

# Idaho Independents Fight to Keep Primaries Open



Taking aim at an attempt by a group of Republicans to close Idaho's historically open primaries to independents, Mitch Campbell, founder of the American Independent Movement of Idaho (AIM), writes in an op-ed piece published by the Twin Falls *Times-News*: "...why is a political party's constitutional right of 'freedom of association' more important than every American's constitutional right to vote for the candidate of his or her choice in every election?"

On April 11 the chairman of the Republican Party of Idaho filed a lawsuit against the secretary of state, a fellow Republican, to compel the implementation of a closed primary system in Idaho, where there is currently nonpartisan registration and nonpartisan primaries. If the closed primary advocates succeed, those who registered independent – expected to comprise at least one-third of the electorate – would be barred from voting in party primaries for the first time since statehood was achieved in 1890. Consequently, Campbell, AIM, and a group of Idaho independent voters will ask the court to allow them to join the suit as intervenors to oppose the Republican attempt to rewrite electoral law.

"If the Republican Party plaintiffs are successful, Idaho would be compelled to initiate a system of partisan registration and independents would be barred from participating in the primary process," wrote attorney Harry Kresky, general counsel to the Committee for a Unified Independent Party, part of the group of intervenors, in a recent letter to the state deputy attorney general. "Plaintiffs are, in effect, asking the court to require each and every voter in Idaho to affiliate with a political party or be deprived of full participation in the electoral process. Independents in Idaho and in many other states view such a development with great concern and consider it an attempt to infringe on their voting rights and freedom of political expression."

Some of Idaho's leading Republicans are unhappy with the lawsuit. "Idaho is traditionally independent," says Republican State Senator Bart Davis, the majority leader. "They're traditionally conservative, but they're independent folks. I think it's healthy to respect that in-

dependence and allow those good people to participate as they have historically." He noted that the Republicans occupy every statewide office and dominate the legislature, so from his point of view the system is hardly broken: "I'm having a hard time understanding why my party wants to fix it."

The Democratic Party, which includes any voter willing to pledge that he or she will cast a vote for the Democratic nominee in November to participate in its party-financed caucuses and a subsequent primary, has proclaimed its opposition.

"They certainly have a constitutional right to free association," acknowledges State Senator Kate Kelly, the minority caucus chair, referring to the Republican Party. "But if they want a closed primary, they should be paying for it. The second part is a privacy issue. In a state like Idaho, which is heavily Republican, having to publicly declare a party before you can vote virtually disenfranchises Democrats and independents because of the potential political, religious, and employment-related damage they could incur."

Keith Allred, who heads up Idaho's nonpartisan The Common Interest, worked with elected officials to come up with a legislative compromise that would have left the primary door open to independents; it did not succeed, but he remains optimistic. "How we see it here in Idaho is that this is about privileging parties over voters...I'm pretty confident that we're going to win, ultimately. I don't believe we're going to end up with closed primaries."

With opposing factions of the Republican Party vying for control of the state organization, open primaries are a wedge issue. Supporters of maintaining the current nonpartisan system eked out a 199-192 victory at the party's state convention in Boise on June 12. But that vote is simply a recommendation; it is up to the party's central committee to decide whether to press forward with the lawsuit.

"This is about democracy versus political power," Campbell says. "And independents have to lead the way." NEO

*Photo: Mitch Campbell of the American Independent Movement of Idaho.*