

Bringing the Race to Closure

REMEMBER WHEN IT WAS OBVIOUS THAT THE DEMOCRATIC Party would choose a presidential nominee early this year because of the front-loaded primary schedule? Like a lot else that was oh-so-obvious about this year's election, things aren't working out that way (not as of the

week after Super Tuesday). While John McCain has nearly locked up the Republican nomination, Barack Obama and Hillary Clinton may continue battling for weeks, possibly for months, and perhaps all the way to the convention in Denver, intensifying the bitterness and disaffection between the two camps. What's more, the nomination may hinge on procedural votes whose outcome seems unfair to the losing side.

Is there anything that can be done to prevent the race from stretching into late summer and turning into an ugly donnybrook in Denver? In fact, if the primaries are not decisive, some steps could be taken to bring the contest to a fair resolution before the convention.

The Democratic Party faces two separate issues. The first concerns the seating of the 366 delegates from Michigan and Florida, currently disqualified because their states violated party rules by advancing their primaries to January.

The second concerns the long hiatus between the last primary, slated for the beginning of June in Puerto Rico (amazingly, the date is in dispute), and the Democratic Convention, which begins Aug. 25. If the primaries end without a verdict, the Democrats could go without a nominee for another three months.

Lopsided victories in coming weeks by Obama or Clinton—most likely by Obama—would render both these issues moot, but until early February the race was astonishingly close. On Super Tues-

day, Clinton received 50.2 percent of the total vote nationally, while Obama received 49.8 percent, not counting ballots for candidates who had dropped out. The next day, the Obama campaign accidentally released an internal analysis projecting that the two candidates would end the primary season in virtually a dead heat (though if the release weren't really accidental, it may have been aimed at lowering expectations).

The Democratic Party's proportional-representation rules for delegate selection are part of the problem. Ironically, though intended to be democratic, the rules will likely throw the decision about the nominee to the 796 unpledged superdelegates, nearly one-fifth of the total.

But what about the 366 from Michigan and Florida? After March 1, when the Democratic National Committee refuses to certify delegates from those states, the state parties will probably petition the DNC's Rules and Bylaws Committee for a reconsideration of the penalties. They may ask, first, to have their superdelegates certified (on the grounds that the party's charter says that superdelegates "shall be" seated, without qualification) and, second, to reduce the penalty on pledged delegates from 100 percent to 50 percent (as the rules origi-

nally specified). It could be in response to these petitions that a deal emerges from negotiations among the DNC, the state parties, and the two campaigns—with the outcome possibly involving a round of caucuses in early June to choose some share of the two states' delegates.

The two cases aren't identical. Because the Michigan ballot didn't include Obama (or Edwards, for that matter), there's no legitimate way to count the results in Michigan. But in Florida, all the candidates were on the ballot, so it's conceivable that in a negotiated deal some percentage of Florida's delegates could be based on the primary votes. Since caucuses seem to benefit Obama because of his support among activists and upscale Democrats, Clinton might go along with new caucuses in the two disqualified states only if she and Obama could split the difference in Florida.

To deal with the nearly three-month hiatus after early June, the DNC could create the equivalent of an early mail-in ballot for superdelegates with a deadline, say, one week after the last primary. Such a ballot could settle the nomination because all the delegates chosen in primaries and caucuses are pledged for the first ballot at the convention.

Alternatively, the DNC could convene a televised, public meeting of the superdelegates in early June and call for a vote. The advantage of such a meeting is that, unlike a mail-in ballot, it would allow for an open and public debate and preempt worries about conspiratorial manipulation of the result.

Admittedly, there is no precedent for any of these proposals. But if nothing is done, John McCain will be

the Republican nominee for six months, from February to August, while Clinton and Obama are still fighting. Unless the party works out some way to fix the mess its rules and calendar have created, the Democrats could well be on the way toward defeating themselves this year. **TAP**

— PAUL STARR

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