

Closed primaries shut out millions of voters, divide Americans into ‘warring camps’

By Corey Jones and Hayleigh Colombo Public Service Journalism team Jan 25, 2024 Updated 8 hrs ago 3 13 min to read



Two poll workers unintentionally rattled David Bohlken two decades ago when he walked into a petite country church near Tulsa to vote for his first time as an Oklahoman.

They wouldn't offer him a ballot. Only a cup of coffee.

“The ballot got flipped upside down on me. I wasn't even allowed to look at it,” Bohlken said, noting that the two apologetic poll volunteers — his friends — were just doing their jobs. “That kind of made me feel bad.”

Bohlken grew up in Minnesota, a state with open primaries, where all registered voters may participate in any party's primary election. He didn't realize his status as a registered independent in Oklahoma would exclude him from partisan primaries.

Millions of voters in states like Oklahoma with primaries that are at least partially closed are shut out from voting in contested races because of their independent status or party affiliation, denying participation in elections their tax dollars fund.



Across nine closed or partially closed primary states, about two in five registered voters in districts with contested U.S. Congressional primary elections in the 2022 midterms were barred from casting ballots in those races, according to a Lee Enterprises Public Service Journalism team analysis of publicly available data.

Similarly, about two in five registered voters throughout those nine states in districts with contested state legislative primaries in 2022 were prohibited from participation.

In 181 of those 590 contested federal and state primaries, disallowed voters were entirely blocked from a choice in who represents them because the primaries decided who won the office — either directly or with an uncontested general election, according to Lee Enterprises’ analysis.

That’s almost one in three districts where the excluded voters had no say in their representation.

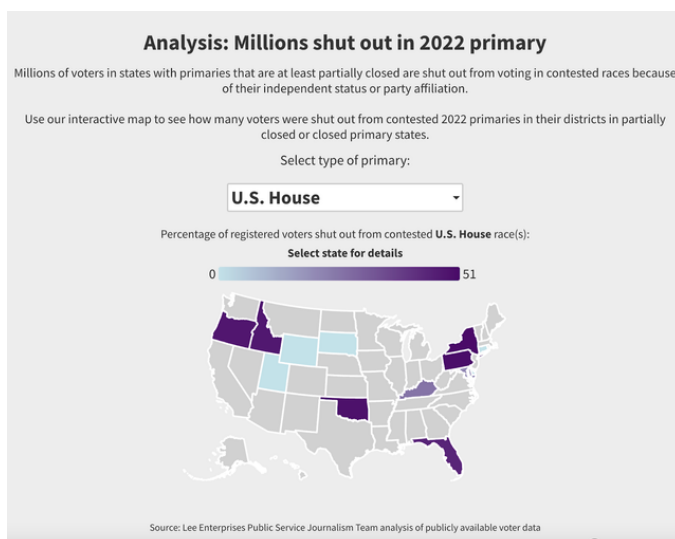
Jeremy Gruber, a lawyer and senior vice president of Open Primaries, a national advocacy group, frames the issue in stark terms.

“There’s a country where when you vote in the general election, half the time there’s only one person on the ballot. Almost every time it’s an uncompetitive election, and half the voters in the country are barred from the first round or limited,” Gruber said. “And even the voters that can participate are segregated into warring camps. People would say, ‘Well, that doesn’t make sense. That doesn’t sound democratic.’ “Where is that? What strange country has that system?’ But that’s us. That’s our system.”

Gruber is part of a burgeoning movement across the U.S. to open up primaries so all registered voters can participate.

As the 2024 election season begins, there are already about a dozen active campaigns in states across the U.S., including Oklahoma, Arizona, Pennsylvania, South Dakota, Oregon, Nevada, Utah, New Mexico and Idaho.

Proponents who are pushing for changes — through citizen-led ballot initiatives, state law changes or even lawsuits — say open primaries strengthen American democracy by allowing all registered voters equal access to taxpayer-funded elections while broadening voter choice and improving outcomes through competition.



But open primary efforts are running up against opposition from some political party leaders and partisans who think only party members should choose their candidates for the general election.

In the 20 years since Bohlken first tried to vote in Oklahoma, the state's Democratic Party has opened its primaries to independent voters. But neither Republicans nor Libertarians have followed suit.

State Sen. Nathan Dahm, chair of the Oklahoma GOP, said he adamantly opposes open primaries because political parties are private organizations with specific ideals that should be able to decide who participates in their affairs — primary elections included.



Oklahoma Sen. Nathan Dahm, chair of the Oklahoma GOP, opposes open primaries because political parties are private organizations that should be able to decide who participates in their affairs.

Mike Simmons, Tulsa World

"You don't want the out-of-town atheist coming in and voting on who your next pastor should be in your church," Dahm said.

Dahm said no requirements force a person to vote in a primary. In fact, he said, most registered voters don't participate. And many citizens aren't even registered to vote.

"The purpose of the primary is for the party to determine who they want to be their nominee," Dahm said.

However, primaries often are where the real decisions are made, Gruber said. General elections in most state and federal races have ceased to be determinative, he said, becoming "more of a dance" — a formality.

"All of a sudden, we've allowed the parties to control the process that we pay for — that our tax dollars pay for — and it's perverted our democracy in all kinds of ways,"

-Jeremy Gruber

Most U.S. states have some form of open primary — even if advocates like Gruber argue they're more limited or less inclusive than they should be. He emphasized that the de facto model for municipal governments are nonpartisan elections, which he said are effective and elicit the highest satisfaction in voter surveys.

Bohlken, a farmer and rancher who lives in Leonard, an unincorporated town near Tulsa, described his move to Oklahoma from Minnesota as a sort of "slap in the face" politically. His voting power was erased from primaries that his tax dollars support.

As an independent, he prefers to carefully consider candidates from both sides of the aisle.

“I feel like I hesitate to say this out loud, but the primaries seem to drive a lot of real zealots — some people who are really extreme in their views,” Bohlken said. “So those few people who can show up for a primary really determine who’s going to be put in office. And that just kind of freaks me out.”



Oklahoma's semi-closed primary system shuts out hundreds of thousands of voters each election cycle, suppressing voter turnout and catering to the political fringe in terms of election issues.
Stephen Pingry, Tulsa World

What research has found

The high level of voter disenfranchisement that Lee Enterprises’ analysis found in states such as Oklahoma was surprising even to a researcher who studies open primaries.

“That’s nuts,” said John Johnson, a research fellow at Marquette University in Wisconsin, a state with open primaries. Johnson said he would be angry if he lived in a state in which he couldn’t participate in the primary, particularly if the general election wasn’t competitive.

In stark contrast, Wisconsin’s open primary system doesn’t require voters to register with a party and allows them to decide in which party’s primary they want to vote.

“It’s mostly people just voting with the party that they prefer, and then when they cross over it’s because they genuinely feel some stake in the contest that’s happening inside the ‘other’ party,” Johnson said.

Johnson’s research has found that crossover voting — when Republicans vote in a Democratic primary, for example — happens at such low levels as to be inconsequential in swaying the results, despite fears of “party-raiding” expressed by opponents of open primaries.

In analyzing both the 2016 and 2018 Wisconsin primaries, an identical share of Republicans and Democrats — 2% — crossed over to the opposite party.

“Even if this tiny share of people were indeed ‘party raiding,’ they canceled each other out,” Johnson wrote in a summary of the study. “But there is no good evidence suggesting they weren’t voting in good faith.”

Still, high-profile stories of voters trying to disrupt primary elections pop up.



Some Democratic and independent voters in Wyoming crossed over to the Republican primary in 2022 to try to save former U.S. Rep. Liz Cheney from her GOP challenger. They were unsuccessful.
Laruen Miller, Casper Star Tribune file photo

The Bipartisan Policy Center examined the 2022 midterm primaries and found that open primary states had higher voter turnout on average than closed primary states.

The average turnout was 24.5% in states with fully open primaries or what are referred to as top-two or top-four formats, according to Bipartisan Policy Center's analysis. Meanwhile, average turnout was just 21.5% in states with semi-open primaries and 20.7% in states with closed primaries.

Fully open primaries allow individuals to decide in which party's primary they want to vote. Top-two or top-four formats place all candidates on a common ballot for all voters, with the top vote-getters advancing to the general election.

Generally, partially open primaries permit independent or unaffiliated voters to choose a party's primary but don't allow party members to switch to another party's primary.

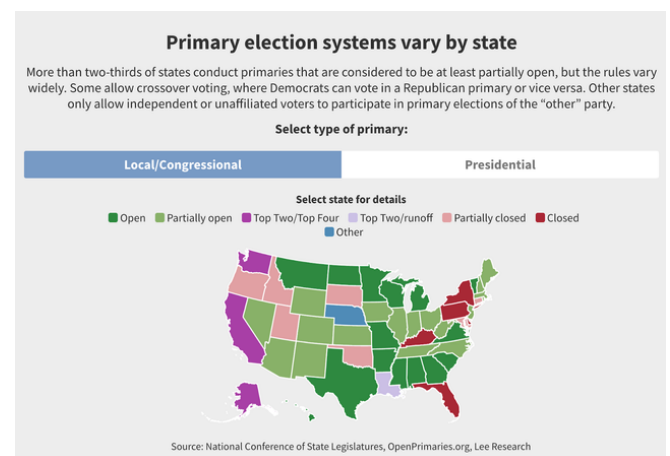
Closed primaries only authorize party members to vote and only within their designated party. And partially closed primaries let the recognized parties decide whether any independent or unaffiliated or minor party voters can participate.

Primary systems can be nuanced and vary widely by state.

For example, Nevada and New Mexico — technically closed primary states — allow any person to register to vote or switch parties at the polls on primary day.

Other state deadlines for switching parties are weeks or months in advance of primary elections.

Wyoming, for example, requires that individuals who want to change or declare a new party affiliation for the primary must do so before the candidate filing period even begins.



Oklahoma Republican mayor reverses view

Tulsa Mayor G.T. Bynum, a Republican, is now one of the faces of a grassroots movement to open up the Sooner state's primaries, called Oklahoma United For Progress.

But a decade earlier, he said he wrongly campaigned against the concept.

Bynum, then a city councilor, opposed the citizen-led ballot question that made Tulsa's municipal elections nonpartisan on his "mistaken belief" that political parties fundamentally are supposed to educate and motivate voters. He had feared voter interest would wane in a nonpartisan process.

At the core of Bynum's change of heart?



Tulsa Mayor G.T. Bynum, pictured in January 2024, a Republican, is now one of the faces of a grassroots movement to open up the Sooner state's primaries.

Stephen Pingry, Tulsa World

He said he unexpectedly unseated the Republican incumbent for mayor in 2016 by building a broad coalition that he couldn't have mobilized in a partisan primary. And contrary to his belief, average voter turnout in the three mayoral primaries after Tulsa switched to nonpartisan elections rose 35% compared to the same period before the reform.

In his 2020 re-election bid, Bynum said "the center held" despite a strong primary challenge from his ideological left and right opponents.

"The fact that I'm sitting here as a mayor right now and didn't lose in 2020 is testament to the fact that most people are not in the vocal, angry extremes," Bynum told a crowd in July at a burger restaurant in Oklahoma City. "Most people are in between there somewhere, but they're not as loud."

The Lee Enterprises analysis of publicly available voter data for the 2022 midterm primary illustrates how Oklahoma's partially closed system — and others like it — stifles voter participation.

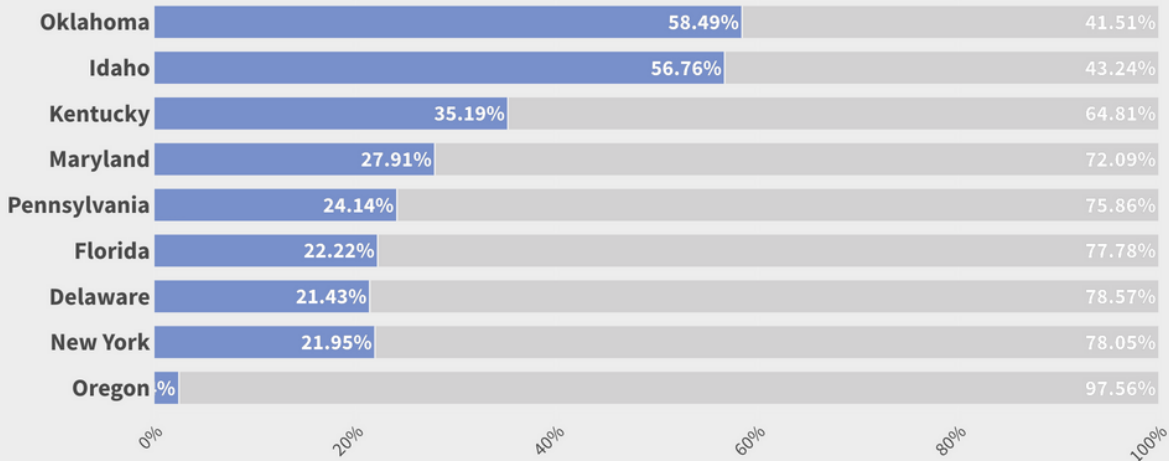
In districts with contested U.S. House races, about 49% of registered voters — or 889,880 eligible Oklahomans — were shut out from casting a ballot in them.

Similarly, about 45% of registered voters — or 350,669 eligible Oklahomans — in contested State House races and about 40% — or 252,197 — in contested State Senate races were blocked from voting in them.

And 31 of those 52 contested state and federal seats — about 60% — were decided outright by the primary and not the general election, meaning hundreds of thousands of registered voters who were disallowed a primary voice had no vote at all for who would represent them in public office.

2022 contested races decided by primary

Lee Enterprises' Public Service Journalism Team analyzed nearly 600 federal and state contested races across nine states with partially or fully closed primaries in 2022. In nearly a third of the races, independent voters and others blocked due to their party affiliation had no say in who represents them because the primaries decided who won the office – either directly or with an uncontested general election.



Source: Lee Enterprises analysis

Dahm, who has been chair of the Oklahoma GOP since May, said it isn't fair to consider closed primaries as keeping voters from participating because all someone has to do is register with the party.

He said Democrats weren't pushing for open primaries when they had control of the state 20 years ago.

"What happened is Republicans organized better," Dahm said. "We got better candidates — people that better represent the will of the people in those districts — and we flipped those seats from Democrat seats to Republican seats.

"And if those people want to continue to participate in that, they can become registered Republicans."

Privately, Bynum said he hears from many elected officials who support the open primaries effort but won't do so in the open.

The party in control in a state — no matter whether Republican or Democrat — doesn't have incentive to change a system that could loosen its grip on power, he said.

He said he is sticking out his neck publicly for a shot at generational change because he sees better focus on policy and improved outcomes in nonpartisan races.

"I think a fear of (open primaries) would betray a lack of confidence in the ideas that one political party or another is supporting," Bynum said.

Organized party pushback in some states like Missouri

While momentum to open up primaries is building among the country's independent voters, some states — including Missouri, Tennessee and Ohio — are facing action in the other direction, forcing advocates to play defense.

In Missouri, voting rights advocates like Denise Lieberman of the Missouri Voter Protection Coalition so far have successfully staved off Republican efforts to close the state's open primaries, but the threat is constantly looming, she said.

Major changes to the state's voting system already have taken place, such as the 2022 elimination of the Republican presidential primary election in favor of a caucus system, which tends to encourage participation by loyal party members and decrease turnout overall.

“This is all part of a national trend to constrict who is able to cast a ballot,” Lieberman said. “I do think these efforts to close primaries that we've seen in about a half-dozen states are part of this effort to make the electorate smaller.”

Lieberman said a consequence of shutting out voters from primaries is making them feel like “it was rigged from the beginning.”



“What we know from the data is that fewer and fewer people are choosing to affiliate with the major political parties,” Lieberman said. “If you have no say in who the party candidate is going to be, why even bother to show up at the general election to vote?”

It remains to be seen what happens in this legislative session in Missouri. A Republican state senator who last year sponsored a bill to close primary elections, Sen. Andrew Koenig, doesn't appear to be focused on it in 2024.

Dave Evans, communications director for the senator, said “I don't know that that's an issue that's going to be a burning issue this year.”

But Evans said the senator's view hasn't changed on the matter.

In fact, the Missouri Republican Party states on its party platform that it believes in closed primaries requiring all voters who cast a ballot to “declare a partisan affiliation” and maintain declared party affiliations “as a public record.”

“Political parties are in fact private organizations,” Evans said. “They ought to have the right to have freedom of association like any other group.”

Independents the new plurality in Arizona

In swing-state Arizona, independent voters, or individuals not with a recognized party, became the plurality of registered voters in October.

But those voters are excluded from the state’s version of a presidential primary, called a presidential preference election.

Ray Kimball is a retired U.S. Army officer who is a relatively new independent voter in Arizona after nearly three decades as a registered Republican.

Kimball said the GOP alienated him over its refusal to acknowledge that Joe Biden is the duly elected president, prompting his move to independent status.

Kimball’s wife received notice in the mail of the forthcoming presidential preference election and that she automatically will get her party’s ballot. Kimball himself won’t be sent any such mail and won’t be able to participate in what he called a “crucial” election.

“I’m fiercely proud of my vote, and I will cast it at any opportunity available,”

said Kimball, who lives in Gilbert in the East Valley of the Phoenix metro. “I’m just angry that I don’t have the ability to make that voice heard in every election. I think that’s wrong.”



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Kimball, who works in higher education after his military retirement, is open to considering a return to the GOP if it were to find its bearings and “embrace reality.” But he does find meaning in his fresh status as an independent.

“I feel proud to be close to what George Washington’s original vision for politics in this country was — he warned against partisan politics,” Kimball said. “He was concerned about what it would do to our country. So I feel proud that I’m exercising a political tradition that has its roots in the origin of our country.”

Paul Johnson, a former Democrat mayor of Phoenix, is helping lead the Save Democracy Arizona petition effort to enshrine nonpartisan primaries and uniform signature requirements into the state Constitution.

As it stands, Arizona law requires independent or unaffiliated individuals who want to run for legislative office to come up with tens of thousands of signatures more than someone who is with a recognized political party.

Now an independent, Johnson said voters breaking away from a desire to be identified as a member of a party is one of the “most powerful” movements ongoing in American politics.

The country’s single greatest achievement has been to empower individuals over itself, he said. He added that the “magical key to democracy” is talking to people with whom you don’t necessarily agree.

“The single biggest thing that defines (the parties) is they hate each other. They cannot stand one another,” Johnson said. “And my answer is, I don’t want to eliminate them. I want to get the best from them.”



Pennsylvania voters push for open primaries

Meanwhile, Pennsylvania is closer than it ever has been to adopting an open primary system. But it’s not there yet.

For the first time in October, a bill to open up primary elections to an estimated 1.2 million excluded unaffiliated and independent Pennsylvania voters passed out of a house legislative committee.

One of the key proponents of the bill, Democratic Rep. Jared Solomon of Philadelphia, said he feels “a shift, that more and more folks are coming on board.”



Pennsylvania State Rep. Jared Solomon said he feels “a shift, that more and more folks are coming on board” with a bill to open up primaries.
Matt Rourke, Associated Press

“The proposal has been around forever and it’s the first time it passed the House (committee),” Solomon said. “I think it’s a really big deal. ... We need to finally get this bill to the finish line.”

However, the full House chamber still hasn’t acted on the bill yet. A spokesperson for the House speaker, who has the power to call the bill down for a vote, told Lee Enterprises that the measure is “currently being reviewed.”

Solomon says he’s pushing hard on this because he believes it’s the right thing to do.

“The fastest group of unaffiliated independent voters are people aged 18 to 35,” he said.

“Imagine you’re a new voter in Pennsylvania and we’re basically saying to you no thanks, not welcome, not here.”

At the same time, Solomon said the state “will take their tax money to prop up the primary system.”

“It doesn’t really roll out of the welcome mat,” he said. “This is not the look we want in PA.”

One of those new young voters is Ethan Barnes, a Dickinson College student who was disappointed to find out upon moving to Pennsylvania that he wouldn’t be able to vote in primary elections unless he registered as a Democrat or a Republican.



Dickinson College student Ethan Barnes, an independent voter, realized after moving to Pennsylvania he was unable to cast a vote during its closed primaries. He began working with BallotPA, an organization seeking to open the Commonwealth's primaries. He is pictured on Jan. 22, 2024, at Dickinson College.

JASON MALMONT The Sentinel

But at heart, he’s an independent, just like his dad, a U.S. Marine Corps veteran who instilled in him the importance of being politically active at a young age.

“It’s really sad that you can’t register as an independent and still be able to be as politically

active as you could if you were registered as either a Democrat or Republican,” Barnes said. “That’s what many of my friends (and I) have had to go through.”

“Why should I not be able to participate just because I’m registered as an independent?”

-Ethan Barnes

The issue led Barnes to join BallotPA, a statewide advocacy group of independent and unaffiliated voters who are trying to push lawmakers on the issue.

“I always cared a lot about politics, but I don’t know if I would have imagined myself getting this strongly involved in the fight for open primaries,” Barnes said. “But I’m happy that I did. ... I think the ability to participate in politics and being able to vote should be open to all.”

