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Comment on Bensel: "But the Bumblebee Flies Anyway, Doesn't It?"

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I

"The American Ballot Box" is a most interesting exploration into the deep past of American electoral politics. Well-researched and argued, it provides examples of sometimes very funny interview sessions with nineteenth-century American voters. The basic data method here rests upon using congressional-election contest hearings as sources of information. The author does well, however, to remind us that by definition, election contests may have reflected "the dark side of the force," so to speak, but also necessarily raised claims of fraud and other abuse by the losers. Naturally, the overwhelming majority of U.S. House elections in the nineteenth century were not contested. The strength of the method lies in the fact of contest itself, which permitted relatively searching inquiry into the conduct of elections, and thus revealed much about their organizational pattern that would be taken for granted (and hence not discussed or brought to light otherwise). But bias may be implicit in the method.

This article stresses two quite separate themes. The first of these relates to the "low stateness" of American government in the last century, which was particularly visible (and still is, lest we forget Florida in 2000) where the organization and conduct of elections was concerned. As Progressive Era reformers were to insist, partisan domination of this electoral organization could and did lend itself to horror stories of the sort discussed here, and many worse such cases besides. The analysis of the practical implications of this partisan-centered electoral process is, I think, brilliantly done. But there are issues here that merit further discussion.

The second theme raised here is that nineteenth-century political man was, in the main, in the dark about political objects – including, of course, issues. He was essentially linked to the political order via potent affective communal attachments. The argument here specifically counters rational-choice views of individuals purposively seeking out their utilities – a microeconomic view of political man which is strangely similar to views of voters advanced by classic Liberals. But the Michigan school of survey research has not wrought in vain over the past half-century. Most students of voting behavior would regard the model being attacked as something of a straw man by this time; and there is no *a priori* reason to suppose that the findings of *The American Voter* are completely irrelevant to that voter in the nineteenth century as well. So there are also issues to discuss here, for the paper lays such stress on voter ignorance as to leave us puzzled in confronting this politicized, strongly participatory society of yesteryear.

II

One can take for granted as no new idea that the United States as a polity was bureaucratically challenged in the nineteenth century. Until the Reconstruction amendments of 1868–1870, the conduct of elections was exclusively a state-level responsibility.[1] This was devolved to local jurisdictions and the parties as managers. And, as the author rightly points out, this required the development of real robustness of organization on their part, e.g., in order to print and distribute the right kinds of voting tickets for the right jurisdictions. The scene outside the voting win-

1. Cf. Alexander Keyssar, *The Right to Vote* (New York: Basic Books, 2000), esp. appendix.

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dow could be and perhaps often was a kind of free-floating crap game, though in practical terms it is highly likely that the level of sheer anarchy indicated here considerably exceeded the normal reality.

Far more horrible examples can be found of what might happen in these circumstances than any discussed in "The American Ballot Box." A prime and very well documented case was the massive fraud-violence pattern in Plaquemines Parish, Louisiana, in the 1844 presidential election – well enough executed by the local Democratic party operatives to swing the state into Polk's column. Let us listen to Horace Greeley's outraged but very justified protest in the pages of the *1845 Whig Almanac*.

> The vote for Polk exceeds the whole number of *white males of all ages* in the parish in 1840, although Louisiana exacts a property qualification of her voters! . . .
>
> That this vote of Plaquemines was abominably fraudulent rests on no inference or calculation. John Givney, steward of the steamboat *Agnes,* swears that the boat went down from New Orleans with a full load of passengers, under the charge of Judge Leonard (the great man of Plaquemines); that he himself, a minor, not residing in Plaquemines, being persuaded by the Captain, voted *three times* at different polls in that parish – every time for Polk and Dallas. Dr. J. B. Wilkinson, a voter of Plaquemines, swears that he noticed that the polls were opened before the legal hour, and were then surrounded by a crowd of strangers, one of whom he ventured to challenge; but as the Clerk reached out the book [the Bible, I assume], the Sheriff pulled it away, declaring that nobody should be sworn! After this the foreign votes went in pell-mell. Alfred Vail, a passenger, and E. Seymour Austin, pilot of the *Agnes,* swear to a state of facts within their knowledge similar to that sworn by John Gibney. Albert Savage, Engineer of the steamboat *Planter,* swears that his boat went down with 140 Loco-Focos from New Orleans, who voted after the fashion above described; but when *he* offered to vote – it being a Clay one – it was refused, the Sheriff saying he would swear him! Paul Carmen testifies that he went with other Whigs to vote, but were deterred by seeing Charles Bruland driven out of the voting room, wounded, bloody and without his hat, having been beaten by the Sheriff for offering a Whig vote. There being a large Loco-Foco mob around the polls, excited, swearing and threatening, the few Whigs were obliged to leave without voting. . . .
>
> This is the way *one* state was carried for Polk and Dallas. Had we room, we could satisfy any candid mind that New York was carried by means equally foul and flatigious.[2]

And no doubt Greeley could. The vote in Plaquemines that year was Polk 1,007, Clay 27 (2.6 percent of the total), and this total was not approached at any other time until the secession of the state in 1861.

Some other horrible examples could be cited: endemically in the South from 1868 through 1876 and sometimes later, and in, say, the City of New York. Here Tammany Democrats went on a rampage in 1868, with a city turnout of 88.8 percent of estimated potential electorate, nearly twenty points higher than at any other presidential election from 1864 onward. The city plurality of 60,578 votes was enough to carry the state for Seymour over Grant – some claimed by an exact 10,000 votes in order for one individual to win an election bet. This event also has a literature, and is mentioned twice in the diary of elite lawyer George Templeton Strong.[3] Given the Reconstruction statutes on the books at the time, this then-notorious event prompted the deployment of U.S. Marshals and federal troops to supervise the election of 1870.

Greeley's detailed account of the 1844 Plaquemines case and others dealing with New York in 1868 show quite a bit about how a defective process worked. It is noteworthy, however, that these and certain other cases (e.g., the extraordinary Know-Nothing control of votes in Baltimore between 1855 and 1859) were *notorious in their own time.* Moreover, it should go without saying that massive abuses continued in some jurisdictions well into the 20th century, despite the bureaucratization of the election process following Progressive Era reform. For protracted machine control of local elections, nothing beats the Republican machine in Philadelphia, which reached its apogee during the whole "system of 1896," and survived, if diminished, to 1949. But undoubtedly the most nationally and internationally momentous example was Lyndon Johnson's winning of the Texas Senatorial primary of 1948 by 87 votes out of 988,300 cast. The key here lay in Boss George Parr's control of Duval county and other Valley Latino counties (Duval: Johnson, 4,622; Coke Stevenson, 40). In his *Means of Ascent,* it takes Robert Caro 82 pages and three chapters to deal with this case, and he is by no means prolix.[4] That, to use Greeley's words, "This vote . . . was abominably fraudulent" in 1948 Texas as in 1844 Louisiana "rests on no inference or calculation."

The moral of such stories is that where there is a will and the power resources to enforce it, there is a way – state law assuming governmental regulation of the election scene notwithstanding. But there is another moral too, one that Bensel mentions but which

2. *Whig Almanac and Politician's Register for 1845,* 17.

3. Allan Nevins and M. S. Thomas, eds., *The Diary of George Templeton Strong,* 4 vols. (New York: Columbia University Press, 1954), entries for Nov. 4, 1868 and Nov. 9, 1870: 3:321–32, 326. From the latter entry: "Hoffman and Tammany triumphed yesterday, but by a reduced majority. Some 26,000 votes seem to have been kept from the polls by the terror of U.S. Marshals, federal bayonets, and courts that Tammany does not own."

4. Robert Caro, *The Years of Lyndon Johnson: Means of Ascent* (New York: Knopf, 1990), 302–84.

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should receive greater stress. Of course there was a lot of effervescence in nineteenth-century elections: They could approximate contact sports in an age long before the NFL or the American League. Nowhere is this more vividly displayed than in George Caleb Bingham's epic trilogy of paintings, "Canvassing the Vote," "The Verdict of the People," and "The County Election," all done in the 1850s. (It is a great pity that at least one of them cannot be reproduced in these pages, for it is really true that a picture is worth a thousand words.)

Nevertheless, the usual case was one in which the parties kept the process clean and minimized the presence of the ineligible by having representatives at each polling place – and, as Bensel points out, with election judges of *each party*. They watched each other. And, as he also demonstrates, the sanitization of the election process with the arrival of state-printed ballots and public assumption of the physical management of the election scene had something to do with the much-discussed post-1900 decline in participation.[5]

III

There can be no doubt that some part of the electorate consisted of men who were mentally incompetent and with no interest in politics. One suspects, however, that these components were not very large. There is excellent reason for supposing that in nineteenth-century America, like Italy in the 1960s, the contexts of politics were at an optimum for producing adequately knowledgeable involvement by voters who in the main had at most a sixth-grade level of formal education.[6] And this would be particularly true, of course, during moments of major collective political crisis. The classic Michigan voting studies arrive at parsimonous conclusions about voters that are, at bottom, unfriendly to democratic theory. The rational-choice people purchase parsimony and conceptual elegance at the cost of producing that two-dimensional figure, Economic Man. Something more nuanced is required, and nowhere more so than dealing with the past which, in L.P. Hartley's words, is "a foreign country."

Quite long ago, the historian Lee Benson proposed something of the sort.[7] People anchor themselves effectively into communities. The family is part of a broader constituency: particularly in the nineteenth century, with a particularly strong focus on ethnocultural identities. Then and now (but probably much more then than now), voters orient themselves to positive reference groups "people like us," and negative reference groups as well.

The latter particularly involve what economist Kenneth Boulding has called the "threat system": people who not only are objects of dislike, but who are perceived as threatening one's own individuality, group membership and goals or purposes in politics. Every time one sees a negative political advertisement on television, one is exposed to the construction of negative-reference invocations, for example, "liberals" in a state like Texas. Particularly in large crisis situations, remarkably primordial political emotions can erupt even among the well-educated. In his reflections on the 1856 and 1860 election scenes, diarist George Templeton Strong (a Columbia College graduate) demonstrated his ability to organize and present complex and abstract political arguments about the issues of the day. But there was another level too: It was just insupportable to be pushed around by Southern aggressiveness. Thus, for example, the entry for December 22, 1859:[8]

> No material change in the state of the nation. It's a sick nation, and I fear it must be worse before it's better. The growing, vigorous North must sooner or later assert its right to equality with the stagnant, semi-barbarous South, and that assertion must bring about a struggle and convulsion. It must come. Pity it could not be postponed some twenty years, when Northern preponderance would be overwhelming.

Strong goes on to comment about his own role in the 1860 election:

> November 2 (1860). Think I will vote the Republican ticket next Tuesday. One vote is insignificant, but I want to be able to remember that I voted right at this grave crisis. The North must assert its rights, now, and take the consequences.

Obviously, in such either-or situations where the political temperature is very high and the threat-system component of human action reaches its maximum, the elemental in politics is unleashed and will

5. See, e.g., Michael F. McGerr, *The Decline of Popular Politics: The American North, 1865–1928* (New York: Oxford University Press, 1986), esp. 184–210; and Walter Dean Burnham, "The Appearance and Disappearance of the American Voter," in *Electoral Participation: A Comparative Analysis,* ed. Richard Rose (Beverly Hills, CA: Sage, 1980), 35–73.

6. On Italy, see the 1968 election survey discussed in Samuel H. Barnes, *Representation in Italy* (Chicago: University of Chicago Press, 1977).

7. Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case* (Princeton, NJ: Princeton University Press, 1961), esp. 270–87.

8. Nevins and Thomas, eds.: *The Diary of George Templeton Strong,* 2:480. The 1860 quote that follows is from 3:57. Note something equally primordial in that most eloquent of Americans, Abraham Lincoln. In a December 10, 1860, letter to Illinois Republican Senator Lyman Trumbull, Lincoln says,

> Let there be no compromise on the question of extending slavery. If there be, all our labor is lost, and, ere long, must be done again. . . . Stand firm. The tug has to come, and better now, than at any time hereafter. (*Abraham Lincoln: Speeches and Writings, 1859–1865* [New York: The Library of America, 1998], 190)

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be felt by many or most, regardless of their level of formal education or their ability to discuss, say, the tariff. Those of us who have lived through September 11, 2001, get that point with little further need for discussion.

Here we can also turn to the 1866 election in Ohio, which is extensively canvassed in "The American Ballot Box." The overall political context was of very high political temperature again, in this case arising out of the epic struggle between President Andrew Johnson and the heavily Republican 39th Congress over Reconstruction policy. It should be noted that Ohio elected its governors then in odd-numbered years, so that even-numbered nonpresidential years like 1866 saw the election of "only" members of Congress and minor state officials. This is reflected in differential turnout rates in each set of years, thus:

In 1866, the state's turnout reached 86.2 percent of

Mean Turnouts, Ohio, 1858–1900

Category	N of observations	Time period	Mean T.O.	S.D.
President	11	1860–1900	91.4	3.83
Governor	18	1865–1899	81.6	4.89
Secretary of State (excluding 1866)	10	1858–1898	74.7	4.04

estimated potential electorage, or 2.85 times the standard deviation for other elections for this office. This figure represented the highest participation rate for even-numbered off-year elections in the state's history, and starkly contrasts with the 38.7 percent participation rate in the 2002 gubernatorial election.

The historian Eric McKitrick produced a seminal work on this particular period, *Andrew Johnson and Reconstruction*.[9] The 1866 elections present a classic case of an either-or situation: In the non-southern states, its participation rate tied with 1894 as the highest off-year congressional election percentage in the history of the country. Dismissing arguments of press or other forms of manipulation, McKitrick observes:

> The thing that must in the long run be accounted for is the "popular will" itself. No amount of manipulation, plotting, wirepulling or "propaganda" can really do much toward explaining such a manifestation as that of 1866, except by way of plucking about its fringes. (The opposition) were all confronted by the solidarity and sense of moral certainty, not of a designing minority, but of the Republican party as a whole and of the mass electorate that supported it.

McKitrick then turns to the *mise en scène* in Ohio itself:

> He (Johnson) had swept away a whole range of qualifications, a boon which is very seldom handed to any party at election time. Republican candidates needed to do no more than take up the issue exactly as he had thrown it to them.

Noting that "Ohio was anything but a solid Republican state," the author continues, discussing the atmosphere at the Republican state convention:

> "There never was in the history of the Union party (nor any other party)," exulted William Stedman, "has assembled a convention in Ohio marked with such unity of feeling and confidence in measures to be adopted. [*sic*] I am ready for the contest. Victory is already ours."

And a final comment:

> The Republican campaign in that state, an Ohio historian remarks, "was quite spirited," reaching unusual heights of enthusiasm, energy and vitality. *There was a sense in which "the people" had taken it over* (emphasis added).[10]

At the end of the day, the Republican lead reached the not-quite-landslide level of 9 percent. Three Democrats and sixteen Republicans formed Ohio's delegation to the 40th Congress. Similar evidence exists elsewhere from contemporaries in like situations, thus a campaign worker for Stephen A. Douglas in Illinois' 1858 senatorial debates with Abraham Lincoln:

> It was no ordinary contest, in which political opponents skirmished for the amusement of an indifferent audience, but it was a great uprising of the people, in which the masses were politically, and in a considerable extent socially divided and arrayed against each other. In fact, it was a fierce and angry struggle, approximating the character of a revolution.[11]

Examples chosen here are from the huge crisis of the Civil War realignment period, surely the supernova of all American critical realignments. Even at that, of course, our discussion of Ohio in 1866 cap-

9. Eric L. McKitrick, *Andrew Johnson and Reconstruction* (Chicago: University of Chicago Press, 1960). This splendid work may well be supplemented with another. See the discussion of this particular "constitutional moment" in Bruce Ackerman, *We the People II: Transformations* (Cambridge, MA: Harvard University Press, 1998).

10. McKitrick, *Andrew Johnson,* 442–43. Subsequent quotes are from ibid., 443, 445, 446. See also the comprehensive discussion of American mass politics in the mid-nineteenth century by the historian William E. Gienapp, "'Politics Seem to Enter Into Everything': Political Culture in the North, 1840–1860," in *Essays on American Antebellum Politics, 1840–1860,* eds. Stephen E. Maizlish and John J. Kushma (College Station, TX: Texas A & M Press, 1982), 15–69; and *passim,* Gienapp, *The Origins of the Republican Party, 1852–1856* (New York: Oxford University Press, 1986).

11. Harry V. Jaffa, *The Crisis of the House Divided* (New York: Doubleday, 1959), 23.

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tures the larger contexts in which that election was held, and it navigates uneasily with the discussion and inferences in "The American Ballot Box."

But what of politics as usual in this period? Scholarship in recent years has well documented the existence of very different partisan political cultures as between Democrats and Whigs (or Republicans). Mobilization was very high, and the serried arrays behind each contestant were normally very resistant to conversion by the other side. The general normative structure in this partisan world frowned upon political independents, who were regarded either as political idiots or for sale. It is in this overall context that we find Benson's tripartite motivation for participation in the political process: fulfilling a social role, pursuing political goals, and orienting oneself to referent groups (and objects). One could do worse than review the diarist George T. Strong's quotations above in these terms:

> Fulfilling a social role: doing one's duty ("voting right in this grave crisis").
>
> Pursuing a political goal: supporting the North's political status in the Union.
>
> Orientation to reference groups: the South (acidly and emphatically negative) and the North (positive, virtuous in part because "growing and vigorous").

How is this translated? Here, it seems to me, a focus on political communications has much to recommend it. Political elites typically have the experience, the education (sometimes), and the motivation to pursue something approximating Downsian rationality. They have to reach their mass base, and must also pay attention to it. In this period, elaborate networks of formal communications were forthcoming from these politicians, both via an overwhelmingly partisan press and, for example, by using the congressional frank to distribute major speeches broadside.

At this point, one must issue a demurrer against the implication of very widespread illiteracy among nineteenth-century voters. Naturally, there were gray areas, but in the main, as the 1870 census data reveal, the white electorate may not have been highly educated but it was literate: 91.2 percent for the country as a whole, 93.3 percent for the northern/western states. To be sure, for those who were illiterate, there were the partisan symbols (roosters, eagles, arms and hammers, etc.) printed on the tickets. But one has to assume that politicians acting with regard to rational expenditure of scarce resources would not have invested so lavishly in supporting and distributing all this printed matter to the voting public if they doubted that many or most of its members could read it.

From the voter's perspective, once an attachment to a party was formed, there would hardly be reason (or, in view of the low-stateness of the governmental environment, the opportunity) for "recalculation of utilities." With diverse world-views, each party would present a scheme for explaining the world and events in it that would differ strikingly and often fundamentally from its counterpart – indeed, just as the case today: facts are rarely self-explanatory. A kind of step-down transformation-through-communication process is involved, in which general images of political self and political other mingle with more or less potent symbols.[12] Consider, for example, the generation-long "waving the bloody shirt" in Republican campaigns after Appomattox, with such rhetoric as that employed by Governor (later Senator) Oliver P. Morton of Indiana:

> The Democratic party is the common sewer and loathsome receptacle of mankind. It may not be true that every Democrat is a traitor, but it is true that every traitor is a Democrat!

At which someone in the back of the hall was likely to shout, "Vote as you shot, boys!"

In a nutshell, one supposes that the average voter in more or less normal times would be literate but not particularly educated formally (like, to take an extreme case, Abraham Lincoln). He would live in a strongly political environment in which, as the author of "The American Ballot Box" and George Caleb Bingham would agree, was often quite exciting. Embracing the generalized world-view of his party, he would find that he knew enough to cast a vote congruent with his perceived interests and would have strong social and personal incentive to do so.[13]

Nor, one thinks, would such voters be too likely to yield to intimidation except in such situations as Horace Greeley described in the Plaquemines fraud case. This would surely apply, one thinks, to Union soldiers voting in the 1863 and 1864 elections. Would hardened veterans of a desperate struggle against a

12. A still valuable discussion of the "two-step flow of communication" in the survey literature is found in Bernard Berelson et al., *Voting* (the 1948 Elmira study) (Chicago: University of Chicago Press, 1954).

13. The extent of nineteenth-century voter participation could at times reach extraordinary levels, especially but by no means exclusively in critical realignment sequences: The context in which the contact-sport anarchy of the voting-room situation described in this essay might well be placed. This is particularly so in environments such as Iowa, marked by extremely high literacy rates and an enduring tradition of clean politics (including election administration).

We may take the election of 1896 as a particular case in point. As all contemporaries understood, this pivotal election's outcome hinged on the collective decisions of the voters in the near Midwest. Seven contiguous states registered turnouts in excess of 90 percent in that election. Taken in the aggregate, the five states making up the East North Central census region produced a participation rate of 95.9 percent. Adjacent Iowa did even better: 96.8 percent of its adult male citizens came to the polls to decide the epic struggle between silver and gold. In 2000, on the other hand, the participation rate in the East North Central region was 57.4 percent, and for Iowa – barely won by Gore – 61.4 percent. And one may certainly agree with this essay's conclusion, and with McGerr and others, that the assumption by the state of functions once exercised by political parties, and other "reforms," were hardly an unmixed blessing for the future of democracy in America.

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potent enemy be very likely to be daunted by voting more or less openly? It seems more realistic, one thinks, to suppose that they (most of them) were in the field because they believed in the Union cause for which they were risking their lives. In the ten states for which data exist in the 1864 elections, about 8 percent of the total vote was cast by Union soldiers. Kentucky was a very special case. Excluding it, we find that 21.2 percent of the 150,709 soldier votes were cast for Democratic candidate General George McClellan, and 78.8 percent for President Abraham Lincoln. Among the 1,701,090 stay-at-homes, McClellan did much better, winning 46.7 percent of the vote to Lincoln's 53.3 percent. Barring some extensive and concrete evidence of "psychological coercion" or something of the sort, the more reasonable assumption is that this count was a true expression of soldier opinion.

IV

It has always been my belief that the components of a system behave in a way congruent with the system's identity as a system. The author of "The American Ballot Box" has done the field of American political development a genuine service in so well recovering the lost world of nineteenth-century election stations. Much of what is said is to the point and very often full of insight. My own response should, I think, be regarded as more complementary with than opposed to Bensel's analyses. On the other hand, the system than then existed, while anything but perfect, was also anything but anarchic. Each of its components (the voters definitely included) behaved in general in ways congruent with its status as one way of organizing the popular inputs of a democratic government. With all its faults, that way still strikes me, as I think it does the author, as far closer to some democratic ideal than the one under which we live today. And, whatever was going on in the sometimes turbulent world of the polling station in the Ohio of 1866, the voters were sending a very clear message of substance to their rulers.

Aerodynamics experts once believed that bumblebees should not be able to fly. But fly they did, and eventually models were developed to account for that fact. Viewing the "bloomin', buzzin' confusion" around the nineteenth-century American polling station, it can be hard to imagine how this democratic system could work. But work it did.

Editors' Note: Richard Bensel plans to respond to this comment in a future issue of *Studies in American Political Development.*

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