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Kentucky's Rand Paul caucus problem

By JOSHUA SPIVAK

Trying to assist the presidential aspirations of Sen. Rand Paul, (R-Ky.), the Kentucky GOP has taken a bold move. Under current law, Paul could not run for both reelection and the Republican presidential nomination. In order to create a work-around to this problem, the state party has made a one-time only move from a primary to a caucus system. This innovative approach is troubling on a number of levels, but the biggest one is clearly that the state GOP would be promoting the confusing and relatively undemocratic caucus system.

Paul isn't the first candidate to face this particular problem. Numerous states ban candidates from seeking two offices at once. In 1960, Texas changed its law to help Lyndon Johnson (D) run for both the Senate and the presidency at one time, a change that helped Lloyd Bentsen (D) when he ran for the VP position in 1988. There have been other recent attempts to change these laws, including in Indiana for Gov. Mike Pence (R) and even in Arkansas for newly elected Sen. Tom Cotton (R). Some states have no barriers to seeking two offices at once, and candidates have taken advantage of these rules on the VP level – notably Joe Lieberman (D) in 2000 in Connecticut, and Rep. Paul Ryan (R-Wis.) in 2012. Both lost their races, as did Bentsen, but kept their seats in Congress.

The states have good reason to create laws preventing candidates from seeking two offices at once. These candidates, who generally have an effective lock on senator/governor or Congressional office, always give short-shrift to the state issues, and pretty much spend all their time campaigning out of state – witness the case of New Jersey Gov. Chris Christie (R) who has recently faced criticism for being out of state for one-third of his current term. And if they are elected, the state will then have a potentially lesser tier candidate elected to fill a crucial post, whether it is the lieutenant governor stepping up, or a special election or possible appointee for the Senate seat.

Yet, at the same time, there is a strong logic to wanting someone from your state to run for president. The state would clearly benefit from having a president who is focused on their interests. Since they've elected the candidate to office, there is a good chance that the candidate supports the policy beliefs held by a majority of the state. There is a reason that voters, like Connecticut in 2000 and Wisconsin in 2012, are more than willing to overlook candidates seeking the nomination while holding office. Under these terms, the Kentucky GOP's action in promoting Paul's candidacy makes plenty of sense.

These problems and the mitigating factors, shouldn't stop Kentucky's GOP from acting. But adopting the caucus system is clearly the worst way to go. There has been a significant shift away from the using caucuses to elect candidates. In 1968, only 14 states used primaries for the Democrats. In 2016, 45 will use them (Hawaii's GOP will actually use a caucus system, while the Democrats use a primary).

It is hard to believe that any but a small percentage of committed die-hard party voters – usually more extreme than the average voter -- has the time or inclination to fully work and understand the caucuses. In 2008, the Harvard Kennedy School estimated that primary turnout

was over 4 times that of the caucuses. The Iowa caucus, held up as a paradigm of the older, simpler time, has actually helped confuse and damage presidential races. According to Slate commentators William Saletan, the media may have destroyed Illinois Senator Paul Simon's (D) campaign by improperly declaring a Dick Gephardt (D-Mo.) the wrong winner in the 1988 Democratic caucus. The Republicans got to see this problem up close and personal in the 2012 Iowa caucus, when Mitt Romney was declared the winner of the evening, only to have Rick Santorum actually come out ahead once the votes were fully tabulated.

The one-time caucus change will only provide a limited benefit for Paul. If he gets the nomination, he will still have to give up his Senate nomination to run for the presidency. So this caucus move doesn't even really help all that much. If he doesn't even last long enough to make the Kentucky caucus, then voters will now have a comprised system to elect a candidate.

If Kentucky's GOP wants to promote Rand Paul, they should go ahead. But switching to the vastly inferior caucus system is not the way to go.

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