

Who Elects Our Senators?

United States senators have been elected directly by voters since 1913. Prior to that time, state legislatures chose the state's senators.

In the mid-1850s, however, the state legislature selection process began to fail due to political infighting and corruption. Often Senate seats were left vacant for long periods of time while state legislatures debated who to send to the Senate.

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The drive for reform began as early as 1826, when the direct election of senators was first suggested. In the 1870s, voters sent a petition to the House of Representatives for a popular election. Each year from 1893 to 1902 a constitutional amendment to elect senators by popular vote was proposed in Congress. The Senate resisted change despite experiencing continued problems such as disputed elections and frequent vacancies.

Oregon was the first state to attempt direct election of senators. It tried different methods over several years until it succeeded in 1907. By 1912, as many as 29 states had some form of direct election of their senators. In order to achieve permanent reform, however, a constitutional amendment was required.

In 1911, Senator Joseph Bristow from Kansas proposed a constitutional amendment, which with the strong support of Senator William Borah of Idaho, passed the Senate. After much debate, in the summer of 1912 the House passed the amendment, and sent it to the states for ratification.

Three-fourths of the states must approve or ratify any amendment to the Constitution. Connecticut's approval gave the Seventeenth Amendment the required three-fourths majority, and it was added to the Constitution in 1913. The following year marked the first time all senatorial elections were held by popular vote.

The Seventeenth Amendment restates the first paragraph of Article I, section 3 of the Constitution. The direct election of senators is achieved by replacing the phrase "chosen by the legislature thereof" with "elected by the people thereof." In addition, it allows the governor or executive authority of each state, if permitted by that state's legislature, to appoint a senator if a seat becomes vacant, until a general election is held.

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- 1** Find Article I, section 3 of the Constitution. Why would the framers of the Constitution decide that state legislatures should choose Senators?
- 2** What is meant by “political infighting and corruption?”
- 3** Why were vacant seats a problem?
- 4** Why did some members of Congress and the public want direct election of senators?
- 5** Why was the change to direct election of senators resisted?
- 6** Why was a constitutional amendment required to achieve reform?
- 7** Article V of the Constitution requires a vote by how many members of both houses of Congress to propose an amendment to the Constitution?

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- The election of delegates to the Constitutional Convention established a model for state selection. Also, the framers believed that in electing senators, state legislatures would strengthen their ties with the national government, and thereby increase the chances for ratifying the Constitution. They also expected that senators elected by state legislatures would be able to concentrate on the business at hand without pressure from the public.
- Political infighting is rivalry or disagreement among the members of a group. Corruption refers to the intimidation and bribery that marred some of the states' selections of senators. For example, nine bribery cases were brought before the Senate between 1866 and 1906.
- When a vacancy occurred, people in the affected states were not represented in the Senate. In addition, the vacancies and disputes resulted in distractions that made it more difficult to accomplish the work of the Senate.
- The people wanted direct elections of Senators mainly to reduce corruption. After the turn of the century, momentum for reform grew rapidly. In the magazine
- Cosmopolitan, publisher William Randolph Hearst backed the cause of direct election with articles that exposed corruption and advocated for reform. Hearst hired an established reporter, David Graham Phillips, who wrote scathing pieces on senators. The pieces became a series titled "The Treason of the Senate," which appeared in several monthly issues of the magazine in 1906. These articles roused the public into maintaining pressure on the Senate for reform.
- Senators who were appointed by their state legislatures were powerful and influential. Their re-elections were not guaranteed if the people could directly vote for their senators.
- While the states could enact direct election of senators, not all the states did so. The result was different procedures and lack of consistency. Only a constitutional amendment would assure permanent uniformity among the states.
- A vote of 2/3 of the respective members of the House and the Senate is required to propose an amendment to the Constitution.

SOURCE:

United States Senate website:

http://www.senate.gov/artandhistory/history/common/briefing/Direct_Election_Senators.htm

http://www.senate.gov/legislative/common/briefing/Senate_legislative_process.htm

RESOURCE:

U.S. Capitol Visitor Center Website:

<http://www.visitthecapitol.gov/exhibition-hall/timeline?c=74&y=69>