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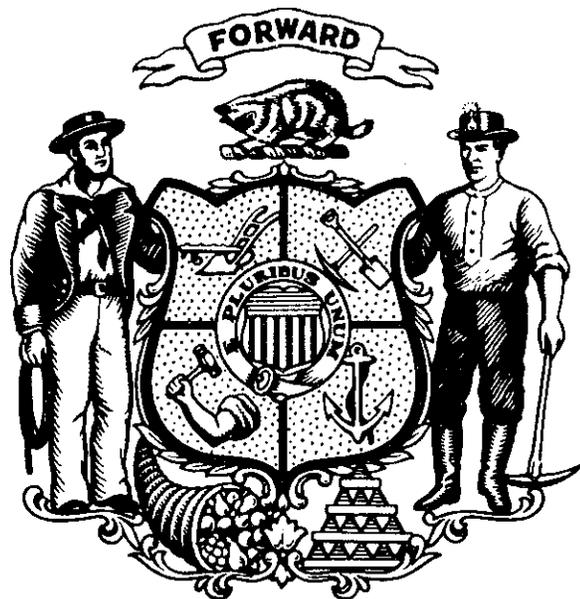
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THE WISCONSIN PRESIDENTIAL PRIMARY: OPEN OR CLOSED?

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THE WISCONSIN PRESIDENTIAL PRIMARY: OPEN OR CLOSED?

I. NEW INTEREST IN AN OLD LAW

Wisconsin's presidential primary, generally considered one of the most important such contests in the nation, is currently the subject of a dispute which could lead to the rejection of Wisconsin's delegation to the 1976 Democratic National Convention. The cause is a new National Democratic Party Charter, adopted on December 7, 1974, which has created a conflict between Wisconsin's 70 year-old presidential primary law and party rules. While the new rules specify that state delegates to the National Party Convention be selected by processes which allow the participation of Democrats only, Wisconsin's laws allow voters to select which primary they wish to vote in without regard to their party affiliation. Thus, Republicans are free to vote in the Democratic presidential primary and Democrats may vote in the Republican contest. That the national party conventions have the right to refuse to seat state delegations which are chosen by processes contrary to party law was affirmed by the United States Supreme Court on January 15, 1975.

In Wisconsin, several measures have been taken in an attempt to resolve this conflict. On July 30, 1975 Governor Lucey requested Attorney General Bronson La Follette to sue the National Democratic Party in an attempt to maintain Wisconsin's open presidential primary law. In addition, Wisconsin Democratic Party leaders have established an eleven-member committee to study various ways in which the state can comply with party rules in case the suit fails. In yet other actions, two proposals have been offered which would modify Wisconsin's primary law: 1975 Assembly Bill 807 and a proposal offered by Governor Lucey. Lastly, on June 28, 1975, the Democratic Party of Wisconsin gave preliminary approval to a plan which would have delegates to the 1976 Democratic Convention elected at party caucuses held in each of the state's nine Congressional districts. The party has stated that it will put this plan into effect if Wisconsin does not act to close its presidential primary.

II. WISCONSIN'S LAW VERSUS NATIONAL DEMOCRATIC PARTY RULES

Wisconsin's Law

SELECTING INDIVIDUALS FOR THE PRIMARY BALLOT - Section 8.12 of the Wisconsin Statutes requires that on the first Tuesday in February of a presidential election year, a committee consisting primarily of Wisconsin political party leaders meet to decide the names of the candidates for U.S. President who will appear on the April primary ballot. Each political party recognized under Wisconsin law is represented at this meeting. The criterion to be used in selecting each party's presidential contenders is that their "candidacy is generally advocated or recognized in the national news media throughout the United States." An individual who is selected by the committee but does not wish his name to appear on the ballot must sign a disclaimer stating "without qualification that he is not and does not intend to become a candidate for the office of President of the United States at the forthcoming presidential election." Potential candidates whose names are not included by the committee may obtain a place on the ballot by obtaining at least 1,000, but not more than 1,500, petition signatures in each Congressional district in the state.

DELEGATES - Section 8.12 also specifies that any proposed presidential candidate may file with the State Elections Board a full slate of delegates who will be committed to him should he win all or some of Wisconsin's national convention votes in the April election. The names of these delegates do not appear on the ballot, but they are automatically elected if the candidate with whom they are affiliated wins the presidential primary. Under Wisconsin law, no person selected as a delegate to his party's national convention is qualified to attend the national convention of his party unless he signs an affidavit stating, among other things, that he is a qualified voter and is affiliated with the political party which selected him as a delegate to the national convention. More importantly, a potential delegate must sign an affidavit stating that he will support the candidate who wins the

primary "on the first ballot; and vote for his candidacy on any additional ballot, unless released by such candidate, until said candidate fails to receive at least one-third of the votes authorized to be cast." After this point, the delegate has the right to cast his ballot as he sees fit.

VOTING IN THE PRESIDENTIAL PRIMARY - On the first Tuesday in April of the presidential election year, Wisconsin citizens go to the polls to vote their preference for their party's presidential candidate. At the polls, the Wisconsin voter has access to the ballots of all parties holding primary elections and selects, in the privacy of the voting booth, the contest he wishes to participate in. In other words, Wisconsin political parties are not allowed to exercise control over who votes in their primary elections since each voter, regardless of his usual party preference, may vote in the primary of a specific party without revealing his party allegiance to the voting officials. It is this provision of the Wisconsin law which characterizes it as an "open" primary. Having selected the ballot of one party, the voter may cast his vote for one of the presidential aspirants listed on the ballot, or exercise the option of voting against all of the candidates listed on his party's ballot by voting for "none of the names shown," or he may name his own preferred candidate by utilizing the space provided for a write-in candidate.

APPORTIONMENT OF DELEGATES - The total number of national convention votes allotted to the state by each national party organization is determined by formulas devised by the national parties. The National Democratic Party uses a formula based upon the percentage of the state's vote for the Democratic candidate in the last presidential election. The Republican National Party uses a formula based upon population with "bonus delegates" awarded to states in which various Republican candidates won a plurality of the vote in previous elections. Wisconsin law requires that at least two-thirds of these delegates must be chosen on an equal basis from the state's Congressional districts, while the remainder are chosen according to the vote in the state at large. Thus, the candidate winning a plurality of primary votes in the Congressional district receives the national convention votes allotted to that district, while the winner of a plurality in the state at large receives the remainder of the convention delegates. If it should happen that in any district or the state at large the primary contest is won by a candidate who does not file a slate of delegates with the State Elections Board, or that a plurality of votes are cast for the "none of the above" option, the state party may select the required number of delegates by such means as it decides upon.

National Democratic Party Charter

The conflict between Wisconsin's presidential primary law and Democratic party rules is found in Article 2, Section 4, of the National Democratic Charter adopted at the party's convention in Kansas City in December 1974. This section specifies that the "national convention shall be composed of delegates who are chosen through processes which ... restrict participation to Democrats only." Section 2 of the same article states that if state laws are in conflict with the rules specified in the party charter, state parties shall be required to take "provable positive steps to bring such laws into conformity." The rationale behind this provision of the party charter is that only Democrats should be allowed to select the National Convention delegates who will choose the party's presidential candidate and write the party platform. The sanction with which the national party may enforce its rules is the power of the National Convention to reject any state delegation chosen through procedures contrary to those rules. Since not all state parties may be in a position to change the laws in their state, the charter requires only that "provable positive steps" be taken to bring state laws into conformity.

U.S. Supreme Court: *Cousins v. Wigoda*

That national political parties have the right to refuse to seat state delegations to the national convention, if those delegations are selected by procedures contrary to party rules, was affirmed by the United States Supreme Court on January 15, 1975. The case before the court, *Cousins v. Wigoda*, 95 S. Ct. 541 (1975), involved a delegate credentials conflict which arose during the 1972 Democratic National Convention. At this convention, the Cousins delegates successfully challenged the seating of the Wigoda delegates on the grounds that the latter had been chosen by means violative of the party charter. Specifically, the Cousins delegates charged that the Wigoda delegates had been hand-picked by Mayor Daley before being offered to the voters for public election and that the Wigoda delegation was not adequately weighted with blacks, women or youth. The Wigoda delegates had been elected from Chicago districts at the March 1972 Illinois primary election, while the Cousins delegates had been selected informally by a group which was dissatisfied with the delegate selection.

The National Democratic Party Credentials Committee decided in favor of the Cousins delegates and seated them rather than the Wigoda delegates.

The Wigoda delegates sought an injunction against the seating of the Cousins delegates in the Illinois Circuit Courts, asserting that they, and not the Cousins delegates, had been elected under Illinois law and thus had the right to represent Illinois at the national convention. The Illinois Appellate Court, which heard the case on appeal, upheld the position of the Wigoda delegates.

The Illinois court held that "the right to sit as a delegate representing Illinois at the national nominating convention is governed exclusively by the Illinois Election Code," and that the "interest of the state in protecting the effective right to participate in primaries is superior to whatever other interests the party itself might wish to protect." However, the Cousins delegates were seated and participated fully throughout the convention.

The United States Supreme Court granted certiorari in order to determine whether state law or national party rules should prevail in the event of such a conflict between the two. As Justice Brennan explained it: "We granted certiorari to decide the important question presented whether the [Illinois] Appellate Court was correct in according primacy to state law over the National Political Party's rules in the determination of the qualifications and eligibility of delegates to the Party's national convention." In a unanimous decision, the U.S. Supreme Court reversed the order of the Illinois Court, stating that national party conventions must be the sole judge of the qualifications of their delegates. Justice Brennan, writing for the majority, held that:

Consideration of the special function of delegates to such a Convention militates persuasively against the conclusion that the asserted interest [by the Illinois Appellate Court] constitutes a compelling state interest. Delegates perform a task of supreme importance to every citizen of the Nation regardless of their state of residence. The vital business of the Convention is the nomination of the Party's candidates for the offices of President and Vice President of the United States. If the qualifications and eligibility of delegates to National Political Party Conventions were left to state law 'each of the fifty states could establish the qualifications of its delegates to the various party conventions without regard to party policy, an obviously intolerable result.' (Wigoda v. Cousins, D. C., 342 F. Supp. 82, 86 (1972)) Such a regime could seriously undercut or indeed destroy the effectiveness of the National Party Convention as a concerted enterprise engaged in the vital process of choosing Presidential and Vice-Presidential candidates - a process which usually involves coalitions cutting across state lines. The Convention serves the pervasive national interest in the selection of candidates for national office, and this national interest is greater than any interest of an individual state. (95 S. Ct. 541 (1975)).

III. WISCONSIN'S RESPONSE

Wisconsin's Suit Against the National Democratic Party

In Wisconsin, action to resolve the conflict between the state's law and national party rules has taken place on several fronts. On July 30, 1975 Governor Patrick Lucey requested Attorney General Bronson La Follette to sue the National Democratic Party in an attempt to maintain Wisconsin's present primary law. The suit will be filed in Federal Court and will ask a court order telling the party it must seat Wisconsin's convention delegates even if they are elected in an open primary. Attorney General La Follette has indicated that he hopes the court decision will be received by late October 1975. On April 2, 1975 the Wisconsin Assembly adopted Assembly Resolution 19, requesting the opinion of the Attorney General as to "whether a national party organization is empowered to determine a different delegate selection process for this state than the one provided by state law." In the meantime, Wisconsin Democratic Party leaders have decided to establish a committee to study various ways in which the state can comply with party rules in case the suit fails. This committee consists of eleven members, including three members each from the state Senate and Assembly, three named by State Democratic Party Chairman Herbert Kohl; Attorney General Bronson La Follette, and Lieutenant Governor Martin Schreiber.

PROPOSED LEGISLATION - Prior to the decision to file a lawsuit, two proposals were offered to modify Wisconsin's presidential primary so that it would meet the National Democratic Party requirements. One of these proposals is 1975 Assembly Bill 807, introduced on May 28, 1975 by the Assembly Committee on Elections. As introduced, this bill would separate the indication of presidential preference from the delegate selection process for national political party conventions. Only those persons who publicly sign a declaration of support for a political party would be permitted to vote for that party's convention delegates. The declaration of party support would be made at the polls on election day, with the form of declaration to be devised by the State Elections Board. This declaration would be effective for that election only, and the completed declarations of support would be available for public inspection at the office of the municipal clerk. Party

supporters would also be allowed to vote for their preferred presidential candidate in the preference primary of their party, the results of which would be advisory only. Independent voters would be allowed to vote in the preference primaries of any or all parties although, here too, the results would be advisory only.

Thus, in contrast to Wisconsin's present law, the elected delegates to the parties' national conventions would not be committed to vote for the winner(s) of the state primary of their party. However, prospective delegates would be allowed to list their names on the ballot under the name of the presidential candidate they favor, or they would be allowed to run as uncommitted delegates. Under this bill, a prospective delegate could obtain a position on the ballot by filing nomination papers or by being nominated by a Congressional district caucus of his party. The ballot would not differentiate between those candidates for delegate nominated by nomination papers and those nominated by a political party. Voters would be instructed to vote for as many delegates as would be entitled to serve at the national convention.

In a public hearing before the Assembly Committee on Elections on June 23, 1975, Governor Lucey presented an alternative plan to modify Wisconsin's presidential primary. The Governor's plan would leave most of Wisconsin's current law intact but would require citizens wishing to vote in the primary to sign a statement which would indicate their party preference. As presented the plan would modify Section 8.12 (1) (e) to read:

Each elector casting a ballot in the presidential preference vote is required to indicate a political party preference at the polling place. The preference will not necessarily constitute an affiliation with or membership in the preferred party. A list of all electors and their party preferences shall be compiled by the county clerk and copies shall be available to the public within sixty days of the election. Fees to cover the actual cost for such copies may be charged. The state elections board shall prescribe procedures and forms to assist the clerks in preparing the voter lists and party preferences.

Each elector wishing to cast a ballot in the presidential preference vote shall be required to sign a statement in the following form:

"For the purposes of voting in the (year) Wisconsin presidential preference vote, I hereby state my party preference to be (Democratic) (Republican) (American). It is understood that my party preference does not necessarily indicate an affiliation with or membership in the party, but only a preference for voting purposes in this particular election."

The elector shall be given a Presidential preference ballot only for the party indicated on that statement.

State Democratic Party's Plan

On June 28, 1975 the Administrative Committee of the Democratic Party of Wisconsin gave preliminary approval to a plan which would have delegates to the Democratic National Convention elected at caucuses in each of the state's nine Congressional districts. According to a July 1, 1975 press release from State Democratic Headquarters, this plan will be put into effect if the legislature does not act to modify the present presidential primary law. Under this plan, Democratic Party members and other supporters of the party who sign affidavits to that effect would meet February 28, 1976, in county caucuses (in Assembly district caucuses in Milwaukee). At these meetings, a predetermined number of delegates would be selected to attend later caucuses held in each Wisconsin Congressional district on March 27, 1976. The delegates to the Congressional district caucuses would be chosen by ballot and would be required to state their preference for presidential candidate prior to the voting.

At the Congressional district caucuses, the delegates will be polled to determine their preference for presidential candidate. The delegates will then meet in "presidential candidate caucuses," i.e.; all delegates supporting the same presidential candidate will meet in order to elect a slate of national convention delegate designees committed to that particular candidate. The names of these elected designees will be reviewed by the presidential candidate's agent, who will be present at the meeting. The agent may replace any disapproved designee with another person who was nominated at the candidate caucus.

Within 30 days after the tabulation of the Congressional district caucus presidential preference poll, the party's administrative committee will approve a plan for apportioning the Congressional district national delegates among those candidates who received at least 15% of the total statewide preference poll. The rules provide that "this apportionment shall conform as strictly as possible with the following principles, in priority order:"

- a. The number of delegates for each major candidate shall be proportional on a statewide basis, to the ratio of the poll totals, at least to the extent that it is mathematically feasible using those fraction votes permitted by the convention rules.
- b. The apportionment of each major candidate's delegates among the congressional districts should correlate with that candidate's poll totals in each congressional district.

The rules go on to say that the "Administrative Committee shall then choose from among the delegate designees in each congressional district the appropriate number of delegates and alternates as assigned by the administrative committee. In making this choice, each candidate's total delegation should, as nearly as possible, have equal numbers of men and women and should be chosen consistent with the principles of affirmative action." The party has not yet decided upon the means by which it will select its at-large delegates to the national convention, but it appears that these delegates will have to meet all requirements of delegates to district caucuses and will be subject to the approval of the candidate's agent.

If the state Democratic Party decides to put this delegate selection plan into effect, the Wisconsin presidential primary would still be held. First of all, the plan would not effect the primaries of other parties and, secondly, Wisconsin law requires that a primary be held. However, as mentioned above, it presently appears as though the National Democratic Convention has the power to reject any state delegation selected contrary to party rules. Thus, the Democratic National Convention could reject Wisconsin's delegation to that body elected in the state primary and seat instead the delegates selected in party caucuses.

IV. HISTORY OF THE WISCONSIN PRESIDENTIAL PRIMARY

How and Why An Open Primary in Wisconsin

Of the 26 states that had adopted presidential primary laws by 1916, only two states - Montana and Wisconsin - had open primaries. Thus, the open primary was relatively rare in this early period. Particularly since this type of law was so seldom employed, the questions may be raised as to how and why Wisconsin adopted an open rather than a closed presidential primary law. In attempting to answer these questions it is necessary to examine all primary legislation considered during this early period, regardless of whether or not it specifically dealt with presidential primary elections. This is so because most of the early proposals for direct primary laws dealt with the election of state and local officials. The idea of selecting national convention delegates under this system came later, and was based upon the procedures envisioned in these earlier proposals.

It is not commonly remembered today that the selection of delegates by caucus, which preceded the selection in primary elections, was in reality an election, though held strictly within the confines of the membership of each political party, with ballots, voting booths, secrecy, etc.: in short, with all the safeguards which attach to the elections of today. According to the Wisconsin election laws of 1902, a caucus was held by each political party within each election district. At this caucus, the qualified electors of the party (determined by residency in the election district, and the elector's vote for the party's candidates at the last preceding general election) were furnished with ballots, either handwritten or printed, which the electors marked in the privacy of election booths. Each election caucus was preceded by a nominating caucus at which the electors of that party, by nominations from the floor, determined the candidates for the forthcoming caucus election. The sequence in which the names of the several candidates for each office were to appear on the ballot was then determined by lot. The caucus elections were supervised by caucus inspectors who, on their notarized oaths of office, affirmed that they would "faithfully, honestly and correctly conduct the election." Following the caucus election, the inspectors served as tellers to canvass the vote, and the winners were certified to the county or city secretary of that political party to become the party's candidates at the general election; or to become the delegates of the election district to congressional district or state conventions of the party which would then determine the candidates on the congressional district or state level.

Some Wisconsin lawmakers, particularly those belonging to the "progressive" faction of the Republican party, decided that direct primary legislation was needed to rid the political parties of "bossism" and to return the control of party affairs to the people. It must be emphasized, however, that the movement for direct primary legislation was by no means confined to Wisconsin, but was part of a widespread reaction, embodied in the Progressive movement, against political corruption.

Thus, in *Springboard To The Whitehouse*, James W. Davis writes that:

By the end of the nineteenth century, the reformer's charges against the party bosses and the vested interests who worked with them reverberated throughout the land. It was this rising discontent among the middle class - the small businessman, members of the

professions, and independent farmers - that spawned the Progressive movement. From this protest movement was to emerge the direct primary system and first major reform of the national nominating convention in almost a century - the presidential primary.

In Wisconsin, the major force behind the movement for direct primary legislation was undoubtedly Robert M. La Follette, Sr. La Follette campaigned and lobbied for a statewide direct primary law for six years before attaining his goal in 1903.

It is interesting that all of the direct primary bills introduced in the Wisconsin Legislature prior to 1903 envisioned the establishment of a closed primary, and most of these bills had La Follette's support. In fact, there is further evidence that La Follette favored a closed primary law. In a speech before the Good Government Club of the University of Michigan on March 12, 1898, La Follette described the type of primary law he envisioned for Wisconsin. One of the provisions of this law was that "each voter may take the ballot of the party with which he affiliates, and in private, indicate thereon the names of the men who are his choice as the nominees of his party, and that he may then deposit that ballot in the ballot box of his party."

There were five bills to establish a statewide direct primary in Wisconsin drafted prior to the 1903 enactment, all of these proposing a closed primary. In 1895 Representative Fenner Kimball of Rock County prepared a bill to nominate officers under the supervision of regular election officials. Penalties were to be imposed upon persons who voted at the primary of a party other than the one with which they were affiliated, and no two parties were to hold primary elections on the same day. The Kimball bill, which was the first statewide direct primary bill framed by a Wisconsin legislator, was never introduced.

In 1897 Representative William T. Lewis of Racine County introduced a direct primary bill drafted under the supervision of La Follette. Section 5 of this bill, 1897 Assembly Bill 580, read: "All persons who are legal voters shall have the right to participate in such primary elections subject to the provisions herein prescribed; but only those affiliating with and claiming membership in a political party shall participate in the primary election held for the nomination of the candidates for such political party." The bill further provided that in those Wisconsin precincts where voter registration took place, a prospective voter would have to register his party affiliation and could then vote only at the primary of that party. In precincts where no voter registration took place, the voter would have to declare his party preference at the polls. This bill died in the Assembly.

During the next session of the Legislature Representative George E. Bryant, La Follette's former campaign manager, introduced 1899 Assembly Bill 393, which was similar to the Lewis bill discussed above. This bill also died in the Assembly.

During the 1901 session of the Legislature, with La Follette serving his first term as Governor, companion direct primary bills were introduced in both houses of the Legislature. Representative E. Ray Stevens introduced Assembly Bill 98 and Senator George Paul Miller introduced Senate Bill 73. Section 16 of these bills read: "At any primary election, no person shall vote any ticket but that of the party with which he affiliates. The right of any person to vote at any primary election may be challenged ... on the ground that he is not a member of the party, the ticket of which he proposes to vote." If challenged the voter had to sign an affidavit swearing that he was a member of that party and that he intended to vote the ticket of that party at the forthcoming election. The Assembly Committee on Elections and Privileges, after considering Assembly Bill 98, recommended the adoption of a substitute amendment to the bill. This substitute amendment provided for an open primary, in that it did away with the requirement that a voter be a member of the party in whose primary he was voting. Instead, the bill provided that a voter receive the ballots of all parties and, in the secrecy of the voting booth, mark the ballot of the party he desires. This bill passed the Assembly but was defeated in the Senate, where Senate Bill 73 was passed in an amended form that provided only for an optional primary election. The amended Senate Bill passed both houses of the legislature but was vetoed by Governor La Follette.

Because Substitute Amendment 1 to Assembly Bill 98 was identical to the primary bill eventually enacted in 1903 (as well as the current Wisconsin law) in its provision for an open primary, it is instructive to look at the arguments made during the period in which this bill was being considered.

One such argument appeared in the March 1, 1901 Milwaukee Sentinel:

It is unquestioned that any act of the legislature which deprives any [otherwise qualified] man of the right to vote at any election ... is unconstitutional and void. There can be no question but that the primary election contemplated by the Stevens Bill, known as the Primary Election Bill, is an election within the clause of the constitution referred to, since it is an election authorized by law, conducted by public officials, at public expense, and because the public funds can be constitutionally used in this way only on this theory.

If this bill does not give an opportunity for every qualified elector to cast his vote at one or the other of the primary elections to be held for the various parties, then the electors so discriminated against are disenfranchised... [E]very step toward the selection of public officers is an essential part of the right of suffrage, since the right to nominate flows necessarily from the right to vote, and nomination and election together constitute the choice of the officer.

Mr. M. G. Jeffris, at a public hearing in the Assembly chambers held jointly by the Senate and Assembly committees on Privileges and Elections on February 19, 1901, expressed concern that the rights of the independent voter would be violated by a closed primary.

Keep constantly before you that we are considering a particular bill, a bill that has not had the approval of the people or of any convention. Under it to vote at a primary election one must swear that he belongs to a certain party and intends to vote with that party at the next election. What becomes of the young man who has never voted and who cannot swear that he belongs to any party. How about the great floating vote which each party appeals to upon principles? They are both disenfranchised because they cannot swear that they belong to a political party, even though they may intend to vote with it in the future.

A further argument made against the closed primary was that it violates the secrecy of the ballot by forcing the voter to declare publicly his party preference. Mayor Rose of Milwaukee, La Follette's Democratic opponent in the 1902 gubernatorial election, attacked the closed primary on these grounds. This argument was perhaps more persuasive since Wisconsin had only recently (1889) replaced party ballots with the new Australian ballot, which was designed to insure the secrecy of the citizen's vote.

At any rate, Chapter 451, Laws of 1903, which was finally enacted in the next session of the Legislature, incorporated the open primary first envisioned in the substitute amendment to 1901 Assembly Bill 98. Section 12 of the law provided that the voter receive the ballots of all parties and choose which party primary he wished to participate in while in the privacy of the voting booth. There is no indication that La Follette was upset about the enactment of an open rather than a closed primary. In his autobiography, he wrote that except for the lack of a provision to allow voters to indicate their second choice on the ballot, "I think it is the most perfect law for the nomination of candidates by direct vote ever enacted."

Much confusion has surrounded the issue of which state first adopted the presidential primary law. Florida claims to be the first such state on the basis of its 1901 law, which gave state and local party leaders the option to hold (but did not require them to hold) a primary election to select any party nominee, including national convention delegates. As was seen above, Wisconsin's mandatory primary election law was enacted by Chapter 451, Laws of 1903. The enactment of the law, however, was dependent upon its approval by the electorate in the November 8, 1904 election, where it was approved by a vote of 130,699 for and 80,192 against. During this interval between the enactment of Chapter 451 and its approval by the voters Oregon, by initiative, proposed a mandatory primary election law which passed and was proclaimed by the Governor on June 24, 1904. The issue is further complicated by the fact that, although Wisconsin's 1903 law would have allowed the selection of national convention delegates in primary elections, the timing of the presidential elections never allowed the law to be tested in this way. Chapter 451 was approved by the electorate during the 1904 presidential election and by the time of the next presidential election in 1908, the primary law had been amended to specifically require the selection of national convention delegates in primary elections (Chapter 369, Laws of 1905).

Legislative History Since 1903

The following is a brief legislative history of Wisconsin's presidential primary, including the original law and the major changes made in it up to the present time.

Chapter 451, Laws of 1903, provided that all candidates for partisan elected office would be chosen in primary elections. Although this law would have allowed the popular election of delegates to national political conventions, this was not specifically required. As remains true today, this was an open primary.

Chapter 369, Laws of 1905, specifically required that delegates to national political party conventions be elected in primaries. Under this law, prospective delegates stated no preference either on the nomination papers or the ballot for any prospective presidential candidate. In other words, the voter cast his ballot for individual delegates, not for any preferred presidential candidate.

Chapter 512, Laws of 1907, provided that alternates for the popularly elected delegates to the national political conventions were to be selected by the statutory central committees of the Wisconsin political parties, rather than from the runners-up in the delegate election.

Chapter 300, Laws of 1911, added the "presidential preference" feature to Wisconsin's presidential primary. In addition to voting for the delegates to the national political conventions, voters were also permitted at the same election to express a preference for the various possible contenders for presidential nomination. However, the law said nothing as to whether the results of the presidential preference ballot would bind or commit the delegates elected at the same time, and there was nothing on the ballot which linked the delegate selection process with the presidential preference ballot. The law specifically stated that the names of presidential nomination aspirants could be placed on the ballot without their consent. Oregon adopted the presidential preference plan in 1910, followed in 1911 by Wisconsin, Nebraska, New Jersey and North Dakota.

Chapter 22, Laws of the Special Session of 1912, provided that candidates for the positions of delegate to the national conventions could identify themselves on the ballot with the name of a particular presidential aspirant or with a particular principle. However, there was still no direct connection between a vote for a presidential contender in the presidential preference contest and a vote for a candidate for delegate linked with the presidential contender's name. The delegate was not legally bound, as he is today, to support a particular candidate at the party's national convention. In addition, the law did not permit delegate election by "slates" of candidates preferring a certain presidential candidate. All delegates had to be voted for individually.

Thus, the Attorney General held in 1924 that a "presidential preference primary and national party convention delegate ballot marked by (the) voter for one of (the) candidates for president and with no other marks cannot be counted as a vote for candidates who appear on (the) ballot designated as favoring such candidate for president. Candidates for delegates must be voted for separately and individually." (13 Atty. Gen. 184)

Chapter 139, Laws of 1933, took legal notice of the fact that it was each national political party's prerogative to determine the number of convention votes allocated to each state. The 1905 primary law had provided for the election of a specific number of delegates (2 per congressional district, 4 at large) from the Wisconsin party organizations to the national convention. The law was changed so that the required number of delegates would be elected in the primary.

Chapter 406, Laws of 1949, established a direct link between the presidential preference ballot and delegate selection by providing for the election of candidate-committed slates of delegates. The law restructured the ballot form to list delegates' names under a candidate's name and limited the number of delegates per candidate to the number to be elected. Individuals could become delegates either by filing nomination papers as in the past or by being on a certified slate of candidates entered by the presidential candidate. The 1949 law also made another amendment to the presidential primary statutes. At the time that a proposed presidential candidate entered a slate of delegates pledged to him, the law required him to sign a sworn affidavit stating that he intended to become a candidate for the presidential nomination at the national convention for which the delegates were being selected. In addition, the law required the delegate to sign an affidavit stating that he would support the candidate on the first ballot and upon all additional ballots unless released by the candidate or unless the candidate received less than ten per cent of the convention vote on any ballot.

Chapter 689, Laws of 1951, required that a presidential candidate's certified list of delegates was to take preference over delegates filing nomination papers.

Chapter 90, Laws of 1967, eliminated the names of prospective delegates from the primary ballot. Delegates were to be chosen under the present system described at the beginning of this section. The law also gave the voter the option of voting for "none of the names shown" as a means of indicating his dislike of all potential candidates listed on the party ballot. It was believed that this would reduce the frequency of crossover voting by allowing voters to protest the absence of an acceptable candidate on their party's ballot. Chapter 90 also increased from one-tenth to one-third the share of convention votes that a candidate must receive on any single ballot in order to maintain the commitment of delegates pledged him under the Wisconsin primary.

PRESIDENTIAL PRIMARY SYSTEMS AND DELEGATE SELECTION PROCEDURES

In the summer of each presidential election year, the delegations of all state and territorial political party organizations assemble in national convention to nominate their party's candidates for President and Vice-President and to write their party platforms. Each state and recognized territorial party organization has a certain number of votes to cast in deciding upon their party's candidates, the number of which is determined by formulas devised by the national parties. Historically, the national parties have left the states a great deal of discretion in deciding how to

select the delegates representing them at the national convention. In some states, including Wisconsin, state law is quite explicit in outlining the procedures to be used in selecting national convention delegates, while other states allow the state party organizations much leeway in determining these selection procedures.

PROCEDURES USED IN OTHER STATES - There is great variety among the states in the procedures used to select delegates to the national party conventions. As of August 11, 1975, 29 states and the District of Columbia planned to hold presidential primaries of the type shown in Table 1 below, while the 21 states listed in Table 2 planned to select delegates in state party conventions. Table 3 lists those states which plan to hold presidential primaries while choosing national convention delegates in state party conventions. Because legislation to change primary laws and delegate selection procedures is pending in many states, the information in these tables may not be wholly accurate as the 1976 elections draw near. Since there is considerable variation in the presidential primary systems used in the several states, it may be useful to explain some of the major distinctions between them here.

In the *direct* or *presidential preference* primary, the names of candidates for the presidential nomination appear on the ballot, and the voter casts his ballot directly for his choice. In *indirect* or *delegate selection* primaries, the voter casts his ballot for delegates to the national convention, which may appear on the ballot individually or as a slate. This dichotomy does not encompass all of the variations used in the states. For example, some states, such as Wisconsin, combine the presidential preference feature with delegate selection. Although the names of candidates for delegate do not appear on the Wisconsin ballot, each candidate listed has a preselected slate of delegates who are automatically elected should the candidate win the primary. On the other hand, some states using the direct primary use state political party conventions to select delegates to the national convention. In yet another variation, some states employing the indirect primary allow or require candidates for delegate to list their preference for presidential candidate on the ballot.

This latter point is related to another major difference in presidential primary systems, i.e., whether or not the delegates sent to the national convention are *committed* to vote for the winner(s) of the state primary. In some states the winner of a presidential primary election is in no way assured of receiving that state's votes at the national convention, although it is generally believed that winning such a primary helps a candidate by proving his ability to get votes. Other states, such as Wisconsin, require that delegates to national conventions support the winner(s) of their party's presidential primary for as long as that candidate continues to receive a specified percentage of the convention vote.

The last major variation in presidential primary laws is whether the primary is *open* or *closed*. Closed primaries restrict participation to voters who in some manner declare their affiliation with or preference for a political party. However, there is a great deal of variation among the states in the stringency of their requirements for declaration of party affiliation. The National Democratic party has not yet determined what it considers to be a closed primary, i.e., a primary which restricts participation to Democrats only. It may be assumed, however, that the 16 states listed in Table 1 as having "party registration" requirements will be considered as being in compliance with party rules. In these states, individuals declare their party preference when they register to vote and are then confined to voting in that party's primary when they go to the polls. For example, Article 4, Section 311 of the California Code states that:

At the time of registering and of transferring registration, each elector may declare the name of the political party with which he intends to affiliate at the ensuing primary election. The name of that political party shall be stated in the affidavit of registration and the index.

If the elector declines to state his political affiliation he shall be registered as "Nonpartisan" or "Declines to state," as he chooses. If the elector declines to state his political affiliation, he shall be informed that no person shall be entitled to vote the ballot of any political party at any primary election unless he has stated the name of the party with which he intends to affiliate at the time of registration. He shall not be permitted to vote the ballot of any party or for delegates to the convention of any party other than the party designated in his registration.

The 7 states listed under footnote 1 in Table 1 require that a voter choose which party's ticket he wishes to participate in before entering the voting booth. In some states, such as Texas and Arkansas, this is accomplished by holding the presidential primaries of each political party at separate locations. The voter's choice of party ballot is then recorded automatically as his name is checked off on the poll list. Other states hold the primaries for all political parties at the same location, but record the voter's choice of party ballot as he enters the voting booth. For example,

Section 2-217 of the Tennessee Election Code requires that a 20-year voting record be maintained on the back of each voter's registration form. This record is available to the public, and includes the voter's party affiliation.

Ohio's primary election law illustrates the procedure of challenging a person's right to vote in a party's primary on the grounds that he is not affiliated with that party. Section 3513.19 of the Ohio Code Annotated states that an individual must be affiliated with the party in whose primary he desires to vote and that his right to vote in the primary may be challenged on the grounds:

That he is not affiliated with or is not a member of the political party whose ballot he desires to vote.

Membership in or affiliation with a political party shall be determined, as to one who has voted in a previous regular state election, by his sworn statement as to how he voted in the next preceding regular state election at which he voted. If he states under oath that at the next preceding regular state election at which he voted, he voted for a majority of the candidates of that political party of which, at the time of the challenge, he claims to be a member, or with which he then claims to be affiliated, he shall be deemed to be a member of and affiliated with such political party. If a person states under oath that he has not voted at a previous regular state election and that he desires to be a member of and affiliated with a particular political party, he shall be deemed to be a member of and affiliated with such political party.

Another variation in presidential primary laws, used by Massachusetts and New Hampshire, is to utilize a party registration system but allow individuals not registered with a political party prior to the primary to become so registered by requesting a particular party's ballot at the polls. For example, Section 56.40 (II) (b) of the New Hampshire Revised Statutes Annotated, which lists the ways in which a voter can register as being affiliated with a political party, states that: "He may also register as a member of a party at any primary by requesting and voting the party of his choice and, if challenged, he shall take an oath or affirmation to the effect that he intends to affiliate with and generally supports the candidates of that party."

The presidential primary laws of Michigan and Montana are similar to those of Wisconsin in not requiring any evidence of party affiliation from the voter wishing to cast a primary ballot. In all three of these states, the voter has access to the ballots of all parties and chooses which party's primary he wishes to participate in while in the privacy of the voting booth. The voter's choice of party ballot is thus made secretly and no record of it is kept. However, as is shown in Table 1, the Michigan and Montana presidential primaries are solely preference contests. In both of these states, national convention delegates are chosen in state conventions and are not committed to vote for the winner of the presidential preference contests. This is quite different from the primary system in Wisconsin, where national convention delegates are chosen in the primary and are committed to the winners of the primaries.

Table 1
States Holding Presidential Primaries in 1976

State	Open/Closed	Type	Delegates
			Committed
		Presidential Preference - PP	
		Delegate Selection - DS	
		Both of Above - B	
1. Alabama	(1)	DS	*
2. Arkansas	(1)	PP	*
3. California	Party Registration	B	
4. District of Columbia	Party Registration	B	
5. Florida	Party Registration	B	*
6. Georgia	(1)	B	*
7. Idaho	(1)	PP	*
8. Illinois	Party Registration	B	
9. Indiana	(2)	PP	
10. Kentucky	Party Registration	PP	*
11. Maryland	Party Registration	B	*
12. Massachusetts	(3)	B	*
13. Michigan	(4)	PP	
14. Mississippi	Party Registration	DS	
15. Montana	(4)	PP	
16. Nebraska	Party Registration	B	*
17. Nevada	Party Registration	PP	*
18. New Hampshire	(3)	B	*
19. New Jersey	(1)	B	
20. New York	Party Registration	DS	
21. North Carolina	Party Registration	PP	*
22. Ohio	(2)	DS	
23. Oregon	Party Registration	B	*
24. Pennsylvania	Party Registration	B	*
25. Rhode Island	Party Registration	B	*
26. South Dakota	Party Registration	DS	
27. Tenn.	(1)	B	*
28. Texas	(1)	DS	*
29. West Virginia	Party Registration	DS	
30. Wisconsin	(4)	B	*

- (1) Voter asks for the ballot of one party prior to entering voting booth. Voter's choice of ballot is recorded.
- (2) Voter asks for the ballot of one party prior to entering voting booth. If challenged, voter must swear he voted for a majority of the slate of that party at the next preceding general election. Voter's choice of ballot is recorded.
- (3) Party registration system. However, voters not previously registered with a political party may so register by requesting and voting the party of their choice.
- (4) Voter has access to the ballots of all parties and chooses which party's primary he wishes to participate in while in the privacy of the voting booth. No record is made of the voter's choice of party ballot.

Table 2

States Selecting 1976 National Convention Delegates In State Convention

1. Alaska	8. Kansas	15. Oklahoma
2. Arizona	9. Louisiana	16. South Carolina
3. Colorado	10. Maine	17. Utah
4. Connecticut	11. Minnesota	18. Vermont
5. Delaware	12. Missouri	19. Virginia
6. Hawaii	13. New Mexico	20. Washington
7. Iowa	14. North Dakota	21. Wyoming

Table 3

States Combining 1976 Presidential Preference Primary With
Selection Of National Convention Delegates In State Conventions

1. Arkansas	5. Michigan
2. Idaho	6. Montana
3. Indiana	7. Nevada
4. Kentucky	8. North Carolina

VI. PRESIDENTIAL PRIMARY SYSTEMS: OPEN VERSUS CLOSED

ARGUMENTS IN FAVOR OF OPEN PRIMARIES - The major arguments made in favor of the open primary are that it preserves the secrecy of the voter's party affiliation and that it allows the individual maximum freedom in deciding how to cast his primary ballot. Thus, in *The Direct Primary and Party Responsibility in Wisconsin*, Wilbur Griffith Katz writes that:

On behalf of the open primary two chief considerations are offered. It is contended that it would be a hardship for men in certain positions, small tradesmen and laborers, for example, to declare any party preference at the primary, since pressure might be brought to bear on them by their customers or employers. It is often said that any other type but the "open" primary destroys the secrecy of the ballot. The further contention is made that any party test or declaration of party affiliation or membership immediately excludes the independent voters who are not party men. It is advanced that this class constitutes the "cream of the electorate," and that if they are excluded from the primaries, the cause of good government will suffer.

A similar argument appeared in the May 15, 1975 edition of the "Racine Journal":

Thousands upon thousands of independents - perhaps a third of the electorate - do not want to commit themselves to a party when voting in a primary. They want to keep their grass-roots involvement in the voting process without being forced to make a public declaration of party affiliation. They want the right to vote for the individual rather than the party's choice.

Yet another argument that is made in opposition to the closed primary is that it could lead to political corruption. Thus, one Wisconsin legislator has expressed his fear that a closed primary could lead to a system where a person's party affiliation would be a factor in deciding whether or not he gets a government job or whether his firm gets a government contract.

It is also contended that closing the presidential primary would run counter to a trend for voters to consider themselves political "independents." A statewide survey of the party affiliations of Wisconsin adults conducted during the late fall of 1974 by the Wisconsin Survey Research Laboratory found that 35 per cent of the Wisconsin electorate consider themselves to be political independents. The complete breakdown of party preferences is given in the table below.

All Wis-consin Adults	Political Party Preference
23%	Republican: all
7	Strong Republican
16	Not so strong Republican
31	Democrat: all
11	Strong Democrat
20	Not so strong Democrat
35	Independent: all
9	Closer to Republican
17	Closer to Democrat
9	Some other Party or no preference
11	Some other Party or no preference
100%	Total
548	Number of Cases

ARGUMENTS IN FAVOR OF CLOSED PRIMARIES - The argument for closed primary elections is based upon the theory of responsible party government. It is contended that "responsible" political parties enhance the control of the electorate over government, and that open primary elections weaken party responsibility by encouraging crossover voting. In *The Direct Primary And Party Responsibility In Wisconsin*, Wilbur Katz summarizes the theory of responsible party government as follows:

The party whose ticket is successful is responsible for the conduct of government; and if the results are not satisfactory, the other party can be given its chance at the next election. The theory further includes the idea that the voters realize themselves incapable of forming an opinion in the first instance on many matters of public business; they delegate to the party such tasks and judge according to the results achieved. The existence of a party of opposition, anxious to get in power, willing to do anything the people demand in order to get the coveted offices, acts as the motive force impelling each party to produce candidates and policies which will appeal to the largest number of voters. This system takes for

granted the existence of a public opinion active and interested enough to pass judgement in a general way upon the achievements of the party to whom they have entrusted the government. Without party responsibility, the task of public opinion includes the examination of the merits of each candidate for each office and the careful following of his record of official performance. Such a task far exceeds the capacities of public opinion as we have it today. Under a system of party responsibility, the use of the party label centralizes the control, enables the citizen to choose between two groups, holding the party whose ticket he votes for accountable for the results.

According to this view political parties are private organizations which, in the process of contesting elections, perform certain functions which are vital to the democratic process. If the citizen does not have the time to judge each and every candidate for public office, he can vote for the candidates of the party whose philosophy comes closest to his own. If the individual has neither the time nor the resources to deal with the increasingly complex problems confronting government, he can entrust the control of government to the candidates of one or another political party and then hold that party accountable. Should the voter find that he has misplaced his trust, he can throw the incumbent officials out at the next election. He is aided in the task of evaluating the incumbents by the existence of an "out-party," which is all too willing to publicize the mistakes of the party in power.

This, in a very simplified form, is the theory of responsible party government. The theory aims to enhance popular control of government by making the group of rulers in power *collectively* responsible to the people. How open primary elections are seen as antithetical to this theory will now be explained. However, it must first be emphasized that the open primary election is not the only political institution used in the United States which hinders party responsibility as envisioned by the theory. Included in this list is the use of staggered elections, which makes it impossible to replace the entire government at any one election and thereby encourages divided party control of government. Also included is the system of the separation of powers between the executive, legislative and judicial branches of government, as well as the numerous procedures (e.g., the filibuster) which make it possible for a minority to delay or thwart the wishes of a majority.

The open primary election is seen as antithetical to party responsibility in that it undermines party "discipline," which is defined as the extent to which the elected officials of a party stick together on questions of public policy. If the officials of each party frequently desert their party's line on policy issues, then the people cannot hold the party accountable, as a party, for what it does or does not do. However, effective party discipline depends upon the party's having control over the nomination of candidates who will be presented to the general electorate under the party label. Without this control, there is no way the party can be sure its candidates will be in agreement with the party's stand on public issues or, more generally, hold views consistent with the party "philosophy." Party discipline may be further undermined to the extent that the party's elected officials believe they can win renomination without the help of, or even contrary to the wishes of, the party organization.

Opponents of the open primary claim that the crossover voting it encourages lessens the degree of party control over nominations and consequently undermines party discipline. Voters of all political persuasions are able to select the nominee of a political party and to the extent that this occurs, there is little the party can do to control who gets its nomination. Thus, in "Turnout and Representation in Presidential Primary Elections," Professor Austin Ranney states that:

Most political analysts and party leaders prefer closed primaries to the Wisconsin system. After all, they argue, the candidates' party labels constitute the main signposts guiding many voters through the mazes of American long ballots; hence choosing which aspirants shall and shall not bear its official imprimatur is the most important decision made by any party that seriously contests elections. That being the case, it seems only logical and fair to restrict the right to participate in making a party's nominations to bona fide party "members," however defined. Closed primaries at least try to achieve this goal, but open primaries, like Wisconsin's are designed to facilitate "crossing over" - voting in one party's primary by adherents of an opposing party or of no party at all.

Professor Leon Epstein views Wisconsin's open primary as part of a deliberate effort to lessen the influence of the state's political parties. In *Politics in Wisconsin*, Epstein discusses the open primary as one institutional manifestation of the state's highly individualistic political culture.

Partly as a way of summarizing the import of the state's institutional forms, it is useful to stress the strong legal bias against any organized political apparatus. There has been a deliberate effort, dating at least from the progressive era of the early years of this century,

to limit the intercession of any agency between the voter and his elected officials. This goes beyond the Jacksonian democratic tradition, also perpetuated in the state, of having many administrative officials elected rather than appointed. What Wisconsin, certainly as much as any other state, has also tried to do is to have these officials nominated as well as elected by voters as individuals. This is the meaning of the open primary and of the ban imposed on the legal nomination of candidates by organized parties. Wisconsin law treats parties as though they might pervert the real will of the voters. The resemblance of this outlook to the famous view of Jean Jacques Rousseau is probably accidental, but the basic assumption is surely similar. Like Rousseau's underlying belief, that on which Wisconsin's institutions rest is that the citizen can choose most truly when he acts as an individual member of the whole community and not as a member of any group within that community. In one sense, this is a most highly individualistic political theory, and usually framed for a rather small and simple society in which citizens may be presumed to know each other. Furthermore, the theory ignores the influence which nonparty groups may exert if parties are rendered ineffective.

Here it is worth pointing out that some of Wisconsin's more individualistic democratic institutions were, in fact, developed in an environment somewhat simpler, and certainly much more rural, than that described earlier in this chapter. In particular, the reactions against party organizations, so typical of the progressivism of 1900, seem to reflect a confidence in the independent and more or less self-informed citizen that is more in keeping with the image of a rural midwest, populated by farmers and storekeepers, than with a contemporary urban community where everyone cannot know everyone else, or even know everyone running for office. The fact that much of Wisconsin's antiorganizational legislation did not come until 1900, when urbanization was well under way, does not negate the rural identification. On the contrary, it is possible to view the individualistic bias of progressivism as an attempt to develop political institutions consistent with an older and preferred order that was already threatened or even partially destroyed.

At any rate, Wisconsin law and custom have preserved a strong individualist political tradition. Increased urbanization has not eliminated the heavily personal character of the state's politics. Especially at the local level, but to a lesser extent at the state level too, primary campaigns tend to be based on individual records and individual personalities. To be running without organizational support, or even against the organization, is considered a political virtue. No doubt, this is far from unusual in other American states. The most that ought to be said relative to Wisconsin is that the custom seems especially widespread and firmly established.

VII. CROSSOVER VOTING IN WISCONSIN PRESIDENTIAL PRIMARY ELECTIONS

The foregoing discussion raises the question of how frequently crossover voting has taken place in Wisconsin presidential primary elections. While anything more than an estimate of the extent to which such voting occurs is rare, surveys of the 1968 and 1972 Wisconsin presidential primary elections gathered information about crossover voting and thus shed some light on the subject.

1968 PRIMARY - In "Turnout and Representation in Presidential Primary Elections," Professor Austin Ranney analyzed survey data provided by the Wisconsin Survey Research Laboratory to provide figures about crossover voting in the 1968 Wisconsin presidential primary election. The survey was based upon a statewide clustered probability sample of persons of voting age. As is illustrated in Table 4 below, Ranney found that 25.5 per cent of the Republican voters in the sample voted in the Democratic presidential primary. This figure includes the 20.9 per cent of the Republican sample who reported voting for Eugene McCarthy, and the 2.3 per cent each who reported voting for Johnson and Kennedy. As is also shown in the table, 2.0 per cent of the samples's Democrats reported voting in the Republican primary - all of them for Nixon.

Table 4
Candidate Preferences of Wisconsin Sample and Voters,
1968 Presidential Primary

Candidate	Election Returns	Sample			
		All	Republicans	Democrats	Independents
Johnson	20.7%	20.8%	2.3%	38.1%	13.6%
McCarthy	33.7	34.9	20.9	46.3	40.9
Kennedy	3.8	7.4	2.3	10.9	13.6
Nixon	31.9	31.2	65.1	2.0	27.3
Reagan	4.2	1.7	3.9	0	0
Other	4.2	3.0	4.7	2.0	0
No preference*	1.5	1.0	0.8	0.7	4.6
	100%	100%	100%	100%	100%
N	1,222,855	298	129	147	22

*A "no preference" option was offered on the election ballot as well as on the interview schedule.

Table 5
Party Composition of the Three Leading Candidates' Support in
The 1968 Wisconsin Presidential Primary

Party Identification of Voters	Voted for		
	Nixon	Johnson	McCarthy
Republican	90%	5%	26%
Democratic	3	90	65
Independent	7	5	9
	100%	100%	100%
Number of cases	93	62	104

Table 6
Reasons Given for Crossing Party Lines, Wisconsin
Presidential Primary, 1968

"Why did you cast your primary vote for a candidate for President [not of the party with which you identify]? Does this mean you are moving closer to [the other party], or what?"	Number Responding
No, but felt he was best qualified; his views best coincided with mine; didn't like the other candidates	20
I just consider myself closer to the other party.	6
No, crossed over to show disapproval of the Vietnam war	2
Yes, not further specified	3
Not ascertained	7
Total	38

In addition, as is shown in Table 5, Ranney found that the Republican crossovers "were an important component of McCarthy's overall margin over Johnson and Nixon... Ranney concludes that "while McCarthy would have defeated Johnson even if only Democrats had voted in the Democratic primary, his Republican crossover support provided much of his impressive margin: among Democrats alone, McCarthy led Johnson with 48.6 per cent of the sample to 40.0 per cent; but with the Republicans added, he led with 54.9 per cent to Johnson's 34.1 per cent."

Ranney's study also investigated the motivations for crossover voting. It is generally accepted that presidential primary elections are less important to the party in which an incumbent president is seeking renomination than to the party where no incumbent is running. This is so because an incumbent president seeking a second term is rarely denied the nomination of his party. Therefore, voters who identify with the party in which an incumbent president is running are encouraged to "go where the contest is," i.e., to vote in the other party's primary where the nomination is being seriously contested.

Apart from the fact that one party's primary may be more seriously contested than the primaries of other parties, two different motivations have been ascribed to individual voters who cross party lines in primary elections. One theory has it that voters cross party lines to help whom they consider to be the best candidate seeking the nomination. Another, quite different, theory is that voters cross party lines in order to help nominate the weakest candidate of that party, since he would be most easily defeated in the general election.

Table 6, although based only on a sample of 38, provides support for the theory that voters cross party lines to help whom they consider to be the best candidate. Thus, Ranney concludes that the distribution of answers "strongly suggests that here, at least, we are dealing with a case in which most of the crossovers temporarily deserted their party to register their special approval of a candidate, or a policy associated with a candidate, available only in the other party.

1972 PRIMARY - Additional information about the extent of crossover voting in the state is provided by a survey of the 1972 Wisconsin presidential primary. The survey was conducted by Daniel Yankelovich, Inc., under contract to the "New York Times." According to the survey, approximately 19 per cent of the people voting in the Democratic primary were Republicans, and 7 per cent were independents. Yankelovich has indicated that these figures should be accurate "within plus 1972 or minus 6 per cent." When these percentages are applied to the 1,128,584 ballots cast in the 1972 Wisconsin Democratic primary, it would appear that approximately 214,430 Republicans and 79,000 independents participated in the Democratic contest.

APPENDIX

Voter Participation in Wisconsin Presidential Primaries

The following tables contain statistical information about all Wisconsin presidential primaries through 1972. Included in these tables is information about what percentage of the total Wisconsin primary vote was received by each political party and, within each party's primary, the number of votes cast for each candidate on the ballot. However, this information depends upon knowing the total number of Wisconsin voters participating in the presidential primaries, which is problematic for the primaries held from 1908 through 1948. As was discussed in the "legislative history" section above, Wisconsin's primary law through 1948 did not allow for the election of delegate-candidates by slate, but required a separate vote for each individual candidate for delegate. Each individual voter could therefore cast a number of votes while marking only one ballot. Therefore, it has been necessary to devise a method for computing "assumed voter participation," for the 1908 through the 1948 presidential primaries, which will be explained below. Beginning with the 1952 presidential primary, Wisconsin law allowed for the election of delegates by "slates" which means that the number of votes cast in the election can be equated with the number of voters participating in the election. This, of course, makes unnecessary the computation of assumed voter participation.

A few simple examples will illustrate the difficulties confronting an attempt analytically to deduct voter participation from the election results of Wisconsin presidential preference primaries. In 2 imaginary presidential primaries, the votes cast were distributed as follows:

Election I: One candidate received absolute majority		Election II: No candidate received absolute majority	
Candidate	Vote	Candidate	Vote
Alpha	534	Alpha	434
Beta	148	Beta	148
Gamma	221	Gamma	221
Delta	97	Delta	197
<hr/>		<hr/>	
Total	1,000	Total	1,000

We assume that in both elections each voter was entitled to cast one vote only; i.e. with all the candidates competing against each other for the same office, each voter could vote for only one of the candidates. Some ballots, marked improperly, would not have been counted, but we recognize on the basis of the 1,000 valid votes cast in each case that in each of the 2 elections *at least* 1,000 voters participated in the election.

The situation is quite different, however, if we assume that the 2 fictitious elections represent the result of district delegate elections or elections for delegates-at-large. Under the allocation of district delegates in force for most of the period from 1908 to 1948, each district would elect 2 delegates to the national conventions of each political party. In this case, each voter may (but might not) cast a number of votes corresponding to the number of the positions to be filled (2, in most of the elections for district delegates; 4, in many of the elections for delegates-at-large).

Using the example of Election I as an illustration of a primary in which 2 district delegates were elected, the total of 1,000 votes cast might lead us to believe that 500 voters participated in the election. However, since pyramiding of votes is not permitted in political elections, we must logically conclude from the 534 votes received by candidate Alpha that at least 534 voters participated. In other words, it appears in the case of Election I that at least 534 voters participated in the election, and the 68 of these did not avail themselves of their opportunities to vote for 2 of the candidates. Had this example (Election I) been an election of delegates-at-large calling for the election of 4 delegates, the result would be the same; we would still logically have to conclude that at least 534 voters participated in the election. *But*, the number of voters participating in this election might have been considerably larger, as many voters might have failed to utilize more than one or 2 of their votes.

However, where we are confronted with election results as illustrated by Election II, we must use an arithmetical computation to achieve our estimate of the number of voters participating in the election. In this case (no candidate having received an absolute majority) we must assume that the voters participating in the election distributed their votes in various combinations among the several candidates.

Thus, if this is an election which called for the election of 2 district delegates, we can only assume that the 1,000 votes cast represent the 2 votes cast by each of 500 voters. However, if the election called for the election of 4 delegates-at-large, it would be erroneous to assume that the 1,000 votes cast represented the 4 votes cast by each of the 250 voters: candidate Alpha, receiving 434

votes, received a number of votes considerably in excess of our arithmetical assumption and again we must utilize the logical rather than the arithmetical estimate. In other words, since candidate Alpha received 434 votes, the number of voters participating in this presidential preference primary could not have been 250, but must have been *at least* 434, and could have been considerably larger.

Wisconsin Presidential Preference Primaries 1908 to 1948

Candidates for the positions of delegate to the national conventions of the political parties were candidates in their own name. In other words, election was not by slate in the name of the individual aspirant to the national nomination, but for each delegate-candidate individually. Delegate-candidates could, from 1912 to 1949, identify themselves in the minds of the voters by the publication on the ballot of a "principle" or the name of a particular aspirant to the presidential nomination. However, regardless of how many delegates identified themselves with the same principle, election was never "en bloc", but in each case the voter had to mark his ballot for each one of the delegate candidates for which he wished to cast his votes. Thus, the situation corresponds to the situation in our imaginary elections above: in each case where one of the candidates received an absolute majority, or where the number of candidates corresponds to the number of positions to be filled, we must logically assume that the number of voters participating in the election corresponds to (or is perhaps somewhat larger than) the number of votes received by the delegate-candidate receiving the highest number.

An example of this is the contest for district delegate in the Democratic presidential preference primary of 1948 in the First Congressional District of Wisconsin. The total vote cast was 9,763, of which 8,757 votes were cast for Beck, 586 for Flynn, 182 for Kamper, and 238 scattering. All candidates named were on the ballot identified as committed to the candidacy of incumbent President Truman. Now, although each voter in the Democratic presidential preference primary had 2 votes to cast for district delegates, it stands to reason that the voter participation in the First Congressional District must have been at least 8,757, the number of votes cast for the candidate receiving the highest number.

In many of the Wisconsin presidential preference primaries from 1912 to 1948 the voters could, in addition to voting for a certain number of delegates, also express their preference for one of the aspirants to the nominations for President and Vice President. Often, this presidential preference was expressed only on the basis of written-in votes; however, where the names of the individual nomination aspirants actually were printed on the ballot the number of votes cast in this popularity contest affords a somewhat more accurate estimate of the number of voters participating in the particular election because each voter had only one vote to vote for only one of the nomination aspirants.

In many cases, our figure for assumed voter participation in the table which follows was deducted from the logical assumptions or arithmetical computations based on the votes cast in the election of delegates to the national conventions of the political parties. In other cases, the assumptions were made on the basis of the votes cast in the popularity contest among the several aspirants to the party nominations for President. In some instances, the totals cited are a composite of both.

An example of the latter is the figure cited for assumed voter participation in the presidential preference primary of 1940. Our computations lead us to the assumption that at least 761,760 voters participated in the party primaries of that year (776,306 voted in the simultaneous popular referendum on the "Teachers' Tenure Law"). This conclusion is based on the fact that in the Democratic presidential preference primary 429,203 votes were cast (including scattering) in the presidential preference contest. In this instance, each voter had only one vote. In the Republican primary, on the other hand, only 101,990 votes were cast for presidential preference, while a total of 1,330,255 votes, including scattering, were cast for the 8 delegate-at-large candidates. Each voter could vote for 4 of these candidates so that, in order to come to a reasonable estimate of the voter participation in the Republican presidential preference primary of 1940, we must divide 1,330,255 (number of votes cast) by 4 (number of possible votes per voter) for a result of 332,557. If we recall that the presidential preference vote was only 101,990, it becomes obvious that quite a few voters participated in the Republican presidential preference primary of 1940 who did not vote in the presidential preference popularity contest since it appears from the delegates-at-large contest that at least 332,557 voters participated in the election.

Control Figure (Statewide Nonpartisan Election)

The presidential preference primaries in Wisconsin are held simultaneously with the nonpartisan spring elections. For this reason, votes cast in any statewide contest other than the election of delegates-at-large or in the popularity contest among the several aspirants to the presidential

nomination supply a convenient yardstick by which we can measure the accuracy of our computations concerning assumed voter participation in presidential preference primaries. In only 3 cases (1912, 1928, 1948) was there no nonpartisan statewide contest at the spring elections. In a number of other instances, several statewide nonpartisan issues were submitted to the electorate; here we used the highest vote cast in any one of these simultaneous nonpartisan contests as our control vote. For example, the 1940 vote in the referendum on the "Teachers' Tenure Law" was 776,306; since the number of votes cast in the simultaneous referendum on "Installment Payment of Real Estate Taxes" was only 665,779 we used the higher vote of the "Teachers' Tenure" referendum for our control figure.

Based on the control figures obtained from the nonpartisan elections held at the same time as the presidential preference primaries, it appears that our estimates of "assumed voter participation", for the presidential preference primaries 1912 to 1948, are from 2% to 21% below the number of voters who actually went to the polls in these elections. On the other hand, in the presidential preference primaries from 1952 on (each voter cast only one vote for each slate of delegates) the voter participation in the presidential preference primaries has averaged 21.5% higher than the voter participation in the nonpartisan contests.

April Election	Voter Participation in Nonpartisan Contest	Assumed Voter Participation in Presidential Preference Primary	Deviation (Nonpartisan Contest equals 100%)
1908	234,496 - a	216,417	minus 8%
1912	n.a.	269,971	n.a.
1916	300,806 - a	249,924	minus 17%
1920	263,976 - b	242,091	minus 8%
1924	439,871 - b	345,910	minus 21%
1928	n.a.	406,715	n.a.
1932	668,222 - c	527,803	minus 21%
1936	746,348 - a	615,003	minus 18%
1940	776,306 - c	761,760	minus 2%
1944	513,853 - a	459,470	minus 11%
1948	n.a.	699,298	n.a.
1952	918,406 - a	1,018,314	plus 11%
1956	740,382 - a	786,497	plus 6%
1960	923,222 - b	1,182,160	plus 28%
1964	1,046,342 - a	1,088,153	plus 4%
1968	949,501 - b	1,222,855	plus 29%
1972	938,552 - a	1,415,028	plus 51%

a - Vote for Supreme Court Justice.

b - Vote on constitutional amendment.

c - Vote in statewide referendum.

n.a. - "Not applicable" (no other statewide contest at this election).

Source: Actual figures from the reports of the Board of Canvassers on file in the office of the State Elections Board; computations of assumed voter participation in the presidential preference primaries by Wisconsin Legislative Reference Bureau.

Table 7
NUMBER OF VOTERS IN WISCONSIN PRESIDENTIAL PREFERENCE PRIMARIES, 1908-1948

Year	ALL PARTIES COMBINED		PARTY PRIMARIES		PREFERENCE VOTE		DELEGATES-AT-LARGE			DISTRICT DELEGATES Assumed Voters	
	Control Vote	Total Assumed Voters	Party	Total Assumed Voters	Per cent of All Parties	Total or Candidate	Votes	Votes Cast Delegates	Total or Candidate		Assumed Voters
1908	234,496 Supreme Court	216,417	Dem.	56,292*	26.01	n.a.		205,414 - 4 -	total uninstructed	56,292* 56,292*	46,696
1912	none	269,971	Dem.	82,557	30.57	total Wilson Clark	82,557 45,945 36,464	289,965 - 4 -	total uninstructed	72,491 72,491	147,424
(1911)	159,418) Supreme Court		Proh.	5,275	1.95	total Chafin Stewart	5,275 2,808 2,443	17,582 - 4 -	total uninstructed	4,395 4,395	3,788
(1913)	236,514) State Supt.		Rep.	182,139	67.46	total LaFollette Taft Roosevelt	182,139 133,354 47,514 628	651,295 - 4 -	total LaFollette uninstructed	162,823 118,677 44,143	148,520
1916	300,806 Supreme Court	249,924	Dem.	109,693	43.89	total Wilson	109,693 109,462	331,280 - 4 -	total Wilson	82,820 82,820	73,700
			Proh.	9,297	3.71	total Ferguson Sulzer	9,297 4,886 4,393	30,149 - 4 -	total uninstructed	7,537 7,537	3,717
			Rep.	130,934	52.38	total LaFollette	111,399 110,052	523,738 - 4 -	total LaFollette	130,934 130,934	114,492

NUMBER OF VOTERS IN WISCONSIN PRESIDENTIAL PREFERENCE PRIMARIES — Continued

Year	ALL PARTIES COMBINED		PARTY PRIMARIES		PREFERENCE VOTE		DELEGATES-At-LARGE			DISTRICT DELEGATES Assumed Voters	
	Control Vote	Total Assumed Voters	Party	Total Assumed Voters	Per cent of All Parties	Total or Candidate	Votes	Votes Cast Delegates	Total or Candidate		Assumed Voters
1920	263,976 Const'l Amdt.	242,091	Dem.	40,887*	16.88	total Bryan LaFollette Wilson Hoover total Randall Calderwood total LaFollette Wood Hoover Johnson	3,467 1,570 522 229 99 9,265 4,745 4,456 30,099 15,876 4,505 3,910 2,413	156,569 - 4 -	total uninstructed	40,887* 40,887*	37,199
			Proh.	9,265	3.82	total LaFollette	27,874 - 4 -		total uninstructed	7,018* 7,018*	6,704
			Rep.	191,939	79.28	total LaFollette Wood Hoover Johnson	767,796 - 4 -		total LaFollette uninstructed	191,939 112,161 79,778	167,121
1924	439,871 Const'l Amdt.	345,910	Dem.	94,560	27.33	total McAdoo Reed Smith total Howard Faris total LaFollette Coolidge Johnson	80,523 54,922 19,495 5,774 8,926 6,271 2,622 65,161 40,738 23,324 411	378,241 - 4 -	total Smith McAdoo	94,560 54,360 40,195	83,050
			Proh.	8,926	2.58	total Howard Faris	29,239 - 4 -		total uninstructed	7,437* 7,437*	4,400
			Rep.	242,424	70.08	total LaFollette Coolidge Johnson	1,696,970 - 7 -		total LaFollette Coolidge	242,424 187,501 54,903	196,159
1928	none	406,715	Dem.	137,871	33.89	total Reed Smith Walsh	82,826 61,097 20,663 552	551,486 - 4 -	total Smith Walsh	137,871 118,809 19,058	111,114

NUMBER OF VOTERS IN WISCONSIN PRESIDENTIAL PREFERENCE PRIMARIES — Continued

Year	ALL PARTIES COMBINED Control Vote	PARTY PRIMARIES		PREFERENCE VOTE		DELEGATES-AT-LARGE			DISTRICT DELEGATES Assumed Voters	
		Party	Total Assumed Voters	Per cent of All Parties	Total or Candidate	Votes	Votes Cast Delegates	Total or Candidate		Assumed Voters
(1927)	308,885 Supreme Court	Proh.	11,165	2.11	total Randall Colvin	11,165 6,303 4,808	34,423 - 4 -	total uninstructed	8,605 8,605	5,648
(1929)	379,698 Supreme Court	Rep.	260,239	63.98	total Norris Hoover Lowden Coolidge Daves	186,922 162,822 17,659 3,302 680 565	1,040,957 - 4 -	total Progressives Stalwarts	260,239 142,018 118,214	240,296
1932	668,222 Referendum	Dem.	246,771	46.75	total Roosevelt Smith	246,771 241,742 3,502	1,380,363 - 6 -	total Roosevelt CL-P-PL** Lab.Farm.Wet(102,936*)	230,046 130,422 82,476	184,047
		Proh.	6,929	1.31	total Hendrickson	6,929 6,910	35,749 - 6 -	total uninstructed	5,952 5,952	694
		Rep.	274,103	51.93	total Norris Hoover	148,051 139,514 6,588	1,918,946 - 7 -	total Progressives Stalwarts	274,103 142,949 131,154	228,731
1936	746,348 Supreme Court	Dem.	402,011	65.36	total Roosevelt	402,011 401,773	1,286,281 - 4 -	total Conference endorsed uninstructed	321,565 223,926 97,639	282,455
		Rep.	212,992	34.63	Garner Smith total Borah Landon	108 46 191,466 187,334 3,360	851,972 - 4 -	total Borah uninstructed	212,992 116,499 96,493	199,121

NUMBER OF VOTERS IN WISCONSIN PRESIDENTIAL PREFERENCE PRIMARIES -- Continued

Year	ALL PARTIES COMBINED Control Vote Total Assumed Voters	PARTY PRIMARIES		PREFERENCE VOTE		DELEGATES-AT-LARGE			DISTRICT DELEGATES Assumed Voters
		Party	Total Assumed Voters	Per cent of All Parties	Total or Candidate	Votes	Votes Cast Delegates	Total or Candidate	
1940	776,306 Referendum	Dem. 429,203	56.34	total 429,203 Roosevelt 322,991 Garner 105,662	total 1,393,007 - 4 -	total 348,245 Roosevelt 124,697 Conference 124,213 endorsed Garner 93,401 uninstructed (23,737*)	306,154		
		Rep. 332,557	43.65	total 101,990 Dewey 70,168 Vandenbergh 26,182 Taft 341	1,330,255 - 4 -	total 332,557 Dewey 203,784 Vandenbergh 124,773	320,158		
1944	513,853 Supreme Court	Dem. 179,005	38.95	total 52,646 Roosevelt 49,632	1,074,175 - 6 -	total 179,005 Roosevelt 145,890 uninstructed 33,114	149,126		
		Rep. 280,465	61.04	total 141,131 MacArthur 102,421 Dewey 21,036 Stassen 7,928 Willkie 6,439	1,122,028 - 4 -	total 280,465 Dewey 129,607 MacArthur 72,182 Stassen 62,878 Willkie 48,196	257,839		
1948	none	Dem. 130,685	18.68	total 30,321 Truman 25,415	1,045,485 - 8 -	total 130,685 Truman	122,598		
(1947)	627,088 Supreme Court	Rep. 568,613	81.31	total 162,750 Stassen 64,076 MacArthur 55,302 Dewey 40,943	3,980,296 - 7 -	total 568,613 Stassen 228,400 MacArthur 203,197 Dewey 137,015	499,281		
(1949)	633,606 Supreme Court								

Table 8

NUMBER OF VOTERS IN WISCONSIN PRESIDENTIAL PRIMARIES, 1952-1972

Year	ALL PARTIES			PARTY PRIMARIES		PREFERENCE VOTE	
	Total Votes	Party	Total # Votes	% of All Parties	Total or Candidate	Votes	
1952	1,018,314	Dem.	241,525	23.71	Total	241,525	
					Kefauver	207,520	
		Rep.	776,789	76.28	Fox	18,322	
					Broughton	15,683	
					Total	776,624	
1956	786,497	Dem.	330,665	42.04	Taft	315,541	
					Warren	262,271	
		Rep.	455,832	57.95	Stassen	169,679	
					Ritter	26,208	
					Stearns	2,925	
1960	1,182,160	Dem.	842,777	71.29	Total	330,665	
					Kefauver	330,665	
		Rep.	339,383	28.71	Total	455,832	
					Eisenhower	437,089	
					Chapple	18,743	
1964	1,088,153	Dem.	788,541	72.47	Total	842,777	
					Kennedy	476,024	
		Rep.	299,612	27.53	Humphrey	366,753	
					Total	339,383	
					Nixon	339,383	
					Total	788,541	
					Reynolds	522,405	
					Wallace	266,136	
					Total	299,612	
					Byrnes	299,612	

NUMBER OF VOTERS IN WISCONSIN PRESIDENTIAL PRIMARIES -- Continued

Year	ALL PARTIES			PARTY PRIMARIES		PREFERENCE VOTE	
	Total Votes	Party	Total # Votes	% of All Parties	Total or Candidate	Votes	
1968	1,222,855	Dem.	733,002	60.00	Total	733,002	
					McCarthy	412,160	
					Johnson	253,696	
					"None of Names Shown"	11,861	
					Write-in Candidates		
					R. Kennedy	46,507	
					Wallace	4,031	
					Humphrey	3,605	
					"Scattering"	1,142	
		Rep.	489,853	40.00	Total	489,853	
					Nixon	390,368	
					Reagan	50,727	
					Stassen	28,531	
					"None of Names Shown"	6,763	
					Write-in Candidates		
					Rockefeller	7,995	
					"Scattering"	2,496	
					Romney	2,087	
					Wallace	585	
					R. Kennedy	301	

NUMBER OF VOTERS IN WISCONSIN PRESIDENTIAL PRIMARIES — Continued

ALL PARTIES		PARTY PRIMARIES		PREFERENCE VOTE		
Year	Total Votes	Party	Total # Votes	% of All Parties	Total or Candidate	Votes
1972	1,415,028	Dem.	1,128,584	80.00	Total	1,128,584
					McGovern	333,528
					Wallace	248,676
					Humphrey	233,748
					Muskie	115,811
					Jackson	88,068
					Lindsay	75,579
					McCarthy	15,543
					Chisolm	9,198
					"None of Names Shown"	2,450
					Yorty	2,349
					Mink	1,213
					Mills	913
					Hartke	766
					Write-in Candidates	
					E. Kennedy	183
		Rep.	286,444	20.00	Total	286,444
					Nixon	277,601
					McCloskey	3,651
					"None of Names Shown"	2,315
					Ashbrook	2,604
					Write-in Candidates	
					Wallace	46

Table 9
Wisconsin Delegations to National Political Party Conventions:
Number of Delegates and Votes Allocated to Wis. Party Organizations**

Democratic Party of Wis.				Republican Party of Wis.				
District Delegate	At-Large Delegate	Total Delegate	Total Votes	District Delegate	At-Large Delegate	Total Delegate	Total Votes	Convention yr.
22	4	26	26	22	4	26	26	1908
22	4	26	26	22	4	26	26	1912
22	4	26	26	22	4	26	26	1916
22	4	26	26	22	4	26	26	1920
22	4	26	26	22	7	29	29	1924
22	4	26	26	22	4	26	26	1928
20	6	26	26	20	7	27	27	1932
20	4	24	24	20	4	24	24	1936
20	4	24	24	20	4	24	24	1940
20	6	26	26	20	4	24	24	1944
20	8*	28	24	20	7	27	27	1948
20	16*	36	28	20	10	30	30	1952
40*	16*	56	28	20	10	30	30	1956
50*	12*	62	31	20	10	30	30	1960
40	20	60	47	20	10	30	30	1964
40	20	60	59	20	10	30	30	1968
55	11	66	67	18	10	28	28	1972

*Delegates denoted by asterisks have 1/2 vote each.

**Extracted by Wis. Leg. Ref. Bureau from the published convention proceedings and the convention calls.

**Presidential Nominees: Wisconsin Primary and
National Conventions, 1900 to 1972**

Year	Democratic Party		Republican Party	
	Primary choice	Convention nominee	Primary choice	Convention nominee
1900	Bryan*	Bryan	McKinley*	McKINLEY
1904	Edw. C. Wall*	Parker	Roosevelt*	ROOSEVELT
1908	Bryan*	Bryan	LaFollette*	TAFT
1912	Wilson	WILSON	LaFollette	Taft
1916	WILSON	WILSON	LaFollette*	Hughes
1920	McAdoo*	Cox	LaFollette	HARDING
1924	Smith	Davis	LaFollette	COOLIDGE
1928	Smith	Smith	Norris	HOOVER
1932	Roosevelt	ROOSEVELT	Norris**, Blaine	Hoover
1936	ROOSEVELT	ROOSEVELT	Borah	Landon
1940	ROOSEVELT	ROOSEVELT	Dewey	Willkie
1944	ROOSEVELT	ROOSEVELT	Dewey	Dewey
1948	TRUMAN	TRUMAN	Stassen	Dewey
1952	Kefauver	Stevenson	Taft	EISENHOWER
1956	Kefauver	Stevenson	EISENHOWER	EISENHOWER
1960	Kennedy	KENNEDY	Nixon	Nixon
1964	Reynolds	JOHNSON	Byrnes	Goldwater
1968	McCarthy	Humphrey	Nixon	NIXON
1972	McGovern	McGovern	NIXON	NIXON

Symbols: CAPITAL LETTERS - Primary choice was incumbent President seeking re-election; Convention nominee was elected to the presidency.

*This candidate was endorsed on the first ballot by an uninstructed delegation from Wisconsin.

**The candidate was not placed in nomination but had been endorsed in the Wisconsin presidential preference primary.

Sources: Presidents and presidential nominees: World Almanac, 1960. Presidential preference expressed in Wisconsin primaries: official election reports by the Board of Canvassers on file in the office of the State Elections Board. Delegation endorsement at national conventions: published proceedings of the national political party conventions for the years cited.

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