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# AMERICA'S PRIMARY ELECTIONS ARE RIPE FOR REFORM

By Matthew Germer

## **EXECUTIVE SUMMARY**

rimary elections have become an integral part of the way American voters elect their leaders, from city clerks to President of the United States. Yet primary elections are a relatively recent addition to the country's electoral system. Originally designed to air-out the party bosses' smoke-filled rooms and democratize the candidateselection process, primary elections have begun to serve a new function—winnowing candidates for the general election.<sup>1</sup>

With this new, broader purpose, the methods and mechanisms of the primary process are ripe for reevaluation. This paper explores the origin of primary elections; how the purpose of primaries has shifted over time; whether our current system achieves that purpose; and what reforms could be made to better accomplish the task.

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Figure 1: Primary System Types by State

#### **INTRODUCTION**

Across the country, voters rely upon primary elections to determine which candidates are on the ballot in the general election. Yet voters have become increasingly frustrated with the primary election system. In a research poll taken during the contentious 2016 presidential primary season, only 35 percent of voters believed that the primary system was "a good way of determining best-qualified nominees."<sup>2</sup> Acting on similar frustrations over primaries for other offices, advocacy organizations have promoted a variety of reforms to primary elections, such as "open primaries" that remove party registration requirements or "blanket primaries" that include candidates of all political persuasions on the same ballot.<sup>3</sup> States have responded to this public pressure with various primary reforms over the past two decades, and the trend shows no sign of slowing-making this a valuable moment to consider the state of primary elections in America.4 Before engaging in such an analysis, it is important to first establish the purpose of primary elections. Researches underline the importance of understanding purpose using a parable known as "Chesterton's Fence."

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In the matter of reforming things, as distinct from deforming them, there is one plain and simple principle; a principle which will probably be called a paradox. There exists in such a case a certain institution or law; let us say, for the sake of simplicity, a fence or gate erected across a road. The more modern type of reformer goes gaily up to it and says, 'I don't see the use of this; let us clear it away.' To which the more intelligent type of reformer will do well to answer: 'If you don't see the use of it, I certainly won't let you clear it away. Go away and think. Then, when you can come back and tell me that you do see the use of it, I may allow you to destroy it.'<sup>5</sup>

5. G.K. Chesterton, The Thing (S&W, 1929).

<sup>1.</sup> Merrill Fabry, "Now You Know: Where Was the Original 'Smoke-Filled Room'?" *Time*, May 17, 2016. <u>https://time.com/4324031/smoke-filled-room-history</u>.

<sup>2.</sup> Samantha Smith, "Voters have a dim view of primaries as a good way to pick the best candidate," Pew Research Center, April 5, 2016. <u>https://www.pewresearch.org/fact-tank/2016/04/05/voters-have-a-dim-view-of-primaries-as-a-good-way-to-pick-the-best-candidate</u>.

<sup>3.</sup> See, e.g., Bo Koltnow, "Organizations renewing push for open primaries in Pa.," WFMZ 69 News, April 12, 2022. <u>https://www.wfmz.com/news/area/pennsylvania/ organizations-renewing-push-for-open-primaries-in-pa/article\_ad4968d8-ba97-11ec-8857-93fc3c09ade8.html.</u>

<sup>4.</sup> James Brooks, "Alaska becomes second state to approve ranked-choice voting as Ballot Measure 2 passes by 1%," *Anchorage Daily News*, Nov. 17, 2020. <u>https://www.adn.com/politics/2020/11/17/alaska-becomes-second-state-to-approve-ranked-choice-voting-as-ballot-measure-2-passes-by-1</u>.

This paper first determines the role of existing institutions by exploring the genesis and original purpose of primary elections. From there, we note the ways in which the purpose of primary elections has shifted over time and how our current primary election system effectuates both the original and emerging purposes. Finally, we investigate some of the most popular reforms in order to determine whether they can better accomplish these purposes.

### **BEFORE PRIMARY ELECTIONS**

For the vast majority of American voters, primary elections have been a staple of the political process for as long as they can remember. But primary elections are a relatively new feature in the history of American politics. Prior to primaries, parties used other means to select their candidates.

Despite President George Washington's misgivings about political factions in his Farewell Address, political parties have been a mainstay of American politics since shortly after the founding of the United States.<sup>6</sup> Since that time, parties have existed to organize voters into functional coalitions in order to elect a specific slate of candidates. Central to that mission is control over who shows up on the ballot in an election. Prior to primary elections, political parties exerted control over candidate selection through mechanisms like public "voice votes," direct party oversight of the voting process and "party tickets," wherein voters registered support for an entire party slate in one vote.7 Candidate selection quickly started to democratize, at least for members of the party, with the onset of party conventions as early as 1832.8 These processes, though far more democratic than the concurrent monarchies of Europe, restricted popular control and placed party leadership at the center of the candidate-selection process.

The problem with this "strong party" approach may seem obvious to modern-day Americans—the entire political system was controlled by a select few—however, the strong party system had some merits: strong parties could tamp down dangerous populist impulses and self-interested candidates, and by default, they led to the elevation of many of our nation's greatest leaders.<sup>9</sup> But the closed nature of the old system also created a breeding ground for corruption, back-scratching, intimidation and resentment.<sup>10</sup> It is perhaps unsurprising, then, that the anti-corruption efforts at the turn of the 20th century marked a shift in America's perception of how candidates should be selected and inspired the start of the primary election movement.

#### THE ONSET OF PRIMARY ELECTIONS

Primary elections find their roots in the political reforms of the Progressive Era of the early 20th century.<sup>11</sup> During this period, Progressive reformers advanced a series of reforms to undercut party bosses and political machines they controlled and to democratize the political process. These reforms, which included the secret ballot, ballot initiatives and the direct election of senators, served to reduce party leaders' control and gave greater power directly to the people.<sup>12</sup> It was with this spirit that primary elections were born.

One of the earliest primary elections took place in Wisconsin in 1906.<sup>13</sup> Gov. Robert M. La Follette, a Progressive Republican, sought to disrupt the party establishment and allow the direct election of party delegates by voters. After putting the issue to the people via referendum—another Progressive-era reform— La Follette successfully created the first state party primary. (Ironically, La Follette's hand-picked candidate to replace him as governor lost the primary election to a rival.) The primary process caught on with Progressive reformers and expanded to other jurisdictions across the country. By 1916, 25 of the 48 states had implemented presidential primaries.<sup>14</sup>

The rising popularity of primary elections hit a ceiling as the Progressive movement waned following World War I and Americans' attention moved to the more urgent priorities of the Great Depression and World War II. After World War II, new communication technology like radio and television enabled candidates to speak directly to voters, and the fervor for primary elections sparked anew.

<sup>6.</sup> George Washington, "Washington's Farewell Address to the People of the United States," 106th Congress, Senate Document No. 106-21, 2000. <u>https://www.govinfo.gov/content/pkg/GPO-CDOC-106sdoc21/pdf/GPO-CDOC-106sdoc21/pdf;</u> "Democratic-Republican Party," *Encyclopaedia Britannica*, last accessed April 14, 2022. <u>https://www.britannica.com/topic/Democratic-Republican-Party</u>.

<sup>7. &</sup>quot;Voting and Electioneering, 1789-1899," National Museum of American History, last accessed April 14, 2022. <u>https://americanhistory.si.edu/democracy-exhibition/</u> machinery-democracy/voting-and-electioneering-1789%E2%80%931899.

<sup>8. &</sup>quot;The First Conventions and Continuing Practices, 1832-1890," Northeastern University, last accessed April 14, 2022. <u>http://conventions.cps.neu.edu/history/1832-1890</u>.

<sup>9.</sup> See, e.g., Jonah Goldberg, "Commentary: Party bosses in smoke-filled rooms would be better than the dreamy wish lists of pandering primaries," *Chicago Tribune*, Nov. 1, 2019. <u>https://www.chicagotribune.com/opinion/commentary/ct-opinion-cancel-presidential-primaries-goldberg-20191101-mgfsl47yr5divctxj7rr5wh4xq-story.html</u>.

William V. Shannon, "The Political Machine I: Rise and Fall the Age of the Bosses," *American Heritage*, June 1969. <u>https://www.americanheritage.com/political-machine-i-rise-and-fall-age-bosses</u>.

 <sup>&</sup>quot;The Progressive Era Reforms and the Birth of the Primaries, 1890-1960," Northeastern University, last accessed April 14, 2022. <u>http://conventions.cps.neu.edu/his-</u> tory/the-progressive-era-reforms-and-the-birth-of-the-primaries-1890-1960.

<sup>12.</sup> See, e.g., "Secrecy in Voting in American History: No Secrets There," Voting Viva Voce: Unlocking the Social Logic of Past Politics, University of Virginia, last accessed April 14, 2022. <a href="http://sociallogic.iath.virginia.edu/node/30">http://sociallogic.iath.virginia.edu/node/30</a>; James Pagano, "The Promises and Pitfalls of Ballot Initiatives in the US," Harvard Ash Center, Sept. 6, 2017. <a href="https://medium.com/challenges-to-democracy/the-promises-and-pitfalls-of-ballot-initiatives-in-the-us-2ca7cadda24a">https://medium.com/challenges-to-democracy/the-promises-and-pitfalls-of-ballot-initiatives-in-the-us-2ca7cadda24a</a>; Brian Duignan, "Seventeenth Amendment," *Encyclopaedia Britannica*, last accessed April 14, 2022. <a href="https://www.britannica.com/topic/Seventeenth-Amendment">https://www.britannica.com/topic/Seventeenth-Amendment</a>.

<sup>13. &</sup>quot;Origins of the Wisconsin Primary (presidential or state?)," Wisconsin Historical Society, last accessed April 14, 2022. <u>https://www.wisconsinhistory.org/Records/</u> <u>Article/CS336</u>.

<sup>14. &</sup>quot;The Progressive Era Reforms and the Birth of the Primaries, 1890-1960." <u>http://</u> conventions.cps.neu.edu/history/the-progressive-era-reforms-and-the-birth-of-theprimaries-1890-1960.

By the 1960s, the stage was set for a sweeping overhaul to the way candidates were selected, and the raucous 1968 Democratic National Convention served as the focal point for primary election reform. Amid rioting and police brutality in the streets and a feud between the party establishment and anti-war Democrats in the convention hall, the Democratic establishment used what little political influence it had to select Vice President Hubert H. Humphrey as the Democratic nominee for president, despite Humphrey's failure to participate in any of the state primaries that took place that year.15 The choice cost the elites their control over the party nomination process (and perhaps the election itself), and the reformers within the Democratic Party successfully launched the McGovern-Fraser Commission to rewrite the party presidential primary process.<sup>16</sup> By the time of the 1972 election, Democratic voters effectively controlled the party's nomination process. The GOP soon followed, and by 1980 both parties' nominees were largely in the hands of voters through a combination of primary elections, caucuses and state conventions.<sup>17</sup> Over the next 20 years, primaries became the norm, with the vast majority of states abandoning caucuses or conventions in favor of primary elections.18

Although presidential primaries served as the focal point of primary election reform, the use of primaries was not limited to presidential elections. As mentioned above, Gov. La Follette in Wisconsin first implemented primaries for state offices in 1906. Other states quickly followed suit. For example, Washington and Minnesota first implemented primaries at the state level in 1907 and 1912, respectively.<sup>19</sup> Today, nearly every state uses primary elections in some form to select its candidates for federal, state and local office.<sup>20</sup>

The origin of primary elections makes evident their initial purpose: Primaries enabled parties, through their base members, to select their candidates for the general election. Primary elections still continue to serve this function today, though a number of states have made additional reforms that change how they function and, in turn, their purpose.

18. Piroth, p. 278. https://www.uvm.edu/~dguber/POLS125/articles/piroth.htm

#### PRIMARY ELECTIONS TODAY

For most Americans, modern primary elections look similar to the primary elections of the past, with a process for selecting candidates designated by each party. But recent trends toward furthering the democratization of candidate selection, pushing aside not only party bosses but political parties themselves, have substantially changed primary elections for a sizable number of voters.

Before progressing further, it may be helpful to define a few terms. A "closed" primary system is one in which only members of the party are permitted to participate in the election. Conversely, an "open" primary is one in which all voters can participate.<sup>21</sup> Many states operate between these two extremes. "Partially closed" primary systems allow parties to decide whether to let independent voters participate, essentially opening primaries to everyone except rival party members.22 "Open to unaffiliated" primary systems are similar to "partially closed" systems in that members of the opposing party are prohibited from participation, but state law permits unaffiliated voters to participate in the primary election.<sup>23</sup> "Partially open" primary systems allow voters to participate in a party's primary, even members of the opposing party; however, in so doing, these voters are declaring their affiliation with that party, and they are limited to voting in only one party's primary election per cycle. Finally, some states use a "blanket" primary, in which all candidates appear on the same ballot and a top-two, top-four or run-off election is used to determine the eventual winner.<sup>24</sup> The states falling into each category can be seen in Figure 1 below.

#### FIGURE I: PRIMARY SYSTEM TYPES BY STATE

Closed (9)	Delaware, Florida, Kentucky, Maryland, Nevada, New Mexico, New York, Oregon, Pennsylvania	
Partially Closed (6)	Connecticut, Idaho, North Carolina, Oklahoma, South Dakota, Utah	
Open to Unaffiliated (9)	Arizona, Colorado, Kansas, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, West Virginia	
Partially Open (6)	Illinois, Indiana, Iowa, Ohio, Tennessee, Wyoming	
Open (15)	Alabama, Arkansas, Georgia, Hawaii, Michigan, Minnesota, Mississippi, Missouri, Montana, North Dakota, South Carolina, Texas, Vermont, Virginia, Wisconsin	
Blanket (5)	Alaska, California, Louisiana, Nebraska, Washington	

Source: Data collected from "State Primary Election Types," National Conference of State Legislatures, Jan. 5, 2021. <u>https://www.ncsl.org/research/ elections-and-campaigns/primary-types.aspx</u>.

As states have expanded the primary electorate, it is fair to ask whether primary elections continue to serve their historic

Haynes Johnson, "1968 Democratic Convention: The Bosses Strike Back," Smithsonian Magazine, August 2008. <u>https://www.smithsonianmag.com/history/1968-democratic-convention-931079</u>.

Scott Piroth, "Selecting Presidential Nominees: The Evolution of the Current System and Prospects for Reform," *Social Education* 64:5 (September 2000), p. 278. <u>https://www.uvm.edu/-dguber/POLS125/articles/piroth.htm</u>.

<sup>17.</sup> Geoffrey Skelley, "The Modern History of the Republican Presidential Primary, 1976-2012," Sabato's Crystal Ball, UVA Center for Politics, Jan. 21, 2016. <u>https://center-forpolitics.org/crystalball/articles/the-modern-history-of-the-republican-presidential-primary-1976-2012</u>.

<sup>19.</sup> See, e.g., "History of the Blanket Primary in Washington," Elections Division, Office of the Washington Secretary of State, last accessed April 14, 2022. <u>https://www.sos. wa.gov/elections/bp\_history.aspx;</u> Clarence J. Hein, "The Adoption of Minosota's Direct Primary Law," Minnesota Historical Society, December 1957, pp. 341-351. <u>http:// collections.mnhs.org/MNHistoryMagazine/articles/35/v35i08p341-351.pdf</u>.

<sup>20.</sup> Federal Voting Assistance Program, "2022 Primary Elections by state and territory," U.S. Department of Defense, March 2022. <u>https://www.fvap.gov/uploads/FVAP/ VAO/PrimaryElectionsCalendar.pdf.</u>

<sup>21. &</sup>quot;State Primary Election Types," National Conference of State Legislatures, Jan. 5, 2021. https://www.ncsl.org/research/elections-and-campaigns/primary-types.aspx.

<sup>22.</sup> Ibid

<sup>23.</sup> Ibid.

<sup>24.</sup> Ibid

purpose—or perhaps if that purpose has changed. Closed primary elections still look similar to the primary elections of old, and they largely effectuate the same purpose—selecting a party's nominee. However, only nine states continue to use a purely closed primary system. The vast majority of states have chosen to open the historically intraparty process to non-party members. In fact, some states have rejected the entire premise of partisan candidate selection altogether.

Following the adoption of Initiative 872 in 2004, Washington became the first state to adopt a top-two primary election system.<sup>25</sup> California followed in 2010.<sup>26</sup> Under top-two, the primary ballot contains all candidates from all parties. The top two candidates then move on to a head-to-head faceoff in the general election.<sup>27</sup> Under this system, the party affiliation of the candidates and voters is entirely irrelevant. Voters of all stripes can choose whichever candidates they prefer in the primary. The final two candidates may belong to different parties, the same party or no party at all. Alaska built off of the top-two system and adopted a top-four system in 2020, which functions similarly except the top four primary election vote-getters move on to the general election.<sup>28</sup>

While transitioning away from party primaries has been the trend of the last two decades, Washington, California and Alaska were not the first to do so. Louisiana and Nebraska offer all voters the opportunity to weigh in on all candidates through an integrated, primary/general election model.<sup>29</sup> Under this system, all candidates appear on the ballot in the November general election, and if no candidate receives a majority (50 percent) of the votes, a runoff is held between the top two candidates. Under this system, the general election could be thought of much in the same way as Washington or California's top-two primary, with the distinction that a majority winner avoids a follow-up, top-two election.

All told, over 15 percent of Americans live under a system that ignores the original purpose of primary elections: partisan candidate selection.<sup>30</sup> Instead, these voters participate in primary elections with a different purpose: winnowing candidates to a more manageable level. This shift in the purpose of primary elections has profound implications. Under open primary systems, political parties lose one of their main tools for recruitment—participation in the candidate-selection process—and thus political party membership carries substantially less value for voters. It should come as no surprise that of the states that keep track of partisan voter registration, the lowest number of unaffiliated voters reside in states with closed, partisan primaries, and the largest proportion of registered independents tend to be found in states with primary elections open to all.<sup>31</sup>

The result is a vicious cycle for political parties. Voters have diminished incentive for formal party affiliation, weakening the influence of the party and creating a pathway for candidates to appeal directly to voters. In turn, voters have less incentive to affiliate with a political party. However, from a different point of view, this shift might be considered a virtuous cycle. Indeed, after participating in the top-two primary system for four general elections, California voters favored maintaining the top-two system over returning to closed or party-controlled primaries, preferring the freedom and inclusivity of top-two primary elections.<sup>32</sup> The political parties and their leaders may dislike their diminished control under these new primary election systems, but the voters seem to like the resulting dynamic.

At present, primary elections across the country largely maintain the candidate-selection purpose of the first primary elections. Nevertheless, with many states opening primary elections to voters outside the party, and with more states forsaking partisan primaries altogether, the purpose of primary elections has shifted and is now concentrated on refining the options presented by the general election ballot.

#### THE FUTURE OF PRIMARY ELECTIONS

Advocacy groups and nonprofit organizations have sprung up across the country seeking reform due to general frustration with the primary election system. Given their success in recent years, further reform seems likely.<sup>33</sup> Bearing in mind the dual purposes of primary elections at present—partisan candidate selection and winnowing for the general election a variety of popular reforms are ripe for evaluation.

Turning first to reforms that maintain the purpose of partisan candidate selection, skeptics of democratized primary

 <sup>&</sup>quot;The Top Two Primary, Initiative 872," Elections Division, Office of the Washington Secretary of State, last accessed April 14, 2022. <u>https://www.sos.wa.gov/elections/</u> wac.aspx.

<sup>26.</sup> Mike Roe, "Proposition 14 passes, despite opposition from political parties," 89.3 KPCC, June 9, 2010. <u>https://archive.kpcc.org/blogs/elections2010/2010/06/09/1316/</u>proposition-14-passes-despite-opposition-political.

<sup>27. &</sup>quot;The Top Two Primary, Initiative 872." https://www.sos.wa.gov/elections/wac.aspx

<sup>28. &</sup>quot;Alaska Better Elections Implementation," Alaska Division of Elections, last accessed April 14, 2022. <u>https://www.elections.alaska.gov/RCV.php</u>.

<sup>29. &</sup>quot;State Primary Election Types." <u>https://www.ncsl.org/research/elections-and-</u> campaigns/primary-types.aspx.

QuickFacts, "Alaska; Nebraska; Washington; Louisiana; California; United States," U.S. Census Bureau, last accessed April 14, 2022. <u>https://www.census.gov/quickfacts/ fact/table/AK,NE,WA,LA,CA,US/PST045221</u>.

<sup>31.</sup> Rhodes Cook, "Registering By Party: Where the Democrats and Republicans Are Ahead," Sabato's Crystal Ball, UVA Center for Politics, July 12, 2018. <u>https://center-forpolitics.org/crystalball/articles/registering-by-party-where-the-democrats-and-republicans-are-ahead</u>.

<sup>32. &</sup>quot;California Poll, Topline Results," USC Dornsife and *The Los Angeles Times*, May 25, 2018. <u>https://drive.google.com/file/d/1g5uibGxcEuknURkZZvT4Ah4Q9-lvalVz/view</u>.

<sup>33.</sup> See, e.g, Nick Troiano, "Party Primaries Must Go," *The Atlantic*, March 30, 2021. <u>https://www.theatlantic.com/ideas/archive/2021/03/party-primaries-must-go/618428</u>.

elections have suggested removing publicly funded primary elections altogether and either returning to "smoke-filled rooms" or allowing political parties to organize, administer and fund their own primary elections.<sup>34</sup> While it is extremely unlikely that the general public would support such a system, it is not entirely without merit.

Political parties are not public agencies. Indeed, parties have fought vigorously over time for their rights as private organizations, arguing that First Amendment "freedom of association" protections restrict the ability for state actors to regulate their activity. As a result, the parties enjoy substantial latitude over when primary elections take place, particularly for presidential primaries, and over who may participate in the process.<sup>35</sup> Keeping with this spirit, if the purpose of primary elections is for the parties to select candidates, it is worth considering returning the process entirely to the parties themselves.

Alas, the private and partisan primary proposal offers plenty of problems, including decreased accessibility for voters, a less stable process from year to year and increased opportunities for back-room, partisan corruption. The reasons why reformers of the Progressive Era sought change would once again be applicable under this proposal.

Given Americans' preference for greater influence in candidate selection, it is extremely unlikely that voters would be supportive of a stronger party system. Instead, it is much more likely that states would move in the other direction and open their primary elections to voters outside of the party. Open primaries offer a substantial attractive feature: All voters are welcome to participate. This not only represents a certain amount of fairness-millions of independent voters pay the taxes that fund primary elections-but it also may lead to better outcomes. In a closed primary, the electorate is limited to party members, who may not be representative of all voters. By expanding primaries to include all voters, candidates are incentivized to reach out to a broader swath of the electorate. Finally, open primaries represent a relatively low burden to implement. The mechanics of selecting a candidate on the ballot largely remain the same, the only difference being that a larger slice of the electorate can participate.

Yet, despite the benefits of open primaries, they may not be the best reform on the table. Under open primaries, the partisan candidate-selection purpose is still intact but is increasingly misaligned with the form and function of primary elections. Voters are tasked with picking their favorite candidate to represent a party, while parties themselves become less relevant.

Alternatively, reforms that redefine the purpose of primary elections, away from partisan selection and in favor of winnowing, may offer all the same benefits as open primaries without the misalignment in function. Blanket primaries, where all candidates appear on one primary ballot, resolve problems that linger in open primaries by removing the political parties entirely. Blanket primaries address not only the desire for greater inclusivity but also respond to the public's ongoing frustration with the political parties themselves. Voters are not limited to participating in just one party's primary election; they instead can pick from among all candidates and all parties.

In fact, ideas like Alaska's top-four system or Final Five Voting may present the best solution, as they give voters increased freedom of choice.36 In addition to the benefits of a blanket primary, these proposals reduce the extent to which strategic voting distorts the outcome. Under both the traditional partisan primary and the top-two blanket primary, voters need to carefully consider not only who their own favorite candidates may be but also the likelihood that other voters support the same candidate. After all, under both partisan primaries and top-two primaries, the general election ballot typically includes just one candidate from each party. Alaska's top-four system and Final Five Voting address the problem by increasing the number of winners in the primary. Granted, in a large primary race, this still creates an incentive to vote strategically, but the incentive is dramatically diminished. In the end, this system offers the benefits of a blanket primary alongside additional freedom to vote for the mostpreferred candidates.

It is for this reason that a blanket primary with four or five candidates advancing to the general election may gain popularity in the near future. In addition to Alaska, where voters adopted a top-four system in 2000, states like Wisconsin and Missouri are considering bills or ballot initiatives to implement a similar system.<sup>37</sup> These reforms may be promising options for those looking to move beyond the partisan primary and instead use primary elections to refine the number of candidates for general election voters.

<sup>34.</sup> See, e.g., Goldberg, <u>https://www.chicagotribune.com/opinion/commentary/</u> ct-opinion-cancel-presidential-primaries-goldberg-20191101-mgfsl47yr5divc-<u>txi7rr5wh4xq-story.htm</u>]; Eric Zorn, "Make the political parties pay for their primaries," *Chicago Tribune*, April 21, 2016. <u>https://www.chicagotribune.com/columns/eric-zorn/</u> ct-public-primary-funding-states-parties-zorn-perspec-0422-jm-20160421-column. <u>html</u>.

<sup>35.</sup> See, e.g., *Tashjian v. Republican Party of Connecticut*, 479 U.S. 208 (1986). <u>https://supreme.justia.com/cases/federal/us/479/208</u>.

<sup>36.</sup> Mario H. Lopez, "Sick of choosing between the 'lesser of two evils'? Push for electoral reform," *The Hill*, Dec. 8, 2021. <u>https://thehill.com/opinion/campaign/584353-</u> sick-of-choosing-between-the-lesser-of-two-evils-push-for-electoral-reform.

<sup>37.</sup> A.J. Bayatpour, "'Final Five' bill would drastically alter how Wisconsin sends people to Congress," WKOW, Dec. 14, 2021. https://www.wkow.com/news/ final-five-bill-would-drastically-alter-how-wisconsin-sends-people-to-congress/ article\_141fc692-5d41-11ec-bd6e-2b20f2f07a6c.htm]; Hannah Falcon, "Amendment proposes ranked-choice voting for Missouri elections," ABC 17 News, March 23, 2022. https://abcl7news.com/politics/missouri-politics/2022/03/23/amendment-proposesranked-choice-voting-for-missouri-elections.

## CONCLUSION

Primary elections have existed in American politics for over 100 years and took root as part at an effort to give voters greater power over parties' candidate-selection process. However, the purpose of primary elections is changing. Recently, primary elections have begun to move away from their partisan purposes and are increasingly functioning as a mechanism for winnowing candidates for the general election.

With the frustration of voters in mind, it is appropriate to reconsider the method of primary elections across the country and whether they still serve their intended purpose. In place of the old, closed primary system, states should begin to look toward open and blanket primaries as possible reforms.

#### **ABOUT THE AUTHOR**

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