Monkey Cage

Everything you need to know about how the presidential primary works

By Josh Putnam, The Washington Post, May 12, 2015.

Caucus participants place their votes in a basket at the local community center in downtown Rock Rapids, Iowa on January 3, 2012. (Photo by Melina Mara/The Washington Post)

The 2016 presidential nomination process is still in the invisible primary stage. On the Republican side, the field of candidates is not set, we don't yet know how much money candidates have raised or can raise, there are no endorsements of real significance of which to speak, and polling doesn't really tell us much at this point.

But it is a good time to review the important features of the formal presidential nomination process and the changes the national parties have made for the 2016 cycle.

How do the Democratic and Republican parties formally select their presidential nominees?

After the 1968 election, the McGovern-Fraser Commission ushered in the modern presidential nomination process by removing the nominating decision from the smoke-filled rooms of the

parties' conventions. The Commission sought to make the results of primaries and caucuses — and thus the votes of the rank-and-file party voters — more decisive.

To accomplish that, the Commission created a direct link between the votes cast in primaries and caucuses and the delegates selected to attend the national convention. The results of the primaries and caucuses therefore bind convention delegates to particular candidates. At the convention, there is a roll call vote that formally nominates a presidential candidate.

What's the difference between a primary and a caucus?

The main difference between a primary election and a caucus is who is running the show. State governments conduct primaries, but state parties are behind caucuses. Each has different goals.

State governments fund and run primary elections in much the same way they do the general election in the fall. Voters go to a polling place, vote, and leave. The primary election was a Progressive-era reform intended to reduce the potential for mischief in a nomination system controlled by the parties.

State parties have other goals in holding caucuses (as well as state party conventions): not only voting for a presidential nominee, but also party business like selecting delegates to move on to county or district conventions, prioritizing issues that should or would be in the state or national party platform, and selecting local party leaders for the local party apparatus.

Party business takes time and requires participants to show up for an hours-long meeting on a weeknight. Unsurprisingly, then, caucuses attract fewer voters than primaries, and these voters tend to be politically engaged and stronger ideologues.

Why do some states have primaries but others have caucuses?

There are a number of reasons, but most of them come back to the trade-offs between state governments or state parties conducting the process in the first place. Ultimately, nominating a candidate for any office is a party function. Yet, a growing number of states have moved away from caucuses and adopted primaries. The simple reason is that the state pays for it.

Opting into the state-run primary, however, means opting into the state laws that govern the primary process. Most consequentially, this includes the date of the primary and who can participate in that election. A state party that prefers another date — perhaps an earlier and potentially more influential date — would have to hold a caucus on its own dime. This is part of what drove Idaho Republicans to hold a caucus during the 2012 cycle instead of a primary, which would have occurred relatively late — in May.

State primary laws also affect which voters can participate. In a “closed” primary, only registered party voters can participate. In an “open” primary, unaffiliated voters can participate. There are other variants in between.

If a party in an open primary state wants only party members to vote, it may opt for a caucus instead, where the party will have more control over who can participate. This is at least part of the reason Democrats in Washington State have spurned the primary since it first became available in 1992.

Still, around three-quarters of state parties now choose the state-funded primary option even if it means ceding some control over the process to the state government.

When are the first caucuses and primaries held?

If states abide by the rules that the national parties have set for 2016, the four so-called carve-out states — Iowa, New Hampshire, Nevada and South Carolina — will all hold their respective primaries and caucuses in February.

Roughly, the expected calendar for Republicans is:

- February 1: Iowa
- February 9: New Hampshire
- February 20: South Carolina
- February 23: Nevada

And for Democrats:

- February 1: Iowa
- February 9: New Hampshire
- February 23: Nevada
- February 27: South Carolina

The remaining states will follow in March, April, May, and early June. (More on this below.)

Why do Iowa and New Hampshire get to go first? Is this problematic?

The easiest answer is that Iowa and New Hampshire go first because it’s tradition. The New Hampshire primary dates back to the Progressive era a century ago, when presidential

nominations were not directly based on the results of primaries. When the nomination system changed after 1968, New Hampshire proactively began to adapt to safeguard the position of its presidential primary at the beginning of the queue. This entailed passing a state law requiring the primary in the Granite state be before any other "similar contest," but more importantly yielded control over the date-setting decision to the secretary of state. That part of the law has allowed New Hampshire to move its primary as needed to ensure it's the first primary on the calendar.

The Iowa caucus goes first by accident, not by design. Due to the primary reforms after 1968, Iowa Democrats had to change their delegate selection and allocation process. A proposed June state convention in Des Moines was impossible because there were not enough hotel rooms available to state convention delegates. That pushed the state convention back and, with it, the earlier steps in the caucus-plus-convention process. So the Iowa caucus ended up ahead of the New Hampshire primary. That was of little consequence in 1972, but in 1976 when Iowa was instrumental in catapulting Jimmy Carter into the top tier of contenders for the Democratic nomination, the value of being first was made clear.

Of course, that is the story from the perspective of the states. The national parties have some control over the overall process, and having two small, homogenous states go first has always raised questions within the national parties if not among Americans overall. The desire to introduce racial and regional diversity is part of what prompted the Democratic National Committee to put Nevada and South Carolina early on the calendar for 2008. Nevada added more Western and Hispanic voters while South Carolina added more Southern and African American voters.

Still, even these four states are comparatively small in terms of population, which may still raise questions about their representativeness. So why start with these four?

One reason is that both national parties place some value in what the Republican Growth and Opportunity Project Report — the post-2012 autopsy — referred to as the "on-ramp." Both the Democratic and Republican National Committees prefer a nomination process that builds slowly and incrementally. Having a group of smaller states positioned first provides a more equal footing for potential candidates as they make their cases to voters.

The alternative — starting the process in a larger state or a large group of states — is perceived as giving advantage to the best-funded candidate(s), who may or may not be the "best" candidate. The parties like the retail politics that smaller states can provide, rather than the ad war that might result in larger states.

So why not start the process in some other small states besides Iowa and New Hampshire? Ultimately, the national parties, and the candidates themselves, prefer certainty to uncertainty. After numerous elections, the national parties and the campaigns are more certain than not about what Iowa and New Hampshire bring to the table and how each tends to operate.

Is this year's start earlier or later than usual? And why?

Later.

Not since 1996 has Iowa held its caucus in February. Typically, the national parties have wanted to complete the nomination process quickly so that they can focus on the general election. For example, in 2004 the Democratic National Committee first allowed states other than Iowa and New Hampshire to hold their primaries or caucuses in February. (The Republicans had already done so in 1996.) Democrats wanted to settle on a nominee quickly so that the party could focus on defeating George W. Bush.

But allowing various states to conduct primaries or caucuses in February led Iowa and New Hampshire to move their contests earlier. That translated into a January start to primary season beginning in 2000.

Since then, a few states have pushed their primaries and caucuses into January as well, even though this was against national party rules. For example, Florida moved into late January in both 2008 and 2012, forcing Iowa and New Hampshire to the beginning of the new year.

This tendency to "frontload" violated the spirit of the unwritten (to that point) "on-ramp" principle cited above. So after 2008, both parties informally agreed that Iowa, New Hampshire, Nevada and South Carolina would hold their primaries and caucuses in February and all other states would fall between March and early June. States that failed to do so would lose some of their delegates at the national convention.

That was easier said than done. In 2012, the RNC failed to increase the penalty on states that violated this rule. In turn, states like Florida gambled just as they had in 2008. Essentially, these rogue states calculated that they would be more influential holding their primary or caucus earlier, even if it cost them delegates to the national convention. That pushed Iowa, New Hampshire, South Carolina and Nevada back into January and meant that there were relatively few contests in the middle of February.

So, for 2016, the parties (in particular the Republicans) increased the penalties for frontloading. The Republicans have the same objective for 2016 Democrats had in 2004: quickly resolve the nomination, curb party infighting, and get to a general election footing that shifts the focus to the Democratic nominee.

The difference in 2016 is that both parties desire a slightly later start (February instead of January), and some states have become more pragmatic about their calendar positioning. States are still crowding at the beginning, but some states believe that frontloading means that their primaries and caucuses get lost amid so many other contests.

All of this fiddling with the timing of primaries shows that the national parties are seeking a set of rules that will produce a candidate well-positioned to win the White House in the fall election. Often, though, that goal has them fighting the last battle — that is, amending the rules to address whatever was perceived to have hurt the party in the previous cycle.

How long do the primaries last?

There will be primaries and caucuses from February to early June 2016. But the nominees will likely be known well before the primaries are over. The earlier contests will winnow the field of candidates enough that a candidate is very likely to claim enough delegates to clinch the nomination prior to the final contest.

This is true even in a year as wide open as 2016 appears to be on the Republican side. Despite all the talk of multiple "lanes to the nomination," the presidential nomination process has tended to produce essentially two leading candidates, a frontrunner and an alternative to the frontrunner. These candidates will emerge in the invisible primary or certainly after the first few contests.

The other candidates will withdraw when they cannot win primaries or caucuses or continue winning them. Not winning makes it more difficult to garner support from both voters and donors, especially since these underdog candidates will appear to be prolonging the inevitable or worse, hurting the likely nominee. This is what led Rick Santorum to suspend his campaign after the first April 2012 primaries even though Mitt Romney was only a little more than halfway to the 1144 delegates needed to clinch the nomination.

The last two cycles — 2008 and 2012 — have shown that the leader in the Republican delegate count at the point when 50 percent of delegates have been allocated has been able to clinch the nomination around the point when 75 percent of the delegates have been allocated. Although the process could easily resolve itself before that 75 percent threshold is met due to winnowing, this 50-75 percent rule is a reasonable approximation of when a candidate will clinch.

On the likely primary calendar for 2016, March 8 would be the 50 percent point and April 26 would be the 75 percent marker. With that as a guide, we can work backward to an earlier point on the calendar when one candidate will be the remaining viable candidate still in the race.

How does how many votes a candidate gets in a state's primary or caucus translate into how many of that states' delegates are pledged to them?

On the Democratic side, the national party mandates a proportional allocation of the delegates apportioned to each state. The majority of states, in turn, utilize the results of their primaries or caucuses at both the statewide and congressional district level to allocate and bind those delegates to the candidates who clear a threshold of the vote — which can be set no higher than 15 percent — in those political units. If Hillary Clinton wins 60 percent of the vote statewide in

the South Carolina primary, she would receive around 60 percent of the at-large and pledged party leader delegates. If she wins 60 percent of the vote in one of South Carolina's congressional districts, she would receive around 60 percent of the delegates apportioned to that district.

The Republican National Committee is taking a similar approach for the states with primaries and caucuses that fall in the so-called "proportionality window," defined as the first two weeks of March for 2016. The only difference is that the RNC allows the threshold for receiving any delegates to be set as high as 20 percent either statewide or in congressional districts.

The RNC also allows a state party to institute a threshold for a candidate to receive all of the at-large and bonus delegates. In those states that set such thresholds, if a candidate wins a majority of the vote statewide or in a congressional district, that candidate would be eligible to be allocated all of the delegates apportioned to that political unit.

After March 14, state parties in the Republican process have the freedom to set their delegate allocation rules as they see fit. States can institute a proportional rule, a winner-take-all rule, or some hybrid. The differences between proportional and hybrid plans are typically so subtle that they do not affect the delegate count.

If states with contests after March 14 adopt a winner-take-all rule, that could create a de facto nominee sooner. However, in 2012, there was no such rush to winner-take-all rules among states with contests after the proportionality window.

Have these rules about delegate allocation changed since 2012?

For the Democrats, no.

The Republican National Committee, after introducing the proportionality requirement for the first time in 2012, sought to tweak its allocation formula for 2016. The party shrunk the proportionality window from all of March to just the first half of March. That seemingly reduces the impact of the proportionality requirement — in other words, it speeds the process up.

However, the RNC also tightened its definition of proportionality, closing some of the loopholes that allowed state parties to proportionally allocate only a fraction of their apportioned delegates while still complying with the requirement. Republican state parties are in the midst of examining their delegate allocation rules now, and this will continue into the late summer.

Why did the GOP change its rules?

The RNC believed the 2012 nomination process went on too long and hurt Mitt Romney in the general election. The party blamed the fact — noted above — that it didn't effectively penalize states that held primaries or caucuses too early.

So there is a new and more severe super penalty that reduces a state delegation for the majority of states to just 12 total delegates. That affects larger states more than smaller states. Going rogue in 2016 would mean that a state like Florida — with nearly 100 total delegates — would lose almost 90 percent of its delegates.

The RNC also concluded that the proportionality window had also contributed to the slower nomination process in 2012. This reflects a misperception: state-level allocation rules were not any more proportional in 2012 than they had been in 2008.

What was different was the calendar. Big states like California and Texas were at the end of the calendar in 2012, but had been much earlier in 2008. And in 2012, states were more evenly distributed throughout the calendar, and thereby less front-loaded. It was actually this change, not the proportionality window, that drove the slower pace of the nomination.

Is there any reason to believe that the Republican National Convention could elect a different nominee than the one who won the most delegates throughout the primaries?

Honestly, no. The process has winnowing built into it and has successfully narrowed the fields of Republican candidates throughout the post-reform era. It very likely will again even in this wide open Republican nomination race. For all the talk of a brokered Republican convention in 2012, the process winnowed the field to just Mitt Romney by early April.

Some are drawing comparisons between the splits in the Republican Party in 2016 and 1976, the latter of which was when the Republican nomination was last unsettled heading into the convention. Intentionally or not, that has led to chatter about the possibility of a brokered convention in 2016.

One important fact that keeps getting left out is that 1976 was the first year in which the Republican Party operated under the new "binding" rules that the Democratic Party had basically dragged them into. (State laws were changed by Democrats to bind delegates to candidates based on the results of primaries, but that affected the Republican process too.) The national parties have adapted to the new system in the time since 1976. It is not new anymore.

The national parties are also more sophisticated. For 2016, the RNC has also changed its rules to discourage some of the attempted mischief from 2012. There are no more non-binding caucuses. The delegations of all states will be bound to candidates based on the results of the primaries or

caucuses. The national party also raised from five to eight the number of delegations a candidate must control (have won) to place that candidate's name in nomination. Furthermore, attempts to vote against the binding placed on a delegate will essentially be ignored by the national convention and recorded as reflected by the results of the primary or caucuses.

A brokered convention would be interesting, but it's not likely. It's just one of those things — like an Electoral College tie — that commentators are seemingly obligated to talk about every presidential election year.

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http://www.washingtonpost.com/blogs/monkey-cage/wp/2015/05/12/everything-you-need-to-know-about-how-the-presidential-primary-works/ Accessed 8 October 2015.