

First Things First: The Struggle for the Nomination

By Dan Shea

A legendary party boss once claimed, “I don’t care who does the electin’, just so I do the nominatin’.”

The run for the presidency has become an ultra-marathon, due in large measure to the nomination process. Each party must winnow the field of hopefuls down to one general election candidate. As simple as this sounds, the process of nominating candidates has always been complex and controversial. It is also not well understood by most Americans. This section will take a look at the past, present, and future of the presidential nomination process. As you will soon read, by most accounts the current system is broken and significant reforms are in store. For the time being, the 2008 candidates will somehow have to navigate the turbulent waters that are primaries and caucuses.

Nominating Conventions

In the earliest decades of our nation’s history, each party’s representatives in Congress named its presidential (and, beginning in 1804, its vice presidential) candidates. Controversy surrounding the presidential election of 1824 ended the reign of King Caucus, as it was called, and the outcome was national nominating conventions. The idea was simple: delegates would be sent from communities across the nation to discuss the strengths and weaknesses of potential candidates and thus produce the best choice. The convention would also be an opportunity to hammer together a party platform (a list

of the party's position on key issues), as well as rules for conducting party business. It would be a gathering of local party representatives every four years. The major parties held their first national conventions in 1832 and have done so every four years since.

One of the sticking points in the convention system was how delegates would be chosen from their communities and what role they might play at the convention. A few states developed mechanisms to allow rank-and-file party members to select delegates, but most simply allowed state and local party bosses to handpick who went to the national conventions. Once there, these delegates were obliged to follow the orders of their party leader. This often led to high drama at party conventions. Party bosses used their delegates as negotiating chips, looking to play a key role in nominating the candidate—for what could be better than to be perceived as the party's "kingmaker"?

The strain between party bosses and average party followers came to a head in a fight over the 1968 Democratic presidential nomination. A sharp division emerged between the party leaders, who backed Vice President Hubert Humphrey, and the "antiwar Democrats," who supported either Minnesota senator Eugene McCarthy or New York senator Robert F. Kennedy (the late President John F. Kennedy's younger brother and his former attorney general). Kennedy gradually outpaced McCarthy in the primary elections, but there were only 17 that year, making up just 35 percent of the delegates that would attend the convention. The party bosses, who selected the majority of delegates, continued to back Humphrey. Kennedy's assassination on the night he won the California primary created a crisis for the antiwar Democrats. Faithful to their bosses, the majority of delegates at the Democratic National Convention in Chicago nominated Humphrey, while thousands of antiwar young people filled the streets in protest outside

the convention hall. Riots erupted and it was all captured on television. The party seemed to be tearing itself apart.

The Rise of Binding Primaries and Caucuses

After this disastrous election, which Republican Richard Nixon won, Democrats set in motion a set of reforms that have forever changed the presidential nomination process. Binding primaries were established in most states, where voters head to the polls to pick delegates who have pledged their support for a particular presidential candidate. The winners in each state are sent to the convention, where they vote to nominate that candidate. Another way to pick delegates, used in fourteen states, is a nomination caucus. Here, rank-and-file party members attend a neighborhood meeting, share ideas and concerns about particular candidates, and cast a ballot for pledged delegates to attend a statewide meeting. There, the same process takes place, and the delegates who win at the state level go to the national party convention. The key difference between primaries and caucuses is that the former is an election and the latter is more like a series of “town-hall” meetings. Republican Party members were not bound by the new Democratic Party reforms, but as the notion of binding primaries and caucuses spread, they felt compelled to abandon the boss-centered model as well. In addition, state legislatures began mandating delegate selection procedures.

The nomination reforms of the early 1970s dramatically transformed the way Americans select presidents. It is hard to overstate the importance of the shift from party boss to voter control. Many have applauded the change; the process, they argue, better reflects the will of the electorate and therefore is more democratic. Perhaps more

important, it is a process that most Americans believe is fair. It conveys legitimacy, which is essential for any political system.

Critics, however, point to a number of problems with the new process. In recent years, the alarm bell has grown louder and louder. Is the process really more representative? Are there no downsides to the new process? Consider the following:

- The nomination process may *not* reflect the will of the average party member, let alone the average American, because relatively few people participate in the primaries and caucuses—and the ones who do are much more ideological, more “extremist,” than the typical citizen. Turnout in presidential primaries is generally less than 15 percent of eligible voters, and attendance at caucuses rarely gets beyond 5 percent. Even in Iowa, where the candidate and media attention is intense, only 4 percent of eligible voters came to caucuses in 2004. This might not be a problem if those who come out are more or less like everyone else. But they are not. Only the most committed—which usually means the most ideological—voters generally participate in primaries and caucuses.
- A second broad area of concern relates to the host of issues that arise when candidates appeal directly to voters. Because candidates win or lose based on how citizens feel about them, the nomination process has become very expensive, time-consuming, and negative. Candidates who can raise the most money—and raise it the fastest—have every advantage. This money can be used to attack the other candidates, who are all part of the same party. Some of the hardest attacks against presidential candidates come during the primaries,

not the general election. The bitterness of the primaries leaves many Americans distrustful about the electoral process. Many argue that it turns off voters—especially young voters.

- Those candidates who are able to grab media attention before the primary and caucus season do much better, which gives an unfair advantage to the best-known and best-funded candidates. Together, the ability to raise early money and to draw media attention has been called the “invisible primary.”
- The nomination process is drawn out, but at the same time, it puts a premium on winning early primary and caucus contests—and winning there, of course, helps raise more money and draw more media hype. Many critics have argued that small and perhaps atypical New Hampshire and Iowa, which hold their events at the very start of the process, exert grossly disproportionate weight in selecting the eventual nominee.
- The current system gives every legally qualified citizen the opportunity to run for the presidency. Although this may sound like a good idea, critics suggest that some sort of screening mechanism should filter out unworthy candidates. It can be argued that in today’s system, anyone with a huge bank account and a good team of campaign consultants can try to become president. And such a candidate can do quite well regardless of his or her knowledge, experience, background, or character. In the past, state and local party leaders did the screening, and although they occasionally came up with some very bad choices (a few of whom got elected), they also managed to choose winners in such men as Abraham Lincoln, Woodrow Wilson, Franklin Roosevelt, Dwight

Eisenhower, and John Kennedy.

The 2008 Leapfrog Contest

Perhaps the greatest issue, especially in recent years, has been the rapid pace at which the nomination process ends. The Iowa Caucus comes first, followed by the New Hampshire Primary. Both states have passed legislation protecting their first-in-the-nation status, and the Democratic National Committee supports these states. In fact, DNC rules stipulate that no state shall hold its nomination contest before Iowa and New Hampshire, at the risk of having its delegates prevented from being seated at the convention. These events used to happen in February, but in recent years they have been held in late January.

The Iowa and New Hampshire contests, and the other early primaries and caucuses, carry a great deal of weight, as noted above. Candidates who win these early races are often crowned the nominees even though a vast majority of primaries and caucuses have not taken place. They are perceived to be invincible, and the other candidates drop from the contest. What seems like a logical, step-by-step progression of primary and caucus events is cut short to just a few weeks. Put a bit differently, unless there is a “favorite son,” the Democratic and Republican candidates who win both Iowa and New Hampshire are generally dubbed the nominees by the media, and the process shuts down. The nomination process ends by February or early March, at the latest.

There are serious problems with this, not the least of which is that voters in most states never have a say in the nomination process. How can an electoral system be representative if a vast majority of voters are denied a chance to cast a ballot? Should a few small, mostly rural states speak for the rest of the nation? One might argue that the

losing candidates should stay in the race, but it seems a waste of time and money. The prophecy becomes self-fulfilling.

By 2007, mounting frustration over this truncated process had led one state after another to move its primary or caucus earlier in the election calendar. If the process is over by March, why not move your state's event to February? As noted by political analyst Karen Tumulty of *Time* magazine:

For a number of years, the larger states -- places like California, New Jersey -- have essentially been afterthoughts in the nominating process. And they've looked at themselves and they've thought, "You know, here we are, big, diverse states where a lot of voters live, where a lot of politicians come to raise money, and yet by the time our states get around to voting, the nominations are essentially a lock." And so this was the year when a lot of those states decided that was the end of that, and they moved their primary dates up.ⁱ

Thus began a rapid succession of changes, with one state moving its nominating contest earlier, only to be leapfrogged by another state. In response, that first state again moved up its date. The results have been nothing short of chaos. For example, some time ago South Carolina decided to move its contest in order to have the distinction of being the first primary in the South. Nevada made a similar move. But in Spring of 2007, Florida changed its primary date to January 29. Why shouldn't Florida be the first in the South? In response, both South Carolina and Nevada have said that they will again change their dates in order to be ahead of Florida. To add fuel to the fire, by September, Michigan had decided to move its primary to January 15. New Hampshire, determined to be the first in the nation, may have to hold its primary in December of 2007. Given the

difficulties of holding a political contest during the holiday season, the first primary of the 2008 election may well be nearly one year before the general election – early December.

There has also been mounting attention to one early primary date, February 5. Over the years several states have moved their nomination contest to this date, and by the 2000 election it was known as “Super Tuesday.” In the spring of 2007, when other states moved their events to that date, the term “Super-Duper Tuesday” seemed a bit more fitting. By the fall of 2007, so many states (twenty in all) had moved their dates to February 5, many of them large states (such as California, New York, Illinois, and Texas), the name “Tsunami Tuesday” seemed a better label.

Most agree that a flawed system became seriously broken by 2007. Several problems spring from this turbulent leapfrog process, which has put even more pressure on the early stages of the nomination process. Given the importance of momentum, coupled with the truncated schedule, the winners of early contests will have a powerful advantage. By late summer of 2007, most analysts and media pundits seem to be in agreement that if a candidate in either party wins both the New Hampshire primary and the Iowa Caucus (whenever they take place!), that candidate will be unstoppable. This has led to an unprecedented early campaign season. Nearly all candidates in both parties had declared their intentions to run a full eighteen months before the general election. Indeed, Fred Thompson was criticized for his late entry into the race, which was early September 2007. In past presidential elections, few candidate had formally declared their intentions until after Labor Day.

Another implication has been the importance of early and successful fundraising. Money has been critical in presidential elections for many years. With the rapid succession of primaries, however, most agree that without a very large bank account, a candidate cannot compete. In addition, since so many states will have their contests in a short period of time, a premium will be put on television advertising. Again, candidates with massive war chests will have a massive advantage. The rapid succession of nomination contests has certainly changed candidate strategies.

Finally, and of no little consequence, many speculate that the early campaign season will lead to record levels of “voter fatigue.” American voters are sometimes disparaged for not caring enough, for not paying close enough attention. Nearly two years of polls, spin, attacks, counter-attacks, and punditry can certainly turn voters off, however. We want voters to care, to pay attention. But for how long can we expect to hold their attention?

Leaders in both parties are at their wits-end to do something about this rush to be at the head of the line. The Democratic National Committee voted to strip states of their delegates if they move their nomination contests to before February 5. The leapfrogging states seem undeterred, however. Most agree that following through with this threat will be difficult and, perhaps more important, the conventions are no longer used to pick candidates anyway. They have become staged media events for the nominee, rather than a gathering to select the candidate. Not wanting to upset voters in Iowa or New Hampshire, several candidates, including Hillary Clinton, Barack Obama, and John Edwards, have said that they will refrain from campaigning in these states. This will prove difficult. As noted by one reporter in the *New York Times*, “Even though the

candidates signed a written document, the practicality of the pledge remains an open question, given that a Democratic forum is scheduled in Miami and candidates already have events on their schedules for the coming weeks and months.”ⁱⁱ

Nominations in the Years Ahead

Should we bring back the bosses in smoke-filled rooms? Most people would balk at this, but at the same time they acknowledge that the pathway to the presidential nomination is rife with obstacles. Changes designed to make the nomination process more open and representative have moved things in the right direction, but they have also created a new set of issues. We have to wonder: would some of our greatest presidents, all of them masters of back-room deal-cutting as well as inspiring public oratory—Lincoln, for example, with his odd appearance and his melancholic demeanor, or Franklin Roosevelt, wheelchair-bound at a time when people with disabilities were shunned—have gotten their party’s nomination in today’s process?

We might consider whether the new approach truly engages the interest of most Americans, especially young Americans. Old-time conventions were often flamboyant, dramatic events, full of unexpected twists that riveted the country’s attention. There was much wheeling and dealing behind the scenes, but they were never like the totally scripted, made-for-media events that modern political conventions have become, so boring and predictable that they get less airtime from the networks and attract fewer television viewers with each successive election. And the extreme importance of money and big media in the presidential nomination process virtually ensures that the nomination is going to be sewn up months before the convention even meets. The only suspense nowadays involves the nominee’s choice of running mate. Perhaps this is yet

another reason why voters are increasingly tuning out.

Reforming the reforms is on everyone's mind these days, and few expect the current process to last beyond 2008. But what will the system look like in the years ahead? One approach that is often raised would be to have regional primaries and caucuses. The South might start the process one election, and the Midwest the next. The problem with this process is that large multi-state events will likely reduce the importance of interpersonal campaigning—what many dub “retail politics.” In its place will be ever more television commercials. And of course the push for enough money to compete in multi-state events will be powerful. Another model, often dubbed the “American Plan,” is to start with nomination contests in the smallest states and move through the years with every larger state. Retail politics is preserved, but so too will the invisible primary and the momentum of early states. Either way, all agree that the current system is out of control and that the parties themselves finally have to grab the horse by the reins.

The Primary Problem

New York Times Editorial, September 2, 2007

This is shaping up to be an ugly presidential primary season, and the candidates have not even started getting ugly yet. The Democratic Party is vowing to strip Florida and Michigan of their delegates if those states insist on pushing their primaries up to January. The Republicans are also threatening to take delegates from Florida and Michigan, along with three other states. Iowa and New Hampshire, whose laws require them to vote before other states, may respond to the interlopers by moving their own primaries into early January, or even late 2007.

The presidential primary system is broken. For years, the nominating process has unfolded in an orderly, if essentially unfair, way. The schedule has worked very nicely for early-voting states, which have had a steady stream of would-be presidents knocking on their doors, making commitments on issues like the Iowa full-employment program, also known as the ethanol subsidy. The losers have been states like New York and California, which have often gotten to vote only when the contests were all but decided. Issues that matter to them, like mass transportation, have suffered.

There have long been calls for reform, but the national parties have been reluctant to tinker with the system. The Democrats made a small change this time around, allowing Nevada and South Carolina to join Iowa and New Hampshire in selecting delegates before Feb. 5, the end of a protected window for early-state voting. The parties, however, have resisted more ambitious overhauls that have been proposed.

The states are fighting back. Many have pushed their primaries up to Feb. 5, the first day that the non-early-voting states are allowed to schedule their primaries. As a result, Tuesday, Feb. 5, 2008 -- when primaries are scheduled in California, New York, Illinois, New Jersey and many other states -- is being called not just Super Tuesday, but Super Duper Tuesday.

A few states are going further, openly defying the Feb. 5 cutoff. The highest-profile fight has been over Florida, which has scheduled its primary for Jan. 29. The Democratic National Committee is insisting that Florida adopt a process that complies with its rules, perhaps by turning the Jan. 29 vote into a “beauty contest” and choosing actual delegates later. The Republican Party has taken a similar stand.

The national parties are right to take a hard line. If there is anything worse than a bad primary schedule, it is an utterly chaotic one. If the rules are not enforced, it encourages candidates to game the system. Some of the support for pushing Florida's voting forward reportedly comes from backers of Rudolph Giuliani and Hillary Clinton, who are both expected to do well in the state. The rules should be determined before it is clear which candidate they would benefit.

A Wild West approach could also make the primary season absurdly early. States could keep leapfrogging backward over each other until their primaries were scheduled in the winter, or even fall, of the year before the general election. No one except political professionals would benefit from dragging on the campaign so long, or selecting the nominee so far in advance.

There have been plenty of predictions that Howard Dean, chairman of the Democratic National Committee, and his Republican counterparts won't carry out their threat to take away delegates, out of fear of offending voters in the affected states. Stripping delegates is not an ideal solution. Still, the national parties are right about the importance of the rules, and should hold firm.

The states bucking the system are right about a larger point: the nominating process must be changed. An ideal system would start slowly enough that candidates who are not well-known or well-financed can score some early victories or at least show well. At the same time, it would allow larger states to participate early enough in the process that their voters could play a significant role in choosing the nominees. It would spread

out primary days over a long enough time that a true campaign could emerge, rather than the near-national primary that is likely to occur next Feb. 5.

Many worthy reform proposals are circulating. One calls for dividing the nation into four regions and having them vote in sequence: one in March, another in April, and the last two in May and June. In future elections, the regions would vote in a different order. Unfortunately, a leading version of this plan calls for Iowa and New Hampshire to keep voting first. Another appealing idea, the “American Plan,” starts with small states and moves onto larger ones, so long-shot candidates can build momentum, but it does an especially good job of ensuring that voters from all states have a reasonable chance of voting early in the primary season.

The two parties should begin a discussion of the best reform proposals now, and plan on having a new system in place for 2012. The presidential nominating process is too important to American democracy to be allowed to descend into gamesmanship and chaos.

There’s Something About Iowa and New Hampshire

Adam Nagourney

People were spilling out of Bow Fire Station, a small firehouse on a quiet corner in New Hampshire, even before Senator John McCain turned up. It was a weeknight, but the

firehouse was packed with voters eager to participate in a question-and-answer session with Mr. McCain, a Republican candidate for president.

For nearly two hours — long after the sun went down — Mr. McCain heard question after question: on various plans to resolve the war on Iraq, on Social Security and health care, about how to cut spending.

It was an exhaustive display, in which Mr. McCain at times found himself involved in discussions with voters who knew their subjects as well as he did. And it was the kind of experience that presidential candidates encounter regularly these days, both here and in Iowa, the states whose contests begin the presidential nominating process.

The outcry over the disproportionate influence New Hampshire and Iowa wield in the presidential nominating system rests largely on the contention that the two states are, demographically, too unrepresentative of the nation as a whole.

Yet there is something that differentiates these two states from the rest, and that seems more true than ever this year, when their traditional role is under assault.

As Mr. McCain found here, voters in places like the Bow Fire Station display a command of issues, a sophistication about the contest and its candidates, an understanding of history, and an eagerness to participate that sets them apart.

Voters in these states have been going through this exercise for a long time — since the early 1950s for New Hampshire and the early 1970s for Iowa — and it shows. It was apparent at the dozens of town hall meetings that my colleagues and I have attended in

Iowa and New Hampshire this year, and in dozens more interviews of voters by reporters from The New York Times around the country over the Labor Day weekend.

Those interviews suggested a disparity between voters who have been immersed in the process in New Hampshire and Iowa and voters in places like California and Florida, which are moving up their primaries to try to play a bigger role in the choice of the two nominees.

Consider this response from Ron Mirsky, a hair stylist from Exeter, N.H., when asked if he thought Senator Hillary Rodham Clinton was electable in a general election. “I did a lot of research on this,” he said. “I really feel she is: I think there’s a lot of secret support for her.”

Mr. Mirsky, who voted for John Edwards in the 2004 primary, talked breezily in the kind of shorthand used by political consultants and analysts as he discussed the “three H’s” that have dogged Mr. Edwards’ campaign this time. (The three are Mr. Edwards’ involvement in a hedge fund, his taste for expensive hair cuts, and the large home he built for himself in North Carolina.) And Mr. Mirsky was chagrined that he could only name two of them.

Then there was Jim Morrissey, 64, a retired telephone worker from Portsmouth, N.H., whose remarks about Mrs. Clinton and the war suggested he grasped the nuances of her position. “She has a little bit of a hawk in her,” he said. “She tries to say the right thing about Iraq.”

By contrast, C. J. Mueller, 52, a Democrat from Lakewood, Colo., seemed less familiar with the presidential choice the country faces next year. “I get all the candidates confused,” she said. “Nobody really has me interested. Possibly John McCain. I like his personality. Although we all know that none of them are truthful, he has a more honest aura about him.”

Or consider the response from Casey K. Schoenfeld, 40, a Republican from Clovis, Calif., a state that has moved its primary up from June to Feb. 5. Asked about his view of Senator Barack Obama, the Illinois Democrat, he replied, “Explain Barack Obama.”

Informed that Mr. Obama was running for president, Mr. Schoenfeld responded with a laugh: “Obviously, I don’t feel too strongly about him.”

When Nancy Asher, 52, a Democrat from Golden, Colo., was asked to talk about the presidential field, she responded bluntly. “I feel like I’m leaning toward the Democrats,” she said. “Bush is an idiot.”

This disparity is neither surprising nor in any way suggests a difference in the caliber of people of these states. But it is something leaders of both parties are no doubt keeping in mind as they set about to change the nominating calendar.

Presidential politics is simply ingrained into the culture of Iowa and New Hampshire in ways that it is not in any other state. John DiStaso, the senior political reporter for the Union Leader, and David Yepsen, the columnist for the Des Moines Register, are as much celebrities in New Hampshire and Iowa as Mike Lupica, the Daily New sports columnist, is in New York City.

New Hampshire and Iowa newspapers offer up a heavy diet of political news; the Register includes a daily run-down of where to see the candidates. And while people in other states sometimes find this kind of talk insufferable, voters in Iowa and New Hampshire often speak of the obligation they feel as the first to screen the candidates; hence the remarkable turn-out in Bow for a candidate who is still in the single digits in the polls.

In places like California or Nevada, candidates may be asked generic, none too taxing questions, like, “What are you going to do about education?” In Iowa the other day, Mr. McCain was asked to respond — in detail, please — to the proposal by Senator Joseph I. Biden of Delaware for a three-way partition of Iraq.

Finally, since voters are so accustomed to seeing these candidates in person rather than on just television, they tend not to be intimidated by their celebrity. That means they will ask any questions, press with a follow-up, and even offer the kind of critical rejoinder that can set a candidate back on his or her heels.

At Concord High School the other day, Mr. McCain was pressed by William Sleaster, 16, to talk about his views on “GLBT issues.” That one stumped Mr. McCain — “I had not heard that phrase before,” he said — until the teenager explained that the abbreviation stood for gay, lesbian, bisexual and transgender. He went on to press Mr. McCain to explain his opposition to gay marriage and various gay-rights proposals.

“I came here looking to see a good leader,” Mr. Sleaster told the candidate. “I don’t.”

Mr. McCain looked startled — but just for a moment. He thanked Mr. Sleaster for his question and moved on to take others from the long lines of students waiting at microphones in the auditorium.

Source: “There’s Something About Iowa and New Hampshire,” *New York Times On-Line*, September 10, 2007.

ⁱ As noted on the *PBS News Hour*, August 9, 2007. Accessed at http://www.pbs.org/newshour/bb/politics/july-dec07/primary_08-09.html, September 12, 2007.

ⁱⁱ Jeff Zeleny, “Clinton, Obama and Edwards Join Pledge to Avoid Defiant States,” *New York Times*, September 2, 2007, A22.