirm.

Unsurprisingly, after adoption of the 17th amendment the presidency-Senate connection strengthened significantly as party ratios in the Senate began to more "tightly" track the national

presidential vote (Crook and Hibbing 1997). All eight presidential elections from 1913 through 1940 were attended by same party victory in the Senate, and in three of these contests the out party took away control of both presidency and the Senate. Again, we shall be alert to the possibility that state differences in these relationships reflect their different electoral institutions.

As important as national party ratios in the Senate are for understanding the course of national policy during this era, they do not offer the best information for detecting the responsiveness of Senate elections to national forces. Vacancies for only a third of Senate seats occur during any election period and are thereby exposed to presidential coattails. Also, the Senate's party ratios included a large block of seats from the South that after the 1850s were impervious to national swings in party fortunes. Moreover, the region's peculiar electoral history included the sudden mass exit from the Union in 1860 and subsequent reentry after the Civil War. Including this region muddles any time-series relationship between presidential voting and Senate elections for the rest of the country. By excluding the South and limiting analysis to seat shares in play during the presidential election, we obtain a set of elections which should reveal more clearly any effects of presidential elections in altering the party composition of the Senate.[2]

In Figure 1 we have plotted for non-southern states the Democratic share of the "in play" Senate seats against the Democratic presidential vote. Certainly, the most prominent correspondence of these trends is the responsiveness of Senate elections to the presidential vote under direct elections. Others (Crook and Hibbing 1997; Wirls 1999) have observed the effect of the 17th amendment in nationalizing Senate elections, but none has noticed the level of responsiveness displayed in Figure 1.

Figure 1 here

Two other patterns can also be discerned in Figure 1 for indirect elections. First, throughout the 19th century Democrats run much stronger in presidential than Senate elections. This anti-Democratic bias in Senate races has also been widely noted (King and Ellis 1996; Stewart 1991; Stewart and Weingast 1992) and spawned alternative explanations which we take up below. The second, less pronounced relationship in these indirect elections is the distant and indirect coattail effect of presidential voting on Senate seat shares. To see this better, we have calculated from the time-series data in Figure 1 the familiar vote-seat relationship (but bear in mind the vote here is the president's) separately for elections under direct and indirect election systems. The full contours and implications of the nonlinear relationships in Table 1 can be better appreciated in Figure 2. Both the bias and swing ratio coefficients are significant determinants of Democratic seat shares.[3] The 17-point anti-Democratic bias under indirect election is reproduced in the figure; when the Democratic presidential candidate won 50 percent of these states' vote, his party managed to capture only 33 percent of the Senate seats up for grabs.

Table 1 and Figure 2 here.

It stands to reason that presidential voting would have a weaker impact on the Senate and would be more prone to bias under indirect elections. As national forces pass through bicameral, state legislative filters, their effects will be attenuated by imperfect responsiveness of state legislative representation to presidential elections. Off-year elections, staggered terms, severe gerrymandering, and party factionalism are just some of the influences at work in state legislatures to mitigate the effects of presidential voting on Senate elections. Before investigating the complex and extended linkages that comprise this electoral connection, we first need to consider an altogether different explanation that locates the anti-Democratic bias (and by extension, indirect elections' dampened responsiveness) in concerted efforts by congressional

Republicans' to carve out new safely Republican states in order to insure their majority status after the Democratic South's reentry to the Union.

In the next section, we test this argument and conclude that while those states admitted after 1860 did add critical Republican votes to the Senate, these new "rotten boroughs" do not fully account for the prominent anti-Democratic bias and weaker responsiveness in Table 1. In section 3 we turn to state legislative politics to more fully account for pre and post reform differences in the partisan bias and presidential coattail effects. Specifically, we model the relationship as the cumulative result of several discrete processes: presidential coattails, the vote-seat relationship for state legislative elections, and Senate elections as the joint product of partisan chambers with mutual vetoes. In section 4 we test the first two of these processes by estimating the state legislative composition as a function of the state presidential vote. In section 5 we turn to Senate elections in state legislatures where institutional features may increase or reduce the likelihood of divided party control of the legislature. Finally, in section 6 we examine the variety of 20th century institutional variables mediating the impact of presidential on Senate voting.

2. The Statehood Admissions Strategy

According to both contemporaries' accounts and historians' assessments, the Republicans' near supermajorities in the Civil War congresses exploited their advantage by stacking the Senate with new Republican seats. More than mere partisan greed was at work here. Republicans had good reason to fear a loss of control when the confederate states were readmitted and southern representation in the House of Representatives and electoral college would no longer be discounted by the Constitution's 3/5's rule for counting slaves. So, Republicans embarked on a "rotten borough strategy" of admitting sparsely populated, staunchly Republican states to guarantee control of the Senate. In 1861, Kansas was admitted. During the

next four years, another 14 laws were enacted redrawing the boundaries of territories and enabling admission of new states. By 1868, Nevada, Nebraska, and West Virginia were in the Union and only a veto by southerner Andrew Johnson kept Colorado out a few more years. Stewart and Weingast (1992) argue persuasively that these and subsequent admissions proved critical in assuring the continuation of a Republican Senate that could veto the efforts of a Democratic-leaning House of Representatives to undo its wartime policies. By their calculations without stacking nine of the next eleven congresses after 1876 would have found Democrats in control of the Senate instead of the two that actually occurred.

Evidence of the pronounced effects of these new, sparsely populated states on the presidential vote-Senate control relationship is displayed in Table 2. If one limits the relationship to states admitted after 1860, the Republican bias is an extraordinary 24 percentage points. This indicates that even were the Democratic presidential candidate to receive 50 percent of the vote, his party could expect to control no more than 26 percent of these states' Senate seats. Moreover, befitting their characterization as "rotten boroughs," these states' Senate elections were less responsive to the presidential vote. Unsurprisingly, from the date of admission until the switch to direct election, 80 percent of the senators these states sent to Washington were Republican.

<div align="center">Table 2 here</div>

Yet, Table 2 also shows that the admissions strategy is not the only source of the anti-Democratic bias in Senate electoral. Even for nonsouthern states that had entered the union prior to 1860 Senate elections exhibit a 14 percentage point bias and compared to subsequent direct elections, a weaker responsiveness. These relationships add weight to the argument (King and Ellis, 1996) that elections in nonsouthern state legislatures inherently favored Republicans, and therefore, the main effect of direct election reform was to level the playing field for Democrats.

One might be tempted to conclude from the macro-level relationships in Table 2 that the same level of vote-seat bias and responsiveness occurred within the states. Reports of the notoriously maldistricted, anti-Democratic New England state legislatures during the late 19th century would seem to square much of the state-level histories with the "national" vote-seat relationships in Figure 2. Connecticut (Argersinger 1991; McSeveney 1972) offers an especially egregious instance where town-based legislatures managed repeatedly to frustrate the claims of popular Democratic pluralities (and even majorities) to control state government and with it the state's Senate delegation. Yet, other history points to highly competitive state politics elsewhere, especially throughout the Midwest, in which political control of state government swung with the ebb and flow of national elections. So, the anecdotal record portrays heterogeneous state politics with some states responsive to national forces and others less so. The fact is that we know next to nothing about this era's state electoral politics, and whatever we say is largely conjectural. Any number of state characteristics from rotten boroughs to perfectly fair and highly responsive electoral arenas might have generated these aggregate relationships.

3. An Institutional Model of Presidential Effects on Senate Elections

When 19th century voters cast their ballots for president, what, if any, spillover effects did their presidential votes have on their preferred party's chances of also capturing a Senate seat in the next legislative session? In answering this, one must consider the variety of political and institutional features of a state's electoral system that might facilitate or impede the transference of preferences for one office into representation in another. Political parties are one obvious source for coordinating votes across offices (Cox 1997). A strong party could both bind candidates into mutually supportive campaign activities and consistent issue appeals and in the legislature solve the collective action problems that would allow party members to act in accord.

Less well understood is the fact that a state's electoral institutions could have had a similarly centripetal influence on the behavior of voters and politicians. To identify those institutional mechanisms that might have pulled the fortunes of party politicians together (or apart) across offices, we need to separate the lengthy causal path of relationships that had presidential voting shape Senate elections.

1) Presidential Coattails: presidential vote → state legislative vote

2) Vote-Seat Conversion: state legislative vote → partisan composition of legislative chamber

3) Indirect Elections: party ratios of upper and lower chambers → Senate election

In order for presidential preferences to influence indirect Senate elections via coattails, it would help the voter to have the presidential and state legislative choices proximate to one another on the ballot or better yet, to have a single choice – as in casting the party ticket or pulling the party column – decide both votes. Moreover, the institutional mechanisms that aggregate and distribute votes to offices may yield a vote-seat relationship that is highly fair and responsive or its opposite. Where legislative districts are seriously malapportioned and gerrymandered, any electoral connection between presidential voting and Senate elections might be broken regardless of the effort by voters to transfer their presidential preferences down the ticket. Finally, once a majority assumes control of the legislature for the next session, it must (in two-thirds of its sessions) perform one of the most important tasks of these 19th century institutions – elect a Senator.[4] Divided party control of these bicameral legislatures would endanger any electoral connection even if the coattail mechanisms were in place and the seat-vote conversion were fair and responsive. Again, institutional rules govern outcomes. In the

next section we test the first two stages of this process, estimating the impact of presidential

voting on the partisan composition of state legislatures.

4. The Presidential Vote – State Legislative Seats Relationship

Two potentially important features of the states' electoral systems that might well have

mediated presidential elections' impact on 19th century state legislative elections, and by

implication Senate elections, are the ballot structure and the electoral calendar (see Table 3).

Until the 1890's all states employed the party strip ballot, binding candidates together vertically

from the presidency down to the state legislator (and beyond).[5] Parties would print and distribute

these ballots, listing only their candidates on the ticket. By consolidating voters' choices onto a

single ballot, there was little opportunity for voters to 'split their ticket' and led to coattail voting

by default. As a result, the electoral fortunes of state legislative candidates, and by implication

aspiring Senators, were highly dependent on the success of the presidential standard bearer at the

top of the ticket.

The adoption throughout the states of Australian ballot reform from 1888 to 1911 (Evans

1917; Fredman 1968) dismantled the party ticket system and helped weaken the connection

between presidential and state legislative elections. By placing candidates of both parties onto a

single state-supplied ballot and removing voters from under the watchful eye of party workers,

the Australian ballot made it easier for voters to split their tickets (Rusk 1970). As Table 3

reveals, states varied in both the timing of reform and the kind of ballot adopted. Some states

opted for the office bloc ballot while others chose the party column format. The former required

voters to make separate preference designations for candidates in each office discouraging

straight ticket voting, while the party column ballot either explicitly allowed a single party vote

or aligned candidates in such a way as to facilitate straight ticket voting. Since states differed

and continued to alter their ballots even after adoption of the 17th amendment, this state-level

variable might have mediated the impact of presidential elections under both indirect and direct electoral regimes.

<div align="center">Table 3 here</div>

Another important feature of state elections that potentially affected the linkage between presidential and legislative elections was variation in state electoral calendars. States adopted numerous combinations of term lengths for the two chambers of their state legislatures. As a result, in some states all legislative seats were contested during presidential election years, while in others a half, a third, or even none would be exposed to the electoral perturbations of the presidential election. In addition, some states held their legislative (and gubernatorial) elections at separate times from presidential elections. In some cases, state elections would be held months apart from the presidential contest. In testing for the effects of presidential voting we shall distinguish those state elections held simultaneously with the presidential election from those held on separate days.

Two other ballot features of special significance for Senate elections were the opportunities afforded voters in some states to express their candidate preferences for the Senate. Some states instituted nonbinding nomination primaries, which presumably guided, if not dictated, the choices of a party's caucuses in the two state legislative chambers. In 1901 Oregon went one step further creating a straw election for Senate that had voters select among competing candidates and sought to bind state legislators to follow the dictates of the vote in the state legislative election.[6] Prescriptive elections of this sort were soon adopted by 13 other states and continued to be conducted until direct election. We suspect that the presence of senatorial candidates on the ballot shaped both coattail voting and the legislative elections. In the first instance it reminded voters of the broader implications of their state legislative vote and in the second, informed legislators of the candidate choice that would meet with their constituents'

approbation. If so, in those states where the Oregon plan was adopted, legislatures might have surrendered their partisan discretion and become merely electoral colleges registering popular preferences.

To fully analyze the first two stages of the relationship between presidential voting and state legislative seat shares we need systematic data on voting in state legislative elections. Unfortunately, we currently do not have a full set of state legislative election returns for the 19th and first half of the 20th centuries.[7] This means that we cannot estimate the first two stages – i.e. presidential coattails and the vote-seat conversion – separately, but must collapse them so that we are estimating the relationship between states' presidential votes and the partisan composition of their state legislatures, much as we did nationally in Figure 2.

To test these institutional features, we have collected all of the relevant institutional variables (except the statewide state legislative vote) for every election-state pair for the years 1840 through 1940. This gives us a standard time-series cross-sectional data structure for which standard estimation techniques have been adapted. In order to control for state "intercept" differences in Democratic support for the president and other offices' candidates, we shall estimate a fixed effects model. This allows us to hone in on the mediating effects of those institutional mechanisms that change over time.

In Table 4 we test the impact of the state's presidential vote on the partisan distribution (% Democratic in both instances) of the two chambers of the state legislature. (In order to link these results to the next stage Senate elections, we have limited the analysis to the era of indirect elections, 1840-1912.) In both legislative settings the presidential vote appears to have been a major determinant of the state legislatures' partisan makeup, and presumably in turn of Senate elections. All else equal, a one percent increment in the presidential vote increased Democratic seat shares by .86 and .63 percent in the lower and upper chambers, respectively.[8]

Table 4 here

To test for institutional mediation, we have interacted the presidential vote with ballot structure, the timing of state legislative elections, and the presence of "direct election" reforms, and we have broken up the lag term to take into account the share of seats up for election and thereby, exposed to potential coattail effects. We have also included intercept shifts for alternative ballot formats that must be taken into account in assessing the net mediating effects of ballot reform.[9] The significant interactive coefficients in the hypothesized direction for both equations confirm the mediating role of electoral institutions. The structure of the Australian ballot reform appears to have had a substantial impact. In both chambers, the office bloc format significantly curtailed presidential coattails. Moreover, the party column coefficients are significant in both chambers. In all cases, ballot reform reduced the impact of presidential coattails on state legislative seat shares. The presence of a Senatorial candidate on the ballot (Senate reform) also has a positive impact on presidential coattails. The interactions for non-November elections are in the hypothesized direction (negative) but not significant for either chamber.

The last four terms in the equations interact the share of seats up for reelection with the Democratic composition (percent) of the chamber prior to the election. The stand-alone lag term represents instances where all of the seats are in play. The results of the various lag terms indicate that the effect of presidential coattails varies with the number of legislative seats up for reelection. In the lower house, for instance, all of the interactions are positive and significant indicating that the greater percentage of the legislative seats on the ballot, the stronger the lag term. In the lower house for example, this impact raises from only .54 when every seat is up for grabs, to .82 when only a quarter of the legislature is up for election.

These findings show that partisan composition of state legislatures was highly responsive to the short-run national forces that decided presidential elections. This is all the more impressive, since presumably our inability here to separate coattails from the vote-seat function only serves to understate the underlying coattail effect. Moreover, each of the states' electoral institutions mediates the influence of presidential voting in the direction hypothesized. Ballot reform weakened but did not severe the connection, as did the electoral calendars of the legislatures. The presence of Senate candidates on the election ballot strengthened the association between presidential and state legislative voting.

5. Indirect Elections of Senators

Earlier we argued that the biased and less responsive (compared to direct election) presidential vote-Senate relationship under indirect election may not reflect comparable levels of bias and gerrymandered insulation in each of the states. The relationships reported in the previous section indicate much more responsive state legislative elections than we were led to suspect from the aggregate levels of bias and unresponsiveness under indirect elections. Of course, as we noted earlier, the "national" relationships could result statistically from simply the heterogeneous distribution of presidential and state legislative votes across the states instead of mirroring some average bias among them. In this section, we consider the legislative process of Senate elections as potential source of bias.

State legislative election of a Senator is akin to a single-member district, "winner-take-all" election in the electorate, but with two important differences. First, the electors are politicians and have more reason and hence likelihood of engaging in strategic voting, and second, the election occurs simultaneously in two electorates (i.e. bicameral legislatures) both of which must separately give the winning candidate a majority. The incentives and opportunities for politicians to engage in strategic behavior should weaken the correlation between a chamber's party ratios

and its probability of electing the Senator. Instead politicians within parties will sometimes find it in their interests to sell their votes for either personal gain or political rewards for their constituents. As vital as political parties were for 19th century politicians, many states were rife with factional competition throughout the 19th and early 20th centuries. Political parties were central organizing entities throughout this era, yet histories of senate elections (Hall 1936; Haynes 1906) are riddled with self-defeating, internecine struggles within party caucuses. Below we present suggestive, indirect evidence that the contingent effects of factional politics rewarded supermajorities with improved prospects of electing a Senator. We can neither observe systematically nor control effectively for factional politics. Factional competition will manifest itself in Senate elections with an inability of the party caucus to reach consensus and enforce agreement on the party's nominee. Where present, a success will require a surplus of votes beyond the bare majority, a feature we can monitor in the analysis below.

The second characteristic of indirect Senate elections that distinguishes it from single member district elections is bicameralism. The election of a Senator requires the mutual agreement of constitutionally independent legislatures. We know that on occasion, these legislatures could not agree on a candidate, even after prolonged negotiations and numerous votes. The result typically was a loss of representation as the seat remained vacant.[10] Between 1891 and 1905 factional divisions led to fourteen states failing to elect a Senator (Haynes 1938: 92). In Delaware, the factional divisions within the majority Republican party were so fierce that they failed to elect a Senator in both 1899 and 1901, and as a result they were completely without Senate representation in the 58th Congress. [11]

In 1866 Congress had attempted to resolve these instances of bicameral gridlock (and ward off gubernatorial appointments) with legislation regulating the election of Senators.[12] The law mandates that initially each chamber vote separately, but if no candidate receives an absolute

majority in both houses, the two houses must daily vote by joint ballot until a majority winner is elected. Although the law's stated purpose was to resolve bicameral gridlock and regularize the election process, the historical literature suggests that deadlocks actually increased (Haynes 1932; Hall 1936), perhaps as a function of the majority requirement.

In all of the states in this analysis, the lower house was larger than the state senate, with a mean of 115 members (and a median of 100) compared to a mean number of 31 (and a median of 32) for the upper chamber. Presumably, for the majority of elections in our time series, legislative politicians incorporated this information in their separate Senate election decisions. Depending on the strength of candidate preferences in the lower chamber, its politicians would be less inclined to compromise with their senate counterparts, knowing that they would probably prevail in joint votes. Below we shall test for the lower house's greater leverage over the election outcome.

Despite the complications arising from bicameral differences, one would expect that party control of the legislature would remain the decisive determinant of Senate elections. Where a single party had control of both legislative chambers we should expect they would almost always, barring self-defeating factional turmoil, elect a Senator of their party. Table 5 displays the likelihood of electing a Democratic or Republican Senator given various configurations of partisan control of state legislatures. When Democrats controlled both branches they elected a fellow Democrat 93 percent of the time, and Republican controlled legislatures elected a Republican Senator in 97 percent of the contests. Collapsing these two categories together, we find that when a single party controlled both chambers of the legislature they elected a Senator from their party in 97 percent (572 of 590) of the non-southern elections from 1840 to 1912 (excluding vacancies).

Table 5

Throughout the era of indirect elections unified party control of state legislatures was the

norm. And in cumulative percentages in Figure 3 we find that unified party control mostly

meant Republican control. Here, then, might be a source of Republican structural advantage in

winning disproportionate Senate elections at the aggregate level. From the Civil War until the

end of the 19th century, the national Democratic party remained surprisingly competitive outside

the South despite its "Copperhead" image that Republicans were quick to unfurl every four years

for a long time after the war and even reconstruction had receded as national issues. Yet, as

Silbey (1977, 1991) observes in his post Civil War history of the Democratic party, the party's

competitiveness rarely translated into victory. Even small but pervasive and persistent

Republican majorities across the states could generate that party's disproportionate success in

Figure 1.

Figure 3 here.

In Table 3 we see that states' legislative chambers generally followed different electoral

calendars. Combined with the responsiveness of both chambers' partisan makeup to presidential

elections, we may anticipate that for those states where all of both chambers' legislators stand for

reelection during a presidential campaign, the likelihood of divided party control of the

legislature will be much lower than where all of one chamber but not of the other are exposed to

presidential coattails. The distribution of unified governments in Table 6 verifies the effects of

institutional features on the prospects of bicameral legislatures to reach agreement on Senate

elections. Limiting the analysis to presidential election years, those elections in which every

member of both chambers stood for reelection yielded unified government 93 percent of the

time. When the state senates were not wholly elected in tandem with the lower chamber, the

incidence of unified party control drops to approximately 80 percent. Finally, in those few

periods when no more than a quarter of either chamber was elected during the presidential

election, the likelihood of a divided legislature was nearly as likely as unified party control.

Table 6 here

Another feature of indirect Senate elections which may have altered the calculations of state

legislators was the opportunity for voters to formally register their opinion for Senatorial

candidates. As noted in the previous section, some states created non-binding primaries to select

party nominees. In other states, such as Oregon in 1902, they went a step further and conducted

balloting directly for Senate elections. Under this plan, state legislators were to function more

like a pseudo-Electoral College merely rubber-stamping the earlier choices of voters. Illustrating

the punch of these partisan expressions, the Republican legislature of Oregon elected the

Democratic candidate to the Senate after a majority of the state's voters favored the Democrat in

the 1908 Senate election.

To test the effect of state legislative composition, along with environmental features that

represent expressions of voter sentiment in their states, on the likelihood of electing a

Democratic senator we estimate a logit equation with a Democratic victory as the dependent

variable. We model this likelihood of a Democratic victory as a function of the partisan

composition of the state legislature and two measures of voter sentiment. These are the

Democratic share of the state's presidential vote (along with an intercept for presidential election

years) and a variable scored 1 for an Oregon-plan victory for the Democratic candidate for the

Senate and –1 for a Republican victory. The results are presented in Table 7.

Table 7 here.

Unsurprisingly, the party composition of the legislature dominate the equations. As one

would suspect from the joint election provision of the 1866 statue, party ratios in the lower

chamber have a greater impact on the outcome.[14] The effect of the lower house, displayed in the

predicted probabilities of the third column of Table 7, is twice the size of the upper chamber.

Both of the variables tapping voter sentiment are positive and significant, suggesting that

independent of the party make-up of the chambers, state legislators were attentive to the current

political breezes as they elected the state's Senator. An increase of 10 percent in the Democratic

presidential vote, all else equal, increased the probability of a Democratic Senate victory by .31.

To further assess the importance of institutional rules in guiding Senate elections, we next

examine the impact of requiring states to merge into one body and elect Senators on a joint

ballot. Since the biggest impact of this provision would appear when each party controlled one

chamber, and therefore could block the others choice when voting separately, we narrow our

focus only to instances of divided partisan control. Specifically, we estimate the probability of

electing a Democratic Senator, in divided legislatures, as a function of the joint combined

number of Democrats in the state legislature. We also interact this with a dummy variable

indicating whether or not the election was held before the 1866 law went into effect. In addition,

as in the previous equation, we also include the state presidential vote and an 'Oregon plan'

winner variable.

The results are presented in Table 8. Not surprisingly, the combined percentage of

Democrats in the legislature is positive and significant. Although, once you interact this variable

with elections held before 1866 the effect drops from .10 to .03. Converting this into

probabilities, the impact of the joint Democratic percentage increases by 8 percentage points

after 1866, indicating that the provision requiring joint balloting had a substantial impact on how

Senatorial elections were conducted.

Table 8 here

6. Institutional Mediation under Direct Election

The 17th amendment brushed aside the role of state legislatures and with it the complex set of coattail and vote-seat linkages that determined the impact of presidential voting on Senate elections. With statewide popular election of Senator, the formerly complex relation between votes and seats became the highly responsive, winner-take-all relationship. The only uncertainty concerned the impact of presidential on Senate voting. The literature suggests two possible sources of mitigation of presidential coattails in these post-1912 elections. First, the Senate gradually transformed into a body of career oriented politicians who were assiduous at holding onto their jobs regardless of national political conditions (Hall 1936; Daynes 1971). The ability of 20th century incumbents to withstand adverse national forces is well established in the congressional voting literature (Jacobson 2001). The second source of mitigation are electoral institutions. Although many of the institutions we found mediating coattail effects in House and state elections — maldistricting, differing electoral calendars, different legislative terms — are absent in direct Senate elections, there are still some electoral laws which might filter the effects of presidential on Senate voting (i.e. ballot structure).

In Table 6 we test the impact of presidential voting on Senate voting. Note that we now are using the Democratic percentage of the statewide Senate vote as the dependent variable. To test for institutional mediation, we interact presidential vote with differences in ballot structure. Recall that by 1914 all of the states had implemented the secret ballot, thus we only include the office bloc format leaving the party column as the base category. We expect the office bloc interaction to significantly reduce the impact of coattail voting. Moreover, we include a variable indicating the presence of an incumbent Senator on the ballot. Following the standard technique in the literature, we code a Democratic Senator as 1, Republican Senator -1, and an open seat zero.

Table 9 here

The results in Table 9 demonstrate the connection between presidential and 'direct' voting for Senator. A one percentage increase in the presidential vote boosts the Senate vote by .46 percent. The incumbency variable is positive and significant, demonstrating a small vote boost (3 percent) when an incumbent is running.[15] Finally, the interaction between presidential vote and office bloc ballot is in the expected direction but not significant (p<.13).

7. Conclusion

After passage of the 17th amendment, national forces could bypass the formidable barrier of imperfectly responsive state legislatures. As we saw in Figure 2, Senate elections were now more directly linked to the partisan tides represented in presidential politics. This pattern has continued throughout the 20th century as the Senate increasingly has become the more electorally responsive chamber of Congress (Erikson 2002; Alford and Hibbing 2002). That the 17th amendment made Senators more directly responsive to the electorate should not be surprising. What is surprising, however, is that during the 19th century we still find Senate elections responding to the ebb and flow of national political forces. The institutional barriers set up by the Framers to buffer the Senate from popular whims, along with a nation characterized by segmented 'island communities' (Wiebe 1967), suggests that the partisan composition of the Senate should have been aloof to the impact of presidential elections. Yet, even during this era of indirect elections we found a strong role for presidential elections. We found that the various institutional mechanisms in place throughout the states were largely responsible for linking, and occasionally mediating, Senate and presidential elections. The party strip ticket directly tied the composition of state legislators to the vagaries of presidential elections. Successful presidential candidates helped pull fellow state candidates into office, increasing the frequency of unified control of state legislatures, and consequently helping to elect Senators.

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Figure1. Democratic Share of Presidential Vote and Senate Elections:
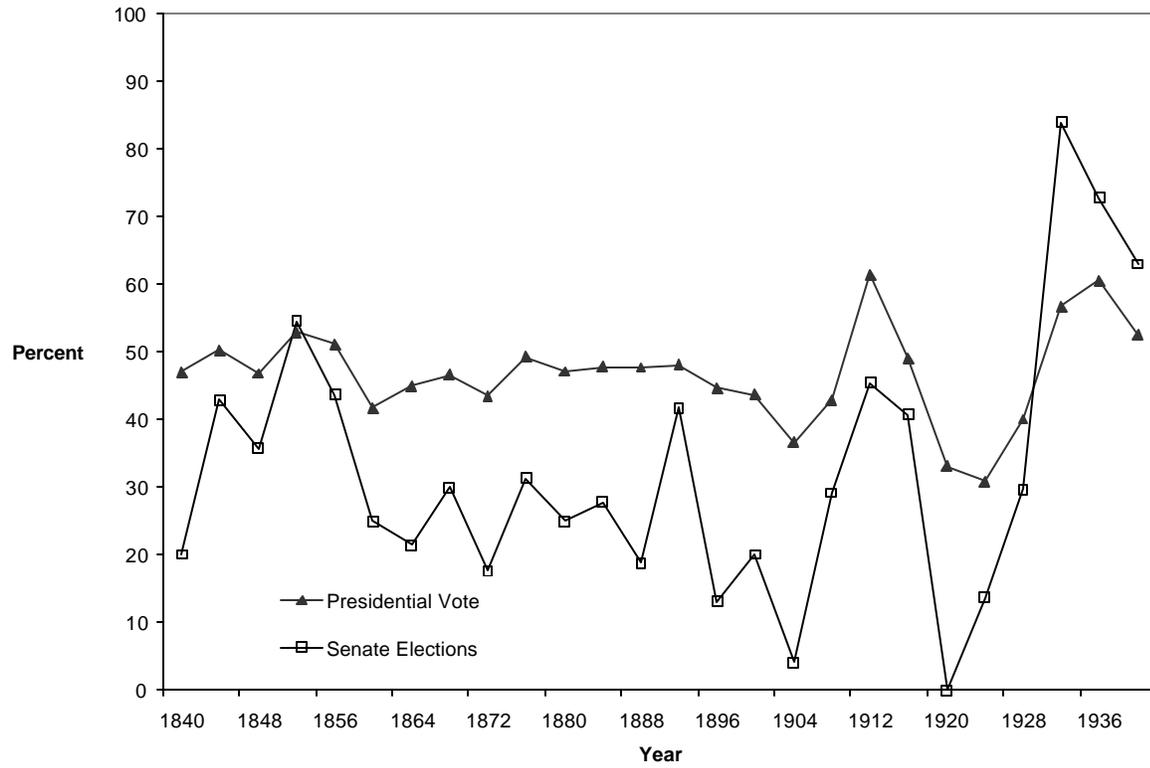**Non-South, 1840-1940**

Table 1. Responsiveness and Bias of Non-Southern Senate Elections under Indirect and Direct Elections

Variable	Coefficients
Indirect Election Responsiveness	2.21** (.57)
Indirect Election Bias	-16.81** (3.49)
Direct Election Responsiveness	3.25** (.51)
Direct Election Bias	2.25 (4.49)
N	515
Log-Likelihood	-283.86

**=p<.05

Note: Standard errors in parentheses.

Figure 2. Presidential Vote - Senate Seats Curve under Indirect and Direct Elections
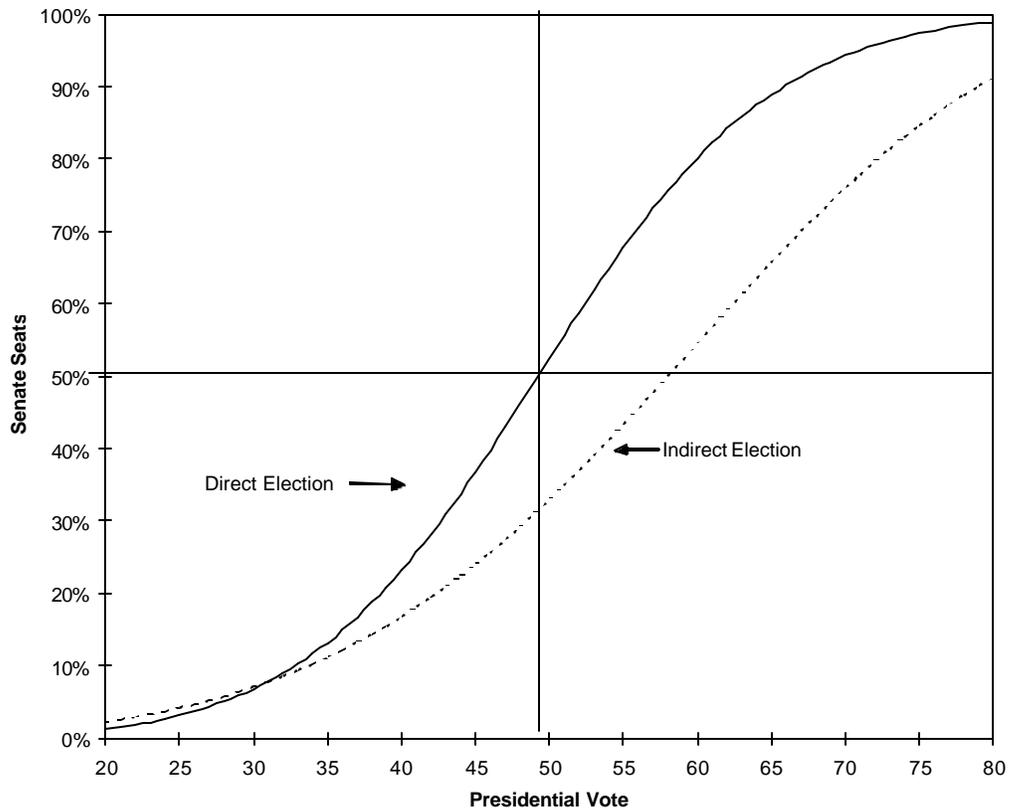
**Table 2. Senate Responsiveness and Anti-Democratic
Bias During Indirect Election Era, 1860-1912**

	Pre 1860 Admits	Post 1860 Admits
Responsiveness	2.53**	1.54
	(.68)	(1.04)
Bias	-14.50**	-24.46**
	(3.82)	(7.49)
N	268	72
Log- Likelihood	-155.28	-37.04

Table 3. States as Bundles of Electoral Laws

State (Year Admit)	Senate Cycle	Direct Election		Ballot Structure	(Year Adopted)	Legislative Term Length	
		Preference Vote	Party Primary			Lower House	Upper House
Arizona (1912)	1 & 3	1912		Office Bloc Party Column	1891 1895	2	2
California (1850)	1 & 3	1911	1909	Party Column Office Bloc	1891 1911	1(1850-70) 2(1871>)	2(1850-70) 4(1871>)
Colorado (1876)	2 & 3	1910	1910	Party Column Office Bloc	1891 1899	2	4
Connecticut (1788)	1 & 3			Party Column	1909	1(<1890) 2(1891>)	1(<1850) 2(1851>)
Delaware (1787)	1 & 2			Party Column	1891	2	4
Idaho (1890)	2 & 3	1909	1903	Party Column	1891	2	2
Illinois (1818)	2 & 3		1904	Party Column	1891	2	4
Indiana (1816)	1 & 3			Party Column	1889	2	4
Iowa (1846)	2 & 3		1907	Party Column	1892	2	4
Kansas (1861)	2 & 3	1911	1908	Party Column Office Bloc	1893 1913	2	4
Kentucky (1792)	2 & 3		1907	Office Bloc Party Column	1888 1892	2	2(<1860) 4(1861>)
Maine (1820)	1 & 2		1911	Party Column Office Bloc	1891 1901	1(<1880) 2(1881>)	1(<1880) 2(1881>)
Maryland (1788)	1 & 3		1908	Party Column Office Bloc	1890 1901	2(<1910) 4(1911>)	4
Massachusetts (1788)	1 & 2			Office Bloc	1888	1(<1910) 2 (1911>)	1(<1910) 2(1911>)
Michigan (1837)	1 & 2		1907	Party Column	1891	2	2
Minnesota (1858)	1 & 2	1911	1911	Office Bloc	1889	1(<1890) 2(1892>)	2(<1870) 4(1871>)
Missouri (1821)	1 & 3		1907	Party Column	1889	2	4
Montana (1889)	1 & 2	1912	1913	Office Bloc Party Column	1889 1895	2	4
Nebraska (1867)	1 & 2	1879	1907	Office Bloc	1891	2	2
Nevada	1 & 3	1899	1909	Office Bloc	1891	2	4

(1864)							
New Hampshire (1788)	2 & 3			Office Bloc Party Column	1891 1897	1(<1870)	1(<1870)
New Jersey (1787)	1 & 2	1911	1908	Office Bloc	1911	1	3
New Mexico (1912)	1 & 2					2	4
New York (1788)	1 & 3			Party Column Office Bloc	1895 1913	1(<1929)	2
North Dakota (1889)	1 & 3		1907	Office Bloc Party Column	1891 1893	2	4
Ohio (1803)	1 & 3	1911	1908	Party Column	1891	2	2
Oklahoma (1907)	2 & 3		1907	Party Column	1890	2	4
Oregon (1859)	2 & 3	1901	1904	Office Bloc	1891	2	4
Pennsylvania (1787)	1 & 3			Party Column Office Bloc	1891 1903	1(<1860) 2(1861>)	3(<1860) 4(1861>)
Rhode Island (1790)	1 & 2			Office Bloc Party Column	1889 1905	1(<1899) 2(1900>)	1(<1899) 2(1900>)
South Dakota (1889)	2 & 3		1907	Office Bloc Party Column	1891 1893	2	2
Utah (1896)	1 & 3			Party Column	1897	2	4
Vermont (1791)	1 & 3			Office Bloc Party Column	1890 1906	1(<1860) 2(1861>)	1(<1860) 2(1861>)
Washington (1889)	1 & 3		1907	Office Bloc Party Column	1890 1891	2	4
West Virginia (1863)	1 & 2			Party Column	1891	2	4
Wisconsin (1848)	1 & 3		1904	Office Bloc Party Column	1889 1891	1(<1870)	2(<1870)
Wyoming (1890)	1 & 2			Office Bloc Party Column	1890 1911	2	4

Table 4. Impact of Presidential Vote
on State Legislative Seats as a Function of Electoral Laws

OLS with panel corrected standard errors
DV= % of Democratic Seats in State Legislature

Variable	Lower House Seats	Upper House Seats
Presidential Vote (% Dem)	.86**	.63**
	(.16)	(.12)
Ballot Form		
Non-November Election (Intercept)	13.78	10.58
	(8.73)	(8.48)
Non-November Election*Presidential Vote	-.30	-.26
	(.19)	(.18)
Office Bloc Ballot (Intercept)	22.76**	19.35**
	(8.03)	(5.72)
Office Bloc Ballot*Presidential Vote	-.55**	-.48**
	(.20)	(.13)
Party Column Ballot	17.55**	17.51**
	(7.07)	(7.89)
Party Column Ballot*Presidential Vote	-.28*	-.35**
	(.16)	(.18)
Senate Reform (Intercept)	-25.81**	-16.60
	(12.92)	(10.09)
Senate Reform*Presidential Vote	.98**	.66**
	(.36)	(.26)
<u>Lag of Legislative Seats</u>		
Lag of Legislative Seats	.54**	. 68**
	(.05)	(.06)
Lag of Legislative Seats* Half up for reelection	.17**	.07
	(.05)	(.05)
Lag of Legislative Seats * 1/3 up for reelection		-.08
		(.07)
Lag of Legislative Seats * 1/4 up for reelection	.28**	.12**
	(.13)	(.06)
Constant	-23.19**	-23.14**
	(6.81)	(6.44)
N	488	484
R-Square	.72	.84

**=p<.05   *=p<.10

Note: OLS estimates with panel corrected standard errors. State fixed effects were also estimated but not presented in the table.

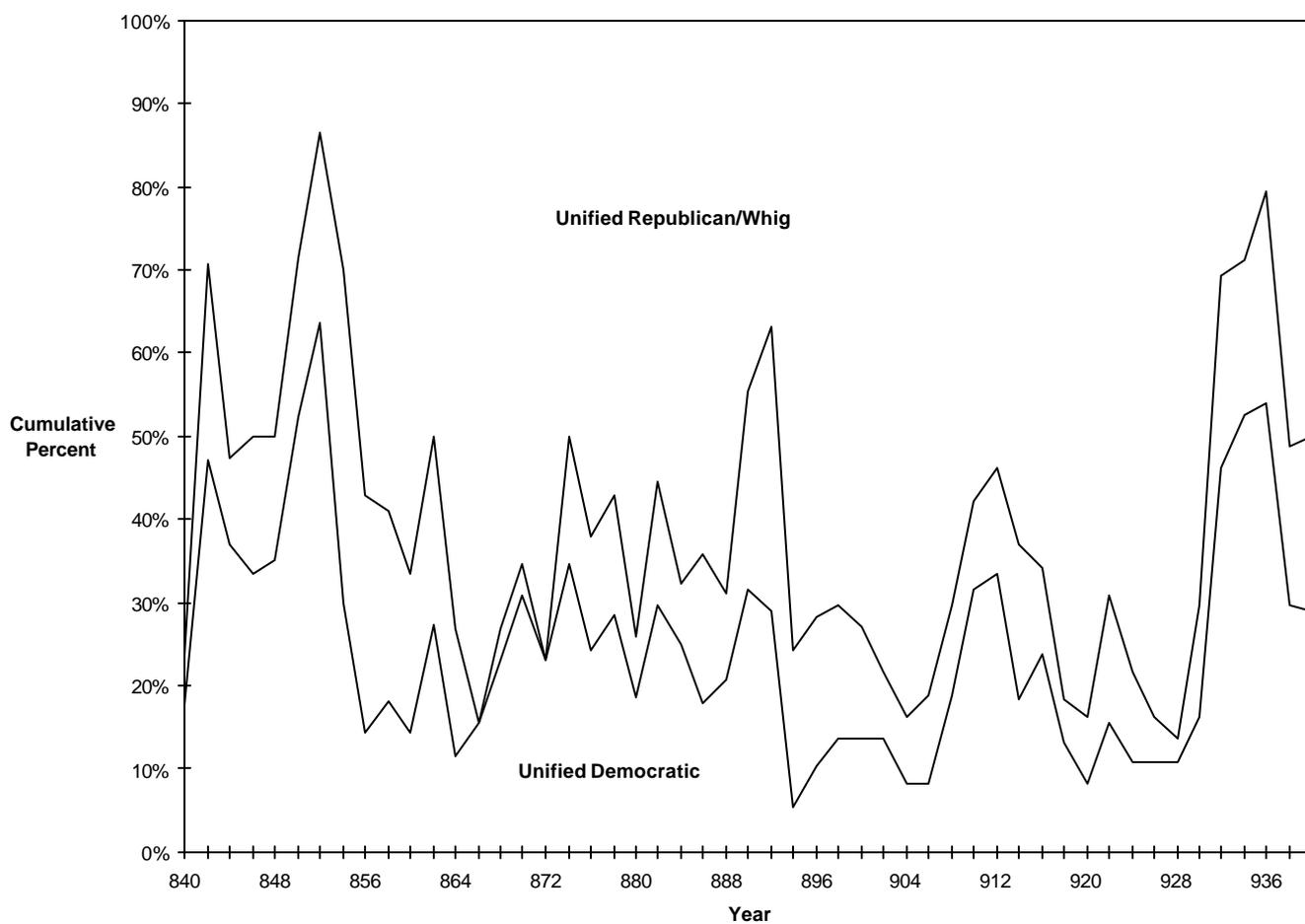**Table 5. Party Control of State Legislatures and the Election of Senators**

	Partisan Control of Legislature		
	Unified Democrat	Divided	Unified Republican/Whig
Republican/Whig Senator Elected	7.3% (10)	43.8% (35)	97.9% (389)
Democratic Senator Elected	92.7% (127)	56.2% (45)	2.1% (8)

Note: Percentages are column percentages. Actual numbers are in parentheses.

Table 6. Percentage of Unified Partisan Control under Different State Legislative Configurations

Lower House	**Upper House**		
	All up for Reelection	Half up for Reelection	One Quarter up for Reelection
All up for Reelection	93% (138/148)	81% (201/246)	100% (9/9)
Half up for Reelection	—	96% (32/33)	88% (58/70)
One Quarter up for Reelection	—	—	54% (6/11)

Figure 3. The Democratic Disadvantage in Control of Nonsouthern State Legislatures, 1840-1940

Note: This figure presents the cumulative percentage, by year, of partisan control of state legislatures. The bottom portion are unified Democratic legislatures, the middle are divided, and the top portion are Republican legislatures.

Table 7. The Indirect Election of Senators, 1840-1912

Logit estimates
DV=Election of a Democratic Senator

Variables		Magnitude of Effect	
	Coefficients (Standard Errors)	Change in X	Predicted Change in Prob. (C.I.)
Lower House Democratic Seat %	.10** (.02)	45 to 55	.22 (.14-.28)
Upper House Democratic Seat %	.05** (.01)	45 to 55	.11 (.05-.17)
Democratic Presidential Vote %	.15* (.04)	45 to 55	.31 (.17-.46)
Presidential Election Year (Intercept)	-7.19** (1.83)		
Preference Vote Winner	3.14** (1.56)	0 to 1	.44 (.09-.64)
Constant	-9.48** (1.22)		
N	590		
Log-Likelihood	-137.32		
Pseudo R-Square	.63		

**=p<.01 *=p<.05

Note: State fixed effects also estimated but not reported. Six states (51 observations) dropped due to perfect prediction. The predicted probabilities are generated by holding the legislative values at 50% and the presidential Democratic % at 50, and setting the preference vote winner to zero.

**Table 8. The Effect of Joint Balloting on the Election of Senators in Divided Partisan
Legislatures, 1840-1912**

Logit estimates
DV=Election of a Democratic Senator

Variables	Coefficients (Standard Errors)
Democratic Percent on Joint Ballot	.12**
	(.04)
Democratic Percent on Joint Ballot * Pre-1866 Dummy	-.09*
	(.05)
Pre-1866 Dummy (Intercept)	5.05*
	(2.16)
Statewide Democratic Presidential Vote %	.08*
	(.04)
Presidential Election Year (Intercept)	-4.01
	(2.25)
Constant	-5.64**
	(2.09)
N	590
Log-Likelihood	-137.32
Pseudo R-Square	.63

**=p<.01 *=p<.05

Note: We also included the Preference Vote winner as an independent variable but this perfectly
predicted the outcome so was dropped.

Table 9. The Impact of the Presidential Vote on Senate Elections under Direct Elections

OLS (with Fixed Effects)
DV = Democratic share of statewide Senate vote

Variable	Coefficients
	(Panel Corrected Standard Errors)
Presidential Vote	.46**
	(.08)
Incumbent Senator	3.04**
	(1.15)
Office Bloc Ballot	-7.635
	(6.803)
Pres.Vote **X** Office Bloc Ballot	-.22
	(.15)
Constant	26.10**
	(5.79)
R-Square	.50
N	178

**=p<.05   *=p<.10
Note: State fixed effects also estimated but not reported.

Notes

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[1] The framers are judged to have largely succeeded in their efforts to insulate the Senate from the popular passions. During the ratification debates, the Constitution's supporters justified the Senate's longer and staggered terms and state legislative election as a way to insulate this branch of government from transient popular passions.

[2] The problem of including the South during this period is compounded by the fact that it is not simply a constant, an intercept shift, in estimating party shares as a function of presidential voting. Its exit from the Senate in 1861, its eventual reentry mostly and briefly as Republican, and its eventual emergence as the solidly Democratic South generates a lot of variations in the Senate's partisan composition that is unrelated or perhaps more precisely stated, perversely related to presidential elections. One solution would be to approach the analysis with a kind of double bookkeeping whereby each term is interacted with a binary regional variable. But we are not really interested in the South per se or its differentness from the rest of the nation. Rather we are interested in the responsiveness and bias in congressional elections and variations in these properties where they occur.

[3] We estimated bias and responsiveness by regressing, via grouped logit, the proportion of Senate elections won by Democrats on a constant (i.e. bias) and a logistic of their presidential vote share (i.e. responsiveness) (by year).

[4] These were, of course, highly prized offices, both because of their representation of the state's interest in making national policy but no less because of their control of the federal patronage spigot through which flowed jobs and contracts to the state.

[5] There is some evidence that voters were not as locked into straight ticket voting as long assumed. Reynolds' (1988) study of New Jersey state politics reports that factional disagreements among local clubs frequently led to efforts to use "pasters" to substitute preferred candidates to those endorsed by the state convention. The percentage of votes for independent candidacies in state assembly races actually declined from almost 8 to 3 percent after ballot reform.

[6] Nebraska passed similar legislation in 1879 but it appeared to have very little effect. Haynes (1905: 142-43) reports that in Nebraska until 1904 very few votes were actually cast for Senatorial candidates.

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[7] We are currently in the midst of compiling these election returns as part of a larger project examining the institutional determinants of elections throughout the 19th century. Most of this information exists but has required extracting information that was, until now, buried in states' annual blue books or located in microfilmed copies of handwritten county election reports.

[8] It remains to be seen whether these relationships will attain significance in explaining vote shares rather than seat shares in these equations.

[9] We also tried including an intercept shift for the senate preference vote. It was statistically insignificant, hence we left it out.

[10] Occasionally, if a legislature was unable to agree on a candidate, the governor would appoint someone to fill the vacancy. The validity of such appointments, however, was never fully resolved by Congress. The decision to seat these interim appointees were often simply decided by straight party-line votes within the Senate (Butler and Wolff 1995, xxv).

[11] In 1899, the Delaware contest extended for 64 days with 113 votes taken.

[12] The act also called for roll-call votes (i.e. no secret balloting) and created a timetable for voting. Voting was to begin the first Tuesday after the first meeting of the legislature, and there was to be at least one ballot taken every day until a candidate was finally selected. (*An Act to Regulate the Times and Manner of Holding Elections for Senators in Congress* (U.S. Statutes at Large, Vol. XIV, Chapter CCXLV, p.243)).

[13] The provision requiring a majority in both chambers, or on joint ballot, meant that determined factions could prevent the party caucus from unifying around a single candidate. The result was elections that sometimes stretched over months with upwards of a hundred ballots being conducted.

[14] The difference in the lower and upper house coefficients remains about the same when the equation is estimated only with post 1866 elections. We do not have systematic information on the share of states that mandated joint sessions before passage of the 1866 law, but instances of these sessions do appear anecdotally in political almanacs and legislative histories.

[15] In a separate analysis (not shown) we also included a lagged dependent variable. This variable was not significant, and its inclusion did not alter the pattern of results we get here. In addition, including the lagged variable would cause us to lose all the first election immediately following the 17th Amendment.

The presidential election is technically an election of presidential electors, not of a President directly. The people of each state don't vote directly for the president. They elect as many electors as this state has senators and representatives in the congress. The Electoral College is an example of an indirect election. Instead the electors gather in the state capitals shortly after the election and cast their votes for the candidate with the largest number of popular votes in their respective states. Party membership in any American party is rarely formal. Members of the Democratic and Republican parties are not registered, they do not have cards and do not pay membership dues. There are no official formalities for admission.