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Method of Choosing Delegates and Officials of Political Parties

By J. E. REEVES* and WILLIAM C. BRAFFORD**

IN KENTUCKY, the public has shown little interest in setting up a system of committees which constitutes the formal organization of a political party, or in choosing delegates to party conventions. Likewise, lawyers and political writers, until recently, have been relatively silent on the subject. This, in spite of the fact that the convention and committee system of a party, from a legal point of view at least, have full control over the party's affairs. During the year of 1956, however, the nomination of candidates to fill out the unexpired term of the late Senator Alben W. Barkley by the state central committees of the two major parties, and the provision made by the Democratic state convention to reconvene, on call of its permanent chairman, to revise the Democratic party rules have created more than usual interest in political party organization. Whether or not this interest is justified and can be made to bear fruit in the form of better government by means of cleaner politics and more democratic party organization, depends upon our answer to the questions: "What is a political party?", and, "Who should control it?"

What is a Political Party?

Every day conversation relative to political parties is likely to dwell on patronage and other political spoils, without emphasizing the things parties do that are useful to citizens. No exhaustive cataloguing of functions is intended here. A brief survey of authorities will bring out the essential points.

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The Opinions of Authorities. The most often quoted definition of a political party is probably that of Edmund Burke who described a party as "a body of men united for promoting by their joint endeavors the national interest upon some particular principle in which they are all agreed."¹ A shorter and more realistic definition is contained in a well known text book on Political Parties, which defines a political party as "an organized group that seeks to control the personnel and policies of government."² A much used State Government text adds an essential element by describing a political party as "an organization . . . advocating certain principles and policies for the general conduct of government and *designating and supporting* candidates for public office to carry out these principles and policies."³ (Emphasis added.) Parties, then, are organized groups that nominate and support candidates for office and advocate certain policies for the conduct of government.

The Legal Definition. That American political parties as legal entities are primarily state, rather than national, in character is too well known to need emphasis here. Most states define a political party in terms of the percentage of the total vote cast for candidates in past elections. Kentucky law defines a major political party as "an affiliation or organization of electors representing a political policy and having a constituted authority for its government and regulation, and which cast at least twenty per cent of the total vote cast at the last preceding election at which presidential electors were voted for."⁴ Here we have emphasis on the percentage of the vote cast, so as to establish a legal requirement which must be met before a group can perform the functions and exercise the powers that are delegated to the major political parties.⁵ Even in the legal definition, however, policies are emphasized.

Since a political party, according to all definitions, nominates and tries to elect candidates to office for the purpose of controlling

¹ Hoffman and Levack, Editors, *Burke's Politics*, (Knopf 1949), 41.

² Pennington, *Sait's American Parties and Elections* (5th ed., Appleton-Century-Crofts 1952), 151.

³ Sikes and Stoner, *Bates' and Fields' State Government* (Harper 1954), 128.

⁴ Ky. Rev. Stat. (herein and after referred to as KRS), Sec. 119.010. See KRS 118.090 for a description of a minor political party.

⁵ *Infra.*

the policies of government, the machinery of control and decision making within the party would seem to be of the utmost importance to all party members.

Organs of Party Control

Everywhere in America, ultimate power over party affairs is theoretically lodged in the party membership. Kentucky is no exception. The members of a political party in this state are eligible to attend all party mass meetings, where convention delegates and other party functionaries are chosen. In addition, they choose their parties' candidates for public office in primary elections, except in emergency situations, but the difficulty of defeating organization candidates is well known.

Next to the party members, the most powerful organ of control originally was a party convention. In Kentucky, the parties still follow this pattern. Here, conventions of both parties adopt party rules, determine party policy, choose members of party committees and delegates to national nominating conventions, and under certain circumstances may be called upon to nominate candidates for office.⁶ Delegates to party conventions are supposed to represent the party members, and Kentucky party rules so provide.

The day to day control of a political party's affairs, and the making of many important party decisions is the responsibility of the party committees and their officers. In Kentucky, these committees also perform important legal duties relative to the setting up of election machinery, and sometimes nominate candidates for office. The committees, too, are supposed to be directly representative of the party membership in this and other states.

How are the Parties Organized in Kentucky?

In Kentucky the committee system of a political party consists primarily of a committeeman and committeewoman for each precinct, a county committee for each county, congressional district

⁶ When there is a vacancy in a nomination or, under certain circumstances where an election is held to fill a vacancy in office, the party committee can nominate a candidate or call a convention to make a nomination. See KRS 119.020-119.080.

committees, and a state central committee.⁷ The committees of each of the two major political parties are reorganized during presidential election years. The Republican party is the first to start the process.

Republican Committees. At 2:00 P.M., on the third Saturday in March of presidential election years, Republicans hold county mass meetings. At these county meetings a precinct committeeman and committeewoman are chosen from each precinct.⁸ Every registered Republican who resides in the county is entitled to attend his county meeting.⁹ In 1952, in Fayette County, according to newspaper reports, 50 Republicans chose 54 precinct committeemen, 54 precinct committeewomen and an advisory committee of 50.¹⁰ Reports from other counties indicate that this was typical. Needless to say, if any fault was involved, it was the fault of the Republican party members who failed to attend the meetings, not of the party leaders who attended.

The Republican precinct committeemen and committeewomen in most counties constitute the county committee of the party and choose a chairman and a chairwoman.¹¹ In a few of the more populous counties the precinct representatives choose an executive committee which in turn chooses a county chairman and chairwoman. The county chairmen and chairwomen constitute the congressional district committees of the party,¹² which are by far the most important of the district committees. The chairman and chairwoman of each congressional district committee become members of the Republican State Central Committee.¹³

Another series of meetings takes place in the spring of presidential election years, when the Republican State Central Committee issues a call for county "mass" conventions;¹⁴ these

⁷ Committees are provided for in the rules of each party for each district from which a public official is chosen, but except for those named they are seldom active. As a matter of fact, State and County committees are by far the most important.

⁸ Rules of Republican State Central Committee of Kentucky, Rule two (1944). The county executive committee can decide whether to hold county or precinct meetings, but with few if any exceptions, county meetings are held.

⁹ *Ibid.*, Rule One.

¹⁰ Sunday Herald-Leader, Lexington, Ky. March 16, 1952, p. 1.

¹¹ Rules of Republican State Central Committee of Kentucky. Rules two and five.

¹² *Ibid.*, Rule seven.

¹³ *Ibid.*, Rule nine.

¹⁴ *Ibid.*, Rule twenty-four.

are the first steps in choosing delegates to the Republican national convention. Again all party members are eligible to attend, but only a handful of regular party workers usually show up. The county conventions choose delegates to district and state conventions. The district and state conventions choose delegates to the party's national convention and directly or indirectly choose the members of the Republican State Central Committee.¹⁵ That committee consists of 47 members and a chairman. Sixteen are congressional district members, a man and a woman chosen by each of the state's congressional district conventions. Thirty members are appointed by the permanent chairman of the state convention. The chairman of the Young Republican Clubs of Kentucky is the 47th member. The State Central Committee chooses its own chairman.¹⁶

Democratic Committees. The methods used to choose members of Democratic Committees are very similar to those used by the Republicans. At 2:00 P.M., on the first Saturday in December of presidential election years, Kentucky Democrats meet in their respective precincts and choose precinct committeemen and committeewomen.¹⁷ In most counties these precinct committeemen and committeewomen constitute the Democratic County Committee and choose a chairman.¹⁸ (However, in counties which consist of more than one state house of representatives district, the precinct officials constitute legislative district committees and choose chairmen, who become members of the county committee and choose a county chairman.)¹⁹ The county chairmen become members of congressional district and other district committees where such districts are larger than one county; if such districts are composed of only one county, the chairmen of the state house of representative districts within the county become members of the district committee.²⁰

¹⁵ *Ibid.*, Rules twenty-seven and twenty-eight.

¹⁶ *Ibid.*, Rule nine, brought up to date by a letter to J. E. Reeves from Hon. Thomas S. Dawson, General Counsel of the Republican State Central Committee, dated Feb. 22, 1957. See also *The Courier-Journal*, Louisville, Ky., April 15, 1956, Sec. 6, p. 1.

¹⁷ Rules of the Democratic Party, Louisville, Ky., 1952, Rule 20.

¹⁸ *Ibid.*, Rule 22.

¹⁹ *Ibid.*

²⁰ *Ibid.*, for purposes of hearing appeals from county committees there is a congressional district committee composed of the members of the state central committee from the district (see Rule 27).

In the late spring or early summer of presidential election years the Democratic State Central Committee issues a call for county mass conventions to choose delegates to state and district conventions.²¹ The county mass meetings of the Democratic Party have usually been as poorly attended as their Republican counterparts. To the certain knowledge of one of the authors, a Fayette County "mass" meeting of 35 chose 70 delegates and 70 alternates to the 1948 Democratic district and state conventions. However, in 1956, due to a factional fight within the party, large crowds attended some of the county meetings. In Fayette County an estimated 4,500 Democrats assembled at the Court House in Lexington.²² This meeting and the rump session which followed were major factors in the decision of the state convention to revise the Democratic party rules.²³

The Democratic congressional district and state conventions choose the members of the Democratic State Central Committee. The committee has 40 members, four chosen by each of the eight congressional district conventions, and eight chosen by the state conventions.²⁴ The chairman of the committee is also chosen by the state convention.²⁵ The district and state conventions also choose delegates to the national nominating conventions.

Thus, there are in each of the two parties, two pyramids of committees; one starts with the precinct committeeman and committeewoman, who, with certain exceptions noted above, become members of county committees and choose the county chairman in each county for the Democratic party, and a chairman and chairwoman for the Republican party. These county chairmen, or chairmen and chairwomen, as the case may be, become members of congressional district committees and other district committees.

Another pyramid for each party starts with the choice of delegates to the district and state conventions, in county mass meetings. These conventions either directly or indirectly choose the members of the state committees.

²¹ *Ibid.*, Rule 10.

²² *The Lexington Herald-Leader*, July 1, 1956, p. 1.

²³ *The Lexington Herald*, July 4, 1956, p. 1.

²⁴ Rule 2. According to the rules, the district conventions nominate the district members and the state convention elects them. Action by the state convention is usually automatic, but in 1956 it made some changes in the recommendations made by third district convention.

²⁵ *Ibid.*, Rule 7.

Re-examination is Needed

In the light of recent experiences it is obvious that a re-examination of political party organization is in order in Kentucky. Because of several defects, most of which were not revealed to the general public until recently, the status quo is not working satisfactorily. The biggest indictment is that neither our conventions nor our party committees are actually representative of the will of the voters of the respective parties. This results naturally from the fact that generally voters do not attend their precinct and county "mass" meetings in large percentages. Certain reasons are apparent. (1) Adequate publicity is not generally given, especially to precinct meetings. (2) The time of holding precinct and county mass meetings prevents a large percentage of voters from attending (anyone who has tried to arrange a meeting at 2:00 P.M. knows this). (3) Often the place of meeting is not widely known and not large enough to accommodate all voters (too small a meeting place was well illustrated by the 1956 Fayette County Democratic mass convention, which was scheduled to meet in the circuit court room, and was moved to the Court House lawn when an estimated 4,500 voters turned out).

If the average voter, despite numerous obstacles, tries to participate in his party's affairs by attending a mass meeting, his presence and vote may still be nullified by certain practices often used at such meetings. (1) The meeting may be started a few minutes before the announced time and finished before the opposition arrives. (2) The meeting may be delayed while additional voters for the favored side are found and brought to the meeting place. (3) There is no check on voters to see if they are entitled to vote in the meeting and floaters from outside the county or precinct or even from the other party are known to have participated in such meetings. (4) The chairman may be arbitrary in his decisions and refuse to recognize opposing factions. (5) Prearranged procedures such as a motion to close nominations as soon as an organization slate is nominated may be used to prevent the nomination of an opposing slate. (6) The counting of votes is often far from accurate, i.e., voice voting may result in a mere "guess" with the guess getting bigger depending on who the chairman wants to win, or commotion or minor dis-

order may be used to prevent accurate counting of a division or hand raising vote so as to give the election to a group that actually has a minority. (7) Last but not least, the convention proceedings are often marred by violent disorders.

Most of the above charges were heard from both factions of the Democratic Party from all parts of the state in 1956, where a strong fight had developed between the Chandler and Clements forces. From newspaper reports, if they were accurate, it would appear that both sides used one or more of the above methods to insure election of their slates of delegates at many of the 120 separate county mass conventions. After the county mass meeting several other steps can be taken which will largely nullify the vote of the party members. (1) Often rump sessions are held and both factions send delegates to the state convention, making necessary a determination of who is the winner, in which case the faction in control of the state convention will always win. (2) Delegates elected sometimes have no intention of attending the convention and will surrender their credentials to others.

Realizing of course that all methods have shortcomings and defects as well as advantages, it might be in order to examine the primary election system in an attempt to reach some definite conclusion as to whether or not we could improve our present system of selecting committees and conventions. The manner of the selection of political committees may well depend upon what one considers the purpose and function of such committees. If party policy is to be left to conventions and candidates, and the only reason for the existence of committees is to help in the management of party campaigns within their area, then much could be said for a system that leaves their selection and control in the hands of a few party regulars. Perhaps you could go further and say that their selection should be by candidates whom they are supposed to elect. However, such arguments are nullified by the fact that political parties and their committees have become an integral part of our election process. Our committees, either by statute or acquiescence, exercise many important duties and functions, the proper performance and popular control of which are essential to truly democratic government.

Functions of Party Committees in Kentucky

The rules of the two major parties in Kentucky give to the state central committee and to the county committees full control over party finances and party campaigns in their respective areas.²⁶ This control may be largely nominal, since the primary aim of the party is to win elections and the candidates necessarily have considerable influence on how campaigns are conducted. However, the power is granted, and can be used at least to the extent of preventing improper or unapproved practices. In Jefferson county the party committees regularly endorse candidates in primaries and those so endorsed usually win. In many other counties the same thing is done without formal announcement of the organization's choices. In addition, party committees are given certain important legal duties under the Kentucky Revised Statutes. These fall into two main categories: (1) power to make nominations under certain circumstances, (2) power to assist in setting up election machinery.

Both major political parties are required to nominate their candidates for elective offices, to be voted on at any regular election, at a primary.²⁷ However, statutes provide that in three instances nominations may be made by party committees. These instances are: (1) in case a vacancy occurs in a nomination made by primary, after the primary, and before the ballots are printed for the regular election,²⁸ (2) in case of a candidate for an unexpired term to be filled by the voters on a regular election day, if the vacancy occurs less than seventy days before the primary,²⁹ and (3) in case of a special election to fill a vacancy, if the election is not held on a regular election day (provision is made for these elections to fill vacancies in the U.S. House of Representatives and in the state legislature).³⁰

Kentucky Revised Statutes provide for state and county boards of election commissioners,³¹ which have the responsibility of set-

²⁶ Rules of Republican State Central Committee, (1944)—rule 15; *Ibid.*, rule 10.

²⁷ KRS 119.020.

²⁸ *Ibid.*

²⁹ KRS 119.030.

³⁰ KRS 121.060. In this case the statute provides that the nomination *shall* be made by the committee. In the other two cases the committee can make the nomination or decide upon some other method.

³¹ KRS 116.010 and 116.040.

ting up election machinery, and for state and county boards of registration and purgation,³² whose duty it is to supervise the registration and purgation of voters and the use of comparative signature books. The state central committees of the two political parties submit lists of names to the governor from which two of the three members of the state board of election commissioners are chosen.³³ (The members of this board also serve as members of the state board of registration and purgation.)³⁴ The county executive committees of the parties, (1) submit a list of five names to the state board of election commissioners from which two of the three members of the county boards of election commissioners are chosen;³⁵ (2) submit lists of names to the state board of registration and purgation from which two of the three members of county boards of registration and purgation are chosen;³⁶ (3) submit lists of names to county boards of election commissioners from which precinct election officers are chosen,³⁷ and (4) through their respective chairman, appoint challengers to watch elections.³⁸

Importance of Party Committees

The nomination of candidates, the manner in which campaigns are conducted, the questions involved in campaign financing, and the processes of casting and counting votes are the very essence of democracy, and are regulated by law in Kentucky and every other state. There is, however, seldom a closely contested election in which there are not charges of law violations and fraudulent practices. Often there is reason to believe that the charges may be true, at least in part. If there is dishonesty in elections, dishonesty in government is likely to follow, and then certainly the citizens are the losers.

That all is not well with the electoral process in Kentucky does not need much documenting. A conviction for ballot box stuffing in Bourbon County in 1948, and numerous convictions for election frauds in Harlan County in 1940 should be sufficient

³² KRS 117.755, 117.780 and 117.680.

³³ KRS 116.010.

³⁴ KRS 117.755.

³⁵ KRS 116.040.

³⁶ KRS 117.680 and 117.780.

³⁷ KRS 116.070 and 116.090.

³⁸ KRS 118.240.

to prove the case. But anyone really familiar with politics in this state, where it has been said "politics is the damndest," can testify to the fact that in some precincts illegal, or at least shady practices are the rule rather than the exception.

What is the cause of this state of affairs? Could it be because the general public pays so little attention to the organization of political parties? Some eminent authorities have thought so. The late Dean William E. Mosher of Syracuse University, after spending most of a long life teaching, writing about, and practicing public administration, said ". . . The selection of party committeemen is in the long run much more important in determining the quality of local government than the November election."³⁹ Later in the same article he stated that adequate responsibility on the part of a party member involves seeing to it that no one represents him in the political hierarchy "without his knowledge and voluntary consent."⁴⁰ Ferdinand Lundberg, eminent teacher and writer has said, "What is most defective about our system of government is traceable directly to the people."⁴¹ In the case at hand it would appear to be traceable directly to the fact that the citizen members of a political party have no part in setting up the party machinery. Before they can participate, however, a system would need to be devised that would make it possible for them to participate meaningfully.

Comparison With Other States

Directing our attention for the moment to the methods employed by the several states of the Union in choosing their party committee members, we find that the most common method is to start the process by a primary election.

County Committees in the Various States. In twenty-four states, either by statutory provision or under party rules, county committees are composed of precinct representatives (usually a committeeman and a committeewoman) chosen in primary elections by the party voters of the precinct.⁴² In one of these, Wis-

³⁹ Mosher, "Party and Government Control at the Grass Roots," 24 *National Municipal Review* 15 (1935).

⁴⁰ *Ibid.*, 18.

⁴¹ Lundberg, *Treason of the People* (Harper 1954), 4.

⁴² Alabama (Democratic Party only), Arizona, Arkansas, Colorado, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Missouri, Massachusetts, Montana, New Jersey, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Texas, Virginia,

consin, the functions of the county committees are largely performed by so-called voluntary committees, provided for in party rules. In Connecticut, there is no provision for county committees, but members of town committees are elected from precincts in primary elections. In Delaware the polls are kept open for two hours so that party members can cast secret ballots for committee members.

In five states (California, Louisiana, New York, West Virginia, and Maryland) the members of the county committees are chosen in primary elections from districts larger than the precinct.⁴³ Thus in twenty-nine states, (thirty-one, if Connecticut and Delaware are counted) the members of county committees of the political parties are chosen in primary elections. In five states (Minnesota, Mississippi, Nevada, North Carolina and Utah) members of county committees are chosen by county conventions. In two states (Michigan and New Hampshire) they are selected by the political party's nominees for local offices. In one state (Maine) they are selected by the state convention. In the other nine states,⁴⁴ they are generally chosen by methods similar to those used in Kentucky, that is, by county or precinct "mass" conventions.

Congressional District Committees. These committees, not very important except in states where they nominate candidates for Congress in case of vacancy, present a confused picture. In nineteen states there is no provision for such committees in state law or party rules. In thirteen of the states where members of county committees are chosen in primary elections, the chairman of the county committee or someone else chosen by it becomes a member of the congressional district committee.⁴⁵ In three other

(only required by law in city-counties with population between 45,000 and 125,000—optional elsewhere), Washington, Wisconsin, and Wyoming.

⁴³ Legislative district in California, parish commissioner district in Louisiana, ward in New York, magisterial district in West Virginia, count at large in Maryland where the members of the state central committee from the counties (three or more in number) serve as county committees.

⁴⁴ Georgia, New Mexico, Nebraska, Oklahoma, Rhode Island, South Carolina, Tennessee, and Vermont.

⁴⁵ The chairman of the county committee in Alabama, Colorado, Illinois, Indiana, Kansas, Missouri, New York, Ohio, Pennsylvania, and Texas. Someone chosen by the county committee in Iowa, Montana, and Oregon. In Maine, Minnesota, and North Carolina and Kentucky, the chairman of the county committee is a member of the congressional district committee, but the members of the county committee are not elected at a primary.

states (Florida, Louisiana, and Wyoming) the members of the congressional district committee are the members of the state committee from the district and these are chosen either directly or indirectly in primary elections.⁴⁶ In West Virginia the members of the Congressional district committee are elected at primary elections. In Connecticut the district convention, to which delegates are elected in a primary election, choose the members of the district committee. The other states that have them use numerous means for selecting members of their congressional district committees but in eighteen out of twenty-nine states (where provision is made for congressional district committees) the primary election is directly or indirectly the method of choosing them.

State Committees. In thirteen states members of the state committees of the political parties are chosen by the voters of the respective parties in primary elections held in the congressional districts,⁴⁷ or in the counties.⁴⁸ In ten states they are chosen by county committees whose members are elected in primaries.⁴⁹ In two states, Indiana and Missouri,⁵⁰ the members of the state committees are chosen by congressional district committees whose members are indirectly chosen in primary elections. In Connecticut, members of the state committees are chosen by state conventions to which delegates are elected in primary elections. In Mississippi members of the state committee are chosen by the state convention, delegates to which are chosen by county conventions whose delegates are elected. Thus, in twenty-seven states members of state committees are directly or indirectly chosen in primary elections.

⁴⁶ Chosen at primaries in Florida, and Louisiana, and chosen by county committee which is elected at primary in Wyoming. In Virginia, the members of the state committee from the district are members of the committee, but are not chosen in a primary.

⁴⁷ Alabama (Democratic party only), Illinois, Massachusetts, New York, Ohio, Pennsylvania, Tennessee, and West Virginia.

⁴⁸ Florida, Louisiana, Maryland, New Jersey, and South Dakota.

⁴⁹ The chairmen of county committees (whose members are elected in primaries) serve as members of the state committee in Arizona, Colorado, Kansas, and Oregon. The other six states are Idaho, Montana, North Dakota, Texas, Washington and Wyoming. In Minnesota, Oklahoma, and Vermont (where the county chairmen serve on the state committee) the county committees choose members of the state committee, but members of the county committees are not elected in primaries.

⁵⁰ In Missouri the chairmen of congressional district committees become members of the state committee.

Summary of Methods. Taking the nation as a whole, county committee members are chosen in primary elections in well over half of the states. In almost two-thirds of the states that have congressional district committees, the members of such committees are pyramided up from the county committees whose members are elected in primaries or they are otherwise the direct or indirect result of primary elections. In over half of the states the members of the state committees of the political parties are chosen in primary elections or the members of the county committee are elected and the state committee is pyramided up from that.⁵¹

It thus appears quite clear that the most common way of establishing a political party committee is to elect its members in a primary election or have them chosen by others who are so elected.

Selection of Delegates to Conventions

At the national level the convention is the "principal representative and deliberative organ of the party."⁵² In each party it approves and from time to time changes party rules. It approves the states' selection of members of the national committee, it formulates the party platform, and it nominates candidates for president and vice president.

Methods of Choosing National Delegates from Kentucky. In Kentucky the process of choosing delegates to the national convention of either party starts with county mass meetings. Actually, the first step is the calling of the mass meetings (sometimes called mass conventions) by the state central committee of the party. The county mass meetings usually meet at their respective court houses at 2:00 P.M. on a Saturday in the late spring or early summer. Every member of a political party is entitled to attend his party's county mass meeting. There is, however, customarily no check on those attending, and persons who did not belong to the party or even live in the county have been observed at such meetings. Also, in populous Fayette County, from 35 to 4,500 Democrats have showed up for their county mass meeting during the last decade. The latter figure, which was the estimate for the

⁵¹ In Connecticut and Mississippi, chosen by conventions whose delegates are elected.

⁵² American Political Science Association, *Toward a More Responsible Two-Party System* (Rinehart 1950), 5.

1956 meeting, was less than 35 per cent of the number who voted Democratic in the November election that year, and only about 15 per cent of the total number of Democrats registered in the county.

The county mass meetings choose delegates to district and state conventions. In each party the state central committee determines the basis for representation in these conventions. Recently, in both the Democratic and Republican parties, each county has been entitled to one delegate and one alternate for each 200 votes cast in the last presidential election. In 1956, the state conventions of each party had approximately 2,500 delegates—a rather large number for a deliberative body.

In each party, the delegates from each county in a congressional district attend a district convention and choose delegates and alternates from the district to the national convention. Then the same delegates attend the state convention where delegates from all of the counties choose the delegates at large to the national convention. Under this system, Kentucky has been described by the well known columnists, Joseph and Stewart Alsop, as one of the states whose “delegates can be delivered more or less at will by a few professionals.”⁵³

Methods of Choosing Delegates from Other States. Nineteen states hold presidential primaries either under state law or party rules. Seventeen choose all or most of their delegates by primary election.⁵⁴ In ten of the seventeen states there is a preference vote for presidential candidates, either combined with the vote for delegates or separate from it.⁵⁵ In the other seven states there is no way for the voter to express his preference for presidential candidates at the polls, unless candidates for delegate voluntarily reveal their preferences. In addition to the seventeen states that elect delegates, two states (Maryland and Montana) have preference primaries with all delegates chosen by convention. However,

⁵³ The Courier-Journal, Louisville, Ky., March 27, 1952. Sec. 1, p. 11.

⁵⁴ Alabama (optional under state law, but the Democratic party customarily uses the primary), California, Florida, Illinois (district delegates), Indiana, Massachusetts, Minnesota (district delegates and all but three from the state at large), Nebraska, New Hampshire, New Jersey, New York (district delegates), Ohio, Oregon, Pennsylvania, South Dakota, West Virginia, and Wisconsin.

⁵⁵ California, Florida, Minnesota, South Dakota, and Wisconsin combine their preference vote with the vote for delegates; Massachusetts, New Hampshire, New Jersey, Ohio, and Oregon have separate preference votes.

in each of these states delegates to the state convention are elected at a primary.⁵⁶

In the other twenty-nine states, delegates to the national conventions are chosen by conventions or party committees. In seven of these, the delegates to the state conventions are directly or indirectly chosen in primaries,⁵⁷ thus making the national delegates the indirect result of primaries. This makes a total of 26 states where there is a greater element of democracy, in this regard, than in Kentucky. The American Political Science Association recommends that delegates to national conventions "should be chosen by direct vote of the rank and file."⁵⁸

State Convention Delegates. State conventions once played the same role in state politics that the national conventions play on the national scene. However, they have been superseded to a large extent by primaries, and are not especially meaningful except where they choose delegates to national conventions, or members of state committees. As noted above, the Kentucky conventions perform both of these functions.

There are 11 states in which the parties either do not hold state conventions, or from which we have been unable to get information. It is interesting to note that in 19 of the other 37 states the delegates to state conventions are elected, or result indirectly from primaries.⁵⁹ Kentucky remains in the undemocratic minority.

After the county mass conventions of 1956 which selected delegates to the state and district conventions, and the consequent dissatisfaction that resulted from the tactics used in some of them, several leaders of the Democratic party (including Lieutenant Governor Harry Lee Waterfield, Speaker of the House Thomas P. Fitzpatrick, President *pro tem* of the Senate, E. W. Richmond,

⁵⁶ In Montana the convention is composed of precinct committeemen and committeewomen.

⁵⁷ In Connecticut and Delaware all delegates to state conventions are elected, in Virginia counties with population between 45,000 and 125,000 must elect their delegates, with other counties it is optional; in Idaho, Iowa, Michigan, and North Dakota county convention or committee members are elected and choose the delegates to the state conventions.

⁵⁸ *Op. Cit.*, 10.

⁵⁹ Maryland and Montana (that have preference primaries) Connecticut, Delaware, Idaho, Iowa, Michigan, North Dakota, and Virginia, (the seven states where state conventions choose national delegates) plus Alabama, Massachusetts, Nebraska, New Hampshire, New Jersey, New York, Ohio, and South Dakota, where the delegates are elected and California and Illinois where they are chosen by persons who are elected.

Former Governor Lawrence W. Wetherby, and former Lieutenant Governor Emerson Beauchamp) stated that they favored electing delegates to state conventions by vote of the rank and file, in primary elections, and several of them stated that one of the greatest advantages that would result from such an arrangement would be the increased participation of citizens in political affairs.⁶⁰

Arguments for and Against the Primary System

From the above analyses it is clear that in a majority of all the states delegates to national conventions and members of county and state committees of the political parties are directly or indirectly chosen by vote of the rank and file in primaries.⁶¹ For the states where information is available it is also clear that a majority choose congressional district committees and delegates to state conventions either directly or indirectly in primary elections. Kentucky is with the minority, using the mass meeting in all cases to start the process.

It is obvious that voters have a stake in the choosing of delegates to national conventions since it is the only point at which they can influence the nomination of presidential candidates by their respective parties. It has also been pointed out that the party committees, chosen in part by conventions, not only seek to win elections for party nominees, but also play important roles in setting up election machinery and even in selecting nominees for public office. It follows that the selection of convention delegates and committee members is not wholly the concern of candidates for office or a few party regulars, but of all the electorate.

If Kentucky should join the majority of the states and provide for the choosing of part or all of the delegates and officials of political parties in primary elections, several advantages should result from the change. (1) It would obviously make it easier for the rank and file party member to exert an influence on the affairs of his party. (2) It would result in greater political interest and participation on the part of voters, because the party would cease to be "they" or "it" and to the mass of voters would become "our" party. (3) It would result in better qualified and

⁶⁰ Stiles, "Democrats' 1956 County Conventions May Bring Revision of Party Rules," *Lexington Herald Leader*, July 8, 1956.

⁶¹ In a few states the open primary is used for the selection of party delegates and officials.

more respectable citizens holding minor party posts, because voters would elect their most respected neighbors to these party positions. (4) It would place a potential weapon in the hands of the electorate to control party finances and party policies and therefore weaken machine control and government by the bosses. (5) It would result in increased orientation of the parties toward the general welfare instead of towards the welfare of a favored few.

Choosing party officials in primary elections has certain alleged disadvantages. Chief among these are the following. (1) It would weaken party organization. This is true only to the extent that it would weaken machine control and the power to win elections through the use of patronage and favors. It should strengthen the party spirit. (2) It would be too expensive. This argument is not plausible because existing machinery could be used and, since the regular time for elections has been changed to May, all party officials that should be elected, including delegates to national conventions could be chosen at that time. (3) The election of delegates to national conventions places too great a burden on the candidates for president, and presidential primaries are meaningless anyway. The arguments in regard to national delegates are hard to assess within the limits of a short article. It can be said, however, that in 1952 the primaries seemed to be quite meaningful in the Republican party and in 1956 they seemed to be so in the Democratic party. In each case the candidates appeared to be none the worse for the experience. (4) The additional primary voting would place too great a burden on the already overburdened voters. This could be overcome by electing all party officials in even numbered years when the ballot is not long and the burden on the voter is consequently light. In addition, only a few party officials and delegates would need to be elected and these could choose the others. (5) It would result in the election of amateurs who would make weak party officials. The effectiveness of amateurs in national elections during the last two presidential campaigns indicates that they might be effective in other party activities. It is even reasonable to believe that amateurs might be vastly superior to the party hacks who sometimes secure the minor party posts under the present system. (6) The use of the primary would make no difference, since be-

cause of public apathy, the party machines would still be in control, and the same people would be chosen. There may be some truth in this, but it would make it possible for the party members to control their political parties if they should decide to do so, and they probably would if the party machines disregarded the public will or became corrupt.

There is Sentiment for Change

Great strides towards a more complete democracy have constantly been made under our system of government. In the thirteen original colonies, only small percentages of the people were allowed to vote. Kentucky was the first state to grant universal white male suffrage. Until late in the nineteenth century voting was by voice or by party ballot and never truly secret. The first use of the Australian ballot in this country was in Kentucky.⁶² For several decades state after state has been democratizing the machinery of the political parties. In this regard Kentucky has lagged behind.

Recently considerable sentiment for change has developed. In the 1956 session of the Kentucky General Assembly a resolution was passed requesting the Legislative Research Commission to study party organization, political campaigns, and election laws.⁶³ That study is now in progress. After the Democratic county mass conventions of June 30, 1956, as explained above, many party leaders expressed approval of the primary as the best means of choosing delegates, and the Democratic state convention made plans to reconvene and revise the party's rules. The time would seem to be ripe for the parties to democratize their rules by providing: (1) that whenever mass meetings are held they should be at the precinct level, at least in counties with large cities, so that the crowds attending would never be unwieldy, (2) for a check-off of voters so that only eligible persons could participate in the proceeding, and (3) for a secret ballot. It would also seem to be in order for the 1958 session of the Kentucky General Assembly to provide for the election, by the rank and file party voters in primary elections, of a sufficient number of party officials and delegates to guarantee the representative character of party committees and conventions.

⁶² In Louisville in 1888.

⁶³ Kentucky Acts 1956, Ch. 197, H.R. 28.

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