

The Effects of Progressive Pressure and Party Incentives on the Adoption of the Direct Primary

Jillian Evans

University of Illinois at Urbana-Champaign

Abstract

During the early years of the twentieth century, a majority of states enacted new laws mandating the use of direct primary elections for all nominations for statewide office. Scholars have offered varying explanations for this conversion from nominating conventions to primaries. Some characterize it, above all else, as a significant loss of influence for the parties: the direct primary was intended to empower voters and individual candidates while diminishing party leaders' control over the nomination process. Others argue that party elites had incentives to make the parties more participatory, and adopting the direct primary—a popular reform among voters—was in their best interest. Lawrence, Bowler, and Donovan (2013) advanced the research on this issue by employing duration (event history) methods to address directly the question of order (i.e., why did certain states adopt primary elections before others did?), but their sample is limited. I replicate and extend Lawrence et al.'s analysis to identify the factors that contributed to the spread of the direct primary system across all of the states. I supplement the duration analysis with a case study of a single state. Analysis of roll-call data from the California state legislature's vote to adopt the direct primary sheds further light on the forces at work and the degree to which top-down and bottom-up pressures were at play. This analysis combines the two approaches used in previous research—a single case, with quantitative data—and allows one to identify the parties or factions in the legislature that were directly responsible for enacting the primary law.

Political parties are widely regarded as strategic actors whose decision-making is motivated primarily by a desire to protect their interests, particularly in the electoral context. Rational parties are also proactive. When changes in the political environment threaten to diminish their electoral prospects or their influence in the system, parties often respond by reforming the laws or rules under which they operate. Examples of the parties stacking the deck procedurally in their favor are commonplace. Partisan gerrymanders (Cain 1985; Bullock 2010), rule changes in the legislature that give more agenda-setting power to members of the majority party (Cox and McCubbins 1993), and structural alterations to the presidential nomination process (Cohen et al. 2008) are all well-known instances of the parties strategically manipulating institutions and rules. Party leaders' motives and calculations in these cases are usually easy to deduce (if not obvious). Cases where party leaders appear to act against their self-interest and embrace institutional reforms that will likely have adverse effects are rarer and perhaps more intriguing.¹ Explaining them also poses a greater challenge.

One major institutional change that warrants much more attention is the conversion from party-controlled nominating conventions to a legally mandated system of direct primary elections in the United States at the turn of the twentieth century. The adoption of primary elections is notable for several reasons. First, it involved a significant transfer of power. Instead of a party's leaders or elites choosing who its nominees would be, the direct primary gave the masses (or some subset thereof) the authority to elect candidates. Why would party leaders allow their control over nominations to pass to ordinary citizens? Second, despite extensive research on the subject, the main causes of this shift in power remain a matter of dispute. Several scholars have argued that the direct primary was imposed on the parties against their will by progressive, anti-party forces aiming to stop corruption (Merriam 1923; Merriam and Overacker 1928; Key 1956; Burnham 1970; Ranney 1975; Epstein 1986). Others, however, argue that the establishment of primary elections was akin to regulatory "capture"; that is, that parties voluntarily adopted the new system because they believed it was in their own best interest (contrary to appearances) (Ware 2002). Scholars have similarly argued that the parties recognized that democratizing the system could, at the very least, have some beneficial effects for them (Galderisi and Ezra 2001). It remains unclear which political factors were most

¹ One example of this seemingly counterintuitive behavior is the Iowa legislature's decision in 1980—during a period of unified Republican state government—to cede its redistricting authority to an independent, nonpartisan commission.

important in prompting or facilitating this reform. Finally, understanding the adoption of the direct primary would contribute to our understanding of broader, key issues: how do party leaders define or perceive the party's self-interest? What are the best ways to protect it? Does allowing more democratic participation in the nominations process necessarily mean giving up power? If so, are there political or electoral gains that offset the sacrifice? Have the two major parties usually (or always) seemed to agree on how changing nomination rules would alter the general election, in which they normally compete on a zero-sum basis?

Previous research has yielded mixed evidence that sometimes supports (or refutes) the competing accounts of the change from conventions to primary elections (i.e., either parties were forced to cede to the desires of reform-minded progressives, or they willingly made the change because they had clear incentives to do so). However, until recently, much of the analysis was qualitative in nature, relying mostly on case-study evidence from a small number of states and municipalities (Key 1956; Epstein 1986; Galderisi and Ezra 2001; Ware 2002). Lawrence, Donovan, and Bowler (2013) addressed this gap in the literature with a quantitative analysis wherein they explicitly modeled the timing of states' adoptions of the direct primary. Their more systematic approach to the question is a significant advancement, and it helps move toward adjudication between the different explanations offered by previous scholars. However, their models are sparse, their measures are imprecise and of dubious validity, and their results are neither robust nor conclusive. Why American states adopted primary elections at all, and in the precise sequence that they did, warrant much further research.

This paper begins with a replication of Lawrence et al.'s analysis. I then report the results of further analysis to assess the breadth and reach of their findings. I expand their restricted sample of cases to include all states (they excluded the deep South and late adopters). I also explore different estimation methods to model the time dependence in the data. I supplement the duration analysis with a case study of a single, interesting state: California. Given the gradual or discontinuous nature of the transition from the caucus-convention system to the direct primary in many states, focusing on the details is key to understanding how it happened. Analysis of roll-call data from the California state legislature's vote to adopt the direct primary sheds further light on the forces at work and the degree to which top-down and bottom-up pressures were at play. This analysis combines the two approaches used in previous research—a single case, with quantitative data—and allows one to examine which legislators voted for or against the reform.

These results identify the parties or factions in the legislature that were most responsible for enacting the direct primary law.

The full story of how states came to adopt direct primary elections is very likely too complex for any of the single explanations offered by previous scholars to capture adequately. The direct primary was not wholly forced on the parties, but it also had negative consequences that the parties neither envisioned nor intended. Characterizing it as either a reform that party leaders strategically embraced or as a reform they were pressured into adopting oversimplifies the issue. These two accounts can be complementary, making it difficult to separate cleanly the evidence for either. The parties had incentives to adopt the primary under certain political conditions, but these conditions varied widely by state. They were also more willing to accept primary elections when they had greater flexibility to set the rules and structure the process as they chose. Parties could allow voters to participate in nominations while still implementing restrictions to ensure that their influence would be limited.

Why Would Rational, Strategic Political Parties Adopt the Primary?

The idea that political parties make calculated decisions is certainly not new. As noted previously, political scientists have shown in numerous contexts that party elites tend to act strategically, and one common way that the parties protect themselves is by exercising their authority over the rules and laws (particularly in electoral institutions) that affect their interests. For example, in the legislative redistricting process, one of the goals of elected officials as they redraw district boundaries is to try to keep seats safe for their co-partisans (Cain 1985; Butler and Cain 1992; Bullock 2010). Where the redistricting process includes both parties, maps are often “incumbent protection acts,” minimizing competition. By contrast, when one party alone creates a new map, the outcome is very often a partisan gerrymander that aims to maximize the favored party’s seat share, conditional on support. In Congress, the majority party manipulates institutional rules and procedures in order to solve its collective action problems and advance its goals (Cox and McCubbins 1993). Ruling parties sometimes modify the electoral system to their benefit (i.e., to maximize their representation in the government) when new issues emerge or voters’ preferences shift substantially (Boix 1999). In recent decades, many debates over electoral laws and the rules of the voting process have divided parties on what seem to be lines of self-interest, notwithstanding plausible public-interest camouflage. Regarding ease of registration

(permitting online applications, for instance) and voting (e.g., expansion of early and no-excuse absentee options), Democrats have mainly argued for easing access, portraying themselves as champions of democracy while aiming to increase their vote share from slightly more Democratic-friendly marginal voters. Republicans, meanwhile, have emphasized not their desire to shut out such potential voters, but the need for security and integrity in the voting process. Public opinion sometimes sides with ease (early voting is largely very popular) and sometimes with security (voter ID laws, generally much more favored by Republican officials than Democrats, remain popular with the public).

Given the evidence of political parties' self-interested motivations and willingness to manipulate the rules to their advantage, it seems logical to expect that reforming the nomination system was also a strategic decision in which the parties were deeply invested, and it raises reasonable questions about why the direct primary was the reform of choice. The power to nominate candidates for office was and continues to be an essential source of party influence; no other political institution has the formal authority to do so. Nominated candidates also reflect the party's policy positions, goals, and priorities. Considering the highly consequential nature of this power, why would the parties ever willingly turn it over to the voters? Absent a convincing answer to this question, and because we expect parties to try to maintain their power under nearly all circumstances, it must be that they did not give it up voluntarily—they must have been somehow forced to cede, or else they must have given up less than first meets the eye. (Or, perhaps, nomination power was shifted to the public first in cases where elites were sufficiently divided, indicating that the shortcut of treating the party as a single, unified entity is itself misleading.) If we assume that they did not give up this power willingly, then what political pressures were strong enough to compel them to do it?

Smith and Fridkin's explanation for another important institutional reform, the states' adoption of direct democracy measures, provides insights that are applicable to the case of primary elections (2008). Ballot initiatives required state legislators to defer some of their lawmaking authority to the citizens, which at first glance suggests that this change must have been imposed on the legislators, but Smith and Fridkin's analysis indicates that state legislators willingly accepted the initiative process for political reasons. For example, majority-party members believed that supporting reform would help them retain their majority in the legislature, and members of the minority believed that it would help them take control of the chamber.

Furthermore, in practice, legislators were able to maintain significant control over the initiative process, inhibiting citizen efforts and preserving much of their lawmaking power while appearing to cede authority to the masses. This explanation of how the ballot initiative was adopted is instructive for the case of primary elections. For both reforms, what seems at first like an obvious example of political leaders being forced to accept a loss of power (one to which strategic, self-interested actors would never voluntarily agree) becomes a much more complicated story upon closer examination. The case of the ballot initiative also demonstrates the importance of the details: pro-reform forces “won” the passage of new legislation, but its practical impact was limited in some states because of how legislators implemented the reform. Citizens could pass a constitutional amendment by ballot initiative, for example, but it would be rendered meaningless if legislators refused to pass legislation enabling it. I argue that the process by which states adopted primary election laws is similarly complex. A single motivating factor or explanation will not fit every state.

Previous Theories: Did Progressives Impose Reform on the Corrupt Parties?

Most states initially switched from party nominating conventions to the direct primary election system during a relatively short period of time (1900–1915). It was a formal change—states enacted laws mandating the use of primary elections to nominate candidates. Political scientists and historians have presented different arguments for why this change occurred, and it is not immediately apparent which one, if any, is most accurate. Although it oversimplifies the question to characterize it as merely a matter of weighing two competing, mutually exclusive explanations and deciding which one is right, the “two competing explanations” framework is useful for organizing the existing literature on the adoption of the primary.

The most prominent scholarly accounts of the conversion from party conventions to direct primaries describe it, above all else, as a significant loss of influence for the political parties (Merriam and Overacker 1928; Key 1956; Ranney 1975). In the northern states, direct primary elections were intended to empower voters and individual candidates while diminishing the power of party bosses (some of whom were elected, office-holding partisans and others not), who essentially controlled nominating conventions and often handpicked the nominees. Progressive reformers intended to democratize and increase the transparency of the parties’ nomination processes through the adoption of the direct primary. According to progressives’

arguments at the time, allowing voters to decide nominations would eliminate the corruption and blatant abuses of power that occurred so frequently under the convention system (Key 1956; Galderisi and Ezra 2001).

Others have argued that the parties voluntarily switched to the primary system because it was in their best interest to do so, not because progressive reformers unilaterally forced the choice on them (Galderisi and Ezra 2001; Ware 2002). Rather, the parties had incentives to institutionalize or formalize their nomination processes. For example, party leaders believed that they could increase organizational power and effectively ward off third-party or insurgent forces by adopting the primary. Candidates who lost the nomination in a primary election would have less justification for mounting a third-party challenge and would no longer be able to claim that they were victims of an undemocratic system. The primary was also popular among voters and increased the parties' perceived legitimacy. However, the increased electoral accountability (or the appearance of it, at least) that the primary system provided was worthwhile only as long as the parties knew they ultimately retained control over nominations. According to some observers, parties were willing to embrace the primary, but only because their power was not seriously at risk, and they were confident that they would still get the electoral outcomes they desired (Luce 1918; Galderisi and Ezra 2001).

Alan Ware (2002) offers the most comprehensive treatment of the question of how and why states adopted the direct primary, and since his theory runs contrary to the more widely accepted explanation (i.e., progressives imposed it on the parties), it is necessary to consider the main elements of his argument in some detail. Importantly, Ware argues that progressive reformers did not control the state legislatures and thus were in no position to impose mandatory primary election laws on the parties; partisan politicians themselves had to pass the legislation. He identifies only a few states in which the conflict could be accurately characterized as “reformers versus parties” (Wisconsin, New York) and indicates that there was partisan consensus on the issue more often than not (e.g., New Jersey). When primary legislation was first introduced in the states that contained the 5 largest cities in 1900 (Massachusetts, Pennsylvania, Missouri, Illinois, and New York), an urban-machines-versus-antiparty-reformers fight did not occur in any of them, with the exception of New York. He says the progressives' real impact was their ability to narrow the set of available options—they made it seem as if the direct primary was the best and only reform to implement.

Ware argues further that political pressure from progressives was just one of several reasons that the direct primary became the nomination reform of choice. For one, primary elections would increase democratic participation in the parties—a widely appealing feature with overwhelming public support. Any potential reform that would have restricted public participation would never have been politically feasible. However, Ware cautions against assigning too much importance to public opinion: it played a role, but it alone was not enough to bring about the adoption of the primary.

With regard to order, Ware argues that it was mostly the eastern states that adopted the primary early on, because those states were more urbanized and had stronger, more established parties and thus faced the most problems under the old nominating system.² After 1906, however, it was the western states that took more frequent and substantial legislative action to adopt the direct primary, and the eastern states caught up again after 1911. “Insurgency” was also the most important motivator in the western states: insurgents, by Ware’s definition, were primarily concerned with the too-cozy relationship between politicians and major economic interests (e.g., the railroad companies). Discontent over this issue was more prevalent in the Midwest and the West, and for the most part, insurgents wanted to adopt the primary in order to break the economic interests’ control over the parties: “Because of the domination of the parties by economic interests in the ‘new’ states, there was much more obviously a dual track approach by their opponents to break the power of the interests directly and to transform the parties in ways that would put them beyond the reach of these interests in the future” (Ware, p. 126).

It is important to note that all of these explanations for the adoption of the primary (including Ware’s) have been applied only to the states outside the South. Scholars have argued that the political dynamics were fundamentally different in the southern states: supporters of the direct primary were not anti-party outsiders seeking to eliminate corruption but were merely trying to maintain the Democratic Party’s political domination in the region (Jewell and Morehouse 2000). Proponents of the primary in the southern states argued that adopting the direct primary would legitimate the nominees and help to resolve intraparty differences, unifying the party behind its candidates before the general election and further weakening the Democrats’

² Note that Ware defines the “East” as states that had congressional representation before 1840—the distinction is not geographical but age-based. He classifies states as eastern or western according to how long they have had statehood; hence, he considers Wisconsin a western state. More recent settlement seems to be associated with more support for institutional change.

already negligible political opposition (Kousser 1974). Progressive reformers are central to the theories previously discussed (either arguing that the progressives were the most important factor in primary adoption or just one of many), so these theories exclude the South based on the implied assumption that progressive reformers did not play a role in the region.

Incorporating Quantitative Analysis: Lawrence, Donovan, and Bowler (2013)

A common thread in all of the studies cited in the previous section is that they rely largely on qualitative evidence: journalistic accounts and other eyewitness descriptions of the political forces at play in certain states during the early 1900s. Loose evidence to support the competing arguments can be found in all of these sources, but Lawrence, Donovan, and Bowler advance the research by providing a systematic, quantitative analysis of the adoption of the direct primary system.

To test the argument that progressives were responsible for the primary, the authors collected data on various state-level measures of reformist/progressive pressure and anti-party sentiment: the share of the vote won by third-party candidates for governor, urbanization (an approximation of the state's level of political corruption), and the presence or absence of other anti-party political reforms in the state, such as direct democracy and office-block ballots (instead of party-column ballots). To test the argument that parties supported the primary out of self-interest, Lawrence et al. constructed measures of party leaders' incentives to accept or even embrace the direct primary system: the number of candidates from the two main parties (to capture levels of intra-party division), and the average margin of victory in elections (a measure of the level of two-party competition).

As in other studies, Lawrence and his co-authors exclude the southern states from their sample, noting briefly that other scholars have established clear differences between the politics of primary elections in the South and those in the rest of the country. They argue that reformist pressure from the progressives would not have been a relevant factor in the southern states; instead, different political motivations drove the adoption of the direct primary there, such as discrimination against black voters and the desire for the Democratic party to maintain its electoral dominance in the region. They also exclude four states that adopted the primary relatively late—Utah, New Mexico, Rhode Island, and Connecticut—thus limiting their sample to the 33 non-southern states that adopted the direct primary during the years from 1900 to 1915.

Lawrence et al. estimate a discrete-time event history model, using logistic regression and clustering by state. They find weak evidence in support of the “self-interested parties” argument: voting for minor parties was positively related to primary adoption and was also statistically significant, but the coefficients for average vote margin and the average number of candidates were not significant (though the signs were in the expected direction). The model yields a bit more evidence for the “progressive reformers” argument: states that had existing initiative and referendum processes and states that were already using office block ballots were significantly more likely to adopt the direct primary early. The authors conclude that, overall, their results indicate greater support for the claim that external pressure on the parties from progressive reformers brought about the adoption of the direct primary.

However, there are several reasons why these results should not be taken as the final word on the matter. Lawrence et al. themselves acknowledge both the limitations of their measures and the fact that their analysis yielded evidence that was consistent with both theories. The results are mixed and sufficiently inconclusive to justify further study. External pressure to reform the system appears to have played a significant role in the conversion from conventions to primary elections, probably more so in some states than others, but there is also evidence that the parties had organizational incentives to adopt the primary, and the decision to change was not merely a sign of party weakness or a progressive demand to which the parties were forced to cede. Furthermore, it is always preferable to have multiple quantitative studies of any phenomenon to become confident that the findings are strong and robust. Very rare is the single article that answers an interesting question about a complicated political event in full, conclusively. Finally, it would be useful to know whether Lawrence et al.’s results hold up across all states.

Replication and Extension

The empirical analyses begin with a replication and extension of Lawrence et al.’s model. My analysis employs the same dependent and independent variables that they used, but it extends to include the full sample of states (except for Alaska and Hawaii). It is important to note that the goal is not to disprove or undermine Lawrence et al.’s results but simply to extend their analysis and determine whether any of the relationships they observed are consistent across all states. There may be some justification in the literature for treating the South as “too different” and

excluding it entirely, but it is much more informative to test for these differences rather than assume them, and confirm empirically whether the exclusion of the southern states is warranted. On the independent variables, the South is not as different from the rest of the states as one might guess because most of those variables are not about the strength (or weakness) of the Republican party. The point that nearly all of the action was on the Democratic side at the general election does not resolve the question of whether/why primaries might have arisen in the South.

Table 1 shows the year in which each state adopted the direct primary. These data are used to construct the dependent variable.

Table 1: Year of Adoption of First Primary Law

Year	State
1901	Minnesota, Oregon
1903	Delaware, Wisconsin
1904	<i>Alabama</i>
1905	Illinois, Michigan, Montana, South Dakota, <i>Texas</i>
1906	<i>Louisiana, Mississippi</i> , Pennsylvania
1907	Iowa, Missouri, Nebraska, North Dakota, Washington
1908	Kansas, Ohio, Oklahoma
1909	Arizona, <i>Arkansas</i> , California, Idaho, Nevada, New Hampshire, <i>Tennessee</i>
1910	Colorado, Maryland
1911	Maine, Massachusetts, New Jersey, Wyoming
1912	Kentucky, <i>Virginia</i>
1913	<i>Florida</i> , New York
1915	Indiana, <i>North Carolina, South Carolina</i> , Vermont, West Virginia
1933	<i>Georgia</i>
1937	Utah
1939	New Mexico
1947	Rhode Island
1955	Connecticut

Dates for the non-southern states are from Lawrence et al. (2013). Dates for the southern states (in italics) are from Galderisi and Ezra (2001).

Using the full sample of states, my hypotheses with regard to the explanatory variables remain the same as Lawrence and his co-authors' (i.e., I also expect average vote margin to be negatively associated with adoption of the direct primary, and I expect third-party voting to be positively associated with adoption, etc.). The following is a list of the explanatory variables with brief descriptions:

- *Average vote margin*: This variable is a measure of the level of competitiveness in the state in a given election year. It is the average margin of victory in the state's congressional elections.
- *Average number of candidates*: Similarly, for each state in a given election year, this variable serves as an indicator of intra-party competition. It is the average number of major party candidates running in congressional elections.
- *Third-party vote for governor*: This variable is the percentage of the vote for governor that was won by candidates affiliated with minor parties.
- *Initiative or referendum process*: This indicator variable identifies states that already had direct democracy institutions in place before adopting the direct primary. Dates of initiative and/or referendum adoption are drawn from data gathered by the Initiative & Referendum Institute (www.iandrinstitute.org).
- *Office block ballot structure*: This indicator variable identifies states that were already using office-block ballots by the time they adopted the direct primary. The data are drawn from Engstrom and Kernell (2005) and Ludington (1911).
- *Urbanization*: This measure is based on Census data identifying the percentage of the state's population living in urban areas (absent a direct measure of political corruption).
- *Year of statehood*: This variable controls for the year that a state was admitted to the union; Lawrence et al. (and Ware [2002]) argue that "newer states are less likely to have entrenched political parties" and would therefore have an easier time adopting anti-party reforms.

Model Estimation and Results

Following Lawrence et al., I estimate a series of logit models with cluster-robust standard errors (to account for the presence of repeated observations for each state). The authors do not explicitly state the starting point or year in which states enter their dataset (perhaps 1900?), but

according to their coding, the first two states to adopt a direct primary election law, Minnesota and Oregon, both adopted in 1901, so I chose 1898 as the starting point for the dataset. The full time period, then, is 1898 to 1956; Connecticut is the last state to adopt the primary, in 1955. The dependent variable is binary—either 0 or 1 depending on whether a state adopts the direct primary in a given two-year time period, and states drop out of the dataset after they adopt the reform. Because several of the independent variables are based on electoral measures and thus observed every two years, not annually, each state observation appears in the dataset in even-numbered years only.

To account for the temporal dependence in the data, I also include time polynomial variables in the model that measure the time to adoption (t), the time to adoption squared (t^2), and the time to adoption cubed (t^3) (Carter and Signorino 2010). To my knowledge, Lawrence et al. did not employ this approach in their analysis, nor did they include time dummy variables or splines, which are alternative options for modeling time dependence in binary data. It is unclear what approach they used, if any, but given the temporal nature of the data, it is essential to account for that dependence in some fashion.

The results of the different models are displayed in Table 2. First, I reprint the original results from Lawrence et al.'s article in column 1, and I report the results from my attempt to replicate their analysis in column 2.

Table 2: Adoption of the Direct Primary

	(1) Original (LDB Model)	(2) Replication	(3) Replication + Time	(4) + Late Adopters	(5) + South (All States)
	Coefficient (<i>t</i> -statistic)	Coefficient (Std. Error)	Coefficient (Std. Error)	Coefficient (Std. Error)	Coefficient (Std. Error)
3rd-party vote %	0.017 (1.499)	-0.018 (0.010)	-0.003 (0.013)	0.006 (0.017)	-0.002 (0.008)
% Urban	-0.005 (-0.418)	0.013 (0.008)	0.010 (0.012)	-0.013 (0.011)	-0.005 (0.008)
Direct democracy	2.385 (4.042)	1.717 (0.472)	0.594 (0.825)	-0.185 (0.761)	-0.390 (0.740)
Office-block ballot	1.059 (2.085)	0.843 (0.456)	0.911 (0.669)	1.585 (0.539)	0.883 (0.392)
Avg. vote margin, USH	0.003 (0.109)	0.001 (0.014)	0.012 (0.021)	0.030 (0.018)	0.001 (0.008)
Avg. # of candidates	0.516 (1.628)	0.101 (0.096)	-0.080 (0.127)	-0.020 (0.089)	0.078 (0.099)
Statehood	0.006 (0.739)	0.007 (0.003)	0.008 (0.005)	0.003 (0.006)	0.007 (0.005)
Constant	-15.982 (-1.041)	-14.924 (6.050)	-24.497 (9.577)	-12.760 (1.076)	-19.667 (8.991)
<i>t</i>			2.254 (1.656)	1.673 (0.331)	1.512 (0.296)
<i>t</i> ²			-0.180 (0.231)	-0.128 (0.026)	-0.115 (0.024)
<i>t</i> ³			0.004 (0.009)	0.003 (0.001)	0.003 (0.001)

Cells are logit coefficients with cluster-robust standard errors. (n = 258; n = 215; n = 215; n = 292; n = 381)

Unfortunately, I am unable to replicate their results. For several of the coefficients in my replication model, the signs and/or statistical significance differ from those in Lawrence et al.'s article.³

In the third column are results from the replication model with the time polynomials added. None of the substantively important independent variables are statistically significant in this model. The fourth and fifth columns contain the results from logit models based on expanded samples (first with the late-adopting states, and then with the southern states as well). These results also differ from the original ones. Even when the sample is still somewhat

³ Lawrence et al. did not provide a replication dataset through *Party Politics* and were unable to send me the data directly when I asked for it. The article itself is rather light on description, with no appendix. Thus, I am uncertain about the exact details of the coding, measures, and model estimation used in the original analysis—any of which might be causing the failure to replicate.

limited—as in the model that includes the late adopters (censored in the analysis in Lawrence et al.) but still excludes the southern states—the original results from Lawrence et al.’s analysis are not repeated. They are not robust even when the sample is limited in this way (i.e., omitting the group of states that might be too different theoretically).

Disappointingly, these results yield little substantive information. The coefficients on many of the variables are small and do not approach statistical significance, and in some instances, the direction of the relationship is the opposite of that observed in Lawrence et al.’s results. The statistically significant effects that they found (for direct democracy provisions, office block ballots, and third-party vote share) do not appear to hold up consistently when time is accounted for or when the full sample of states is included.

Case Study: Adoption of Direct Primary Elections in California

Overall, then, the large-n analysis reveals mostly null effects. There are several potential reasons why the results do not appear to be robust. It is quite likely a problem of imprecise replication, or it could be that these results simply do not apply to the southern states or late adopters, as Lawrence et al. originally claimed in their article. It is also likely that the aggregate-level analysis obscures evidence of interesting relationships or effects within individual states. By its nature, Lawrence et al.’s quantitative analysis unfortunately does not pick up any of the nuances or contextual details that formed the basis of Ware’s research. Simply coding the dependent variable—the year that a state passed its first primary election law—can be a much more complicated decision than it seems. Choosing a single, precise moment for the change (from no primaries to primaries) is a bit of an oversimplification because in some states the laws varied regarding (a) coverage by office, (b) coverage by geography, (c) specific rules such as candidate or voter affiliation requirements, and (d) legal uncertainty and court rulings that made it necessary to pass successive laws.⁴

Previous research on the adoption of the direct primary frequently includes broad statements about abstract forces and certain political pressures appearing to be more powerful than others, and it is difficult to test the validity of these statements. By narrowing the focus to a

⁴ For example, Lawrence et al. code the year of primary adoption in Illinois as 1905. A closer examination of the history shows that the 1905 law was declared invalid by the Illinois Supreme Court before it could be put into effect. The legislature approved a new law in 1906, and it was used in the 1906 primary election but then struck down by the court in 1907. The third primary law, passed in 1908, was struck down in 1909. This cycle continued until a sixth primary law was passed in 1927 and allowed to stand (Blair 1960).

single case, one can begin to describe more precisely what those competing forces looked like and how they directly affected primary adoption. State legislators were usually the ones responsible for making the decision, so in this part of the analysis I study a specific legislative vote on the adoption of the primary in one state, California, and identify the factors related to lawmakers' votes on the issue. This roll-call analysis of a select state combines two approaches—an in-depth case study, with quantitative data.

The first attempt to establish mandatory primaries in California occurred in 1897, but it was struck down in court without actually being implemented (Gaines and Cho 2002). The same thing happened to similar legislation in 1899 and 1900. In 1908, a constitutional amendment, ACA 3, was approved by both chambers of the legislature and the public. The amendment directed the legislature to “enact laws providing for the direct nomination of candidates for public office,” practically ensuring that some type of primary election law would be passed, but the 1909 legislative session included a lengthy battle between a pro-primary coalition and a pro-machine/anti-primary coalition (both bipartisan) in the legislature. A somewhat weak form of the law ultimately passed after a complicated chronology of numerous amendments, roll-call votes, and switching by individual legislators, and established closed, partisan primaries for statewide offices. Almost immediately afterward, in the 1910 session, the legislature voted to open the primaries, and cross-filing was established in 1914. The public voted on a measure to make primaries nonpartisan in a 1915 special election, but it failed. In the 1917 session, the legislature again amended the direct primary law with a new requirement: candidates had to win their own party's nomination in order to win the nomination of any other party. Efforts to make the primaries nonpartisan, as well as counter-efforts to get rid of cross-filing altogether and close the primaries again, continued for decades afterward.

In summary, California's history with primary elections further illustrates the point that singling out one moment of change may not be fully informative: Lawrence et al. and others identify the year of primary adoption in California as 1909. That is technically the correct choice, but in reality, the state experienced multiple failed attempts to establish primaries and then, after they were created, further lengthy political battles over the details of implementation. Even after they were established, there were attempts to repeal or weaken the laws.

Roll Call Data from the California Assembly

Roll call data for votes on key issues during the 1909 legislative session are available and can be used to investigate which individual legislators supported or opposed the direct primary election law. Specifically, the data for this analysis come from *The Story of the California Legislature of 1909*, one of several books in a series written by Franklin Hichborn, who was a legislative reporter for the *San Francisco Examiner* during this period. As part of his work covering the state legislature, he compiled a volume of voting records after the end of each legislative session, assessing the legislature's achievements, summarizing the history of important bills in that session, and rating members based on their votes. Hichborn himself was an outspoken, unabashed progressive who viewed the party machine as the source of all political corruption and abuses of power. Most of the votes he identified as important were ones that clearly divided along pro-machine and anti-machine lines, and he scored legislators according to how they voted on these issues (either "on the side of progress and reform" or against it).⁵ Hichborn was certainly not just a disinterested observer, but that is not necessarily problematic—his rating of legislators is similar to modern-day ADA scores (which are also plainly one-sided). He knew which votes were most important to progressive advocates, and his score accurately reflects legislators' support for the cause.

Hichborn's progressivism score is based on legislators' votes on 11 key issues in the 1909 session of the California Assembly (lower house). Substantively, the votes cover a range of battles against entrenched political interests, particularly big business, as well as votes for institutional and social reforms meant to increase transparency in government (e.g., a vote on a measure removing the party circle from the election ballot, a vote on an anti-racetrack gambling bill, and a vote on imposing new railroad regulations). An Assembly member's score is simply the number of times he voted the "right" way—that is, in support of the progressive side—on these issues. This progressivism score serves as an important explanatory variable in the roll-call analysis.

Regarding the direct primary election law, the crucial vote for Hichborn was not the Assembly's vote on the law itself but the vote on an amendment that (though perhaps not

⁵ Hichborn was deeply, openly critical of "the machine" in his writing. On the subject of railroad regulation: "With weak and corrupt men as Railroad Commissioners, and machine-dominated Legislatures which have neglected to pass laws which would have made the Commission effective... California has been left helpless to oppose any extortion which the railroad might see fit to exact" (p. 122). In summarizing the 1909 session, he writes, "The machine, at the legislative session of 1909, by trick and clever manipulation succeeded in preventing any very effective reform legislation going on the Statute books" (p. 192).

technically a “killer” amendment) substantially weakened the primary law to the point of rendering it essentially meaningless. In Hichborn’s view, Assembly members’ votes on the primary law itself were not as informative because legislation establishing a primary of some kind was almost guaranteed to pass, so simply recording who voted for or against this legislation was not the best measure of who was really a progressive or not. Rather, it was the vote on the amendment that was truly telling.⁶ In the following analysis, I predict legislators’ votes on this amendment to the direct primary law (as recorded by Hichborn) instead of their votes on the original legislation.

Analysis and Results

I estimate a probit regression model using an Assembly member’s roll-call vote on the “killer” amendment to the direct primary as the dependent variable. (The variable is coded such that the model predicts a “no” vote on the amendment, because it was meant to substantially weaken the primary—thus a vote of “no” here is equivalent to supporting the primary.) As noted previously, the key explanatory variable in the model is the legislator’s progressivism (captured by a simple count of how many times he voted on the progressive side of the important issues Hichborn identified in the session).⁷ Other explanatory variables include the legislator’s party (Republican, Republican-Union Labor, or Democratic), margin of victory in the previous election, NOMINATE score (Masket 2004), seniority, age, and an indicator variable for region. This variable distinguishes Assembly members representing San Francisco (where the machine was most active) from the others.

As shown in Table 3, the coefficient on the progressivism score is positive and statistically significant, indicating that legislators with higher scores were more likely to vote “no” on the amendment to weaken the primary. The coefficient on the region variable is also significant but negative, which suggests that members representing San Francisco districts (a machine stronghold) were less likely to vote against the amendment.

⁶ The amendment, proposed by “the machine,” changed the direct primary bill so that either a majority or high plurality vote would be required to nominate candidates at the primary election. In the event that no candidate received enough of the vote, the nomination was to be made under the old system, with a party convention. The fear under this provision was that the machine would simply nominate many candidates so that no one would win a majority, and then would have to use the convention. And, with the passage of this amendment (the vote was 38 to 36), the primary that was established was not really a proper primary in Hichborn’s view.

⁷ Hichborn’s progressivism score originally included the killer amendment to the direct primary as one of the 11 key votes, but for the purposes of this analysis, I omit that vote from the legislators’ scores to avoid circularity.

The coefficients on the other explanatory variables are not statistically significant. I estimated alternative models omitting the progressivism score; the coefficient on the NOMINATE variable approaches significance without it, but rest are largely unchanged. Perhaps surprisingly, the progressivism score and the NOMINATE score are not correlated, indicating that these scores measure two distinct concepts. Progressivism is not captured by left-right ideology.

Table 3: Vote on Amendment to Direct Primary Law in CA Assembly

	Coefficient (Std. Error)
Hichborn progressivism score	4.815 (1.034)
NOMINATE score	0.313 (0.707)
Republican-Union Labor	1.123 (0.759)
Democratic	0.654 (0.766)
San Francisco	-1.673 (0.753)
Margin of victory in previous election	-0.235 (1.502)
Number of terms served	-0.075 (0.255)
Age	0.001 (0.021)
Intercept	-2.826 (1.194)

Cells are probit coefficients.

There are several implications that can be drawn from these results. First, support for a meaningful direct primary law was clearly not a partisan issue. Factions within both of the major parties, Republican and Democratic, were for and against the primary. It was not a particularly ideological issue, either, based on the NOMINATE variable. The main division appears to be between progressive, reform-minded members of the Assembly versus members who represented the party machines. This result lends support to one of the theories discussed previously—that the adoption of the direct primary was motivated by external pressure from

progressives aiming to reform the parties' corrupt nominating conventions. Interestingly, though, these results do not wholly support the "bottom-up", driven-by-the-masses theory of primary adoption because it seems that pressure from the electorate did not matter, at least in this case. The lack of a vote margin effect suggests that legislators did not vote for the primary merely because they wanted to pass something popular, or out of fear of crossing the voters. Electoral vulnerability did not make a legislator more likely to support the primary (i.e., to vote "no" on the killer amendment).

Discussion

The replication and extension of the large- n analysis conducted by Lawrence, Donovan, and Bowler (2013), together with the analysis of the California Assembly's vote, yield a complex but intriguing story about the adoption of the direct primary. Lawrence et al.'s original results do not appear to be robust across the full sample of states or in models that account for the temporal dependence in the data. Again, the purpose of the extension was not to refute their findings but rather to explore whether a different approach to the question might be necessary. The mostly null results are not a bad thing, but one possibility they suggest is that the aggregate, state-level analysis misses some important details. The results of the California Assembly roll-call analysis (specifically, the significant effect of the progressivism score) are actually consistent with Lawrence et al.'s overall conclusion that progressive reformers played a bigger role in bringing about the primary than the self-interest of the parties. However, these results also show that it is useful to examine directly the choices and votes of those responsible for making the decision, wherever possible. Doing so allows one to draw more confident conclusions about how and why the reform happened.

Future work at the level of the state should strive to identify the most appropriate model estimation and incorporate new and more precise variables. Although Lawrence and his co-authors obtained some statistically significant results, they were still far from conclusive, and it seems that much of the underlying story about the adoption of the direct primary remains unknown or unspecified. It may be that Lawrence et al.'s variables are the best available proxies for the historical factors they are trying to measure, but it is important to test other variables. For example, recall that in Lawrence et al.'s model, the competitiveness of a state is captured by taking the average of the vote margin in its U.S. House elections. It is not easy to measure

competitiveness, of course, and there are multiple valid measures that are more or less appropriate in different contexts, but the average vote margin across a state's congressional districts seems like a somewhat crude measure in this case—perhaps it would be more useful to look at the vote margins for state legislators instead, since they were the ones deciding whether to adopt the primary.

Finally, these analyses demonstrate the importance of the details: it is simply not the case that states underwent a sharp, clearly defined change from party nominating conventions to a statewide system of legally mandated primary elections. The process of change was often gradual or discontinuous. Furthermore, the states adopted primary elections in many different forms. Some of the first primary laws were closed and restrictive, like California's, while others allowed more open participation and gave more meaningful authority to citizens. The complicated history of primary election laws in California helps to illustrate why one broad theory of primary adoption will likely not fit all states. It is true that the California legislature passed its first direct primary election law in 1909, but the lengthy political fight underlying its passage and the weakness of the resulting law indicate that the explanation is not as straightforward as (for example) "progressives were able to use their political power to force this reform on the party machines." Progressives surely played a role, and they may have gotten what they wanted overall—the passage of a direct primary election law—but the members of the party machine were strong enough politically to amend and lessen the impact of that law. They won provisions that they wanted, despite the strenuous objections of their reform-minded opponents.

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