

# A RECAP OF THE RBC MEETING

I don't mean to beat a dead horse, but I thought it worthwhile to post a recap of the RBC meeting yesterday.

First, the outcome: The Committee decided FL and MI will be seated—with both elected and super delegates seated at half strength. The FL delegation will be based entirely on the results of their January primary. And the MI delegation will be based on what the MDP thought would be the best approximation of a fair reflection of the will of the voters—which works out to be a 69-59 split (though each delegate votes at half strength).

A review of the importance of "fair reflection" may help folks understand why the RBC chose to accept a seemingly arbitrary number from MI.

Article Two Section 4 of the Democratic Party Charter requires that delegations to the National Convention "fairly reflect the division of preferences expressed by those who participate in the Presidential nominating process." That means you've got to make sure the delegates to the Convention actually match what people who "participate in the Presidential nominating process" want. This is a concept that Hillary's top advisor, Harold Ickes, emphasized when he argued that MI's delegation should be based on our January 15 Clusterfuck—he said repeatedly that this principle was as fundamental a principle as the First Amendment. And basically, Ickes' arguments were all premised on his judgment that the Clusterfuck was a meaningful measure of the preferences for President.

But it was on the basis of this "fair representation" concept that the MI presenters, Mark Brewer and Carl Levin, made their ultimately successful arguments. Brewer (who is a big numbers geek) basically looked at several

reasons why the Clusterfuck could not be considered a "fair representation:" because Obama's and Edwards' names weren't on the ballot, because an exit poll showed that Hillary and Obama would have taken something like 45% and 35% of the vote (the results of the Clusterfuck were 55% Hillary, 40% uncommitted), and the high number of write-ins that were thrown out that reflected a desire to vote for Obama or Edwards. In other words, Brewer threw out a load of data that proved that the Clusterfuck did not measure a "fair reflection" of the preferences of those who participated in the Clusterfuck. And given the results, this argument must have been persuasive to the RBC committee.

I'd add one point that Brewer did not make. The Clusterfuck can't be said to be a fair reflection of the preferences of those participating in the presidential selection process because Michiganders largely understood that the Clusterfuck was not part of the presidential selection process. We were told—even by Hillary—that our vote wouldn't count, and whether people went to the polls or stayed home, we based our decisions on that understanding. So to retroactively declare it part of the presidential selection process when, by reasonable estimates, Democratic performance was around 15% lower than what we should expect it to be this year (based on Dem performance in all the other primaries run before McCain had sewn up the Republican nomination), would unfairly leave those voters out. In other words, if 15% of the people who would have participated in the presidential selection process didn't, you can't really then declare it part of the presidential selection process and pretend it measures real preferences.

Anyway, like I said, Brewer's presentation must have convinced RBC members that the Clusterfuck results, by themselves, were not a fair reflection of the preferences of the voters of Michigan, and on that basis, they did not accept Ickes' argument that the delegation had to be

seated based on the Clusterfuck.

There have been arguments—with which I have some sympathy—that the RBC exceeded its authority in then choosing to accept MI's 69-59 compromise. But even if you accept the argument that the RBC didn't have the authority to do what it did, that does not mean the delegation should have been seated based on the results of the Clusterfuck. If the RBC had determined they did not have the authority to accept MI's 69-59 split, then they should have deferred the decision to the Credentials Committee, which does have the authority to make such judgments. But it's important to note that even Hillary's campaign did not choose to pursue this option yesterday, though Hillary has reserved her right to do so in the future. The entire RBC—including Harold Ickes—decided that MI's delegation should be seated (indeed, Hillary's campaign has been most aggressive in calling for the RBC to seat the MI delegation). Call it a politically expedient solution. But once the RBC decided the MI delegation should be seated and once it agreed with Brewer's argument that the Clusterfuck was not a fair reflection of the preferences of MI voters, then they were bound to come up with what observers might find to be an arbitrary solution.

You'll hear lots of arguments about how the RBC took delegates away from Hillary to give the primary to Obama. But the real issue—the real disagreement—is over whether our Clusterfuck results can be considered a "fair representation" of voter preferences. Harold Ickes after the fact declared them so, largely by ignoring both the circumstances of the election and the data showing it was not a fair representation. The leadership of the MDP—relying on a lot of data and a close understanding of what happened during the Clusterfuck—disagrees with Ickes. Any dispute comes down to whether you think Ickes or the leadership of the MI Democratic Party was right about whether the Clusterfuck was a "fair reflection" of MI's preferences.

And frankly, I think a large number of MI voters agree with the MDP leadership, not Ickes.