



Franklin County Democratic Central Committee

PO Box 64, Pasco, Washington 99301

How the Republicans Ruined Washington State's Blanket Primary and Tried to Blame the Democrats

We have partisan primaries in Washington State because Antonin Scalia led the Republican-dominated 7-2 US Supreme Court decision to take away our State's right to have blanket primaries. Ever since, Republicans have tried to blame the Court's decision on Democrats.

How did this happen?

1. In 1996 California voters adopted Proposition 198 to change their primary from a closed partisan primary in which only party members could vote for a party's nominee to an open blanket primary in which anyone could vote for party nominees.
2. All major political parties in California, including the Republican Party, filed suit against Bill Jones, the California Secretary of State alleging that the blanket primary violated their First Amendment right to free association. The California Democratic Party's case was taken up by the District Court, hence the name *California Democratic Party v. Jones* 530 U.S. 567 (2000).
3. The District Court sided with Jones, holding that the primary's burden on the parties' rights was not so severed and was justified by substantial state interests. The Democratically-dominated 9th Circuit affirmed the decision to keep the blanket primary.

In authoring the US Supreme Court's opinion to throw out the blanket primary, Justice Scalia wrote: "*Proposition 198 forces political parties to associate with – to have their nominees, and hence their positions, determined by – those who, at best, have refused to affiliated with the party, and at worst, have expressly affiliated with a rival.*" He said "A single election in which the party nominee is selected by nonparty members could be enough to destroy the party," adding that Proposition 198 takes away a party's "basic function" to choose its own leaders and is both severe and unnecessary. The only dissent came from Democratic appointees Ginsburg and Kennedy.

Once again the Republicans undermined the Constitution, and when public opinion turned against them because of it, they tried to blame Democrats.