

RICHARD: The primary season in this midterm election year is over in most states, and, predictably, turnout was low, often below 20% of registered voters while the partisan divide was as wide as ever. On the Republican side, most Trump-endorsed candidates beat challengers, and even incumbents who did not gain the support of the former president.

ASHLEY: The results were more mixed for Democrats, but in most states, a very large number of voters, registered Independents or those who don't identify with either major party were shut out of the primary process. Their voice has not even been heard. You're listening to a special episode of Let's Find Common Ground. I'm Ashley Milne-Tyte.

RICHARD: And I'm Richard Davies. We look at primaries as a way of picking candidates who compete for votes in November's general election that will decide whether Democrats keep control of both houses of Congress. We examine problems with the primaries and ask: Is there a better way to pick candidates for public office?

ASHLEY: We'll hear from multiple guests we've spoken with on our podcast and at public events organized by Common Ground Committee.

RICHARD: Let's start off with constitutional law scholar Rick Pildes, who says that for most of its history, America didn't even have primaries, but then along came the 1960s and sweeping changes brought about by the movements for civil rights and women's rights plus demands to end the war in Vietnam. In all this tumult, the old way of picking presidential candidates was swept away.

RICK PILDES: One of the most radical changes we made to our political process in the last 50, 60 years was the change from the convention-based system for choosing nominees to the system we created in the 1970s, which basically is these primary elections choose the delegates to the conventions, and whoever gets the majority of the delegates in the primaries gets the nomination. That's has huge ramifications for the kinds of candidates who run for president and the kinds of candidates who are capable of winning the nomination.

ASHLEY: It also had a huge impact on Senate and House races. Over the years, partisan divisions grew even wider.

RICK PILDES: For 170 years, we had a system of choosing the party nominees that, in one form or another, gave the party elected officials some significant weight in deciding who their nominees should be. One of the things about that system is it required candidates to have the support of local, national, state elected officials from the party, broad support within the party, as well as an appeal to the voters because there were primary elections. They just didn't control all of the votes of the delegates to the convention. It left the party with some say over who represented the party.

ASHLEY: Before I heard what Rick Piles was saying there, I really didn't know that there was anything before the primaries, that the party bosses, essentially, chose those who were going to run.

RICHARD: Yeah, primaries were supposed to let people in to the fairly closed-off political process and give them a much bigger say in who becomes major candidates in elections. Under the old system, it was what was often referred to as smoke-filled rooms where party bosses closed the doors and decided among themselves who would be chosen.

ASHLEY: Rick Pildes is among many political scholars and legal experts who say the current system, which began with such good intentions, is now broken.

RICK PILDES: Yes. I think the primary system we have is itself one of the most significant threats to the democratic system as it's turned out over time. The concern is that candidates who have the broadest appeal in a general election aren't able to get through the primary process and get winnowed, and the candidates who are left in the general election are fairly extreme candidates from either side.

ASHLEY: Some would go even further. At a Common Ground Committee public event in 2019, Susan Rice, who's served in several senior roles in Democratic administrations, had this to say.

SUSAN RICE: The way our system is structured at the moment, it rewards the extremes whether we're talking about the role of money in politics, and particularly dark money, whether we're talking about how our congressional districts are drawn that are designed to feed the extremes, whether we're talking about the elimination of the earmark, which, at the time, seemed like a great idea -- we're not going to have this guy be able to put pork barrel money into his own district. But guess what, earmarks meant that members of Congress from both sides of the aisle had to work together to get something done that was mutually beneficial. It was actually a glue, or better put, a grease that facilitated actual legislation.

RICHARD: At that event, Susan Rice also said that political polarization is the number one national security threat because on so many issues, our divisions have prevented agreement on some of the most basic stuff.

SUSAN RICE: That is impeding our competitiveness, and it's impeding, frankly, our ability to remain an effective global leader. But the second thing I'll point you to is that our adversaries have come to understand that our domestic political divisions are something they can work to their own advantage, and that's what Russia has been doing so avidly for several years and not just in the context of the 2016 or the 2018 or the 2020 election but every day through social media and other means. The Russians are pitting us against each other. They're throwing salt in the wounds of our domestic division, and whether the issues are race or immigration or gay rights or guns, they pick the most divisive issues, and they don't have a perspective on what is the right side. They just want people on both sides to doubt each other, to fear each other, to hate each other.

RICHARD: Susan Rice speaking there in 2019. Since that recording, she joined the Biden administration as Director of the Domestic Policy Council.

ASHLEY: Journalists Story Hinckley and Christa Case Bryant cover politics for The Christian Science Monitor. They say the people who vote in primaries often don't have the same views as most Americans.

STORY HINCKLEY: The way our system is set up right now, candidates in a primary have an incentive to go, within a Republican primary, as far right as possible. Candidates in a Democrat primary have an incentive to go as far left as possible because the people who vote in primary elections are diehard voters, either diehard Republican voters or diehard Democratic voters. Then, once a candidate wins a primary by either being far left or far right, they can quickly try to tack to the middle for the general, but most of the time, they don't have to because the way our political participation works right now is that they're trying to appeal to the voters who turn out, and those are often the most extreme voters. And gerrymandering, which is the way that the political districts are drawn, plays a huge role in that because that determines what constituents a candidate is trying to appeal to.

CHRISTA CASE BRYANT: Yeah, I think Story's making a really good point that, if you're in a solidly blue or solidly red area, the election is really decided in the primary, not in the general election because most people who are Republicans will vote for the Republican candidate no matter who it is, and most people who are Dems will vote for the Democratic candidate no matter who it is. So the people who are deciding which candidate to send to the state House or send to Congress are the people who vote in the primary elections. I think a lot of average voters think, "I'm not that into politics. I'll just wait until the general election, and then I'll weigh in," without realizing that that essentially gives them very little voice in what type of governance they're going to see in Congress.

RICHARD: We just heard that partisan gerrymandering where both parties draw political maps that aim to increase the number of their representatives in Congress can increase political divisions. Former Democratic Party Chair and political strategist Donna Brazile takes up that theme.

DONNA BRAZILE: Gerrymandering has rendered us to essentially two major minority parties, if that makes sense, as representing the country when, indeed, nonaligned voters, independent voters or whatever they may be, they outnumber both the Democratic Party and the Republican Party, and often they don't have a say in the primary process. They're on the sidelines waiting for us to pick out our players, and they're often the extreme or, today, more the extreme of both major political parties versus the mainstream.

RICHARD: And part of the mainstream? Independent voters. Former Republican congressman David Jolly is now a founding member of a new independent party simply called Forward. He says the U.S. political system is an outlier.

DAVID JOLLY: All you have to do is look at leading countries around the world and realize that the United States is kind of alone on an island with an entrenched duopoly. Most leading nations today have multiparty democracies with three or four or five competitive parties, and the data demonstrates that voters feel better represented, we have better and more inclusive policy outcomes. Multiparty democracies give greater voice to more people within the body politic of a country or a jurisdiction. The United States stands alone, and, in large part, it's because we have allowed the two major parties to protect the duopoly themselves.

ASHLEY: At another Common Ground Committee public event, former Democrat Congressman Barney Frank said the system is not the only problem. There's apathy among voters who don't show up at the polls, especially during primaries.

BARNEY FRANK: The failure of the more moderate Americans to vote in primaries is why we get what we get. Yes, you have this polarization. The primary electorate on the Republican side is more conservative than the average Republican, and similarly with the Democrats. I don't blame the people who vote that way. That's their right. I blame the people who don't vote in primaries because if everybody voted in primaries, you would have a very different result.

RICHARD: It's a provocative argument that Barney Frank is making: blame the people, not just the system.

BARNEY FRANK: The stupidest thing in the world is to be someone who votes in the final election and not the primary. If you're too goddamn lazy to vote in both, then vote in the primary because the primary has much more effect than the final election. But it is the refusal of most Americans to vote in primaries that allows the most extreme partisans and advocates to dominate who gets picked, and then they are the people who don't want to compromise. But also, even if they are willing to compromise -- this is a real problem for the Republicans now, more than the Democrats -- they face this problem of being opposed in primaries if they compromise. So the voters are the ones who can change that by voting in the primaries for people who do not fall into that category.

ASHLEY: Former Democratic Congressman Barney Frank. This is Let's Find Common Ground. I'm Ashley.

RICHARD: And I'm Richard. You just heard Barney Frank kind of scolding us, really, for not turning out to vote in primaries. Well, we're here with a resource to help you do that and maybe a bit more, as well.

ASHLEY: There's a single webpage that presents four actions all of us can take before the midterm elections coming up in the fall. We can all register, then vote on Election Day, volunteer as election workers at polling sites, and help get out the vote. You can find the Midterm Elections Participation Guide at citizenconnect.us.

RICHARD: That website aims to make it easier for all Americans to have their voice heard at the ballot box. Voting is one of the best ways to defend our rights as citizens of a free country. Common Ground Committee is playing a leading role in supporting this initiative. Find out more at citizenconnect.us. And now back to our show.

ASHLEY: What we've been hearing is that, in many cases, moderate voters are shut out of primaries and that these elections can be more important in deciding the true makeup in Congress than what happens in November.

RICHARD: Ashley, on this podcast, you and I spoke with Will Hurd, who's a former Republican Congressman from Southern Texas. We asked him about turnout earlier this year in his state.

WILL HURD: We need more people voting in primaries. When you look at Texas, we had primary elections in March. Three million people voted out of 30 million, 1.2 million Democrats, 1.8 Republicans. That's a terrible turnout. So we need more people that are concerned with this issues to step up and vote in the primaries.

RICHARD: What he's saying is that if more people did vote, we could get a different result.

ASHLEY: Conservative journalist Salena Zito has an interesting perspective on American voters. The people she interviews live in small towns and cities in the middle of the country, well away from the big metropolitan centers like New York, Washington, D.C., or Los Angeles. Many of these people are populists, and they're deeply skeptical of college-educated professional elites who dominate many institutions including the mainstream media.

RICHARD: Salina Zito says that West Virginia Senator Joe Manchin, who has frequently been vilified by liberals and progressives actually reflects the views of many Democratic voters that she speaks with.

SALENA ZITO: And I will tell you, there are plenty of local Democrats that are out there that are the same as Joe Manchin. They have a buffet of issues that tend to be very rooted and grounded in the areas that they're from, and they reflect that with their votes. You see those kind of Democrats in state legislative bodies or state Senate, state House, some governors where they more have the freedom to be reflective of the area they represent. But when it comes to federal office, whether it's Congress or Senate, those kinds of candidates traditionally lose these races to the more progressive candidates in primaries because many of our primaries are closed. So only Democrats can vote in those primaries, and the most excited Democrats and/or Republicans in a primary are always to the right or to the left of their party.

RICHARD: That's Salena Zito. So let's explore this theme a little bit more, that moderates are not fairly represented in primaries.

ASHLEY: As Salena Zito said, primaries in most states are closed. You have to register as a Republican or as a Democrat to vote.

RICHARD: In his recent book called "I, Citizen" author Tony Woodlief made the case that party activists and leaders and often attempting to undermine the freedom of Americans to govern themselves and make decisions that have a direct impact on their lives.

TONY WOODLIEF: The rub is because the people who determine the slate of choices for both major parties in the U.S., they are the most extreme on left and right. These people are very far right and left, temperamentally as well. They're the ones who decide the issue positions of the party. Then you've got most Americans, who are more in the middle. Most Americans don't want to choose between an uncompassionate wall coupled with throwing people who've lived in America their entire lives out of the country because they don't have the right paperwork. They don't like that as a choice. They also don't like a completely unmanned border with greater COVID testing for citizens than for non-citizens. But those are the two choices they're given by their parties, and we see that all the way down the list of issues, that most Americans would choose some from each party, but they don't get that choice. They get an extreme this way or an extreme that way, and most of them just hold their noses on Election Day and choose the lesser of two evils.

RICHARD: Tony Woodlief, who says we Americans are actually less divided than we think and certainly less divided than primary results make us appear to be.

ASHLEY: Diane Hessian agrees. She's a marketing research executive who conducted a series of conversations with hundreds of voters from all across the country. For more than four years, she checked in with these voters every week. One finding: they're fed up with polarization.

DIANE HESSAN: Absolutely the easiest question to ask is, "Do you feel that government is acting in your best interest? Are you upset about the divisiveness in our country?" 95% of Americans hate the divisiveness, which is why the work that you're doing is so important, and there are just lots of other issues. "Are you happy with your political party?" 80% of my database said, "I'm very unhappy with my political party." There is tremendous common ground on those opinions. And by the way, the large proportion of Republicans answer yes to the question, "Should government help people who are experiencing trauma and difficulty in their lives?" Most Republicans say, "Absolutely" to that. What they object to is the notion that we're going to help those people forever unconditionally.

RICHARD: So is there any alternative to our system of closed party primaries? Can we do better?

ASHLEY: For one answer, let's go back to the person we started with, constitutional law scholar Rick Pildes. He points to Alaska, where the voting rules for elections were changed to reflect the views of the majority of voters, not necessarily those who are most politically involved.

RICK PILDES: The turnout in primary elections is far, far lower than in general elections. It's about one third of the turnout in general elections, and the people who tend to turn out for

primaries are the ones who are most engaged with politics and with the party, and they tend to come from the more sort of activist wings of each party. In order to get through the primary, you have to appeal to that kind of electorate, which is not representative of the general election electorate. So a clear example we have of a candidate who could not get through a party primary but actually was the candidate who appealed most broadly to the full electorate in their state is Lisa Murkowski in 2010. She lost the Republican primary, but Alaska allows candidates to run write-in campaigns in the general election even if they have lost in the primary. So she managed to mount a write-in candidacy in the general election. And she won the general election as a write-in candidate, not as a Republican.

RICHARD: Lisa Murkowski is one of the most moderate Republicans in the U.S. Senate, who won her primary this time around. Rick Pildes says Alaska's new system of voting may have some positive lessons for other states.

RICK PILDES: There are things we can do to not have primaries have such a stranglehold over our politics that they fuel extremism is measures like the one Alaska just adopted in this last election. The voters in Alaska adopted what's called a top four primary structure with ranked choice voting in the general election, and everybody runs in a single primary election. You identify yourself as supporting the Democratic Party or the Republican Party or an Independent or whatever it might be. The top four vote-getters then go on to the general election. In the general election, voters are given the choice of ranking candidates one through four.

RICHARD: Under ranked choice voting, people can pick their candidates in order of preference: first, second, third, etc. On election night during the count after the first round, the candidate with the least support has his or her votes distributed to those who won more support. The process continues until one candidate has more than 50% of preference votes.

ASHLEY: So, Richard, this means that if you vote for someone who may not have a great chance of winning, your vote won't be wasted.

RICHARD: Exactly. That's one of the intentions of ranked choice voting. The person who is your second choice who did better than the person you picked first will end up getting your vote.

ASHLEY: Supporters says ranked choice voting and open primaries where anyone can vote are two reforms that might boost turnout and lead to less polarization in the future.

RICHARD: And the debate goes on.

ASHLEY: That's it for this episode of Let's Find Common Ground from Common Ground Committee. Hear more episodes and take our Listener Survey at commongroundcommittee.org. I'm Ashley Milne-Tyte.

RICHARD: I'm Richard Davies. Thanks for listening.

ANNOUNCER: This podcast is part of The Democracy Group.