

The rules fight

The truth about delegates' options

With a little more than five weeks to go before the Democratic National Convention, a full-scale brawl has broken out in party ranks over the efforts of the Carter/Mondale campaign committee to force delegates to vote for their "pledged" candidates on the first ballot.

Despite some confusion in the news media, the terms of the fight are fairly simple. Over the course of the last three years, the Carter-controlled Democratic National Committee (DNC) cooked up a set of proposed or interim rules for adoption by the 1980 convention. The rules were part of the implementation of the party's reform of the delegate selection process. Buried among the new "standard operating procedure" was a totally new rule—rule 11-H—which for the first time in history bound a delegate on the first ballot to vote for the candidate whom he was elected to represent by a primary election, state convention or caucus.

In all past conventions, delegates voted as their consciences dictated, sometimes ignoring the results of primaries. And that tradition, despite contrary protestations from radical "Democrats," is entirely consistent with the notion of delegates as *republican* representatives of the American people, empowered to use their informed judgment to make the best selection of nominee possible from the standpoint of the national interest.

11-H not yet law

The Carter/Mondale people, recognizing that they are in trouble with their own delegates, want the rule passed. They are even misbriefing people that the rule is already in effect. The facts are that 11-H must first be adopted by the rules committee. It then must be approved by the floor of the 1980 convention. Until such events occur, it is not party law, and the convention is in fact open.

Carter people say that they will try to apply rule 11-H to delegates who might want to vote against the proposed rules on the grounds that it indicates that they will not vote for whom they are pledged. The provisions of 11-H provide for wavering delegates to be removed *prior* to a vote by their campaign organization, and replaced by alternates. Party sources, especially those associated with efforts to open up the convention, say that this is totally

illegal.

Some media have wrongly stated that the fight to break 11-H is purely in the interest of Senator Kennedy. It is true that if all delegates are bound, Kennedy has no chance at the nomination. It is also true that *some* of his people are involved in fighting to prevent the adoption of the "binding rule."

But *EIR* found in conversations with Democratic officials and delegates—both Carter and Kennedy delegates—that Kennedy's chances for the nomination are rated between "slim and zero," according to one party insider. Nonetheless, the fight against the rules has the support of broad layers of the party. If rule 11-H or its equivalent is rejected by the convention, many people say that the convention will break open. It would be free to turn to somebody other than Carter or Kennedy. In fact, the overwhelming sentiment among those fighting for an open convention—from California unionists to Texas farmers—is that they want a chance at a "third choice."

Effort widens

For that reason, the movement for an open convention—now in battle against the Carter/Mondale efforts to ram through 11-H—is much broader than the "Kennedy campaign." Among its backers are people who might support Scoop Jackson, Walter Mondale, Edmund Muskie and dark horse Lyndon LaRouche. It is not the backers of Edward Kennedy who are the strongest organizers for the open convention, but key backers of Scoop Jackson, who has yet to announce his intentions for August, and LaRouche, who is the only candidate to publicly and repeatedly call for the open convention.

Associated Press last week released the results of a poll of Democratic delegates which purportedly showed that the Carter-proposed rules—including 11-H—would be voted up. But delegates say that AP deliberately misphrased its question, and therefore manufactured its results. Party officials who deal with facts, not manufactured news, know that the convention is now "leaning" the other way. Carter campaign officials are privately very worried that they will be defeated in the rules fight and might lose control of the convention.

The rules committee meets July 8, but nothing will really be resolved there. Both the Carter-proposed rules, including 11-H, and a version of the 1976 rules will be reported to the floor of the convention.

The real battle will take place on August 12, when the rules come up for a vote, the convention itself will then decide whether it wants to have the option to choose somebody other than Jimmy Carter or Ted Kennedy.

Carter has committed his campaign organization to do everything possible to assure that the rules are passed, including threatening delegates. He is backed by the DNC. As our report has shown, his opposition is the Democratic Party.