The Remaking of an American Senate: The 17th Amendment and Ideological Responsiveness

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The 17th Amendment established the direct election of senators. Although scholars have discounted the Amendment as inconsequential, we argue that it significantly changed patterns of election-seeking and legislative voting behavior. First, the Amendment negated the influence of state legislatures in senators’ decisions to stand for reelection, inducing more incumbents to run. Second, the Amendment introduced incentives for senators to moderate their public ideologies in pursuit of reelection. We employ a selection model to test the impact of the 17th Amendment on the interdependent decisions to stand for reelection and to shift late-term roll-call behavior. Using W-Nominate scores for major party senators serving from 1877 to 1932, we show that post-Amendment senators, particularly Republicans, were systematically more likely to moderate ideologically as elections approached.

For the first 125 years of the Senate’s existence, state legislatures selected Senate delegations. But beginning in 1914, the 17th Amendment replaced state legislative selection of senators with direct, popular election. Proponents contended that the Amendment would enhance accountability and thus make senators more responsive to voters. Consistent with those claims, contemporary political science theory argues that electoral institutions shape the legislative behavior of elected representatives (e.g., Ames 2001; Cox 1987), implying that a change in the electoral mechanism for senators often will alter their policy choices. The 17th Amendment, therefore, provides a valuable natural experiment to evaluate whether electoral rules affect the actions of elected politicians. By comparing the reelection and legislative behaviors of senators before and after the Amendment, we can hold the political environment relatively constant and isolate the impact of electoral reform. If we observe different behaviors across the two eras, we can have confidence that politicians do respond to electoral incentives.

We show that the Amendment significantly changed the behavior of individual incumbents in two ways. First, the Amendment dramatically increased senators’ propensity to stand for reelection, particularly those incumbents associated with the state minority party. Second, patterns of legislative voting changed significantly. Prior to direct election, senators had little systematic incentive to shift their public ideologies in pursuit of reelection. With direct election, however, we show a systematic bias in favor of late-term moderating behavior, particularly for Republican incumbents. Using annual W-Nominate scores for 1877–1932 (the 45th–72nd Senates), we demonstrate that the modern tendency for moderating ideological shifts prior to a reelection bid arose quickly in the wake of the direct election Amendment. The 17th Amendment thus provides a cornerstone for understanding the reelection-seeking behavior of modern senators.

Political Reform and Representational Consequences

The 17th Amendment represents a major post-1789 change to the institutional connection between popular preferences and elected officials. The campaign for popular election of senators was associated

1Other key reforms include, for example, popular selection of Electoral College members (Dixon 1950), the Australian Ballot reforms (Fredman 1968), and direct primary selection of party nominees for general election ballots (Jewell and Olson 1988).
loosely with the growth of the Farmer’s Alliance and the People’s Party (or Populists) during the 1880s and 1890s. Support spread widely during the first decade of the twentieth century. By 1908, Republican presidential nominee William Howard Taft pronounced that “personally I am inclined to favor it, but it is hardly a party question” (Haynes 1938, 97).

Despite widespread rhetoric by its proponents that the Amendment would alter the behavior of senators, little political science scholarship has assessed its impact on electoral and legislative activity. Instead, analysis of the 17th Amendment focuses mostly on the partisan composition of the Senate (Ellis and King 1999; King and Ellis 1996; Wirls 1999a, 1999b). Additionally, both Crook and Hibbing (1997) and Engstrom and Kernell (2003) find that post-Amendment Senate election outcomes were more closely related to presidential election results.

Following Riker (1955), Stewart (1992) argued that institutions adopted during the late nineteenth and early twentieth centuries, such as the public canvass and direct primary, effectively popularized the Oregon system of statewide advisory elections (Haynes 1938). In June 1904, Oregon stipulated that the ballot for state legislative offices had to indicate for each candidate whether he pledged to support the plurality winner of a popular ballot for senator. Following the Republican-dominated legislature’s election of Democrat George Chamberlain to the Senate in January 1909, Oregon’s scheme was taken up in a number of other states (Haynes 1938). Although only a few states employed the Oregon system, it could well have foreshadowed the incentive effects of the 17th Amendment for incumbents.

None of the recent work on the Amendment, however, examines senators’ legislative behavior before and after ratification. How did direct election affect the behavioral incentives of individual senators? Did senators adjust their electoral and legislative activities in response to the change in their political selectorate?

State Legislatures and Seeking Reelection

We argue that the 17th Amendment changed both reelection and legislative behaviors of senators. We begin by examining the Amendment’s impact on the decision to stand for reelection. Prior to 1913, incumbent senators paid close attention to the makeup of their respective state legislatures to evaluate their chances for reelection. Pre-Amendment incumbents who did not enjoy the support of their respective state legislative majority parties had little prospect of winning reelection and, therefore, little incentive to stand. A senator whose party held a majority in the state legislature, in contrast, was almost certain to win reelection if he could secure renomination by his party. Although Haynes (1938) details numerous cases of state legislatures deadlocked over the selection of a senator prior to 1913, these deadlocks typically reflected intramajority party factional conflicts (see also Reiter 1998; Schiller 2003).

After 1913, senators interested in reelection had a different principal—the voters. Hence, incumbents should have become less concerned with conditions in the state legislature per se in their decisions to stand for reelection. At the same time, however, the partisan composition of the state legislature still provided incumbent senators with a signal about the overall partisan mood of state voters. Therefore, we expect incumbents’ propensity to stand for reelection to be strongly related to whether their respective parties held a majority in the state legislature before the Amendment. The correlation between state legislature partisanship and decision to stand for reelection should decline in the post-Amendment period.

Incumbent Reelection Data

Table 1 reports the number of senators who won reelection, lost reelection, and chose not to run, against the partisan composition of the state legislature for the periods prior to and after the adoption of the 17th Amendment. The sample is the set of major party incumbents “at risk” for reelection during 1881–1932 who served at least five years of their respective electoral cycles.3

3The Secretary of State proclaimed the 17th Amendment ratified on May 31, 1913, well in advance of the 1914 fall general elections. All Senate seats up for election in 1914 were filled via popular election, but it is unclear the extent to which incumbents up for reelection that year would have recognized the incentive effects of the change in time to shape their behavior during the 1913–14 session. Therefore, we keep the 1914 election cases separate.

3In the inaugural direct election of 1914, we found two cases of victories by incumbents lacking same-party majority in state legislature. George Chamberlain (D-OR), who, as the incumbent governor, had been the first beneficiary of the “Oregon System” for electing senators in 1908, was reelected easily (“Chamberlain’s Election Assured,” New York Times, Nov. 5, 1914, p. 4). Francis Newlands (D-NV), meanwhile, won a narrow victory in a three-way race (“Democrats Lead in Senate Races,” New York Times, Nov.
Prior to 1913, senators who faced a friendly state house were a good bet both to seek and to win reelection. Of the 238 full-term senators whose party controlled a majority of the state legislative seats at reelection time, 192—over 80%—formally sought reelection. Of those, 83% were returned to office. In contrast, just under half of the incumbents whose parties had lost control of the state legislature sought reelection and only one of those incumbents (4%) was reelected. Even this case is dubious, as it involved the reelection of a Republican incumbent on a fusion ticket after a factional split within the state’s Republican party. Clearly the partisanship of the state legislature determined whether a candidate could win reelection.

After 1914, the partisanship of the state legislature remained a valuable but weaker predictor of the incumbent’s electoral success. In states with a friendly legislature, incumbents who chose to run won 71% of the time (104/146), compared to 43% for incumbents who ran in states with a hostile legislature (19/44). A friendly partisan majority in the state legislature, however, ceased to be a bottleneck for seeking reelection. Regardless of whether the incumbent’s party held a majority in the state legislature, post-1914 senators were more likely to run for reelection than pre-Amendment senators. But the increase was particularly sharp for full-term incumbent senators facing a hostile state legislature. Pre-Amendment, these incumbents opted to stand only 49% of the time. After 1913, that proportion climbs to over 92%. These results strongly suggest that the 17th Amendment changed senators’ incentives surrounding the decision to run for reelection.

### The 17th Amendment and the Spatial Theory of Elections

The 17th Amendment clearly changed the electoral calculus of sitting senators. We contend that it also altered how senators managed their public ideologies over the course of their terms. Direct election introduced incentives for reelection-seeking senators to moderate their behavior in the run-up to a reelection bid, a pattern consistent with the substantial literature on the modern Senate (e.g., Ahuja 1994; Bernstein 1991a, 1991b; Elling 1982; Levitt 1996; Stratmann 2000; Thomas 1985; Wood and Andersson 1998; Wright and Berkman 1986).

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**Table 1 State Legislatures and Incumbent Reelection**

<table>
<thead>
<tr>
<th>Time Period</th>
<th>State Legislature Party</th>
<th>Total Incumbents</th>
<th>Incumbent’s Reelection</th>
<th>Does Not Stand</th>
</tr>
</thead>
<tbody>
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<td></td>
<td>Incumbent’s Party &lt; 50%</td>
<td>47</td>
<td>1</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Incumbent’s Party ≥ 50%</td>
<td>238</td>
<td>160</td>
<td>32</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>14</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Incumbent’s Party ≥ 50%</td>
<td>19</td>
<td>14</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Incumbent’s Party &lt; 50%</td>
<td>51</td>
<td>19</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Incumbent’s Party ≥ 50%</td>
<td>158</td>
<td>104</td>
<td>42</td>
</tr>
</tbody>
</table>

Notes: The table includes every Democrat and Republican incumbent for whom we have a full set of RAW scores for at least the first five years of his term. State legislative seat share data are for the sixth session-year of each incumbent’s election cycle, drawn from Burnham (1996). Electoral status codes are drawn from ICPSR and McKibbin (1997). Cells report frequencies.

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6, 1914, p. 6; “Newlands Wins By 38 Votes,” *New York Times*, Nov. 15, 1914, p. 12. Newlands is dropped from the analysis since he lacks a full set of voting scores. See notes 7 and 8 for further discussion of the sample.

*Henry M. Teller of Colorado was reelected in 1897 as a Silver Republican (although the *New York Times* identified him as a Republican at the time of his reelection; see “Teller in Colorado,” *New York Times*, Jan. 21, 1897, p. 2) after having served as a Republican 1885–97. Teller had led a Silver Republican faction into a fusion ticket with Democrats for the fall 1896 elections (“Legislatures to Meet; Queer Condition of the Colorado Administration,” *New York Times*, Jan. 3, 1897, p. 8). He would subsequently be reelected as a Democrat in 1903.

5The introduction of direct election altered the background characteristics of incoming senators. Prior to direct election, senators were unsurprisingly more likely to have served in the state legislature. Pre-Amendment senators were also more likely to have experience in the House. The latter change perhaps reflects institutional changes in the House that made a House seat both more valuable and easier to retain, reducing the incentive to run for the Senate.
Following this literature, we make two assumptions. First, senators face electors who are independent, retrospective, proximity voters who discount past behavior. Incumbents, therefore, can pursue policy behaviors early in their terms that differ from the “electorally optimal” position. Second, we assume that early-term roll-call behavior reflects a senator’s personal preferences. Senators, therefore, may shift behaviors prior to a campaign, moving toward electorally optimal positions late in their terms.

The 17th Amendment switched candidates’ focus from winning in the state legislature to winning in the statewide electorate. Senators in both eras, however, were chosen in a two-step process, with an explicitly partisan nomination phase (e.g., party caucuses, nominating conventions, or primaries) preceding a general election phase (whether in the state legislature or popular election). For two-staged elections with two polarized parties, Aranson and Ordeshook (1972) demonstrate that the optimal electoral platform lies between the respective centers of the candidate’s first- and second-stage selectorates. Under indirect election, the first-stage selectorate was effectively the candidate’s combined party caucus in the state legislature since external devices (e.g., direct primaries and nominating conventions) did not formally bind subsequent legislative action. The second-stage selectorate was the combined membership of that legislature. A senator’s optimal reelection platform lay between the center of the state party and the median state legislator. Under direct election, the first-stage selectorate in most states is the candidate’s partisan direct primary electorate. The second-stage selectorate is the general electorate. The optimal platform, thus, is between the party center and the median state voter.

The behavioral incentives for reelection-seeking senators depend on the distribution of preferences between the selectorates and the senator. Figure 1 illustrates the various strategic situations facing different incumbent types when the incumbent is a member of the same party as the state legislative majority and preferences are single-peaked. We label five points in the one-dimensional ideological space $X$: $x_p$ is the location of the majority party center in the incumbent senator’s state; $x_{ML}$ indicates the ideal point of the median state legislator; $x_{MV}$ indicates the location of the statewide median voter; and the points $x_{direct}$ and $x_{indirect}$ illustrate potential locations for the Aranson-Ordeshook equilibrium platforms for the nominee of the majority party under direct and indirect election, respectively, in that state.

Consider the policy position of the senator as revealed by his legislative behavior early in the term. On average, incumbent legislators’ true preferences are likely to lie at their respective state party centers ($x_p$ in Figure 1). Nature will draw some incumbents whose true preferences are to the left of the optimal election platform ($x_{indirect}$ before the Amendment and $x_{direct}$ afterwards), some who lie between $x_{indirect}$ and $x_{direct}$, and some who lie to the right of $x_{direct}$.

Incumbents whose ideal points lie to the left of $x_{direct}$ would seek to shift their late-term legislative behavior toward a moderating direction in both eras. Those lying to the right of $x_{direct}$ would seek to shift their behavior in a polarizing direction in both eras. For both sets, therefore, changing electoral targets does not imply a difference in within-term ideological patterns across the two eras, although the magnitudes of expected shifts might change.

The 17th Amendment, however, should alter the legislative behavior of those senators located between $x_{indirect}$ and $x_{direct}$. Prior to the 17th Amendment, senators in this region had an incentive to move toward their own party’s pole. After the Amendment, these senators would face incentives to moderate their positions to appeal to the general electorate.

Testable Implications

The change in ideological targets arising from ratification of the Amendment implies that incentives for election-year moderating adjustments should be greater and incentives for polarizing adjustments should be lower after 1913. However, behavioral incentives would change directions for only certain

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6We make these assumptions for both the general public and state legislators.

7Under indirect election, a senator whose party lost the state legislature should, according to this logic, position himself between the (minority) state party center and the median legislator to seek reelection. Assuming that the senator’s policy preferences are drawn randomly from a distribution around his state party center, he would typically face incentives to moderate in the latter part of his term. But voters in the second stage—i.e., the state legislature—face partisan pressures to vote along party lines. As demonstrated above, these senators are, therefore, unlikely to run for reelection. If they did choose to stand, they might not have bothered to adjust their late-term behavior since the reelection bid was likely to fail. Indeed, 17 of the 24 senators from a minority party who chose to run did not shift their legislative behavior according to our measures. Nevertheless, seven senators—all Republicans—did exhibit significantly different fifth-year behaviors: three moderating—Paddock (NE), DuBois (ID), Teller (CO)—and four moving in a polarizing direction: Carter (MT); Brown (NE); Dixon (MT); and Curtis (KS). All came from states with important populist and third party movements, potentially dividing the state legislature.
types of Senate incumbents—those whose ideal points lie between their respective $x_{\text{indirect}}$ and $x_{\text{direct}}$ target platforms. The greater the realized densities of incumbent senators in the neighborhood of their respective party centers, the more pronounced the expected effect of the 17th Amendment on ideological shifting incentives. That is, the more parties nominate candidates who are representative of the party, the bigger the effect of the Amendment on directional switching.

Although precise estimates of the relative policy positions of state party center, median legislator, and median voter across states for the sample period do not exist, a substantial historical literature suggests that the two major parties were quite polarized at the state and local levels throughout the period (e.g., Ansolabehere, Snyder, and Stewart 2001; Brady 1973; Silbey 1991). Further, gerrymandering and malapportionment in state legislatures throughout the late nineteenth and early twentieth centuries likely induced a substantial gap between the ideological positions of each state’s median legislator and statewide median voter (Cox and Katz 2002; King and Ellis 1996; McCubbins and Schwartz 1988). These electoral distortions tended to favor Republicans, suggesting that the gap between the center of state parties and the statewide median voters was likely to be larger for Republicans than for Democrats. All else constant, therefore, a shift from indirect election to direct election would have forced Republicans to adapt more than nonsouthern Democrats in Republican gerrymandered states. Further, Republicans would have adapted by moderating their typical Senate campaign platforms, whereas nonsouthern Democrats’ Senate platforms may have stood pat or polarized (by shifting rightward as well).

Southern states, on the other hand, were dominated by the Democratic party. In these one-party states, there is no reason to expect the median legislator and statewide median voter to differ. Therefore, we do not anticipate any systematic patterns to the shifting behavior of these senators, either before or after the 17th Amendment.

**Patterns of Strategic Shifting**

We test these claims by evaluating whether and in what direction late-term roll-call behavior differs from early-term voting patterns both before and after the implementation of direct election. We generate “annual” W-NOMINATE scores (Poole and Rosenthal 1997b) and their conditional standard errors for each senator during 1877–1932 to evaluate our claims about late-term shifting in response to the Amendment. We employ as large a sample of behavior as possible, both before and after ratification, without calling into question the over-time stability of the basic ideological space. Poole and Rosenthal (1997a) contend that the basic space differs \textit{after the New Deal}. Between Reconstruction and the New Deal, on the other hand, “changes in mass voting behavior were reflected in Congress by
first score in each Congress covers all votes held in the long session, which usually began in December of each odd-numbered year, and any special sessions. The second score is based on all votes held in the short (lame-duck) session.\(^9\) Scores are indexed by the calendar year in which the session begins. Odd session years thus refer to votes held in sessions leading to a general election date. Even session years refer to votes following general elections.

For analytical convenience and comparability to modern interest group ratings, we linearly transform the W-NOMINATE scores from their native $[-1, +1]$ interval to a $[0, 100]$ scale, with Republican values tending toward zero and Democrats tending toward 100.\(^{10}\)

W-NOMINATE scores are not technically comparable over time.\(^{11}\) Hence, we apply Groseclose, Levitt, and Snyder’s (1999) “shifting and stretching” routine to place these independently generated cross-sections of scores into a common analytical space. The unadjusted and inflation-adjusted scores correlate at .98. We refer to these as Rescaled Annual W-NOMINATE (RAW) scores. The observed range is $[-40.1, +160.0]$, although 95.1% of the observations lie in $[0, 100]$. The conditional standard errors average 7.8 points on the RAW scale during 1877–1913 and 6.5 points during 1914–31.

The analysis focuses on major-party members serving at least the first five years of their respective terms and participating frequently enough to generate usable W-NOMINATE scores in each of those years. The sample includes 515 cases, 422 of whom sought reelection.\(^{12}\)

### Measuring Strategic Shifting

We measure shifts in legislative behavior by comparing a weighted average of each senator’s RAW scores during the first four years of a term to his fifth-year score. We drop the sixth year score from the analysis as the final session in a senator’s statutory term was held after or, in some cases, during the member’s reelection bid.

Each individual’s annual RAW score is an estimate accompanied by a standard error. We treat these scores as having been calculated from independent samples with different variances.\(^{13}\) Hence, for each senator we can test for significantly changed scores via a difference of means test for independent samples with different standard errors.

Given the assumption that voters strongly discount the past, each of a senator’s early-term RAW scores should provide an (almost) equally unbiased estimate of the incumbent’s “true” preferences. We apply the inverse variance weighting technique of the meta-analysis literature (Lipsey and Wilson 2001) to combine these four early-term scores. The inverse-variance weighted, early-term average score for a senator seeking reelection in election-cycle year $t$ is

\[
\text{RAW}_{wgt}_{i, t} = \frac{\sum_{j=1}^{S} \text{RAW}_{i,j} \cdot \frac{1}{\text{var}_{i,j}}}{\sum_{j=1}^{S} \frac{1}{\text{var}_{i,j}}},
\]

where, in this case, $S = 4$.

The standard error of the weighted average is calculated as:

\[
\text{RAW}_{wgtse}_{i, t} = \frac{1}{\sqrt{\sum_{j=1}^{S} \frac{1}{\text{var}_{i,j}}}}.
\]

We lose 24 observations due to missing data on state legislative composition. A total of 207 senators appear once, accounting for 143 reelection bids; 75 appear twice (132 reelections); 31 three times (87 reelections); 15 four times each (56 reelections), and one senator (Shelby Cullom, R-IL) appears five times (four re-elections).

\(^{13}\)539 major party senator-observations satisfy the “full term” criterion, 440 of whom were coded as seeking reelection to the Senate. We lose 24 observations due to missing data on state legislative composition. A total of 207 senators appear once, accounting for 143 reelection bids; 75 appear twice (132 reelections); 31 three times (87 reelections); 15 four times each (56 reelections), and one senator (Shelby Cullom, R-IL) appears five times (four re-elections).

\(^{12}\)Recent scholarship suggests that the W-NOMINATE conditional standard error estimates are probably biased downward (e.g., Herron and Shotts 2003; Lewis and Poole 2004). Thus, the “true” confidence level associated with this interval is less than the nominal confidence level associated with a given value of the statistic. But this test still provides a better sense of patterns of fifth-year movement than that obtained by ignoring the standard error.
To test whether senators’ year five voting scores significantly differ from their early-term voting tendencies, we plug the weighted average score and the standard error of the weighted average into the standard formula:

\[ z_{i,t} = \frac{RAW_{i,t} - RAW_{i,s}}{\sqrt{\text{var}_{i,t} + \text{var}_{i,s}}} \]

where \( RAW_{i,t} \) and \( \text{var}_{i,t} \) are senator \( i \)'s late-term score and the variance of that score; and \( RAW_{i,s} \) and \( \text{var}_{i,s} \) are the early-term weighted average and variance of the weighted average.

We multiplied Republican test statistics by \(-1\) so that, for senators of either party, a positive value indicates a polarizing shift (Democrats moving toward the maximum of the scale; Republicans moving toward the minimum) and a negative value indicates a moderating shift.

**Patterns of Shifting**

The average z-score statistic in the pre-Amendment period for all senators in the sample is a +.16 unit (polarizing) adjustment for reelection seekers, compared to a −.16 (moderating) movement after ratification (ignoring the 1914 election), a pattern consistent with our expectations. If we confine the analysis to the 22 senators who sought reelection both prior to and after the Amendment, the results are even more striking. Prior to the Amendment, these senators average a +.73 unit polarizing move. Post-1913, these same individual senators move 1.15 units in the moderating direction, a statistically significant difference between the two eras.

The patterns of strategic shifting, however, differ sharply by party group. Before the Amendment, Republicans tended to polarize (averaging .29 units) and nonsouthern Democrats moderated (.28 units). Post-Amendment, election-year z-score adjustments by Republicans averaged .68 units in the moderating direction, while the average nonsouthern Democratic shift was to polarize by .58 units. The behavior of southern Democrats, however, did not change after the Amendment, averaging a slight polarizing movement prior to (.09 units) and after 1913 (.16 units). These patterns support the argument.

We also expect a change in the distribution of late-term adjustments with ratification of the 17th Amendment. We use a 90% confidence interval to classify senators’ z-scores as consistent with moderating in the election year (i.e., a z-score < −1.64), polarizing (i.e., a z-score > 1.64), or standing pat (i.e., −1.64 < z-score < 1.64).

Table 2 reports the classification of senators as moderaters, stand-patters, and polarizers. Prior to the Amendment, just over 45% of all “significant shifters”...
(27 of 59) moderated in their reelection sessions relative to their early-term weighted average scores. After ratification, 56 of 107 significant shifter (52.3%) moderated relative to their baseline scores. Although this difference is in the expected direction, it fails to attain conventional standards for statistical significance.

Table 2 also presents the classification of strategic shifters by party group. After the Amendment, the proportion of Republican moderaters increases sharply, a pattern of election-period adjustment that meets our predictions. For nonsouthern Democrats, however, the proportion of moderaters remains steady after 1913 while the percentage of polarizers sharply increases. Finally, southern Democrats tend to shift in either direction more after the 17th Amendment, although the relative proportion of moderaters and polarizers does not change dramatically across the time periods.

The Impact of the 17th Amendment on Individual Behavior

Patterns in the decision to stand for reelection and the shifting of late-term public ideologies demonstrate that the 17th Amendment affected the behavior of individual senators. In this section, we develop a more formal quantitative test of the Amendment’s influence. To capture the interdependence of the decision to stand for reelection and the shift in roll-call behavior, we model the two decisions as a selection model.

The Decision to Stand for Reelection

In the pre-Amendment period, the decision to stand for reelection reflects whether the incumbent senator’s party enjoys a majority in the state legislature. After 1913, however, the state legislature should play a lesser role in the decision to run, allowing more incumbents to stand.

To test these effects, we include a dummy variable for After 1913, coded one for years 1915–31 and zero otherwise. We expect this variable to increase the probability of running for reelection. We also include a dummy variable for State Legislature Majority, coded one if the senator’s party controls a majority of legislative seats (in both houses in bicameral states) in the sixth year of his term and zero otherwise. That is, we 14 use the realized state legislative election results to proxy for the incumbent’s expectations about optimal ideological positioning during the session preceding the election. This variable should have a positive parameter estimate. We interact this term with the post-Amendment period, After 1913*State Legislature Majority. We expect this term to have a negative parameter estimate, indicating that the partisan composition played a reduced role in the decision to run after 1913.

We include three variables to control for the senator’s career. The first variable, Seniority, is coded one if the senator is running for election in or after his second term and zero otherwise. That is, the omitted category is senators running for reelection in their first terms. To evaluate whether the 17th Amendment altered the importance of seniority in shaping the choice to stand for reelection, we interact this variable with the After 1913 dummy, After 1913*Seniority. In addition, since older senators should be less likely to stand for reelection, we also include variables for the senator’s current age, Age and age-squared, Age 2 (Bernstein and Wolak 2002).

Finally, we include a variable, South, equal to one if the senator represents a southern state. We interact this variable with other variables in the model: After 1913*South, South*Seniority, After 1913*South*Seniority.

Strategic Shifting

We argue that the adoption of direct election gave senators, particularly Republicans, more incentives to moderate their late-term legislative behavior. To evaluate these claims, the outcome equation includes the After 1913 variable, a dummy variable for Republicans, and an interaction term, After 1913*Republicans.

We also include the variables for state legislative majority, State Legislature Majority, and the post-1913 interaction, After 1913*State Legislature Majority. The partisan composition of the state legislature may signal the incumbent about how best to position himself for a reelection bid, even after the adoption of the Amendment.

To control for the possibility that more senior senators manage their late-term public ideologies differ-

14 Southern states include AL, AR, FL, GA, LA, MS, NC, SC, TX, VA, KY, OK, and TN.
15 In alternative specifications, we substituted the size of the majority in the state legislature and the most recent presidential outcome for the state. The results were similar.
ently, we include the Seniority and After 1913*Seniority variables.

We include a measure to control for the incumbent’s average RAW score for years 1–4 of his current term. Although the Groseclose et al. (1999) “inflation adjustment” technique allows scores to fall below zero or above 100, the original scores are firmly bounded. Hence, the closer a senator’s “baseline” score lies to one of the original bounds, the less room he has to shift his voting score outward and, therefore, the harder it becomes to record a large (usually) polarizing shift. This variable is operationalized as

$$\text{Extremes Baseline}_i = (\text{RAW}_{i, 1-4} - 50)^2.$$  

That is, we control for the squared distance between the senator’s baseline score and the midpoint of the scale. We expect this coefficient to be negative.\(^{17}\)

Since we expect senators from one-party states to pursue different shifting strategies, we include the dummy variable for southerners, South, and interact it with all other variables in the model: After 1913*South, South*Seniority, South*After 1913*Seniority, South*State Legislature Majority, South*After 1913*State Legislature Majority, and South*Extreme Baseline.

Finally, we estimate the model with a full battery of year dummies.

\section*{Method}

The decision to stand for reelection and shifts in late-term roll-call behavior represent potentially interdependent outcomes. To deal with this possibility, we employ a standard sample selection model (e.g., Heckman 1979). A standard selection model follows a two-equation set-up, one equation to model the initial decision (in this case, whether or not to stand for election) and a second one to model the observed outcome (shifts in roll-call behavior).

A linear outcome model with a probit selection equation can be written as:

$$y = \beta'x + \varepsilon_1$$

$$z^* = \alpha'w + \varepsilon_2$$

$$z = \begin{cases} 1 & \text{if } z^* > 0 \\ 0 & \text{if } z^* \leq 0 \end{cases}$$

$$\varepsilon_1, \varepsilon_2 \sim N(0, 0, \sigma_{\varepsilon_1}^2, \sigma_{\varepsilon_2}^2, \rho)$$

where \(y\) is the shift in roll-call behavior (i.e., the \(z\)-score), which is a function of a set of exogenous variables, \(x\), and a normally distributed error term with mean zero and constant variance \(\varepsilon_1\). \(z^*\) is the latent (unobserved) probability that a senator will stand for reelection, normalized to have mean zero and variance equal to one. Zero is the cut point between categories in the observed \(z\). That is, \(z = 1\) only when the latent probability \((z^*)\) is greater than zero. Consequently we estimate these two equations jointly using maximum likelihood, obtaining estimates of the parameters \(\alpha\) and \(\beta\) and the correlation between the errors in the two models, \(\rho\) (Greene 2003; Wooldridge 2002).

\section*{Results}

Table 3 reports the results of the analysis. The estimated value of \(\rho\), which indicates the correlation between the errors in the selection and outcome equations, is statistically significant. This indicates, unsurprisingly, that distribution of late-term shifts is conditional on who chooses to seek reelection. Failing to estimate the equations jointly would lead to biased and inconsistent coefficients in the shifting equation.

The model of the decision to stand for reelection largely confirms expectations. The parameter estimates for After 1913 and State Legislature Majority are positive and statistically significant. The estimates for After 1913*State Legislature Majority is negative. The three variables are jointly significant. After the 17th Amendment, the probability of standing for reelection increases for all senators, but most sharply for those who faced a hostile state legislature, jumping from 42\% prior to 1913 to 74\% post-Amendment. Prior to the 17th Amendment, the partisan composition of the state legislature strongly influenced the decision to stand for reelection. An incumbent was 32\% more likely to run if his party controlled the state legislature. After 1913, the partisan composition of the state legislature had only a small effect on the probability of standing for reelection—an incumbent was only 7\% more likely to run if his party controlled a majority in the state legislature. Instead, a sitting senator presumably based his decision on other factors germane to his reelection fortunes.

The seniority variable is positive and significant. Senators who had already won reelection once were also more likely to stand again both before and after the 17th Amendment. The age variables are also significant and in the expected directions. Finally, southern senators do not appear to behave differently when it comes to seeking reelection. None of the variables

\(^{17}\)Estimates for the variables of interest are similar even if this variable is not included.
associated with southern senators are either individually or jointly significant.

The model of shifting roll-call behavior also confirms the impact of the 17th Amendment on individual-level behavior. The parameter estimates for After 1913 and After 1913* Republican are negative and (at least marginally) significant. Prior to direct election, Republicans and nonsouth Democrats pursued essentially the same late-term polarizing movement. After the adoption of the Amendment, nonsouth Democrats tended to make a smaller polarizing movement. Republicans, on the other hand, shifted in the moderating direction prior to an election. For southern Democrats, direct election slightly reduces their tendency to polarize.

Interestingly, the incumbent’s party status in the state legislature is not a significant indicator of late-term shifting. Likewise for southern senators, the majority status of the Democratic party in their state legislatures provides no pertinent information either before or after the Amendment.

The seniority variable is insignificant prior to the Amendment, but significant and positive in after direct election. Interestingly, the effect of seniority in the post-Amendment is reversed for southern senators. Senior southerners tend to become more moderate as elections approach. In both cases, seniority may give senators the leeway to pursue different reelection strategies.

Finally, the extreme baseline control is negative and significant, as expected. Senators located toward the extremes during the first part of their terms moderate their behavior as elections approach.

### The Ideological Consequences of the 17th Amendment

The 17th Amendment provided incentives for senators to moderate their late-term public ideologies, particularly for Republicans. This change in the partisan bias of electoral competition has broader implications for the nature of inter-party ideological conflict after 1913. In order for Republicans to maintain their competitiveness in Senate elections after ratification, Republican campaign platforms had to moderate ideologically, whereas Democrats (outside of the south, at least) would have had fewer incentives to do so. Therefore, we expect the level of interparty conflict in the Senate to be stable before ratification but decline afterwards, with the decline driven by Republicans.¹⁸

---

**Table 3 Selection Model**

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>Stand Equation</th>
<th>Shift Equation</th>
</tr>
</thead>
<tbody>
<tr>
<td>After 1913</td>
<td>1.14*</td>
<td>-1.70</td>
</tr>
<tr>
<td></td>
<td>(.32)</td>
<td>(.92)</td>
</tr>
<tr>
<td>State Legislature Majority</td>
<td>.84*</td>
<td>-.14</td>
</tr>
<tr>
<td></td>
<td>(.20)</td>
<td>(.71)</td>
</tr>
<tr>
<td>After 1913*State Legislature Majority</td>
<td>-.48</td>
<td>1.86</td>
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<tr>
<td></td>
<td>(.36)</td>
<td>(1.12)</td>
</tr>
<tr>
<td>Seniority</td>
<td>.43*</td>
<td>-1.00</td>
</tr>
<tr>
<td></td>
<td>(.21)</td>
<td>(.44)</td>
</tr>
<tr>
<td>After 1913*Seniority</td>
<td>-.24</td>
<td>2.31*</td>
</tr>
<tr>
<td></td>
<td>(.35)</td>
<td>(.84)</td>
</tr>
<tr>
<td>Age</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>(.07)</td>
<td></td>
</tr>
<tr>
<td>Age²</td>
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</tr>
<tr>
<td></td>
<td>(.0006)</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>.23</td>
<td>1.37</td>
</tr>
<tr>
<td></td>
<td>(.24)</td>
<td>(1.14)</td>
</tr>
<tr>
<td>After 1913*South</td>
<td>.28</td>
<td>-.56</td>
</tr>
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<td></td>
<td>(.52)</td>
<td>(1.84)</td>
</tr>
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<td>South*Seniority</td>
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<td>1.04</td>
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<td>(1.57)</td>
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<tr>
<td>After 1913*Republican</td>
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<td>South*State Legislature Majority</td>
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<td>South<em>After 1913</em>State Legislature Majority</td>
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<td>Extreme Baseline</td>
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<td></td>
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<td>Constant</td>
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<td></td>
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<td>(.85)</td>
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<td>Prob &gt; χ²</td>
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<tr>
<td>Total Observations</td>
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<tr>
<td>Uncensored Observations</td>
<td>422</td>
<td></td>
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<tr>
<td>(in shift eq.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ρ</td>
<td>-.53*</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:** Cell entries are parameter estimates and robust standard errors. The shift equation was estimated with a set of year dummy variables. Those parameter estimates are not reported for ease of presentation.

* p < .05.

¹⁸It is also possible that the 17th Amendment induced candidates with more moderate policy preferences to run. To evaluate this alternative, we examine the legislative behavior (as measured by DW-NOMINATE scores) of House members who were subsequently elected to the Senate. (This sample does not include state-
We explore these implications in Figure 2, which shows the year-by-year average RAW scores by party, together with regression lines showing the trends in those averages before and after ratification of the 17th Amendment. The regression lines represent the fitted values from separate, piecewise linear regressions of the party-average scores on time with separate time-trends for before and after ratification of the Amendment:

$DemPartyAvg = 85.1 - 0.05 \cdot Time\_Before - 0.78 \cdot Time\_After + \epsilon$

$RepPartyAvg = 16.0 + 0.18 \cdot Time\_Before + 1.23 \cdot Time\_After + \epsilon$

where $Time\_Before = 1, 2, \ldots, 37$ for 1877, 1878, \ldots, 1913 and zero for 1914–32; and $Time\_After = 0$ for 1877–1913 and 1, 2, \ldots, 19 for 1914, 1915, \ldots, 1932. These simple models describe the over-time party movements quite well ($R^2$ statistics of .53 and .81, respectively). As the figure and the regression coefficients suggest, both party means moved toward the middle of the scale after 1913, although the Republican trend was considerably stronger.

An alternative explanation for the strong, moderating trend post-1913 in Republican scores might be the development of a progressive Republican faction centered on such figures as Robert M. La Follette (R-WI), George Norris (R-NE), and Hiram Johnson (R-CA). Indeed, Republican factional conflicts are well recognized in the period surrounding 1913, exemplified by former president Theodore Roosevelt heading the Bull Moose ticket in 1912.

According to Republican party historian George Mayer, however, the progressive threat substantially preceded ratification of the 17th Amendment:

By 1906, the Progressives were riding a wave of reform sentiment that lapped at the foundations of durable municipal and state machines which in some cases antedated the McKinley era. \ldots Since the Civil War, moreover, political discontent had usually expressed itself as factionalism within the Republican party rather than as third party movements. (1967, 291–92)

The data in figure two do not support the idea that the Republican factionalism of the McKinley years significantly affected voting behavior in the Senate. Instead, the moderating trend does not emerge until late in the 1910s, consistent with our emphasis on the effects of direct election.
Conclusion

The introduction of direct election for U.S. senators provides an opportunity to evaluate how electoral incentives affect legislative and reelection behaviors. Since many scholars argue that institutions such as the public canvass and binding primaries widely implemented in the decades before 1913 anticipated the effects of the Amendment, the case is even more difficult to make. Nevertheless, we show that the 17th Amendment marked a break in how individual senators managed their careers and their public ideologies. Prior to 1913, incumbent senators paid close attention to the state legislature in making career decisions. When faced with a hostile state house, senators rarely chose to stand for reelection. With the advent of direct election, however, major-party candidates could win regardless of the partisan composition of the state legislature. Further, incumbents faced more incentives to move from more partisan to less partisan legislative behaviors as the general election period approached. The average senator moderated his public ideology in the run-up to an election, making centrist appeals to voters. Just as proponents of the direct election reform predicted, our results suggest that senators became more accountable to citizen demand. Moreover, these findings are consistent with recent works that show how senators change a host of behaviors as reelection bids approach (Cooper and Rybicki 2002; Fenno 1996; Schiller 2000, 2003).

The institution of direct election quickly produced a change in political behavior consistent with the incentives of ambitious, reelection seeking politicians. With direct election, senators had to balance partisan electoral demands with those of more centrist, general election voters. The 17th Amendment, therefore, altered the nature of American democracy, ushering in a more moderate election-year politics.

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References


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