



REPEAL CLOSED PRIMARIES

**The Case for Repealing Closed Primaries to
Bring 1.1 Million Independent Voters Back to the Polls**

**Testimony by David Thornburgh
Senior Advisor to the Committee of Seventy and
Chair, Ballot PA**

**In Support of House Bills 976/979
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Good morning. I'm David Thornburgh, the Chair of Ballot PA, the growing coalition seeking to bring Pennsylvania's 1.1 million independent voters back into primary elections by allowing them to choose a party primary in which to participate, without having to join that party. For the record, I am a resident of Philadelphia and am represented in the state Senate by Senator Art Haywood and in the House by Rep. Tarik Khan.

Thank you, Mr. Chairman and Mr. Vice Chairman, and members of the subcommittee, for the opportunity to speak with you today.

A quick trip back in time.

You may know that Pennsylvania was the birthplace of the party primary election.

In 1842, the Democrats of Crawford County, Pa., decided to try what was then a bold experiment in participatory democracy. The county party invited all its members to vote to determine who the Democratic nominees in an upcoming election should be. It was the first direct primary election in the nation, and for a time was known as the "Crawford County System".

Also in 1842, the fastest way to travel across Pennsylvania was by canal boat, made possible by an ingenious invention. The Portage Railroad dragged canal boats out of the water in Hollidaysburg, hauled them up and over the Alleghenies, and then put them back into the water on their way to Johnstown, Pittsburgh, and points west. The Portage Railroad was known as the "wonder of America".

Then, in 1854 the Horseshoe Curve was built in Altoona that made it possible to take the train through the Alleghenies. Instantly obsolete, the Portage Railroad closed that same year, and today, canal boats can only be found in museums.

It's time to sentence Pennsylvania's closed party primaries to that same fate and bring 1.1 million voters back to the polls where they belong. Times change. One era's bold invention becomes another's museum piece.

Bring independent voters **back** to the polls? Yes. Up until 1937, voters did not need to register in a party to vote in that party's primary. But both major parties had been engaging in political espionage, creating "fake" or "mushroom" parties in order to confuse voters and dilute their votes. So, the sweeping changes made to the election code that year included a provision that a voter could only vote in a party primary if they were registered in that party. At the time, perhaps less than 5% of voters were registered independent, roughly a third of their share today, and about a tenth of the national share of voters who now consider themselves independent.

In subsequent legislation over the years, the rules by which political parties were recognized and could slate candidates on the ballot were tightened. The mushroom parties went away, and the number of independent voters grew steadily and sometimes dramatically. So, 86 years later, we find ourselves shackled by the consequences of a legislative attempt to solve a problem that no longer exists. It's time to move on. Canal boats and closed primaries don't get us anywhere anymore.

You'll hear today from a number of voices—representing veterans, business and labor—the damage this arcane system causes to our local democracy. You'll hear that it deprives veterans, young people, Latino and Asian-American voters (all of whom are more likely to be independent voters) the right to vote in what is almost always the only election that matters. You'll hear from a national expert that Pennsylvania has fallen behind, that we're one of only 9 states that still clings to the most restrictive form of a primary election, and that independent voters swing elections like never before. You'll hear that closed primaries represent taxation without representation, given that we all pay the \$75 million a year to provide for primary elections, but that not everyone gets to participate. You'll hear that prominent voices in the business and labor communities want competitive races that produce candidates who embrace more pragmatic problem solving and less partisan posturing—and see the repeal of closed primaries as one way to move in that direction.

Given this impressive chorus of voices and their respective arguments, I'm not going to belabor any of those points. Instead, I'd like to bring a few more voices to the table who couldn't be here today.

Ending closed primaries is an overwhelmingly popular proposal—with voters, with community leaders, and with an impressive list of public leaders who have served the Commonwealth, from both major political parties.

1. The Ballot PA poll of partisan primary voters and independents, conducted by Mark Harris of Osage Research revealed that **74% of voters support the proposal, ranging from 69% of self-identified "Trump Republicans" to 85% of Progressive Democrats, and 80% of Black voters.** There are no voter segments or no areas of the state where support is "underwater"—less than 50%. Eighty eight percent of independent voters expressed their desire to vote in primary elections, split almost equally between the Democratic and Republican primaries
2. The proposal is immensely popular with local media and community leaders. **Twenty five local media outlets** all across the state, from Philadelphia to Johnstown to Williamsport to Pottstown, Pittsburgh and the Lehigh Valley, have all endorsed the proposal. The nine leadership receptions we've held with several hundred local business and community leaders over the last two years—from Lancaster to Pittsburgh, and many stops in between, confirm that enthusiastic support.
3. The proposal has been **endorsed by a large and growing list of elected leaders from both parties** who have served the Commonwealth—ranging from former Governors Rendell, Corbett, Schweiker and Singel, to former Senate President Pro Tem Joe Scarnati, House Majority Leader Dave Reed, former Auditor General Eugene DePasquale—and on and on.

Why does this issue resonate with voters, with community leaders, and with so many respected public leaders—including, of course, Rep. Marla Gallo Brown and Rep. Jared Solomon and their colleagues who are champions of the current legislation? Why, for that matter, has similar legislation been introduced in at least the last 4 legislative sessions, each time gaining a little more momentum and support? For that matter, why did it pass the Senate in 2019 with overwhelming bipartisan support?

After talking to hundreds of folks on this topic over the last 7 years, I'm convinced it's way more than the fact that it's the right thing to do, the fair thing to do, that for instance no veteran should ever be denied the right to vote in any election. I think it's because folks recognize that this is the smart thing to do—that it will make the job of governing the commonwealth less confrontational and more productive. In a system that only works through give and take, compromise and collaboration, bringing 1.1 million more moderate and persuadable voters into the mix can only help create better incentives for that kind of behavior. In short, it will help you do your job of delivering results to the citizens of the Commonwealth. Particularly in these bitterly divided political times, let's just say we should welcome any move that pushes the process in that direction. It's a lot easier to negotiate differences if both teams are starting at their respective 40 yard lines than if they're starting in their own end zones.

Let's recognize that Pennsylvania's not always on the leading edge of change. We like to move cautiously and deliberately. We've done that here. This proposal has been considered, vetted, debated, and challenged for years. Ending closed primaries in order to bring 1.1 million independents back to the polls is an idea whose time has come. It's the right thing and the smart thing to do. Let's get it done.

About Ballot PA

[Ballot PA](#) is an initiative of the Committee of Seventy. It is a growing coalition of civic and citizen groups leading the charge in Pennsylvania for this change that includes Business for America, Veterans for Political Innovation, the League of Women Voters of PA, Common Cause PA, Independent Pennsylvanians, Philly Set Go, Pittsburgh Urban Magnet Project (PUMP), and more. Ballot PA is also supported by two former statewide party leaders, Democrat T.J. Rooney and Republican Alan Novak. It is chaired by David Thornburgh, longtime civic leader, former CEO of the Committee of Seventy, and second son of former Republican Pennsylvania Governor and US Attorney General Dick Thornburgh.