

Massachusetts senator John Kerry won the majority of the Democratic primaries and had enough delegates pledged to him that by March he became the Democratic Party's presumptive nominee. Incumbent Republican president George W. Bush also began his campaign in earnest in March 2004, with a television blitz costing more than \$60 million. In 2008, Republican senator John McCain wrapped up his party's nomination months before Democratic senator Barack Obama. This gave McCain an opportunity to unify the Republican Party, define his candidacy, and continue to raise funds for the general campaign. Obama seemingly was at a disadvantage, because he did not become the presumptive nominee until June and had a much more difficult time unifying the Democratic Party. In 2012, Governor Romney spent almost all of his resources during the primaries and was unable to draw on his general campaign funds until after he was officially nominated. This put him at a disadvantage because President Obama was able to use all his resources to campaign against the presumptive Republican nominee.

The Party Nominating Convention

The fourth stage of the campaign is when each party holds its nominating convention. Traditionally, the party out of power holds its convention first. The conventions are highly scripted and like a pep rally for the party's base. The key components of the convention are the adoption of the platform, the keynote speech, the nominating speeches, and the acceptance speeches of the vice-presidential and presidential candidates. After the conventions, each presidential candidate is expected to get a "convention bounce," a sometimes-temporary increase in positive polling results. In 2008, both parties delayed their conventions because they did not want to have a conflict with the Summer Olympics. The conventions were held in successive weeks. The Democrats convened first, in Denver, and Barack Obama's acceptance speech was given at Invesco Field before the largest audience ever to watch an acceptance speech. The Democrat received a modest poll bounce, which was quickly erased, prior to the opening of the Republican convention, when John McCain announced his choice for vice president, Alaska governor Sarah Palin. In 2012 because the Republican and Democratic conventions were held back-to-back neither candidate received a bounce in the polls.

National conventions date back to the 1830s, when the first "open" party convention was held by Jacksonian Democrats. Historically, conventions have provided excitement, hoopla, and ultimately the nomination of the party's candidates for president and vice president. The 1924 Democratic convention required 103 ballots to determine the winner. Backroom deals were cut, and strange political bedfellows emerged, creating a truly national ticket. Since 1952, both parties have selected their standard bearers on the first ballot. Even though this has been the case, media coverage of the conventions guarantees a national audience. Key convention proceedings such as rules and credentials debates, keynote speeches, platform debates, nomination of the presidential candidates, selection of a running mate, and acceptance speeches pique the interest of the electorate. Even the location of the convention can play a role in affecting the party's choice and creating a positive or negative public impression. In 1952, Governor Adlai Stevenson, Illinois's "favorite son" (the candidate backed by the state holding the convention), gave the welcoming address, and many political observers believed it contributed to his nomination that year. In 1968 the riots in Chicago played to a national audience, who came away with the feeling that the Democratic Party was not unified. The close results of the 1968 general election, according to some, would have been different if there had not been riots.

The McGovern-Fraser Commission

The McGovern-Fraser Commission was formed after the disastrous 1968 Democratic Convention. The commission's purpose was to revise the rules of delegate representation to be adopted for the 1972 Democratic Convention. The report recommended uniformity to the delegate-selection process with an emphasis on minority, women, and youth representation. The commission's recommendations were approved and, as a result, there was a dramatic increase in minority and women delegates. Because these changes were made, the days of smoke-filled rooms where party leaders picked the presidential candidate came to an end as states moved to holding primaries as the means of delegate selection. The commission also created a category known as superdelegates (elected party officials, who automatically were able to vote at the convention). In 2008, Obama was able to win the nomination because he convinced the superdelegates he could win in the general election. The Republican Party does not have the same rules, and the makeup of the delegates to their convention is not as diverse. In 2016, Hillary Clinton easily received the support of the Democratic Super Delegates, which gave her an insurmountable lead against insurgent Senator Bernie Sanders.

Selecting the Vice President

Wheeling and dealing often comes about in the selection of the vice-presidential running mate. Since 1940, the political precedent of having the presidential nominees choose their running mates has been established. The philosophy of the presidential nominees in picking a vice presidential candidate has ranged from attempts at "balancing the ticket" geographically to paying off a political debt. The classic choices of Lyndon Johnson as John Kennedy's running mate in 1960, Walter Mondale as Jimmy Carter's selection in 1976, and Lloyd Bentsen's addition to the Dukakis ticket in 1988 illustrate this balancing principle. When George McGovern selected Senator Thomas Eagleton in 1972 in a rushed decision, he soon regretted the choice. The media uncovered Eagleton's history of bouts of depression, and he was forced to leave the ticket. There sometimes is a sense of history in the elevation of a person to the ticket. Mondale's choice of Geraldine Ferraro of New York was historic, signaling the willingness of the Democratic Party to recognize that a woman had the capability to become president.

That the vice president must be qualified to be president in the event of a president dying or being incapacitated in office has been a source of controversy when presidential candidates select running mates. George H. W. Bush's selection of Dan Quayle and the questions regarding Quayle's qualifications hurt Bush's campaign. On the other hand, when a politician breaks the rules, it sometimes helps the image of his candidacy. Clinton's choice of fellow southerner Al Gore violated every previous rule. But the strategy worked, as this baby-boomer ticket caught the fancy of the American public. Vice President Gore, in turn, surprised the pundits by choosing Connecticut senator Joseph Lieberman, the first Jewish candidate for vice president. George W. Bush selected the elder Bush's secretary of defense, Dick Cheney, as his running mate. In 2008, Barack Obama selected one of his rivals for the presidency, Delaware senator Joseph Biden. Biden, who chaired both the Senate Judiciary and Foreign Relations committees, brought experience to the ticket. John McCain surprised the country, choosing Palin, who was relatively unknown. It was the first time the Republicans chose a woman for vice president. Palin helped unify the Republican Party, but ultimately hurt the ticket because of her inexperience. In 2012, Mitt Romney selected the chairman of the Budget Committee, Paul Ryan, to appeal to the conservative base of the Republican Party. In 2016, Secretary Clinton chose Virginia senator Tim Kaine, and Trump chose Indiana governor Mike Pence.

The General Campaign

The election campaign seems like a hundred-yard dash compared to the nominating process. Even though there are similarities to the nomination campaign in terms of organization and strategy, once the candidate has the official party designation, the fall campaign turns into a fight to the finish. In 1960 Richard Nixon decided to be the first candidate to campaign actively in all 50 states, and some analysts believe it cost him the election. In the 2000 campaign, Al Gore campaigned for a continuation of the Clinton accomplishments while trying to separate himself from the scandals that President Clinton faced—most notably his impeachment. He selected a Clinton critic, Connecticut senator Joseph Lieberman. Governor George W. Bush of Texas campaigned as a Washington outsider, but selected Cheney, a Washington insider, for vice president. In 2004, Bush ran as an incumbent, while Democratic senator John Kerry challenged the sitting president's Iraq policies. The 2008 campaign was characterized by a number of firsts. It was the first time there was no incumbent running for president from the previous administration since 1928; the first time an African American was nominated; and the first time the Republican Party nominated a woman for vice president. In the 2012 campaign, President Obama faced a difficult reelection landscape. The economy still had not recovered from the 2008 recession, and unemployment hovered around 8 percent. The Obama campaign developed a strategy of defining Mitt Romney early as "out of touch." Romney reinforced that image when he was caught on tape at a fundraiser criticizing the 47 percent of Americans who did not pay income taxes. A good showing in the first debate energized the challenger but ultimately Obama's ground game of volunteers getting out the vote provided the margin for victory.

The general campaign begins after the nominating conventions. Labor Day has become the unofficial kickoff of the general campaign. Both candidates must develop an electoral strategy that will ultimately result in winning 270 electoral votes. Since 1990, states have been described as "blue or red" states, blue for Democrats and red for Republicans. Candidates have a base of electoral support and must win the so-called swing states, also known as "battleground states" that will determine the outcome of the election. In 2000, Florida became the ultimate swing state as its electoral votes were contested until the Supreme Court ruled that a recount could not take place in the case *Bush v Gore*. In 2012, Obama targeted nine swing states and won all but North Carolina giving him a majority of electoral votes.

Campaign Strategy

Campaign strategists develop the day-to-day messaging for each campaign. They make decisions about where the money should be spent for political ads, where the candidates should go, the strategy for the presidential debates, and the get-out-the-vote operations. With the rise of social media, presidential candidates utilize e-mail, create apps, and have Facebook pages and Twitter accounts. There is a 24-hour news cycle, and there are often gaffes the candidates make that dominate the news.

The presidential and vice-presidential debates draw the largest audiences. They are run by the Presidential Debate Commission, a nonpartisan organization that organizes the dates, location, and format of the debates. Typically, there are three presidential debates: one dealing with domestic issues, one with foreign policy, and one in a town-hall format where questions are asked by undecided voters. These debates can impact the campaigns and give the challenger an advantage.

In 1960 the first-ever televised campaign debates gave an advantage to Kennedy, who came over better on the screen than did Nixon.

It was a turning point in the campaign. Incumbents such as Nixon often have had difficulty in their first debate. In 2012, President Obama's lackluster performance resulted in a tightening of the race.

One of the most important factors in the general campaign is money. The candidate who is able to raise the most money has a clear advantage. Presidential campaigns from 1976 to 2008 were characterized by presidential candidates using matching funds provided by law to limit the amount of money spent in a presidential campaign. In 2008, Barack Obama decided to raise more than the limit (refusing the matching funds) and had a significant spending advantage over his opponent. In 2012, both candidates raised more than a billion dollars. The total cost of the 2016 presidential campaign was over \$2.6 billion, setting a record. Adding the cost of the congressional campaigns, the total expenditure was over \$6 billion. As a result of the *Citizens United* Supreme Court case, independent groups were able to raise unlimited funds for the election.

Issues do make a difference in the campaign. An unpopular war or economic crisis will contribute to the chances of the challenger. In 1968, Lyndon Johnson withdrew from the race because of the unpopularity of the Vietnam War. In 2004, George W. Bush was reelected because the country did not want a change while the United States was fighting in the Middle East and Central Asia. It was a close election because those wars were becoming unpopular. In 2008, the voters punished the Republican Party and its candidate because of the economic problems the country was facing. In 2012, President Obama was able to convince the electorate that the country was making economic progress. In 2016, Donald Trump became the “change” candidate and pledged to “make America great again.” That message resonated with a new constituency that came out to vote in larger numbers than anyone expected.

Factors such as ethnic, religious, gender, and minority support are crucial for success in a campaign. Traditionally, the Democratic Party’s base includes organized labor, African Americans, women, Jews, and Hispanics. The Republican Party’s base includes white men, evangelicals, people who earn more than \$100,000 a year, senior citizens, and those living in rural areas. Once the base is solidified, the last piece of the puzzle is getting out the vote. A major change that has occurred in the get-out-the-vote efforts is early voting. Thirty-three states allow early voting, and a candidate who establishes a lead can win that state. More than 40 percent of the voters in those states do so either by mail or in person prior to Election Day. Pollsters release daily tracking polls that reflect both national and state polls. The 2004, 2008, 2012, and 2016 elections were impacted by both early voting and the ability of the winning candidate to get out the vote.

Optional Reading

***The Victory Lab: The Secret Science of Winning Campaigns,* by Sasha Isenberg (2016)**

From the publisher:

“The Victory Lab follows the academics and maverick operatives rocking the war room and re-engineering a high-stakes industry previously run on little more than gut instinct and outdated assumptions. Armed with research from behavioral psychology and randomized experiments that treat voters as unwitting guinea pigs, the smartest campaigns now believe they know who you will vote for even before you do. Isenberg tracks these fascinating techniques—which include cutting edge persuasion experiments, innovative ways to mobilize voters, heavily researched electioneering methods—and shows how our most important figures, such as Barack Obama and Mitt Romney, are putting them to use with surprising skill and alacrity.”

Reelection and Incumbency

The history of Congress reflects long-standing traditions. The first meetings in both houses established the committee system, which still exists today. The reelection rate of the Congress in its early days was low. In the first ten years, over one-third of the senators resigned before the end of their terms. In the House a large number of representatives served only one or two terms.

As political parties began to develop, the congressional reelection rate began to increase. By the time of the Civil War, many election victories resulted from party affiliation and incumbency. After the Seventeenth Amendment, the entire political structure of the Congress changed. By the era of the modern-day presidents (Kennedy, Johnson, Nixon, Ford, Carter, Reagan, George H. W. Bush, Clinton, George W. Bush, Obama, and Trump), it was evident that influential senators and representatives could use their office as an entrée to the presidency.

Other factors that changed the nature of congressional elections were the make-up of congressional districts, the primary system for nominating candidates, the importance of party politics, and the resulting reelection of most incumbents.

Election of Incumbents

Primaries and party politics have resulted in the election of incumbents through the 2000s. However, a trend that began in 2010 resulted in some Republican incumbents being defeated in primaries when the Tea Party supported more conservative candidates. Many of these Tea Party candidates were defeated by Democrats in the general campaign. Even though the success of Senate incumbents lags behind the House, it is obvious that once elected a sitting congressperson has a distinct advantage. The exception to the rule is if there is a scandal involving a representative or if a sitting president is unpopular by the midterms, a smaller percentage of that party's incumbents are reelected. When it became known in 1992 that House members were abusing their checking and post office privileges, many incumbents either decided not to seek reelection or were defeated. Midterm elections in 1994 reflected the public's disapproval of President Clinton's job performance. For the first time in 40 years, the Republicans captured control of both the House and the Senate. In fact, not a single Republican incumbent was defeated in what has been described as an electoral revolution. The Republicans maintained control of Congress after the 1996 presidential election. The 1998 midterm election maintained Republican control, although the margins of victory were cut in both the House and the Senate. After the 2006 midterm elections, the Democrats retook control of Congress, gaining 29 seats in the House. After the 2008 election, Democrats increased their majorities in the House and Senate, achieving a filibuster-proof Senate. This 60-seat majority did not last long as the Republicans gained back a seat after they won a victory in Massachusetts in a special election held after the death of the "lion of the Senate," Ted Kennedy. In the 2010 midterm election, Republicans gained 6 seats in the Senate, reducing the Democratic majority to 53 seats. The Republicans kept control of the House. In 2012, the Democrats gained seats in both houses, but the Republicans kept control in the House. In 2014, the Democrats lost 13 seats in the House and 9 seats in the Senate, giving the Republicans control of Congress. After the 2016 election, the Republicans lost six seats in the House and two seats in the Senate and retained control of Congress.

From 2000 to 2016 House reelection rates ranged from a high of 99 percent in 2000 and 2004 to a low of 85 percent in 2010. In 2016, reelection rates for House incumbents fell to 90 percent. Senate reelection rates are lower for the same time period. In 2016, 91 percent of Senate incumbents were reelected. Why do incumbents have this advantage?

Incumbents are highly visible. The cable network C-SPAN routinely broadcasts proceedings of the House and Senate. Representatives have free franking (sending of mail) privileges; they do

case work for their constituents, and most pride themselves in establishing close constituent relationships. They also make sure to co-sponsor legislation. Representatives are quick to take credit for obtaining funds through legislation that favors their home districts, called earmarks. This practice is usually pork barrel legislation and has been criticized by such political watchdog groups as Common Cause. As a result of campaign fundraising and contributions made by political action committees, incumbents also have a built-in money advantage over their challengers. This advantage usually results in weak opponents being nominated. They are considered expendable and frequently lose by more than 60 percent of the vote.

The 115th Congress is the most diverse in the nation's history, containing more women and minorities than any previous Congress. Between both chambers, a total of 102 minority members and 104 women are serving in Congress as of January 2017. However, the House is still 100 percent white, and the Senate is 94 percent white.

The Money Game

A California politician once said, "money is the milk of all politics." This has become increasingly evident in light of the amount of money raised and spent by congressional and presidential candidates and the impact of Supreme Court decisions on campaign finance laws. To put this in perspective, look at the following chart from the Open Secrets website. Even though there are federal matching funds for presidential candidates, since 2012 candidates from both major parties rejected those funds so they could raise as much as possible. It is interesting to note that spending for presidential elections has skyrocketed from a little over \$5 million in 1952 to over \$2 billion in 2012.

Cycle	Total Cost of Election	Congressional Races	Presidential Race
2016*	\$6,917,636,161	\$4,266,514,050	\$2,651,122,110
2014	\$3,845,393,700	\$3,845,393,700	N/A
2012	\$6,285,557,223	\$3,664,141,430	\$2,621,415,792
2010	\$3,631,712,836	\$3,631,712,836	N/A
2008	\$5,285,680,883	\$2,485,952,737	\$2,799,728,146
2006	\$2,852,658,140	\$2,852,658,140	N/A
2004	\$4,147,304,003	\$2,237,073,141	\$1,910,230,862
2002	\$2,181,682,066	\$2,181,682,066	N/A
2000	\$3,082,340,937	\$1,669,224,553	\$1,413,116,384
1998	\$1,618,936,265	\$1,618,936,265	N/A

*Presidential election cycle money

FEDERAL ELECTION LAWS

Three major pieces of legislation were passed to regulate federal campaign spending:

- The 1971 Federal Election Campaign Act (FECA) set up restrictions on the amount of advertising, created disclosure of contributions over \$100 (later changed to \$250), and limited the amount of personal contributions candidates and their relatives could make on their own behalf.
- The 1974 Federal Election Campaign Act, passed in response to the Watergate scandal abuses, established a six-person Federal Election Commission responsible for enforcing election law; the act also established matching federal funds for presidential candidates. In order to receive those funds, a candidate had to raise at least \$5,000 in at least 20 states. The candidate would then be eligible for the funds as long as the candidate agreed to disclose campaign contributions and not exceed the limit of the funds.

- The McCain-Feingold Campaign Finance Reform Act of 2000—This act banned what was called “soft money”—donations to candidates, political parties, and political action committees that went beyond campaign donations, which had limits, called “hard money.” The law also increased hard-money limits and established a ban on special-interest political ads paid for by soft money—ads that would be shown prior to a primary and general election. In 2002, the Supreme Court initially upheld this law, and candidates increased the amount of hard money raised. Special-interest groups got around the ban on soft money donations by forming what was called “527” independent groups that were able to give additional funds based on the tax code. These groups also ran ads that represented the interests of those groups.

Contribution Limits for 2017–2018 Federal Elections

DONORS	RECIPIENTS				
	Candidate Committee	PAC ¹ (SSF and Nonconnected)	State/District/Local Party Committee	National Party Committee	Additional National Party Committee Accounts
Individual	\$2,700* per election	\$5,000* per year	\$10,000* per year (combined)	\$33,900* per year	\$101,700* per account per year
Candidate Committee	\$2,000 per election	\$5,000 per year	Unlimited Transfers	Unlimited Transfers	
PAC: Multicandidate	\$5,000 per election	\$5,000 per year	\$5,000 per year (combined)	\$15,000 per year	\$45,700 per account per year
PAC: Non-multicandidate	\$2,700* per election	\$5,000* per year	\$10,000* per year (combined)	\$33,900* per year	\$101,700* per account per year
State, District, & Local Party Committee	\$5,000 per election (combined)	\$5,000 per year (combined)	Unlimited Transfers		
National Party Committee	\$5,000 per election	\$5,000 per year			

*Indexed for inflation in odd-numbered years.

¹“PAC” here refers to a committee that makes contributions to other federal political committees. Independent-expenditure-only political committees (sometimes called “super PACs”) may accept unlimited contributions, including from corporations and labor organizations.

Supreme Court Decisions

Buckley v Valeo (1976)

The court ruled that campaign contribution is a form of free speech protected under the First Amendment. The court also ruled that hard-money contributions by individuals could be limited, and that soft-money contributions to political parties could not be limited.

Federal Election Commission (FEC) v Wisconsin Right to Life (2007)

The court ruled that a law regulating certain issue ads that targeted candidates could be made as long as the ad was clear that it was made by the special-interest group.

Required Court Case

Citizens United v FEC (2010)

Key Fact: Citizens United is a conservative 501(c)4 non-profit organization in the United States that challenged the Bipartisan Campaign Reform Finance Act decision to prevent the group from financing a negative movie about Hillary Clinton.

Constitutional Issue: Whether the Supreme Court's previous rulings and the Bipartisan Campaign Reform Finance Act apply to nonprofit organizations or are those organizations protected by the First Amendment free speech clause in relation to supporting political issues?

Majority Decision: This case changed the entire dynamic of campaign finance law. Overturning the 2002 case and parts of the McCain-Feingold Act, the court ruled that based on the First Amendment's free speech clause, unlimited independent expenditures and political advocacy ads could be used by outside groups including corporations, labor unions, and special-interest groups as long as the money was not donated directly to a candidate's campaign and disclosure rules were followed. As a result, there was a fivefold increase in the amount of money special-interest groups spent in the 2010 and 2014 midterm elections and the 2016 presidential campaign. "There is no basis for the proposition that, in the political speech context, the Government may impose restrictions on certain disfavored speakers. Both history and logic lead to this conclusion."

Concurring Decision: "The First Amendment protects more than just the individual on a soapbox and the lonely pamphleteer."—Chief Justice John Roberts.

Dissenting Opinion: "The Court's ruling threatens to undermine the integrity of elected institutions across the Nation. The path it has taken to reach its outcome will, I fear, do damage to this institution."—Justice John Paul Stevens

American Tradition Partnership v Bullock (2012)

The court upheld *Citizens United* and struck down a ban on corporate political spending. The effect of this case was that the court's ruling made it clear that any future efforts to regulate outside money at the state level would be rejected.

McCutcheon v FEC (2014)

Next to *Citizens United*, this case allowed candidates and political parties to collect substantially larger sums from individual donors, thus weakening the hard-money limits established in 1974. By striking down so-called aggregate contribution limits, the amount a single individual could give in federal elections to all candidates, political parties, and PACs combined, the court ruled that the federal contribution limits were unconstitutional.

The overall significance of these rulings was to water down existing law that campaign donations were dominated by outside groups, and, because aggregate limits no longer existed, even individuals could give millions of dollars to candidates, national parties, local parties, and PACs in an election cycle.

The public funding of presidential campaigns has had a significant impact on the election process since it was instituted in 1971. Money has been given to candidates during the primary campaign, to the parties to help fund national conventions, and to candidates in the general election campaign. In 1988 candidates received more than \$65 million in federal matching funds. The two parties got over \$9 million for their 1988 national conventions, and George H. W. Bush and Michael Dukakis received over \$46 million in public funds. In 2004, candidates received \$75 million in federal matching funds. In 2008, McCain received \$84 million in matching funds.