Electoral and Partisan Forces in the Roosevelt Era: The U.S. Congressional Elections of 1938

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Abstract

Since nearly all studies of U.S. congressional elections test competing theories with data from the postwar era, we know very little about the applicability of contemporary theories to elections in the nineteenth and early twentieth centuries. This paper takes a first step in exploring theories of electoral politics in the historical context of the 1938 elections. I believe a closer look at this particular election is valuable for a variety of reasons. First, turnover among incumbents in 1938 was extremely high by contemporary standards, yet no systematic explanation for the record number of losses exists. Additionally, this political era was characterized by intense polarization between Congress and the president even though the Democrats controlled both institutions. An extended analysis of this historical era can also explore the role strategic challengers played in the electoral arena before the emergence of candidate-centered elections. By exploring these significant events, I shed light on an otherwise neglected aspect of American political development.

In 1936, President Franklin Roosevelt won a decisive victory over Republican challenger Alfred Landon in his reelection bid for a second term. In addition to winning more than 60% of the popular vote, he captured 523 electoral votes, just eight votes shy of the total possible. According to most historical accounts, Roosevelt's landslide reelection affirmed broad public support for his efforts, via the New Deal, to bring the country out of the Depression. Given this enormous mandate, few observers initially believed Roosevelt would encounter obstacles in advancing his New Deal legislation, especially with such large Democratic majorities in control of both chambers.[1] After nearly two years of intraparty and institutional conflict, however, Roosevelt and the Democrats suffered an additional setback in the 1938 elections when the Republicans made notable electoral gains, especially in the House of Representatives.

While the outcome of the 1938 congressional elections is consistent with contemporary theories of seat loss during midterm elections (see, for instance, Campbell 1960; Campbell 1997; Oppenheimer, Stimson, and Waterman 1986; Tufte 1975), this analysis seeks to move beyond a general discussion of *aggregate* seat change to one that focuses on outcomes at the *district level*. In all, the Democrats lost a total of 72 House seats to the Republicans in 1938, making it one of the worst party losses at the midterm in history (Martis 1989). Moreover, of the 85 Republican

incumbents seeking reelection to the 76th Congress, not a single member was defeated by an opposing candidate. With a 262 to 169 seat margin in the 76th Congress, the Democrats retained control of the lower chamber, but with a significantly smaller proportion than was the case in the previous Congress.[2] Indeed, the growing number of southern conservatives in the Democratic party made partisan control somewhat tenuous since these southerners had the opportunity to align with the Republican minority to block Roosevelt's liberal agenda (Milkis 1993).

Despite the enormous amount of scholarly attention placed on the economic and social aspects of the Roosevelt era, a considerable number of questions remain, especially with regard to the Democratic losses in 1938. To what degree was the outcome of the 1938 elections a referendum on President Roosevelt? Were Democratic fates linked to unpopular presidential initiatives such as Roosevelt's "Court-packing" plan of 1937? What effect, if any, did the poor economic conditions in 1937 and 1938 have on incumbents' electoral fortunes? This paper represents an initial step forward in addressing some of these questions. More specifically, this paper examines the historical context of the 1938 elections to begin to offer a more complete and systematic understanding of this important political era.

A closer examination of the congressional elections of 1938 is worthwhile for a number of reasons. First, this election was remarkable in that more than 20% of Democratic incumbents were defeated, resulting in a fairly large turnover by contemporary standards in the House of Representatives. Additionally, this period was characterized by intense polarization between Congress and the president even though the Democrats controlled both institutions. In light of recent scholarly attention given to the impact that divided government has on intragovernmental relations (see, e.g., Bond and Fleisher 2000), this analysis seeks to better understand the impact of intraparty heterogeneity on interinstitutional cooperation, especially during this historical era. Furthermore, this analysis provides an opportunity to test contemporary theories of elections and electoral outcomes against historical data, especially since we no longer observe such high levels of incumbent turnover. Each of these factors can yield valuable substantive insights relevant to contemporary theoretical debates in American politics.

The organization of this paper proceeds as follows. After revisiting the historical and political context of the 1930s leading up to and including the 1938 congressional elections, the discussion turns to relevant theoretical issues underlying the arguments advanced in this paper. Next, the data and methodology employed in this analysis are presented, and the outcome of the 1938 elections is tested against contemporary theories of congressional elections. From there, the significance and implications of the findings are presented while the conclusion considers potential avenues for further research.

HISTORICAL CONTEXT OF THE 1938 ELECTIONS

The 1930s have been described by some students of the Roosevelt era as a repudiation of the Republican Party (Burns 1956; Schlesinger 1959; Milkis 1993; Leuchtenburg 1995). Largely because of the worsening conditions associated with

the Depression and the apparent inability of the Hoover administration to address the economic problems of the country, Roosevelt soundly defeated incumbent Herbert Hoover in the 1932 presidential election. At the same time, control of both chambers of Congress shifted to the Democratic Party, with the Democrats gaining nearly 100 seats in the House of Representatives.[3] Two years later, the Democrats picked up additional seats in both chambers of Congress, providing them with an enormous legislative and partisan advantage over the Republicans (Martis 1989).[4]

Roosevelt's landslide victory in 1936 over Republican candidate Alf Landon brought additional Democrats to Congress, presenting what initially appeared to be an even better opportunity for Roosevelt to use his recovery program to bring the country out of the Depression once and for all. According to news stories appearing in *The Washington Post* shortly after the election, Roosevelt's impressive victory signaled that the country stood solidly behind his liberal policy agenda. One front-page story in the Wednesday, November 4, 1936 issue of the *Post* suggested that with an even larger Democratic majority in the House, Roosevelt's New Deal would surely pass with little or no delay. In the following day's edition, another story implied that Democrats who "rode in on the coattails" of FDR would gladly embrace his political agenda in the 76th Congress.

Despite Roosevelt's impressive electoral victory in 1936, he was plagued by two serious political problems that occupied a considerable amount of his time after the election. As early as 1935, a conservative majority on the U.S. Supreme Court had begun striking down key tenets of his New Deal program, arguing that the legislation enlarged the scope of the federal government beyond its constitutional jurisdiction. Frustrated by these political setbacks, Roosevelt decided to go on the political offensive by proposing a judicial reorganization plan in a fireside chat delivered on February 5, 1937. This "Court-packing" plan, as it has come to be known, would allow Roosevelt to appoint one additional justice (with a maximum of six) for each justice on the bench over the age of 70. Although Roosevelt argued that his plan would alleviate the burden of the growing number of cases handled by the Court, most people saw it for what it really was—an effort to shift the balance of the Court in favor of his more liberal political agenda (Carson and Kleinerman 2002).

As might be expected, Roosevelt's Court-packing proposal was controversial from the moment it was announced to the nation (Caldeira 1987). Although a considerable number of Democrats from both chambers initially came out in support of Roosevelt's plan, many others were cautious about embracing the proposal without first gauging the public's reaction to it.[5] Not surprisingly, the most decisive opposition to Roosevelt's plan came from the congressional leadership in both the House and the Senate, largely because Roosevelt had failed to consult with them before the proposal was announced. Reluctant to grant the president the authority to alter the size of the Supreme Court at his whim, the congressional leadership took great pains to keep the Court-packing bill from coming to a vote (Alsop and Catledge 1938; Carson and Kleinerman 2002). Eventually, after the Court reversed its previous behavior by beginning to uphold the constitutional-

ity of certain aspects of Roosevelt's New Deal later that spring, the necessity of the bill's passage was called into question and it was later voted down in committee (Burns 1956, 306). Even so, some political observers suggest that this battle weakened Roosevelt's bargaining power with Congress and made it more difficult for him to accomplish his political objectives during the next two years (Alsop and Catledge 1938; Burns 1956; Nelson 1988).

A second problem of a more long-term nature that Roosevelt had to contend with prior to the 1938 elections was the growing ideological conservatism among Democratic members of Congress. Since 1932, an increasing proportion of Democrats elected to the House came from the South—an area dominated by conservative sentiment. Although Roosevelt's New Deal had initially been very popular in the South in the early 1930s, his continued emphasis on economic recovery gradually began to alienate southern conservatives who believed that his agenda would eventually result in more widespread black participation (Milkis 1993, 89-90). Over time, these southern Democrats grew suspicious of what they perceived to be Roosevelt's attempt to create a new liberal party organization. As a result, support for Roosevelt's New Deal began to collapse in the House as early as 1937 because of growing opposition from southern Democrats (Milkis 1993; Caldeira 1999).[6]

Several months before the congressional elections of 1938, George Gallup conducted a series of public opinion polls indicating that the Republicans might have a chance of winning back some of the seats they had lost in the three previous elections. In the weeks preceding the election, the number of respondents favoring the Republicans steadily increased. According to one story in the October 23, 1938 *Washington Post* (p. 2), the American Institute of Public Opinion (AIPO) predicted that the Republican Party would "cut into the Democratic majority in the House of Representatives for the first time since Franklin D. Roosevelt became president" by picking up at least 53 additional seats. Two days before the election, on Sunday, November 6, 1938, the AIPO predicted a gain of nearly 75 seats for the Republican Party in the House and as many as 10 additional seats in the Senate.[7]

In the days following the 1938 elections, stories in all the major newspapers across the country confirmed the accuracy of the seat predictions made by the American Institute of Public Opinion. In total, the Republicans picked up 81 additional seats in the House, 72 of which came from defeating a Democratic opponent. The remaining nine-seat gain resulted from Republican victories over members of the Progressive and Farmer-Labor parties. More notably, and like the 1994 elections, not a single Republican incumbent that sought reelection in 1938 was defeated. Considerable Republican gains were made in both the Northeast and the Midwest, where poor economic conditions resulting from the lingering recession had been the most severe. While the Democrats ultimately retained control of the House with a 262 to 169 seat ratio, Republican leaders initially expressed a desire to work with conservative southern Democrats in an effort to rule by coalition.[8]

To a certain extent, many of the descriptive accounts of the 1938 congressional elections have attributed a considerable amount of blame for the Democratic losses

to President Roosevelt. Having won by such a large electoral margin in 1936, a few scholars suggest that election-born overconfidence may have led Roosevelt to advance policies that were detrimental to the party as a whole (Burns 1956; Schlesinger 1959; Nelson 1988). Some scholars speculate that poor economic conditions including the recession of 1937-38 and declining agricultural prices may have cost the Democrats seats in the elections of 1938 (Mayer and Chatterji 1985; Caldeira 1999). Still other accounts imply that the lack of support in Congress for aspects of Roosevelt's New Deal legislation may have made Roosevelt resentful of many southern Democrats and less willing to campaign for them in the subsequent election. Indeed, Roosevelt actively campaigned *against* southern Democrats in their attempt for renomination prior to the 1938 elections (Burns 1956; Patterson 1965; Milkis 1993; Ansolabehere, Snyder, and Stewart 2001). While these efforts ultimately failed, they do suggest the nature of the strained relationship between Roosevelt and members of the conservative coalition within the Democratic Party.

Given that the aforementioned accounts of the 1938 elections are primarily descriptive in nature, they provide little systematic evidence for why the Democrats lost as many seats as they did to the Republicans. These accounts also fail to address a number of questions of interest to students of congressional elections. For instance, to what degree was the outcome of the 1938 election a reflection of national conditions unfavorable to the Democratic Party? Were quality candidates more likely to emerge in response to these changing national conditions? And, did Republicans engage in strategic behavior in deciding which Democrats to run against in the election? This paper seeks to address these questions by incorporating such factors into a more systematic analysis of the 1938 elections.

THEORETICAL ISSUES

Analysis of the 1938 congressional elections provides an ideal opportunity to historically test contemporary theories of legislative elections. Nearly everything that has been learned in the past 30 years on the subject of congressional elections is based on analyses of elections that took place in the postwar era. We know significantly less about the applicability of mainstream theories to elections in the nineteenth and early twentieth centuries (for exceptions to this point, see Waterman, Oppenheimer, and Stimson 1989; Campbell 1991). For instance, what role did challenger quality play in electoral politics before the emergence of candidate-centered elections? Were strategic politicians as attuned to favorable national conditions in the electoral arena during this earlier era as they are today? What role did the president play in securing electoral victories for incumbent legislators? And to what degree did patterns of voting behavior and partisan differences play a role in determining electoral outcomes? These are examples of the types of questions explored in this analysis.[9] Further analyses that explore electoral trends across time should yield additional insights relevant to our understanding of historical election patterns.

To analyze the 1938 election more systematically, the electoral outcome is considered in the context of contemporary theories of electoral politics. Testing

modern theories historically provides an opportunity to address significant puzzles or irregularities that have previously gone unexplained, and in the process, further refine and test these theories with out-of-sample data. With respect to the 1938 election, aspects of Jacobson and Kernell's (1981) theory of strategic politicians and Jacobson's (2001) distinction regarding quality candidates would seem to be of particular relevance. In brief, these scholars maintain the outcome of individual congressional races can be strongly influenced by the number of quality challengers running and their distribution across competing parties.[10] Incumbents who face a quality challenger, for instance, are less likely to win than those who do not face a quality challenger. And, quality candidates are more likely to get elected when they run in an open seat with no incumbent seeking reelection.

While the 1938 congressional elections predated the beginning of a candidate-centered election process, this is not meant to suggest that the quality of the challenger was an irrelevant factor in influencing election outcomes during the nineteenth and early twentieth centuries. Indeed, Rusk (1970), Kernell (1977), and Katz and Sala (1996) have all shown that electoral accountability was greatly enhanced by the adoption of the Australian ballot in the early 1890s. In particular, the advent of the secret ballot had a profound impact on the electoral environment by giving voters a greater opportunity to punish or reward incumbents individually (Katz and Sala 1996, 21). Additionally, research by Bianco, Spence, and Wilkerson (1996) and Carson, Jenkins, Rohde, and Souva (2001) suggests that an "electoral connection" and a "personal vote" existed even during the pre-Australian ballot era, thus making the quality of the challenger an important factor in congressional races as early as the nineteenth century.

Given the historical context of the 1938 elections, the above discussion yields a number of relevant expectations. First, one should expect to see more experienced Republican candidates challenge Democratic incumbents serving in the 75th Congress. With such a large membership in the House, the Democrats made a viable scapegoat, especially in conjunction with the poor economic conditions resulting from the 1937-38 recession. Furthermore, of the 334 Democrats serving in the 75th Congress, approximately 35% had been elected in either 1932, 1934, or 1936. Since newly elected legislators tend to be more vulnerable than senior members (Erikson 1971; Finocchiaro and Lin 2000), one should expect the Republican Party to field a larger proportion of quality candidates against junior incumbents.

Quality candidates also had an incentive to challenge Democratic incumbents in 1938 since this was a midterm, rather than a presidential election. Since the late 1820s, the party of the president has traditionally lost seats in one or both chambers of Congress during off-year elections (Martis 1989).[11] Recognizing the significance of this trend, one should expect to see more experienced Republican challengers running in the 1938 elections, giving the party a better chance of making inroads in the large Democratic majority.

On a related point, the number of experienced candidates fielded by the Republican Party should be significantly higher in 1938 as a result of the enormous gains made by the Democrats in the three previous elections. The condi-

tions present in 1932, 1934, and 1936 represented a "shock" to the political system, resulting in a greater proportion of districts being represented by Democratic incumbents that would normally lean Republican. Democrats representing these districts would be more susceptible to electoral defeat due to the underlying partisan preferences of the district. By 1938, ambitious and experienced Republican candidates would have been in a better position to emerge and win back those seats held by marginal Democrats (where Republican candidates traditionally did well). Thus, the changes in 1938 may have represented an election process that was returning to a structure-induced equilibrium.

Beyond the conditions already discussed, experienced candidates often consider other factors in deciding whether or not to run. When an incumbent retires, for instance, one typically observes the emergence of more quality candidates to compete for the open seat.[12] Without an incumbent, strong candidates are significantly more likely to win than weaker candidates in these types of contests (Banks and Kiewiet 1989; Gaddie and Bullock 2000; Jacobson 2001). Similarly, more experienced challengers are also more likely to challenge marginal incumbents (i.e., those members who won with less than 60 percent of the two-party vote in the previous election), since marginality often serves as a good indicator of incumbent vulnerability. Theoretically, then, one should expect to see more experienced challengers run against marginal legislators in the 1938 elections.

Position taking in the form of roll call voting is another factor that may have influenced electoral margins in 1938 (Mayhew 1974; Arnold 1990). In addition to electoral consequences associated with broad voting patterns in Congress, it is possible for a position taken on a single vote to have an observable effect on electoral margins (Jacobson 1993; Bianco, Spence, and Wilkerson 1996; Bovitz and Carson 2000). In the context of this analysis, the position that representatives took on Roosevelt's Court-packing proposal may have had a direct effect on their electoral outcomes. Additionally, the position taking behavior of incumbents may have had indirect effects as well. For instance, legislators who took a position in favor of the proposal to increase the size of the Court may have been more likely to face a quality challenger in the upcoming election as a result of the unpopular nature of this proposal.

Although the House never took a recorded vote on Roosevelt's original plan to increase the size of the Supreme Court, it is possible to examine the potential electoral consequences of the various positions legislators took on this *issue*. Shortly after Roosevelt's announcement of his intent to increase the size of the Court, both the House and the Senate considered and passed what has been labeled a "watered-down" version of the Court-packing plan (Poole and Rosenthal 1997).[13] While this bill did not advocate increasing the number of justices on the Court, it did imply to many that the reluctance of the conservative justices to uphold the constitutionality of the New Deal was the real source of the problem (Caldeira 1987). As such, this bill took on a kind of "symbolic" meaning for what Roosevelt's original proposal was seeking to accomplish. Thus, by including the positions that legislators took on this issue, one can determine whether constituents held their representatives accountable for their position-taking behavior.[14]

Two additional factors that may have affected the outcome of the 1938 elections are the region of the country in which the congressional race was held and the seniority of the incumbent seeking reelection. Although the Democrats faced little or no opposition in most of the races in the South, the same was not true for congressional races in the rest of the country. Controlling for geographic region allows one to determine whether national conditions (i.e., the state of the economy) affected electoral fortunes differently outside of the South. Moreover, the seniority level of the incumbent could also be an important predictor of electoral margin since more senior members generally tend to be insulated from changing partisan or electoral tides.

SUMMARY EVIDENCE

To better understand what happened to incumbents serving in the 75th Congress, Table 1 provides a summary of the outcomes for all members who served in the House during this two-year period.[15] Several interesting results merit attention. Most notably, not a single Republican incumbent running for reelection in 1938 was defeated. The same is not true for the Democrats, as 14 Democratic incumbents were unsuccessful in their renomination attempts during the congressional primaries, and 62 incumbents were defeated in their reelection bids. One can also see that 12 Democrats voluntarily chose not to seek reelection while 11 others ran for the Senate (of which five won). Another pattern is that members of both the Progressive and Farmer-Labor parties did not fare well in the 1938 elections, as 8 of the 13 third-party members who had served in the 75th Congress were defeated.

While most incumbents faced some type of challenge in the 1938 elections, 58 candidates ran unopposed, thus ensuring their place in the 76th Congress. Not surprisingly, nearly all of these uncontested races were in the South where the Republican Party typically did not field many candidates to challenge Democrats. For the most part, Republican candidates and the party as a whole recognized the futility in challenging southern Democrats; since Reconstruction, this region had been solidly Democratic. In those few isolated cases when a Republican did run against an incumbent Democrat, he or she usually received a very small percentage of the two-party vote. Thus, it is reasonably safe to conclude that the only time a seat in this region changed hands was when one Democrat stepped down and another took his or her place.

In 1938, an incumbent declined to seek reelection in 60 of the 435 congressional races (nearly 14%), making these races more viable and attractive targets for experienced challengers. Indeed, a series of cross-tabulations reveal several notable patterns concerning quality candidate emergence in the 1938 elections. Whereas quality candidates ran in less than 20% of the races when an incumbent sought reelection, slightly more than 84% of open seat contests had at least one quality candidate vying for a seat in the 76th Congress. Experienced candidates also challenged Democrats more often than Republicans in 1938. While incumbent Democrats faced quality challengers in 30% of their respective races, Repub-

TABLE 1
Outcomes for House Incumbents Serving in the 75th Congress

Incumbent Outcome in 1938	*Republican*	*Democrat*	*Progressive*	*Farmer-Labor*	*Totals*
Won reelection	85	229	3	1	318
Unsuccessful candidate for reelection	0	62	4	4	70
Unsuccessful candidate for renomination	0	14	0	0	14
Did not seek reelection	2	12	0	0	14
Resigned and won Senate seat	1	5	0	0	6
Resigned, ran for Senate, but lost	1	6	1	0	8
Resigned, ran for Governor, but lost	0	1	0	0	1
Resigned to accept other appointment	1	4	0	0	5
Died	3	10	0	0	13
Electoral outcome was contested	1	0	0	0	1
Totals	94	343	8	5	450

Source: Biographical Directory of the U.S. Congress, 1774 to 1999, which can be located on the World Wide Web at <http://bioguide.congress.gov/biosearch/biosearch.asp>.

lican incumbents only had to deal with a quality challenge in 16% of their reelection bids.

Quality challengers were also more likely to exhibit patterns of strategic behavior with respect to levels of incumbent seniority and marginality. In 37% of the contests in which a freshman was seeking reelection, for instance, an experienced candidate emerged to challenge the incumbent. Quality candidates were also more likely to run against incumbents who had served for either two or three terms as opposed to members who had served for more than four terms in the House.[16] With respect to incumbent marginality, nearly 38% of those incumbents seeking reelection who won with less than 60% of the vote in 1936 faced a quality challenger. However, only 16% of incumbents who captured 60% or more of the popular vote in 1936 were forced to run against an experienced challenger in 1938.

To examine whether the 1938 elections represented a return to a more "normal" partisan period in electoral politics, it was necessary to obtain a proxy for the underlying political preferences of each congressional district. This was accomplished by averaging presidential vote share at the congressional district level across the 1928, 1932, and 1936 presidential elections (for a related approach, see Ansolabehere, Snyder, and Stewart 2000).[17] This measure provided an ideal opportunity to assess whether quality Republican candidates were more likely to run in districts traditionally leaning Republican. Indeed, in 56% of those districts leaning Republican, experienced Republican candidates emerged to challenge Democratic incumbents compared to only 14% in those districts that did not lean Republican. This evidence would seem to suggest that the 1938 election was, to a

certain extent, a return to a more structure-induced equilibrium based on the underlying and normal partisan tendencies of the districts.

Partisan Dynamics in the 1930s

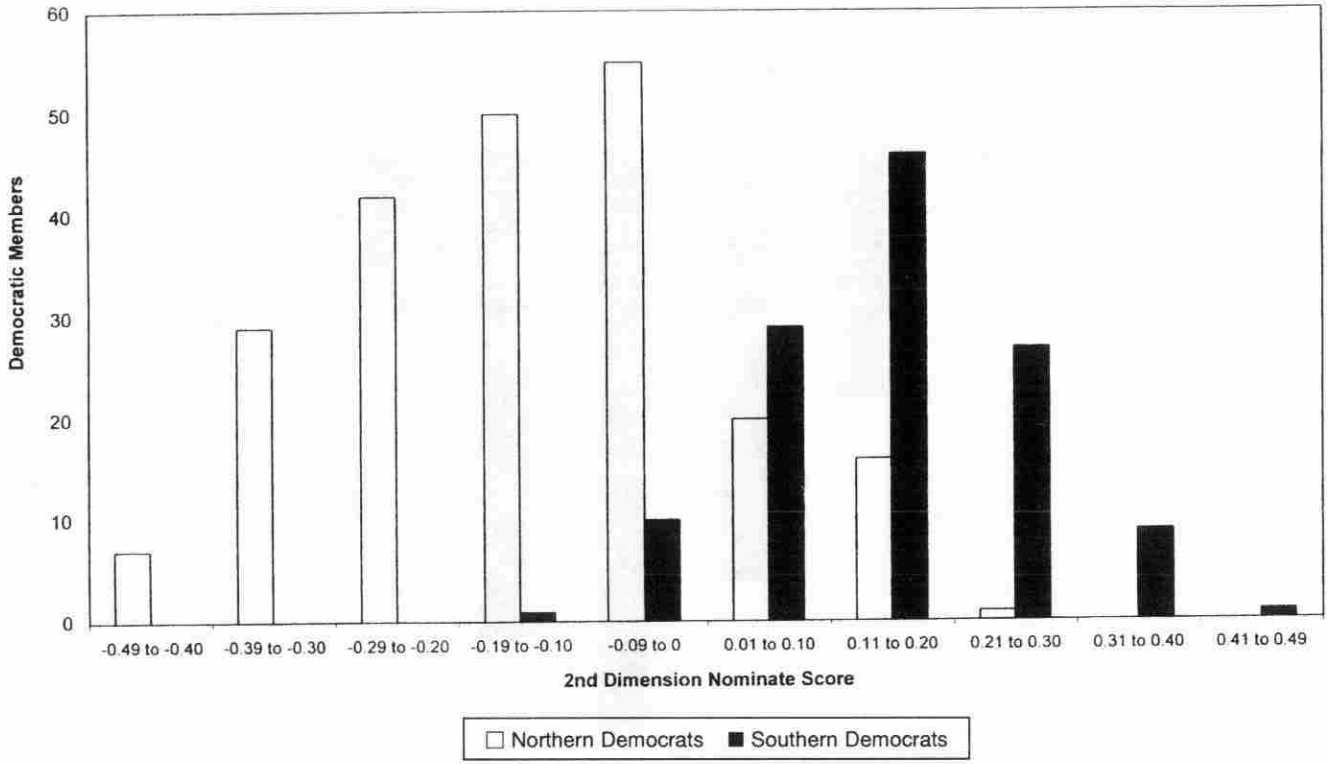
In terms of specific partisan characteristics of incumbents serving in the 75th Congress, some notable patterns merit attention. As Figure 1 shows, northern and southern Democrats displayed vastly different behavior as illustrated by their second-dimension NOMINATE scores.[18] While northern Democrats tended to exhibit more liberal behavior when voting on social issues, southern Democrats generally voted more conservatively on these same issues.[19] In fact, approximately 90% of these southerners were located on the more conservative side of this second dimension (where scores above zero imply policy conservatism). Somewhat noteworthy, however, is the fact that this subset of Democrats was nearly indistinguishable from their northern counterparts when voting on economic issues as evidenced by their first-dimension NOMINATE scores (which are not shown). Thus, it was generally on social issues that southern Democrats tended to exhibit divergent behavior when compared to the more liberal, northern Democrats. And, since southern Democrats were more likely to be reelected given that they were largely unopposed in their reelection bids, this general pattern would continue for at least the next 30 years.

Figure 2 provides a somewhat different perspective for Republicans serving in the 75th Congress in terms of their voting behavior on social issues. Unlike their Democratic colleagues, Republicans typically were located in the middle of the liberal-conservative dimension when voting on these types of issues. While we do observe more instances of liberal voting behavior for the Republicans as a whole on this dimension (compared to southern Democrats), we do not see as wide a distribution as we did for the Democrats, suggesting that the Republicans were somewhat more homogeneous at this time (at least on this dimension). Whether or not this overall pattern of voting behavior was a systematic reflection of constituent interests remains unclear; nevertheless, this behavior may have represented an attempt by Republicans to appeal to a broader segment of the population.

The above findings shed light on the nature of the institutional conflict between members of Congress and the president after 1936. With the growing number of conservative southern Democrats in the House, it would have been difficult for Roosevelt to build a broad coalition of Democrats to advance his liberal social agenda in Congress. His unsuccessful attempts to block the renomination of conservative southern Democrats in early 1938 would have cost him the support of these and perhaps other members. When the Republican minority nearly doubled in size after the 1938 elections, it would have become easier for them to attract the support of conservative southerners in blocking Roosevelt's policy agenda. While an analysis of voting patterns among Republicans and Democrats is beyond the scope of this paper, one should expect to find greater instances of bipartisan support among Republicans and conservative southern Democrats, especially pertaining to liberal policy issues advanced by Roosevelt.

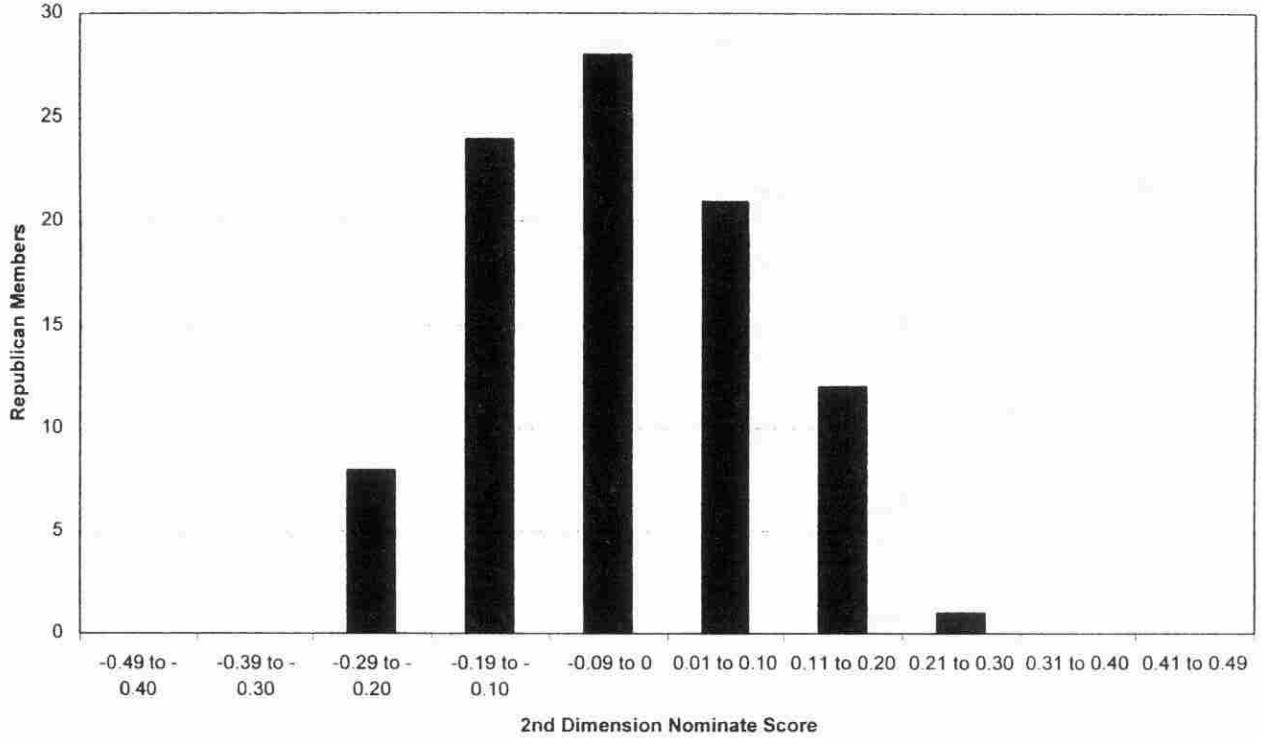
FIGURE 1

Second Dimension Nominate Scores (Social Issues)—Northern and Southern Democrats



Second Dimension DW-NOMINATE scores, constructed via scaling techniques that use legislators' entire roll call records to measure ideology, provide summary statistics of legislators' overall voting tendencies on the liberal-conservative social dimension. These scores for legislators range from –1 to 1, with low scores indicating social liberalism and high scores indicating social conservatism (Poole and Rosenthal 1997).

FIGURE 2
Second Dimension Nominate Scores (Social Issues)—Republicans



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DATA AND METHODS

While the preceding section has highlighted several noteworthy electoral and partisan issues relevant to this analysis, the evidence marshaled does not yet offer a general explanation for why the Republicans made substantial gains in the 76th Congress. This issue is addressed more systematically through a multivariate regression analysis that captures the simultaneous effect of a number of variables on candidate vote margin. The data for this analysis consist of all contested races in the House of Representatives during the 1938 congressional elections. The dependent variable is the incumbent's share of the two-party (Republican and Democrat) vote in each congressional district where a challenger was running.

To isolate the effect of the presence of an experienced challenger on a legislator's electoral fortunes, several factors hypothesized to affect incumbent vote share are included as control variables. One such variable is the share of the two-party vote that the incumbent received in the previous election (see Dubin 1998). The inclusion of this variable captures long-term district forces such as the partisan composition of the district, as well as the enduring popularity of the incumbent legislator. Theoretically, one should expect that as the incumbent's percentage of the two-party vote decreases, he or she would be more vulnerable to a quality challenge in the subsequent election, all else being equal.

To determine if support or opposition to Roosevelt's Court-packing proposal affected legislators' electoral fortunes, the individual-level vote taken on the compromise bill that was passed in the House is included. In order to control for incumbents' overall voting behavior, Poole and Rosenthal's D-NOMINATE scores for the first dimension are also included on the right-hand side of the equation. These scores provide summary statistics of members' general voting patterns on the conventional liberal-conservative dimension. A measure of incumbent seniority is also included in the equation to determine if newly elected members were more vulnerable than senior members. If contemporary trends hold during this historical era, we would generally expect senior members to be more insulated from electoral challenge and reduced election margins.

Given that the Democrats had a virtual lock on southern congressional seats during this time, it is also useful to explore the impact of region on electoral outcomes. Dummy variables for northeastern, midwestern, and western states are included on the right-hand side of the equation to determine if Democrats outside the South were more vulnerable to national conditions.[20] Finally, in order to control for the effects of partisan affiliation on the electoral outcome, Democratic and Republican incumbents are analyzed separately in the analysis. Running the analysis separately for each party avoids potential problems with multicollinearity, since partisan affiliation and NOMINATE scores are highly correlated with one another.

To test the hypothesis that incumbents who faced a quality challenger would receive a smaller electoral margin, all else being equal, it was necessary to collect data on challengers' previous electoral experience. Data on challenger quality for candidates in the 1938 elections were coded from a variety of sources. The online

version of the *Biographical Directory of the U.S. Congress, 1774 to 1999* was useful for gathering information on electoral experience of challengers who had previously served in Congress or were later elected to serve in the legislature. Data on candidate quality was also obtained from the 1938 edition of *Who's Who in America*. Additionally, 1938 newspaper stories appearing in both *The Washington Post* and *The New York Times* were examined for relevant accounts describing the political experience of challengers announcing their candidacies. Finally, a number of state historical societies were contacted in an effort to obtain supplementary information concerning candidate quality.[21]

ANALYSIS AND DISCUSSION

Based on the above discussion, I posit that the following baseline model reflects the two-party vote for incumbents running in the 1938 elections:

$$\text{Candidate Vote Share} = \beta_0 + \beta_1\text{Previous Vote Margin} + \beta_2\text{Challenger Quality} + \beta_3\text{Pension Vote} + \beta_4\text{NOMINATE Score} + \beta_5\text{Seniority} + \beta_6\text{Northeastern States} + \beta_7\text{Midwestern States} + \beta_8\text{Western States}$$

where Pension Vote is the vote representatives took on the "compromise" bill to allow justices to retire early yet retain their full pensions and NOMINATE is Poole and Rosenthal's (1997) measure of ideology on the first dimension.

The results from two regression models are reported in Table 2. The first presents the results from the baseline model discussed above (Model 1) while the second (Model 2) includes two interaction terms that combine the multiplicative effects of challenger quality and the pension vote (CQ*Pension Vote) and seniority and challenger quality (Seniority*CQ). Looking at the electoral outcomes for Democrats in Model 1, the results displayed in the first column reveal that the model performs very well and explains a considerable amount of variation in the dependent variable. As expected, previous vote margin is both highly significant and positively related to the incumbent's share of the two-party vote. This finding suggests that the enduring popularity of the incumbent and the partisan composition of the district are important predictors in the 1938 electoral outcomes.

More noteworthy, however, is the effect of challenger quality on Democratic vote share. In particular, we observe that challenger quality is both significant and negatively related to the 1938 vote margin. As predicted, Democrats who faced an experienced challenger received a smaller percentage of the two-party vote when controlling for other factors. In fact, the results indicate that Democrats who ran against a quality challenger suffered a 6.5% decline in vote share on average. For those Democrats who had previously won by a substantial electoral margin, this finding is inconsequential (especially since only a few of these incumbents faced a quality challenger). But, for those Democrats elected in 1936 with a smaller margin of victory, this result may have meant the difference between reelection and defeat.

TABLE 2
OLS Regression of Candidate Vote Share for Democrats and Republicans

	Model 1		*Model 2*	
	Democrats	*Republicans*	*Democrats*	*Republicans*
Previous Vote Margin	0.933**	0.629**	0.930**	0.623**
	(0.048)	(0.092)	(0.048)	(0.102)
Challenger Quality (CQ)	–6.769**	–1.746	5.096	4.640
	(1.735)	(2.337)	(3.270)	(7.758)
Pension Vote	1.576	–1.436	4.255*	–0.875
	(1.747)	(1.311)	(2.158)	(1.344)
D-NOMINATE Score	3.414	–9.880	2.778	–9.634
	(4.307)	(6.473)	(4.184)	(6.498)
Seniority Level	0.019	–0.001	0.062	0.002
	(0.089)	(0.080)	(0.091)	(0.083)
Northeast	–9.542**	0.531	–9.706**	–0.835
	(1.888)	(1.709)	(1.884)	(2.441)
Midwest	–7.097**	0.697	–7.292**	–0.728
	(1.796)	(1.742)	(1.783)	(2.583)
West	–9.510**	6.510	–9.527**	5.219
	(2.575)	(4.373)	(2.549)	(4.682)
CQ*Pension Vote			–8.273**	–6.805
			(3.147)	(5.326)
Seniority*CQ			–0.958**	–1.786
			(0.382)	(2.149)
Constant	7.156	31.948**	4.404	33.345**
	(4.689)	(6.330)	(4.652)	(7.176)
R^2	0.842	0.824	0.847	0.831
F-Statistic	244.79	91.59	214.94	74.03
N	224	74	224	74

*Significant at $\alpha = 0.05$; **Significant at $\alpha = 0.01$ (White-corrected standard errors in parentheses)

The results in Model 1 also suggest that Democratic incumbents running outside the South were more vulnerable to national conditions in 1938. Specifically, Democrats who ran in northeastern and western states suffered a 9.5% decline, while their colleagues in the Midwest suffered a 7% decline in vote share on average when compared to their counterparts running in the South. Substantively, these variables exert the largest impact on Democratic vote margin when compared with the other variables in the model. While the dichotomous nature of these variables makes it more difficult to speak definitively about the specific nature of the regional differences, the results appear to suggest that partisan tides were adversely affecting Democrats outside the South in the 1938 elections. Moreover, this result fits with the earlier finding that quality Republican challengers were more likely to run in non-southern races.

Further examination of the results in Model 1 suggests that the positions Democrats took on the bill allowing justices to retire early did not have a significant effect on their vote shares. In other words, their support of or opposition to Roosevelt's efforts to influence the behavior of the Supreme Court did not directly affect their electoral fortunes. Even so, this does not mean that the positions failed to produce observable electoral consequences. Indeed, a simple cross-tabulation reveals that quality challengers were *more* likely to run against Democrats who voted in favor of the bill than those members who did not. Given the symbolic nature of this proposal, it is especially noteworthy that the respective positions legislators took on this bill encouraged quality candidates to emerge and challenge incumbents who supported it.

For Republican incumbents, Model 1 does not perform nearly as well as it did for the Democrats.[22] Previous vote margin is the only significant variable for Republicans, indicating as before that both the popularity of the incumbent and the underlying partisan distribution of the district are strong predictors of the two-party vote share. The lack of statistical significance on the challenger quality variable is not surprising, given that experienced challengers were more likely to run against Democrats than Republicans. It also appears as though Republican support of or opposition to Roosevelt's Court-packing agenda did not yield any observable electoral consequences. Additionally, the variables for seniority level and region were both insignificant, suggesting that these factors did not directly affect Republican electoral fortunes.

Shifting attention to Model 2, the regression results confirm many of the earlier findings, particularly with respect to the statistically significant effects of both previous vote margin and the regional variables on Democratic incumbent vote share.[23] More striking, however, is the statistical significance of the interaction terms included in Model 2 for Democratic incumbents. While challenger quality is no longer significant at conventional levels on its own, we do observe that the net effect for Democrats who voted yea on the pension vote and were forced to run against a quality challenger in 1938 is both negative and statistically significant.[24] In other words, this result directly confirms the earlier finding that Democrats who supported Roosevelt's initiative were more likely to face a quality challenger, which in turn reduced their vote shares by more than three percent.

The challenger quality/seniority interaction term for Democrats is also significant in a negative direction, but with a smaller substantive effect. While seniority served to insulate most Democrats from electoral risk, more senior members who faced a quality challenger noticed a slight decline in vote share of nearly 1% in the 1938 elections. This is an intriguing finding as it suggests that experienced challengers may have intentionally targeted more senior members in an attempt to defeat them. If this were indeed the case, this conclusion may imply that seniority was less of a deterrent to electoral challenge in this earlier era than we commonly observe today.

In terms of the substantive import of the above findings, several notable implications for congressional elections stand out. First, the results presented above lend support to the notion that Republican challengers acted strategically in deciding

whether or not to run. Not only did a greater number of experienced candidates run against Democrats in 1938, but they also were more likely to challenge marginal incumbents. A greater proportion of quality challengers also ran in open-seat contests and challenged less senior incumbents, thus increasing their probability of winning. While the incumbents who ran against quality challengers did not necessarily lose in the 1938 elections, the results reported in Table 2 suggest that they captured a smaller percentage of the vote when facing a more experienced challenger.

The above results also shed light on the consequences to Democrats in connection with Roosevelt's unsuccessful effort to pack the U.S. Supreme Court. While the Democrats who supported his controversial plan to increase the size of the Court were not directly penalized for the positions they took on the bill, they did encounter some indirect costs for their position-taking behavior. In particular, Democrats who took a yea position on the plan were more likely to face a quality challenger which, in turn, reduced their vote shares in the 1938 elections. For those members who had previously won by a relatively narrow margin, this factor may have meant the difference between victory and defeat.

Additionally, the findings reported above have broader theoretical implications for our understanding of congressional elections. In particular, this analysis of the 1938 election has further served to validate the strategic importance of quality challengers in an historical electoral context. As the results indicate, quality challengers exerted a significant impact on electoral outcomes as early as 1938, offering some preliminary evidence for why the Republicans picked up additional seats in the midterm election. While my attention to this single election precludes my drawing conclusions regarding the strategic emergence of quality challengers over time during this political era, further examination of congressional elections throughout this decade may reveal additional evidence in support of the relationship between changing national and partisan tides and election outcomes.

Analyzing Election Outcomes

One of the more interesting aspects of the 1938 election was the considerable turnover among Democratic incumbents. Since we rarely, if ever, observe such high levels of turnover in congressional elections after 1960, this election provides an ideal opportunity to systematically analyze specific factors affecting electoral outcomes. To determine if the above factors affected whether or not Democratic candidates were likely to win or lose in 1938, a logit model was also tested that systematically explores this dichotomous outcome.[25] As before, measures for both challenger quality and seniority are included as well as an interaction term combining the effects of these two variables to determine whether these factors influenced a candidate's likelihood of winning. Dummy variables for the midwestern, northeastern, and western regions are also included on the right-hand side of the equation, providing an opportunity to better isolate the effects of regional differences on candidate outcomes. Since the position legislators took on the compromise bill had neither a direct nor a significant impact on incumbent electoral margins, it is not included in the logit model.

TABLE 3
Logit Analysis of Democratic Outcomes in the 1938 Elections

	Coefficients	*Robust Standard Errors*
Challenger Quality	−2.330**	0.654
Seniority Level	0.098*	0.050
Seniority*CQ	−0.328**	0.112
Midwest	−1.043*	0.490
Northeast	−1.058*	0.474
West	−0.704	0.656
Constant	2.198**	0.508
Pseudo R^2	0.461	
Wald χ^2	102.51	
N	293	

* Significant at $\alpha = 0.05$; ** Significant at $\alpha = 0.01$
Log Likelihood = −104.73
Percent Correctly Classified = 88.05
Reduction of Error = 65.22

Table 3 presents the results from the logit analysis that supplement the findings reported earlier for the regression models. Most noticeable is the sign and statistical significance of the challenger quality variable. All else being equal, Democratic candidates who faced a quality challenger in the 1938 elections were more likely to lose to their opponent. Also of interest is the result for the interaction term indicating that more senior members who faced an experienced challenger were less likely to win. In particular, Democrats who faced a quality challenger were nearly 52% more likely to lose than those Democrats who did not run against an experienced challenger. While this finding has notable implications for our understanding of this election, it also suggests that the Republicans might have won additional seats in 1938 if a greater number of quality challengers had emerged to run.

Also noticeable from the results presented in Table 3 are the sign and significance of the regional variables. While the signs of all these variables are in the expected negative direction, only the Northeast and Midwest regional variables are statistically significant. This suggests that candidates running in these areas of the country were more likely to lose, even when controlling for other factors. Unfavorable national conditions may have exerted the most direct influence in these two regions (especially with regard to the economic recession of 1937) since this was where a considerable portion of the nation's industrial base was located during this period.

CONCLUSION

While elections in the postwar era have been the subject of intense scrutiny and empirical analysis leading to new insights and discoveries, the same is not true for elections that occurred in the nineteenth and early twentieth centuries.

Nearly everything we know about these earlier elections is based on anecdotal evidence or purely descriptive accounts. With few exceptions, journalistic or historical explanations for observed events in these elections are taken as fact even when, at times, these explanations do not conform to modern theoretical expectations. By testing contemporary theories of elections in an historical context, we can seek to shed light on historical puzzles or irregularities, and in the process, refine mainstream theories of electoral politics.

This paper has systematically explored the congressional elections of 1938 in an attempt to understand why turnover among Democrats was high by contemporary standards. Most notably, this analysis revealed that Democrats endured heavy losses in 1938 as a result of a large number of quality candidates running against them. Nearly all of the incumbents defeated in the 1938 elections ran against an experienced challenger. In terms of more general evidence of strategic behavior, we also observed that quality candidates were more likely to run against marginal incumbents, in districts traditionally leaning Republican, and in open-seat contests in 1938, thus increasing their chances of winning.

Additionally, this analysis has served to document the emerging ideological and partisan division between northern and southern Democrats during this political era. To a certain extent, the increased polarization between the president and Congress prior to the election was largely a function of the growing number of southern conservatives within the Democratic Party. As more southern Democrats were elected to the legislature in the 1930s (replacing their more liberal northern counterparts), the ideological center of the Democratic Party began to shift to the right and the distance between the two parties began to disappear. Eventually, these conservative southern Democrats began to take their toll on Roosevelt's legislative efforts, particularly with regard to the passage of his New Deal.

The obvious next step is to examine other elections during this era to gain a more complete understanding of the electoral and partisan trends occurring in the 1930s, especially in terms of the impact of changing national and partisan tides on electoral fortunes. The elections of 1932, 1934, and 1936 are especially interesting in this regard as they brought nearly 120 new Democratic members to Congress. With such a large influx of Democrats within a relatively short period of time, it would be useful to determine what impact, if any, these new legislators had on the congressional institution or the types of legislative policies under consideration. Further extensions of this analysis may also lend greater credibility to the findings reported in this paper, particularly in terms of the impact of the growing number of southern conservatives in the Democratic Party. Since we know the influence of the southern Democrats would become even more pervasive in Congress over the next 30 years (Rohde 1991), it would be beneficial to learn more about the onset and development of this trend.

The 1938 elections also raise several additional questions for students of Congress that, for the usual reasons, could not be explored more fully in this paper. First, to what degree did conservative southern Democrats begin voting more regularly with their Republican colleagues after 1938 in an attempt to block Roosevelt's liberal policy agenda? Did southern Democrats continue to behave dif-

ferently from their northern counterparts after the onset of World War II? What effect, if any, did the 1938 election have on the way in which President Roosevelt interacted with members of his party in Congress? And lastly, did members of the Democratic Party in Congress attempt to distance themselves from Roosevelt in upcoming elections?

In addition to shedding new light on an important era of American political development, the results in this paper show that contemporary theories of elections provide a useful framework for analyzing earlier elections. Additionally, the findings suggest that many of the factors that shape electoral outcomes today were also important in earlier historical eras. In particular, the results clearly demonstrate that experienced challengers had an impact on elections in a pre-candidate centered era. Furthermore, the results suggest that taking a position contrary to the preferences of constituents hurt incumbents only if there was a challenger with the resources to exploit the lack of responsiveness to constituents. Future work that builds upon the findings reported here should further serve to enrich our understanding of electoral outcomes and political behavior across time.

Notes

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[1]During the 75th Congress (1937-38), the Democrats held 334 of 435 seats in the House of Representatives and 76 of 96 seats in the U.S. Senate, making it one of the largest majorities in both chambers in history (Martis 1989).

[2]The percentage of seats controlled by the Democrats in the House was reduced from 76.8% to 60.2% after the 1938 elections. In the Senate, the Democrats lost only seven seats (Martis 1989).

[3]This was the second largest turnover in membership in the history of the House of Representatives. The single greatest turnover in a two-year period came in the 1894 midterm elections when the Republicans picked up 130 additional seats (Martis 1989).

[4]The results of the 1934 midterm elections raise a number of interesting questions for students of congressional elections. Other than 1998, this is the only midterm election during the twentieth century when the party of the president actually gained seats in the House of Representatives. While analysis of the 1934 elections is beyond the scope of this paper, it is my intent to explore this election more systematically in future work.

[5]A poll taken in the House in February 1937 showed that a majority of Democrats favored passing Roosevelt's Court-packing bill. Some evidence suggests that this level of support in the House waned during the succeeding months (on this latter point, see especially Caldeira 1987).

[6]Milkis (1993, 83-92) maintains that it was this growing resistance among southern Democrats to the New Deal that led Roosevelt to campaign against these party members in his ill-fated attempt to "purge" the Democratic Party of the conservative coalition in 1938.

[7]This poll was conducted for and reported in *The Washington Post* and 73 other prominent American newspapers.

[8]*The Washington Post*, Thursday, November 10, 1938, page 1.

[9]Of course, some questions cannot be systematically explored in analyses of nineteenth- and early twentieth-century elections. Since useable campaign finance data do not exist during this particular era, for instance, it is impossible to determine if the same effects of campaign spending by both challengers and incumbents in the contemporary era hold up during this earlier period of time.

[10]As used here, a quality challenger is defined as an individual who has previously waged a successful electoral campaign for public office. For instance, an individual who had served in a state assembly would be considered a quality challenger due to his or her experience with an elective campaign whereas someone who was appointed to a public position would not be considered a quality challenger (for a more extensive discussion, see Jacobson 2001).

[11]Some might make the argument that the midterm effect may have been less pronounced in the 1930s, given that the Democrats actually gained seats in the 1934 midterm election. However, this ignores the significant gains made by the Democrats in the three previous elections that left them overexposed and at risk of losing additional seats in the 1938 elections (on this point, see Waterman, Oppenheimer, and Stimson 1989). Campbell's (1997) theory of surge and decline would also lead us to expect the Democrats to lose additional seats in 1938.

[12]This generalization clearly does not stand up to empirical scrutiny in the southern states during this period, since the Democrats solidly controlled this region until the early 1970s.

[13]One of the reasons many of the older, more conservative justices on the Court were reluctant to leave the bench was that existing rules prevented them from getting their full pension if they retired before a set period of time. Recognizing this, a majority in both chambers passed a bill allowing justices to retire early, yet retain their full pensions (Carson and Kleinerman 2002).

[14]Due to the controversial nature of the Court-packing plan, many legislators were quick to take a public position one way or the other on the House or Senate floor, in public speeches, or in news stories about the proposal. From data collected on legislative position taking on the Court-packing plan, it appears that the positions correlate very highly with the vote taken to allow justices to retire early with a full pension. Thus, it does not appear problematic to treat this measure as a symbolic representation of members' positions on the original plan.

[15]The total number of members shown in the table is greater than 435 since the outcomes for every person who served in the 75th Congress are displayed, including those individuals elected to fill vacant seats during the Congress.

[16]Nearly 30% of those incumbents who had served two previous terms in the House faced a quality challenger in 1938, whereas 35% of those who had served three terms did. In contrast, less than 17% of those incumbents who had served four or more terms faced an experienced challenger.

[17]The data utilized for this part of the analysis were made available, in part, by the Inter-University Consortium for Political and Social Research. Presidential vote data at the district level for 1928, 1932, and 1936 were compiled from county-level U.S. presidential data originally collected by Professors Jerome M. Clubb, William H. Flanigan, and Nancy H. Zingle from 1840-1972 (ICPSR study number 8611). Construction of the district-level measure was simplified by the inclusion of a variable in the original data set that recorded the congressional district number encompassing each county. Neither the collectors of the original data nor the consortium bear any responsibility for the analyses or interpretations presented here.

[18]This analysis follows the classification used by Congressional Quarterly to identify southern states: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

[19]Using a difference of means test for these two groups offered sufficient evidence to reject the null hypothesis of similar voting behavior between northern and southern Democrats.

[20]While this is a somewhat crude measure of national conditions, it does permit one to differentiate between regional differences in the 1938 congressional races.

[21]From each of these sources, background information on approximately 88% of the challengers running for office in 1938 was identified. Individuals were coded "1" if they had previous electoral experience, "0" otherwise. Following the lead of Jacobson (1989, footnote 3), candidates for whom it was impossible to identify any background information were coded as having no previous electoral experience.

[22]It appears that one important factor driving these largely insignificant results is the lack of sufficient variation on many of the variables relevant for Republicans.

[23]The regression results for the Republicans in Model 2 are virtually identical to those of Model 1 and will not be discussed, for the sake of parsimony.

[24]The net effect for incumbent Democrats voting yea on the Court-packing legislation is determined by summing the coefficients on the challenger quality variable and the challenger quality/pen-

sion vote interaction term. In this case, the coefficient on challenger quality is 5.096, while the interaction term is –8.273, producing a net effect of –3.177.

[25]Republicans are used as the baseline category in this analysis and only the results for Democratic wins/losses are reported, since all the Republicans seeking reelection in 1938 were victorious.

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