

CLOSED PRIMARY, EXPOSED PREFERENCES: IDAHO'S PRIMARY SYSTEM
AND THE BUREAUCRATIC DILEMMA

by

Matthew Ryan May

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DEFENSE COMMITTEE AND FINAL READING APPROVALS

of the dissertation submitted by

Matthew Ryan May

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The following individuals read and discussed the dissertation submitted by student Matthew Ryan May, and they evaluated his presentation and response to questions during the final oral examination. They found that the student passed the final oral examination.

Gary F. Moncrief, Ph.D. Chair, Supervisory Committee

Leslie Alm, Ph.D. Member, Supervisory Committee

Gregory Hill, Ph.D. Member, Supervisory Committee

The final reading approval of the dissertation was granted by Gary F. Moncrief, Ph.D., Chair of the Supervisory Committee. The dissertation was approved by the Graduate College.

DEDICATION

For my family—my mother, Mary, my father, Randy, and my sister, Molly. They have been my rocks and the constants upon whom I can always rely. I am forever blessed to have them in my life. Love you all.

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AUTOBIOGRAPHICAL SKETCH OF AUTHOR

Matthew Ryan May graduated summa cum laude from Boise State University with a Bachelor of Arts in Political Science, with emphases in American Government and Public Policy and International Relations, as well as a minor in History. He went on to earn a Master of Public Administration at Boise State University. Mr. May was President of the Xi Chi chapter of Pi Sigma Alpha, the National Political Science Honor Society, and is a member of Pi Alpha Alpha, the National Honor Society for Public Affairs and Administration. During his graduate studies, Mr. May frequently served as a research assistant to faculty members, assisting in research on network management, workplace aggression, public policy surveys, participatory budgeting, municipal rainy-day funds, county-level strategic planning, legislative turnover, and electoral policy. Mr. May co-authored a chapter in *Reapportionment and Redistricting in the West* with Dr. Gary F. Moncrief, who also edited the book. Mr. May also served as Journal Manager for *The Social Science Journal*. Mr. May is from Eagle, Idaho and has long been fascinated by elections, electoral policy, and the legislative process.

ABSTRACT

The ability to elect representatives is one of the most fundamental rights citizens of the United States of America possess, but the expression of that right looks very different from state to state. A state's primary system determines not only who participates in an election, but under what circumstances. When a state shifts from one primary system to another, it produces a period of uncertainty, as the electorate must acclimate to new rules and their attendant consequences. Among those who must adjust to the new rules are public state employees—the bureaucracy. When a shift necessitates and introduces a partisan registration system, the relationship that exists between the bureaucracy and elected policymakers can be altered. Following a 2011 federal court ruling, Idaho switched its primary from an open system (where no record of partisan affiliation is kept) to a closed system (where public partisan affiliation is required). This has left bureaucrats with two alternatives: register with a political party publicly or self-disenfranchise from primary elections. There is anecdotal evidence that, weighing the consequences of the two options, some bureaucrats in Idaho have opted for self-disenfranchisement. This dissertation examines the extent to which this phenomenon is prevalent in state government, using unique and original data: (1) tracing the registration and voting behavior of a sample of Idaho bureaucrats and (2) a unique survey of employees in four state agencies/offices. Beyond exploring the impact on bureaucratic participation, this dissertation also provides insight on the effect that Idaho's shift to a

closed primary has had on voter turnout, electoral competition, and incumbent challenges.

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LIST OF ABBREVIATIONS

DEQ	Idaho Department of Environmental Quality
ISC	Idaho Supreme Court/Judicial Branch
ISDA	Idaho State Department of Agriculture
ITD	Idaho Transportation Department
LSO	Idaho Legislative Services Office
OPE	Idaho Office of Performance Evaluations

CHAPTER 1: INTRODUCTION

The effects of electoral competition are far reaching. At its heart, the presence or absence of competition speaks to the openness of a political system, whether or not all viewpoints are considered, and how representative the system truly is of its citizens. The ability to elect representatives is one of the most fundamental rights citizens of the United States of America possess, but the expression of that right looks very different from state to state.

Many states have their own unique electoral quirks that set them apart from one another. For instance, most states hold statewide elections in even-numbered years—four states, however, hold their elections in odd-numbered years (Louisiana, Mississippi, New Jersey, and Virginia). Similarly, some states allow mechanisms of direct democracy, such as the initiative, referendum, and recall.¹ Not all states have these mechanisms in place.

When it comes to actually administering elections, most states use some form of categorical ballot, where, for each race, voters make a single mark that indicates their preference (Farrell, 2001, p. 6). Some states have experimented with unique ballot types, though—in Michigan, voters have the option of voting for a straight-party ticket. By making a single mark on the ballot, they can cast a vote for all candidates of a particular political party featured on that ballot (Egan, 2016, July 22). In Maine, there is a proposal

¹ Through the initiative, referendum, or recall process, voters can, respectively, enact or change state statute, affirm or deny legislative actions, or remove elected officials from office.

to introduce a ranked-choice ballot, where voters rank all candidates for an office in their order of preference and the person with the widest support will be declared the victor (Greenblatt, 2016, September 16). If adopted, Maine would be the first state in the U.S. to institute this type of system.

Moncrief and Squire (2013) summarize the dimensions of state-to-state variation by noting that states control *who* can vote (within parameters defined by the federal government), *whom* and *what* they can vote for, and *when*, *how*, and *how often* they can vote (p. 130; see also Tolbert & Franko, 2014). By this they mean that states can control who is eligible to vote, who can be considered a candidate, whether ballot initiatives are allowed, when during the year an election will be conducted, what the electoral system will look like, and how long an elected official will hold office (p. 130). It is a common misconception that there are national elections in the United States—all elections, even for U.S. President, are actually held at the state or local level, which gives the variation in their approaches great importance (Moncrief & Squire, 2013; Paddock, 2014).

Arguably the greatest variation in electoral policy state-to-state is its primary system. Since the Progressive Era adoption of the direct primary, a state's primary system constitutes a key dimension of the openness of its political system, as it helps determine which candidates advance to the general election. The direct primary—where voters get to choose the political party's nominee—was an attempt by reformers to break the power of parties and political bosses. Previously, candidate nominations were controlled by a select few—the proverbial “smoke filled back room”—and were perceived to represent special interests rather than the public. The public's only involvement was in the general election, after the critical decision—who would be on the ballot—had already been made.

For reformers, this made the “will of the people” in the general election illusory. In an effort to give voters more meaningful control of party nominations, the direct primary was devised and implemented predominantly during the early 1900s. Within a few years, a majority of states had implemented some form of direct primary for candidate nominations (Ware, 2002, p. 15).

There are a variety of primary systems and each determines not only who participates in an election, but under what circumstances. The literature has sorted primary systems into four major types: open, closed, blanket, and top-two (see Cherry & Kroll, 2003; Collins, 2010; Gerber & Morton, 1998; Holbrook & La Raja, 2013; Moncrief & Squire, 2013; Morehouse & Jewell, 2003).² In an open primary system, voters are able to choose which political party’s primary election they wish to cast a ballot in from the privacy of the voting booth and no record of their choice is kept. In a closed system, participation in a party’s primary is restricted to registered party members only and a citizen’s affiliation may be made public knowledge. In a blanket primary, all parties are listed on a single ballot and voters may alternate which party’s primary they are participating in on an office-by-office basis.³ Finally, in a top-two primary, all candidates for an office, from all parties, are listed on a single ballot. The two candidates that receive the most votes—even if they are from the same political party—advance to the general election.

² Some make the additional distinction of including “semi-open,” “semi-closed,” and “hybrid” systems, which typically blend characteristics of open and closed primary systems. They are excluded here for easier conceptualization of the fundamental differences between the four major types of primary systems.

³ Due to the fact that blanket primaries can facilitate political parties strategically influencing the outcome of an opposing party’s election, they have been ruled unconstitutional. See *California Democratic Party v. Jones* (2000).

Each primary system has advantages and disadvantages. The literature suggests that open and top-two primaries should produce more moderate candidates for office (Zhang, 2012), closed primaries should produce more ideologically extreme candidates (Gerber and Morton, 1998), and blanket primaries should produce policymakers more willing to compromise with colleagues across the aisle (Alvarez & Sinclair, 2012). In states with a dominant political party, the primary takes on a new level of significance: with it a near-foregone conclusion that a specific party will emerge victorious in the general election, winning that party's nomination in the primary essentially guarantees winning public office. In short, in those states, the primary is the only election that actually matters. Consequently, the rules that govern who can participate within a given primary effectively control the odds of electoral victory.

Most research into primary systems has, understandably, been the province of political science and has largely focused on the effects primary systems have on polarization (Masket, 2011; Alvarez & Sinclair, 2012), candidate ideology (Gerber & Morton, 1998; McGhee, Masket, Shor, Rogers, & McCarty, 2014; Zhang 2012), and voter participation (Jewell, 1977; Kazee, 1983; Alvarez & Sinclair, 2015; McGhee, 2014). These are all important aspects of primary systems, but missing from the discussion is an examination of the effect that shifting from one system to another can have on the relationship between public policymakers and the professional bureaucracy—a question more likely to be addressed in the field of public administration. When a state shifts from one primary system to another, it produces a period of uncertainty, as the electorate—and bureaucracy—must acclimate to the new rules and their attendant consequences. This is especially true when the shift necessitates and introduces a partisan

registration system, as a closed primary does, which can potentially alter the relationship that exists between the bureaucracy and elected policymakers. These implications have yet to be addressed by the literature.

By integrating public administration literature and its study of the bureaucracy with existing political science literature on primary systems, I propose to begin that examination with this dissertation. Starting with the research question, *Does a primary system affect the relationship between public policymakers and professional bureaucrats?* I argue that, based on the literature, there is reason to expect the answer is “yes.” By investigating this phenomenon directly, this dissertation provides a linkage between political science and public administration schools of thought, and will test several hypotheses related to bureaucratic discretion, electoral participation among bureaucrats, and the effect policy area plays on those results.

Throughout this dissertation, I use the term “bureaucrat” to refer to rank-and-file employees of government agencies. While the term has admittedly taken on a negative connotation in the public mind (Wood & Waterman, 1994, pp. 2-5), it is not meant as a pejorative. Instead, its use is intended solely in the Weberian sense of someone within a governmental hierarchy (Weber, 2008). As such, I use the terms “bureaucrat” and “state employee” interchangeably.

The argument follows that there is evidence that legislators still subscribe to a classic conception of Wilson’s politics-administration dichotomy (Lee, 2001), believing that bureaucrats should be impartial implementers completely removed from political considerations and do only what elected officials tell them to do. Even so, there remain varying levels of trust between policymakers and bureaucrats, which affects the

likelihood that policymakers will listen to the advice of bureaucrats and can result in different levels of administrative discretion being granted. In many instances, the elected policymaker must guess how closely their interests align with the bureaucrat's. Their assessment of this can influence whether the bureaucrat's advice is listened to and whether the bureaucrat can be trusted to implement the public policy in the way the policymaker intends. More succinctly, a classic principal-agent relationship exists.

Public administration literature suggests that information asymmetry between policymaking principals and bureaucratic agents directly influence their interactions with one another. While relevant information can take many forms, one critical piece is whether the principal and agent align with one another ideologically, following the rationale that policymakers will be more likely to listen to, and feel less need to constrain, bureaucrats they know agree with them ideologically. Alternatively, they will ignore and choose to constrain those they disagree with (Downs, 1967; Wood & Waterman, 1994). With the inherent information asymmetry in principal-agent relationships, however, policymakers have few proxies they can use to discern a bureaucrat's ideological leanings. A primary system that requires public partisan registration of public bureaucrats has the potential to alter the relationship between policymaker and bureaucrat substantially, as the principal is able to use that information to reduce information asymmetry and adjust not only how much credence to give their advice, but how much administrative discretion a public policy affords. At the same time, this system incentivizes bureaucrats to minimize the risk of marginalization or less bureaucratic discretion by maintaining existing levels of information asymmetry and guarding their true political affiliation.

The state of Idaho serves as a good case study, as in 2011 the state shifted from an open primary (in use since 1972) to a closed primary. This change was precipitated by a 2007 decision by the Idaho Republican Party Central Committee to allow only registered party members to participate in its nomination of candidates (*Idaho Republican Party v. Ben Ysursa*, 2011, p. 6). When the state legislature failed to alter its existing primary system accordingly, the party filed suit in federal court, alleging that its constitutional right of association was being violated by the state forcing them to allow Democrats to vote in the Republican primary. Relying upon the precedents set by *Tashjian v. Republican Party* (1986) and especially *California Democratic Party v. Jones* (2000), the Court ruled that the state must comply with the Republican Party's wishes and allow them to restrict access to registered party members (*Idaho Republican Party v. Ben Ysursa*, 2011). Consequently, in 2011 the Idaho legislature passed House Bill 351, which established a statewide party registration system for voters and defaulted primary elections in Idaho to party-members-only.⁴

Extending scholarship to study the effect a primary system has on the relationship between politicians and bureaucrats is crucial because closing primary elections in Idaho has left bureaucrats with only two alternatives: register with a political party publicly or self-disenfranchise from primary elections. When bureaucrats opt for the second option, they are effectively cut out of the political system—since Idaho is a one party-dominant state, the outcome of the primary election effectively determines the outcome of the general election. Over the past 22 years, nine of 12 election cycles have seen more than

⁴ The new system does allow for political parties to open their primaries to independents and others, provided the state is notified at least 180 days prior to the election. The need for this provision was established by an earlier U.S. Supreme Court decision, *Tashjian v. Republican Party* (1986).

40% of the Idaho Legislature selected by the primary electorate. As such, the dilemma bureaucrats face to register or self-disenfranchise has very real implications.

Of the bureaucrat's two options, the first reduces their effectiveness in a principal-agent relationship, because policymakers now have more information to inform their decision to listen to their advice or delegate authority—namely whether or not the bureaucrat is a potential supporter and possesses the same ideological outlook. If the answer to either is “no,” then the bureaucrat can face either marginalization, in the form of policy-makers ignoring their expert advice, or constraints, as policies can be written to minimize bureaucratic discretion. Should bureaucrats opt for the second option, though, they then effectively lose their ability to impact electoral outcomes as a voter.

There is anecdotal evidence that, weighing the consequences of the two options, some bureaucrats in Idaho have indeed opted for self-disenfranchisement, seeing it as the lesser of two evils. In 2012, both the Legislative Services Office (which consisted of 66 full-time employees at the time) and the Office of Performance Evaluations (which consisted of eight full-time employees at the time), in order to preserve their status as nonpartisan staff, chose to self-disenfranchise from primary elections (J. Youtz, former LSO director, & B. Welch, OPE employee, personal communication). In so doing, they sought to preserve their roles as non-partisan professionals that could be relied upon by both the majority *and* minority parties. With self-disenfranchisement occurring in at least two state offices, although admittedly two service-oriented offices closely aligned with the legislature, it bears asking whether these offices are outliers or if the phenomenon is more widespread throughout the state.

The literature suggests that under a closed primary system, where bureaucratic partisan affiliation is known, how politicians and bureaucrats interact with one another is likely to be affected. The Idaho case study provides a unique opportunity to test this assumption. The goal of this dissertation is to fill the current gap in the literature and help define what that effect looks like, how it affects public officials and public policy, and if any steps might be taken to mitigate it. While the main focus of this dissertation is on the potential effect on agency personnel, we should not lose sight of other potential effects of the closed primary following more traditional research avenues. As such, we will take the opportunity to add to the existing literature by also analyzing the effect on overall participation in terms of voter turnout, on whether the closed primary results in a change in the incidence of primary challenges, and whether it has resulted in a greater number of incumbent defeats.

This dissertation is structured to begin at the macro level, looking at broad trends in overall voter turnout. It will subsequently narrow its focus to more specific lines of inquiry, such as the statewide participation and affiliation rates of certain groups of voters, namely state employees. The focus will become narrower still with the consideration of the results of a survey of Idaho state employees, supplemented by interviews with key figures relevant to the Idaho case study. In this way we can test, first, if the broad trends suggested by the literature are occurring, then, if so, what they actually look like. From there we can begin delving into the reasons why it is happening.

This dissertation is organized into five chapters, including this introduction. Chapter 2 encompasses a review of existing literature, summarizes current findings, and forms the theoretical foundation of my argument of the bureaucratic dilemma. The

chapter begins by exploring the history of the direct primary in the United States, followed by a closer examination of recent shifts (or attempted shifts) of primary systems in California, Washington, Oregon, and Idaho. This provides an opportunity to explore the lessons learned from primary system shifts in surrounding states and not just Idaho. Both Washington and California have had extensive experience with shifting primary systems in recent years, which will be useful in identifying statewide trends.

As previously mentioned, this dissertation seeks to provide a bridge between political science and public administration literatures by joining scholarship on electoral systems and partisanship with that on the bureaucracy, accountability, and discretion. Towards that end, Chapter 2 will also review the relevant political science literature on the effects of primary systems, paying particular attention to their effect on voter turnout and candidate ideology. This is followed by a review of public administration literature, beginning with Wilson's politics-administration dichotomy and extending to the modern era, which is necessary to contextualize the relationship between bureaucrats and policymakers. The chapter concludes by synthesizing the two literatures into what I have termed the bureaucratic dilemma, namely the tradeoff between electoral participation and administrative discretion.

Chapter 3 explores the effect that Idaho's shift from an open to a closed primary system has had on a variety of behaviors, starting with voter turnout in primary elections. It begins with a regional comparison of Idaho's turnout with seven other western states, then examines the impact that the shift has had on electoral competition and incumbent challenges within the state. The chapter also explores the electoral participation and partisan affiliation rates of state employees using the voting history of a random sample

of Idaho bureaucrats. By measuring the level of bureaucratic participation and affiliation, we can begin to assess the effect that a change in primary system has among state employees, relative to the overall electorate, and whether the theoretical expectations of the literature are borne out in reality.

Chapter 4 shifts the focus to the attitudes and perceptions of state bureaucrats themselves. Using the results of a quantitative survey of Idaho state employees, original to this dissertation, it examines bureaucrats' perceived levels of discretion and whether the shift in primary systems has affected their willingness to vote in the primary, their willingness to affiliate with a political party, or changed the way they serve in their professional capacity within a state agency. This chapter attempts to isolate the factors that influence the bureaucratic decision and again tests whether the theoretical expectations of the literature are supported.

Finally, Chapter 5 summarizes the findings of this dissertation, once again putting the results of the previous chapters in the context of the theoretical arguments of the literature. It concludes by suggesting avenues for future research, particularly those related to an examination of actual discretion levels so that research on this matter can move beyond the theoretical and subjective interpretation of participants and instead focus on something more concrete and empirical. I argue that the contributions of this dissertation will make this examination more robust and insightful.

As noted earlier, the ability to elect representatives is one of the most fundamental rights citizens of the United States of America possess. The direct primary has played a key role in the exercise of that right, but too often the effects have only been examined in terms of parties, ideology, and polarization. By expanding our research focus to effects

outside those domains—like bureaucratic discretion and their participation—we can better assess the strengths and weaknesses of each respective primary system. Only then can policymakers—and voters—make a truly informed decision about which system is best for them.

CHAPTER 2: POLITICAL SCIENCE, PUBLIC ADMINISTRATION, AND THE BUREAUCRATIC DILEMMA

I. Introduction

In 2011, after 39 years of conducting primary elections under an open system that did not require voters to formally join a political party, the state of Idaho changed primary systems. It was a change made with some reluctance, mandated by a judicial decision that was the product of a lawsuit against the state by the Idaho Republican Party. The courts had long held that First Amendment rights of association apply to political parties and that the right of association implicitly carries with it the right to disassociate (see *Tashjian v. Republican Party*, 1986 and *California Democratic Party v. Jones*, 2000). The Idaho Republican Party had argued that participation by non-party members in their primaries produced nominees that did not accurately reflect the platform of the Party and that a more restrictive primary system would mitigate those effects. To argue these effects in district court, the Party cited several academic studies.

In explaining their reluctance to shift to a closed primary system, the State of Idaho (through its then Secretary of State, Ben Ysursa) argued that more restrictive systems served to depress voter turnout and the state was better off sticking with the open primary system that had been implemented in 1972. To buttress their argument, the State *also* cited several academic studies. Neither side was necessarily wrong. There is, indeed, scholarship that indicates that primary systems can affect candidate ideology (see Gerber & Morton, 1998; Chen & Yang, 2002; Cherry & Kroll, 2003; Oak, 2006). Likewise, there

is scholarship that indicates that primary systems can affect voter turnout (see Jewell, 1977; Kazee, 1983; McGhee, 2014; Alvarez & Sinclair, 2015). Both sides approached the matter with different goals: the Party to implement a specific platform; the State to encourage greater voter participation.

In the end, the clear precedence of the First Amendment's protection of freedom of association led the U.S. district court to rule in favor of the Republican Party and Idaho was forced to close its state primary (*Idaho Republican Party v. Ben Ysursa*, 2011). In deciding the case on associational grounds—however correct that may be—we are left with an open question of which side's argument, if either, is best supported in the literature.

Beyond questions of ideology or voter participation, though, there is a question *suggested* by the literature but heretofore unaddressed: what of state employees? Public administration literature posits a unique relationship exists between elected policymakers and professional bureaucrats, who are outside of the policymaker's direct chain of command. The literature suggests that this relationship is characterized by information asymmetry and most decisions, all things being equal, are made by weighing the risk that the partisan preferences of policymakers and bureaucrats align or not. In instituting a primary system that alters this asymmetry by revealing each side's partisan preferences, the dynamic between policymaker and bureaucrat could change dramatically. Consequently, bureaucrats must weigh their desire to participate in primary elections with the risk of altering this professional dynamic. It is this issue that this dissertation addresses. What follows is a review of applicable political science and public administration scholarship that can help answer these questions.

I have organized this chapter into five major sections: (1) primary elections, (2) western states and the political primary, (3) the history of Idaho's primary, (4) public administration literature, and (5) the bureaucratic dilemma. In the first section, I begin with the Progressive Era factors that led to the adoption of the direct primary as an institution in the United States. This is followed by an examination of the political science literature on primaries. I have paid particular attention to scholarship on the effects primary systems exert on both voter turnout and candidate ideology. From there I review judicial decisions that have played an important role in establishing the legal parameters that surround primary systems and explore how the precedents set by those decisions have influenced subsequent rulings.

In the second major section, I review recent primary reforms undertaken in California, Washington, and Oregon. All three states have undergone—or attempted—primary system reform in recent years. The lessons that can be gleaned from their experiences help contextualize the challenges states can face in shifting their primary systems.

In the third section, I examine Idaho's history with the direct primary extensively, beginning with the circumstances surrounding its original adoption in 1909 and continuing to its adoption of the open primary in 1972. From there, I look at numerous primary system reforms considered by the state legislature prior to the lawsuit, *Idaho Republican Party v. Ben Ysursa* (2011), which ultimately led to the adoption of a closed primary system in 2011.

In the fourth major section of this chapter, I review public administration literature relevant to the politics-administration dichotomy and the separation of powers.

These literatures are important to place bureaucratic decisions in their proper context—their history has led to an understanding of elected policymakers and state bureaucrats as, respectively, principals and agents. By looking to the principal-agent literature, the motivations of both classes of actors are better understood.

In the final section, I join both the political science literature and the public administration literature to set up the bureaucratic dilemma: do bureaucrats risk marginalization and less bureaucratic discretion by declaring a partisan affiliation or do they instead self-disenfranchise from primary elections? It is this matter that this dissertation addresses. As such, this section sets up critical questions that I will answer in subsequent chapters.

II. Primary Elections

a. The Adoption of the Direct Primary

Despite its prominence in electoral politics today, the direct primary was not widely used in the United States until the early 20th century. Prior to its implementation, most candidates were chosen either through a party caucus or convention nominating system, which experimented with the direct election of delegates to those conventions, but left the ultimate choice of which candidate to nominate to those delegates (Morehouse & Jewell, 2003; Martin, 1947). By keeping voters a step removed from the nomination of candidates, parties were able to exert greater control over the eventual victor, giving rise to political bosses and the proverbial smoke filled rooms.

Consequently, most scholarship attributes the rise of the direct primary to Progressive Era reformers, motivated to break the power of party elites and give the wider electorate a greater say in party nominations (see Martin, 1947; Moncrief, Squire & Jewell, 2001;

Morehouse & Jewell, 2003; Ansolabehere, Hansen, Hirano & Snyder, 2010; Maisel & Brewer, 2010; Masket, 2011; Moncrief & Squire, 2013; Holbrook & La Raja, 2013). As part of a broader Progressive movement that included the direct-election of U.S. Senators with the 17th Amendment to the U.S. Constitution, the direct primary was a mechanism by which individual voters, rather than party elites, could actually determine who would appear on a general election ballot. While lower level jurisdictions had experimented with direct primaries, the first state to institute the system statewide was Wisconsin in 1903 (Martin, 1947; Morehouse & Jewell, 2003; Ware, 2002). Other states soon followed.

While the Progressive Era narrative is generally accepted in the literature, Ware (2002) argues that it is mistaken and the direct primary was, instead, a result of parties institutionalizing themselves through state statutes in an effort to establish greater control. Contrary to conventional accounts that parties controlled all aspects of the nomination process, Ware asserts that, prior to the implementation of the direct primary, parties were unable to enforce discipline at the local level, leaving corrupt party officials able to sell access (or denial) to the ballot. By institutionalizing via state statutes and having the states conduct ballot preparation and administration of the elections, party central committees could elevate their own status and better control the direction of their party. Unfortunately for them, that necessitated ceding direct control over the process to the states, but parties determined that was, ultimately, in their best interest. Under Ware's explanation, far from being dragged into direct primary elections by Progressive Era reformers, parties were actually willing participants in their own reform and guided the process.

Ware's explanation could help explain why parties were able to adapt so quickly to the direct primary. An empirical study by Ansolabehere et al. (2010) examined the level of electoral competitiveness under the direct primary, in an attempt to see if the promises of Progressive Era reformers ever materialized. While briefly acknowledging Ware's critique, the study generally accepts the more traditional explanation of the rise of the direct primary. "Democratic government depends on popular choice not only in form...but, also in substance" (p. 190), the authors observe, and thus seek to test the direct primary's effectiveness in accomplishing that goal. Using primary and general election results for all statewide and federal offices from 1900 through 2004, the authors looked at incumbency, contestation levels, vote share, and margins of victory to evaluate the overall level of competitiveness. Their findings suggest that, while the direct primary initially accomplished its goal of increasing electoral competitiveness, political parties adapted and competition declined within a few decades. This finding gives credence to Holbrook and La Raja's (2013) declaration that the direct primary "never fulfilled all the expectations of their reform minded sponsors" and, in fact, gave rise to candidate-centered politics that could prove to be just as uncompetitive as the former party machine variety (p. 82). Thus, Ansolabehere et al. and Holbrook and La Raja's findings actually support Ware's central contention.

Masket (2011) argues that, over time, informal party organizations—"legislative leaders, interest groups, activists, and others" (p. 9)—have seized control of nominating procedures. In serving the role of "gatekeepers to political office," these informal party organizations essentially serve the role that political bosses once did. Influence is simply spread over a far more diffuse set of actors. As such, Masket argues, if legislatures are

more polarized, if candidates are more extreme, it is because they were selected by these informal party organizations to be exactly that.

It bears reiterating that there are several types of direct primaries, each with different rules governing which voters can participate and which candidates advance to the general election. Scholars have provided differing accounts of exactly how many types there are. The more parsimonious listings include only four types: open, closed, semi-closed, and either the blanket primary *or* the top-two primary (Cherry & Kroll, 2003; Collins, 2010; Gerber & Morton, 1998; Moncrief & Squire, 2013). Others prefer to expand the listing to five types, adding semi-open to the list (Morehouse & Jewell, 2003). The most comprehensive list includes six types of direct primaries, including the four base classifications plus semi-open and *both* the blanket primary and the top-two primary (Holbrook & La Raja, 2013). In these more expanded systems, the determination of whether a system is semi-open or semi-closed depends on a state's rules for same day registration and ballot access for independents. As delineated in Chapter 1, for simplicity's sake I will only use four classifications, each representing a fundamentally different type of system: open, closed, blanket, and top-two.⁵ A notable exception is when discussing the findings of other's studies—if their findings only apply to semi-open or semi-closed, those terms will be used to convey that fact.

⁵ In an *open* primary, anyone may vote in any party's primary, but once a party is selected voters are limited to that party's ballot. In a *closed* primary, only registered party members may vote in that party's primary. In a *blanket* primary, anyone may vote in any party's primary and they have the option of switching back-and-forth between party ballots depending upon the office. In a *top-two* primary, all candidates from all parties are placed on a single ballot and the two candidates that receive the most votes, regardless of political party, advance to the general election.

Scholarship on primary systems is diverse and can touch on a variety of subjects such as electoral turnout (Jewell, 1977; Kazee, 1983; Alvarez & Sinclair, 2015; McGhee, 2014), the representativeness of the electorate (Ranney, 1968; Geer, 1988; Norrander, 1993), democracy (Lijphart, 1997), ballot types (Gerber, Huber, Doherty, Dowling, & Hill, 2013), competitiveness (McNitt, 1980; Ansolabehere et al., 2010), legal challenges (Guttman, 1984), strategic voting (Gerber & Morton, 1998; Chen & Yang, 2002; Cherry & Kroll, 2003; Oak, 2006); and ideological extremism (McGhee, Masket, Shor, Rogers, & McCarty, 2014; Norrander & Wendland, 2014; Hall, 2015). It should also be noted that scholarship on primaries can be divided between studies of the U.S. Presidential primaries and state level primaries. As this dissertation is focused on state level primaries and their effect, studies that deal exclusively with Presidential primaries have been omitted unless they offer a particularly salient point. That said, there are two broad, overarching categories that the state level literature can be sorted into: electoral participation and ideological effects. I will consider these in turn.

b. Primaries and Participation

In one of the earliest studies of voter turnout in a primary election, Jewell (1977) applies the methodology traditionally used in evaluating turnout in a general election, using gubernatorial primaries as a case study. Asserting that the study would be useful in examining differences between party systems between states, Jewell sought to find a way to bridge the theoretical gap between general election turnout studies—which compare votes cast to voting age population—and state primary studies, where a partisan breakdown of voting age population is more difficult to determine (p. 237). Compounding these difficulties, Jewell noted, is the fact that the state-by-state variation

in primary systems affects the very concept of party turnout. In closed primary states, it can be easier to estimate the overall size of the party because large shifts of voters are unlikely. Alternatively, under an open system, where voters are free to move between parties year-to-year, it becomes harder to determine the maximum possible turnout, from which a party primary turnout statistic can be calculated. To mitigate this challenge, Jewell used gubernatorial races as a proxy and compared a party's vote share in the general election with the number of votes cast in the primary election. Jewell's results suggest that states with closed primary systems will have lower turnout than states with open systems, but that blanket systems will have the highest voter turnout of all (p. 243). These assumptions would dominate most of the conventional wisdom in subsequent scholarship on primary systems.

Kazee (1983) studies the effect of Louisiana's 1975 switch from a closed primary to an open primary. Louisiana is rather unique in that, while it is essentially open, functionally it is more of an amalgamation of an open primary and a top-two primary. Better known as a runoff primary, it is a majoritarian system wherein a top-two contest is only triggered if a candidate fails to achieve a simple majority of the vote. The 1975 reform was driven by the competing desires of the two political parties. Republicans favored the shift because they were an overwhelming minority and the opportunity to exert some influence on the selection of Democratic nominees was preferable to perpetual defeat at the ballot box (p. 132). Democrats, alternatively, favored the shift because it reduced the number of electoral campaigns they would have to run. Under the old system, if the winner of the primary did not achieve a majority, there would be a runoff primary election prior to the general election—or potentially three elections in all

(p. 132). The reformed system would limit campaigns to two, but also offered the prospect of a single election if a majority could be secured in the first contest. Studying the effects of the shift in primary systems, Kazee found no significant changes in voting behavior. The two parties adapted to the new system and, contrary to Jewell's findings, moving to a more open system did not actually result in higher voter turnout.

Similar to Kazee's study, Alvarez and Sinclair (2015) examine the effect on voter turnout in California after their shift from a closed primary system to a top-two system following a contentious legal battle over the constitutionality of the blanket primary system. Noting that there have been declining trends in voter turnout since the early 1980s, Alvarez and Sinclair argue that the different primary systems provide varying incentives for groups of voters. In a closed primary, unaffiliated voters or those who simply do not wish to declare their affiliation have less incentive to actually turnout to vote because the races on their ballots—typically judicial retention elections and/or ballot initiatives—are simply uninteresting to them (p. 63). Additionally, in single party dominant states where the winner of the majority's primary contest is likely to easily win the general election, the incentive to participate in the minority party's primary is diminished. Consequently, closed primaries should depress voter turnout because non-partisan, third party, and minority party voters have little incentive to participate (p. 63). Conversely, more open primaries give them the opportunity to influence electoral results, thus providing an incentive to turnout (pp. 63-64). Under this rationale, Alvarez and Sinclair expect the top-two primary in California to produce higher voter turnout than the state's previous closed system.

The authors examine voter turnout at the district level, noting that a direct comparison poses certain challenges since the 2011 redistricting cycle shifted district boundaries and population distributions. Nonetheless, they mitigate this fact by comparing results surrounding the previous redistricting cycle—when the primary system shifted from the more open blanket primary back to the closed primary. In so doing, they are able to control for the effects of redistricting, although they acknowledge that voter turnout is affected by a variety of factors that are difficult to hold constant (p. 74). Nevertheless, they find support for their expectation, with the more open systems resulting in greater voter participation than the closed system (pp. 69-70). It should be noted, though, that Alvarez and Sinclair looked at voter turnout at the assembly district level, whereas Jewell (1977) and Kazee (1983) both looked at turnout at the state level. It is possible this level of analysis shift could explain some of the disparity in the results of these studies.

The next study looks at California's top-two experience at the state-level. In evaluating the effectiveness of the top-two primary in accomplishing the goals of reformers in California, McGhee (2014) notes that California's first top-two primary voter turnout was the "second lowest on record" (p. 2). One of the possible explanations offered is that California's primary electorate is older and less diverse than in the past. Additionally, turnout in the state is traditionally driven by individual candidate races and the presence or absence of initiatives on the ballot. Perhaps the most plausible explanation, though, is that California's primary electorate now includes independents. With a larger pool of potential participants, even if the raw number of voters remained steady, since their participation rate would be calculated off of a larger pool, the turnout

statistic would be smaller. Additionally, many voters skipped one-party races on the general election ballot.

As these studies demonstrate, primary systems have at least the potential to affect voter turnout. Why does that matter? Turnout literature beyond the scope of primary systems provides an answer. Lijphart (1997) argues that declining voter turnout poses a serious problem to the very notion of democracy, in that unequal turnout is systematically biased against the poor and results in unequal political influence (p. 1). While compulsory voting is Lijphart's preferred solution, more expansive voter registration rules, proportional representation, less frequent elections, and election consolidation are also offered as potential solutions.

There are competing explanations for why turnout is down. Gerber et al. (2013) test the relationship between ballot secrecy and voter turnout and demonstrate that beliefs about the institution do not match the "legal reality" (p. 537). Once again this study is not explicitly about primary systems, but its relevance must be underscored. In a closed primary system, partisan affiliation is a requirement and those affiliation lists are often a matter of public record. Gerber et al. note that, "[d]oubts about ballot secrecy are surprisingly widespread" (p. 538). Additionally, the authors find that these doubts are more pronounced among those who have never cast a ballot. The underlying fear that the content of their vote should be discovered or shared somehow is shown to influence their decision on whether or not to participate. If beliefs about institutions can have an effect on voter participation, it is an easy leap to extend Gerber et al.'s findings to encompass fears over disclosing one's partisan affiliation and that is explicitly relevant to primary systems.

Beyond simply studying whether or not voters cast a ballot, a substantial portion of the literature also examines electoral participation in primary systems in terms of electoral competitiveness. McNitt (1980) tests whether different nominating systems produce different levels of competitiveness, although the author is more interested in the difference between convention systems and primaries rather than individual primary types. Nevertheless, results are still reported for different primary types. Looking at gubernatorial and senate nominations from 1954 through 1974, McNitt finds that conventions are generally less competitive than primaries, although none of the systems are particularly competitive to begin with. Open primaries are the exception and are found to be not only less competitive than other primary systems, but less competitive than conventions (p. 264). These results hold even when controlling for incumbency, office, party, and average party vote. Building on earlier literature, then, while open primaries may result in greater voter turnout, the elections themselves are likely to be less competitive.

Guttman (1984) provides an overview of the three types of challenges issued against primary elections: independents against being barred from voting in closed primaries; political parties against being forced to have open primaries; and political parties against being forced to have closed primaries (p. 117). Predating legal decisions like *Tashjian v. Republican Party* (1986) and *California Democratic Party v. Jones* (2000), Guttman presciently notes that an independent voter's claim of a right to be included in a party's nominating election and a political party's converse right to exclude non-party members "cannot be reconciled" (p. 117). The author argues that case law places the burden on the state to show that their rules do not interfere with party activities

or goals and, therefore, the state must have a compelling interest to intervene. Common arguments like preserving the integrity of the general election, promoting a two-party system, and protecting unaffiliated voters fail to meet that standard, Guttman asserts. This assessment would be borne out, as the *Tashjian* and *Jones* decisions would ultimately side with the parties in this matter, which will be covered later in this chapter.

Another strain of primary electoral participation literature concerns the representativeness of the primary electorate. Ranney (1968) asks whether the members of a political party who cast a vote in the primary are representative of those party members who do not, as Key (1956) earlier contended. Using survey results surrounding the 1964 Wisconsin gubernatorial race, Ranney finds that primary voters are not significantly unrepresentative of non-voters (p. 236). Additionally, while the election studied took place under an open primary system, Ranney could find little to no evidence that significant crossover voting occurred (pp. 227-228).

Along similar lines, Geer (1988) suggests that claims of primary electorates being more extreme than general electorates are misguided. Instead, it is actually what Geer defines as the "party following" that is more ideologically extreme. Geer argues that the party following is defined as those affiliated with the party who cast a vote in the general election combined with independents and opposing party members who defected in the same election (p. 932). Focusing on presidential elections, Geer uses exit poll data from 1976 and 1980 to compare electorates. Contrary to expectations, Geer ultimately finds that the primary electorate is unrepresentative of the party following, supporting Key's earlier contention (p. 941). Notably, Geer did not consider the effect that different

primary systems might play. These last two studies serve as a useful segue to the next body of primary system literature, those centered on their ideological effects.

c. Potential Ideological Effects of Primaries

Studies that explore the ideological effect of various primary systems are among the most common. Building upon the logic of median voter theory (see Black, 1948; Downs, 1957; Krehbiel, 1998), the general argument is that the size of the electorate shifts the location of the median voter, thereby pulling candidates—and elected officials—to either the extremes or the center of the political spectrum, depending upon the primary system. Many of these studies combine an examination of the voting behavior encouraged by a primary system (i.e. strategic voting) with the effect of that behavior (candidate ideology).

One of the foundational studies of this style is Gerber and Morton (1998), who look at how the different primary systems affect the ideology of candidates. The authors hypothesize that more open primary systems increase the likelihood of more moderate general election candidates, while more closed primary systems increase the likelihood of more politically extreme general election candidates. The practical effect of a primary system is thus constraining the location of the median voter's ideal position, by permitting or limiting the incidence of crossover voting. Gerber and Morton note that there are two types of crossover voting—sincere and strategic (p. 310). Sincere voting, as its name might imply, is characterized by a genuinely held desire to vote for the candidate the voter would prefer. Conversely, strategic voting is characterized by voting for the candidate the crossover voter's own political party could more easily defeat in a general election. The authors argue that since the opportunity cost to crossover vote is lower in an

open, blanket, or top-two primary, it is more likely to occur under them (p. 311). Using Congressional races as their level of analysis, Gerber and Morton find that representatives elected under a closed primary take positions furthest from their district median voter's ideal position (p. 321). Interestingly, though, it is semi-closed primaries that result in the most moderate positions rather than open primaries (p. 304), although open primaries still yield representatives with more moderate positions than closed primaries (p. 322).

Chen and Yang (2002) conduct a similar study, examining strategic voting in open primaries at the presidential level. They note that open primaries provide a "strong incentive" for strategic voting (p. 2), although they admit that this does not mean the effect of this strategic voting is necessarily harmful. (p. 22). As part of their analysis, Chen and Yang theorize that there could be circumstances in which not only do nonparty members vote to influence the result of a party's nomination, but, party members may modify their vote to counteract the distortion. In considering the effect of different primary types, they note that "if the objective of the party is to win the election, and if all voters vote sincerely, then an open primary is strictly better than a closed primary" (p. 6). Critically, though, that assumes all voters vote sincerely, and it is that contention that political parties under open systems often doubt. Ultimately, Chen and Yang find that the incidence of strategic voting depends on a variety of factors such as party size, the participation rate of those outside the party, the percentage of strategic voters participating in an election, and candidate positions (p. 1).

Similar to earlier studies on representativeness, Kaufmann, Gimpel, and Hoffman (2003) consider whether the electorates of open and modified-open primaries⁶ are more representative than those of closed primaries. Focused on presidential level races, the authors use exit poll data from 1988 through 2000 to compare electorates and find that open primaries pull parties' primary electorates closer to the middle. They note that both the timing and competitiveness of the primary races are important, although this is arguably unique to presidential level contests where traditionally early victors are able to consolidate support for later races. A factor more applicable to other levels of primary contests is the choice of candidate, which the authors found matters as much as the structural rules of the competition. Interestingly, Kaufmann et al. also found that crossover voting was more prevalent in modified-open primaries than in open primaries, suggesting that a fully open primary system is not required to produce a moderating effect (p. 472). The authors attribute this finding to most crossover voters being independents or third parties, rather than Republicans or Democrats (p. 472), although it is not necessarily clear why this should be more relevant in a modified-open primary over a fully open primary.

Cherry and Kroll (2003) examine voting behavior and electoral outcomes across primary systems in a controlled laboratory setting. In addition to sincere voting, they assert that there are actually two types of strategic voting: positive and negative (p. 391). Positive strategic voting is characterized by a voter supporting the most moderate candidate, so that, in the event their party's candidate loses the general election, they are

⁶ "Modified-open" primaries are essentially hybrid systems that fall somewhere between open and closed primaries, also known as semi-open and semi-closed.

left with an acceptable alternative. Negative strategic voting is characterized by a voter supporting the most extreme candidate possible, so that their own political party will have a better chance of emerging victorious in the general election. Negative strategic voting is also known as “raiding” and is the type of primary voting that party leader are most concerned with (p. 391). In a closed primary, negative strategic voting is only possible within a voter’s own party, while a semi-closed system extends the possibility to independent voters, as well (p. 392). Open primaries allow negative strategic voting by members of the opposing party, as do blanket primaries, which most facilitate negative strategic voting, since voters are not required to commit to the opposing party's entire ballot— only a single race (p. 392).

In their study, Cherry and Kroll assume a rather linear understanding of primary systems, with closed being one side of the continuum, followed by semi-closed, open, and then finally blanket as the other side of the continuum. Using an experimental setting, the authors were able to examine the voting behavior of participants across each primary system. Their findings suggest that the rate of strategic voting is low, but varies across type. An open system results in more strategic voting occurring, but does not lead to more moderate election winners. Like Kaufmann et al., Cherry and Kroll find that the semi-closed primary is the system that actually produces the most moderate candidates (p. 407).

These results are consistent with Oak’s (2006). Oak presents a theoretical model to assess the effect that a primary system plays on the extremism of a candidate and finds that semi-open primary systems improve the electoral chances of moderates. Interestingly, though, Oak’s model also suggests that a fully open system could result in

more extreme candidates than a closed system (p. 184). Oak argues that three factors are especially relevant: the size of the independent voter pool vis-à-vis partisans; the degree of political market imperfections; and the relative strengths of extremist and moderate factions within a party (p. 171). Under an open primary system, moderates fearing the extremist may win their own nomination will defect to vote for the moderate of an opposing party (sincere crossover voting). By decreasing the moderates in their own party, however, they essentially ensure that the extremist actually wins. Consequently, open primaries produce extreme candidates for one party while moderating those of another. Oak suggests that this helps explain competing findings in the literature, which indicate that open primaries produce both moderate candidates and extreme candidates (p. 171).

Some scholarship attempts to move away from the election itself and look at the effect a primary system plays on the polarization of state legislatures. Alvarez and Sinclair (2012) seek to gauge the impact California's experiment with the blanket primary relative to the closed primary had on the willingness of state legislators to work with one another. Using roll call data for the California Assembly from 1991 through 2006, the authors examine whether the behavior of those elected under the blanket primary was different from those elected under a closed primary. Although those elected under a blanket primary were not found to be "overtly systematically different" (p. 552), the authors did find that they generally had a more robust legislative network, resulting in a greater willingness to compromise and, more significantly, greater power (p. 545). While California's experience shifting from a closed primary to a blanket primary and

back to a closed primary was a unique environment, the study nevertheless shows that the primary system does matter, because it can impact the behavior of elected officials.

McGhee et al. (2014) also empirically test whether more open primaries lead to more moderate elected officials. Using an extensive dataset that combined survey responses with roll call votes to ideologically map every legislative chamber in the country, the authors contrasted the results with the primary system of the state. McGhee et al. found that, in actuality, the primary system had little effect on the polarization of a given legislative chamber. In the few instances where an effect was observed, it was contrary to theoretical expectations (p. 347), although consistent with the other studies discussed thus far. Namely, that open primaries actually produced more ideologically extreme legislators. Importantly, though, the authors note that California is the basis of several studies of primary systems and it was the only case where the expected moderating effect took place (p. 348). Given that McGhee et al.'s study is a multi-state analysis, they assert it is more credible than those based on a single state.

Norrander and Wendland (2014) question whether primary voters—and closed primary voters in particular—are actually the source of ideological extremism and polarization. Using survey data, the authors look to the number of independent voters and partisans in states and argue that the registration requirement of closed primary states incentivizes most moderates and independents to actually adopt a partisan affiliation. As a result of absorbing these independents in closed primary states, the ideological make up of political parties in these states is actually far more diverse. Conversely, since independents can still vote in the primary of their choice in open primary states, only the truly committed affiliate with a political party and you have much less diversity of

thought. Once again this could help explain why the literature has shown open primaries producing less moderate candidates than semi-closed primaries, and indeed the authors found open primaries to have more extreme electorates than closed primaries (p. 15).

Delving more into state party registration laws, especially relevant in closed primary states, Burden and Greene (2000) study the effect they can play on an individual's level of attachment to a particular political party. Using Senate Election Study data, the authors test whether individuals in states with partisan registration laws are more likely to identify themselves as partisans than those who live in states without a partisan registration system. The authors find a statistically significant effect, with individuals in those states being 10% more likely to personally identify with a particular political party, as the very act of verbalizing or declaring an association with one political party makes one more likely to feel attached to it thereafter (p. 64). They also note that the effect is observed for registered non-voters, but not those who are unregistered.

Norrander (1993) argues that one cannot treat caucus goers and primary voters the same, since by its very nature a caucus is more ideological. Analyzing presidential level data from 1976 through 1988, Norrander argues that the most significant factors affecting a candidate's victory are home state advantage, regionalism, and campaign spending (p. 360). Ultimately, though, the ideology of a *candidate* matters more than voters, with more extreme candidates performing better in caucus states and the West region (p. 361).

In a more explicit test of median voter theory in primary elections, Brady, Han, and Pope (2007) use a dataset on U.S. House primary and general elections, in order to analyze to what degree strategic positioning actually occurs. The authors do find evidence that candidates position themselves to appear more favorable to a primary

electorate, consistent with the argument that primaries can pull candidates away from the median voter and closer to the extremes. That said, the model is constructed accepting the premise that closed produces more ideologically extreme candidates (pp. 85-86), which several of the aforementioned studies have disputed. Brady et al.'s study is useful, though, in that it is a direct test of the median voter theory in a primary system setting. In a similar manner, Hall (2015) finds that parties that nominate "extremist" candidates find their probability of winning the general election decrease by 35-53 percentage points (p. 24). In short, the general election acts as the moderating force such models predict it would be.

Masket and Shor (2013) return to the underlying assumption of Progressive Era reformers that the direct primary results in candidates less beholden to the party. In order to adequately test this assumption, they compare the roll call votes of over two decades worth of popularly elected officials against officials who owe their office to an appointment by a party vacancy committee. The authors find little substantive difference between the two, once again suggesting that, whatever the original intention may have been, parties are just as able to influence direct primaries and secure nominations for their preferred candidates as they were in the pre-primary days. It should be noted that Masket and Shor do not contend that direct elections are thus unimportant, though, as elections still bring the benefit of "increased awareness of and interest in public policy and confidence in democratic institutions" (p. 12). Rather, they wish to acknowledge that parties adapt.

The question of appointment versus popularly elected positions has been the subject of several studies beyond the context of a direct primary, with varying results. For

example, Ross (2011) finds a difference in the behavior of elected county assessors and appointed county assessors. The former is found to undervalue properties, thereby keeping property taxes lower, since they have to face reelection and therefore have a vested interest in keeping the electorate satisfied. Whalley (2010) finds similar evidence among city treasurers, Besley and Coate (2003) with regulators, and Cavazos (2003) with utility commissioners. In a study of Kansas judges who faced either a partisan election or a nonpartisan retention election, Goelzhauser (2012) found that the presence of partisan elections produced measurably different behavior among judges. Those elected under the partisan system, similar to the assessors, were more inclined to dispense with cases in a timelier fashion since they had to worry about their performance being used against them by a partisan opponent.

As the preceding literature review has demonstrated, much attention has been paid to both the theoretical and empirical implications of the various primary systems. From their effect on voter turnout to candidate ideology, these studies have expanded on our knowledge while leaving much still to discover. Beyond the purely academic findings, though, there is a long legal history surrounding shifts in primary systems in the states, along with unique state-by-state histories. It is to these that I turn to next.

d. The Legal Precedent of Association

One of the more significant U.S. Supreme Court cases relative to primary elections is *Tashjian v. Republican Party* (1986). The decision established an associational precedent for deciding primary election system challenges that influenced many cases to follow. *Tashjian* itself was a suit filed by the Republican Party of Connecticut challenging a 1956 state statute, which established a closed primary system

and restricted participation in a party's primary to party members. While the statute was initially supported and legally defended by both political parties, it was eventually challenged by the state Republican Party, who wished to partially open their primaries to unaffiliated, independent voters (Persily, 2001, pp. 2185-2186). When the Democratic-controlled state legislature would not change the statute to comply, the Republicans sued and the case ultimately went before the U.S. Supreme Court (p. 2186). In defense of the statute, the state argued that it ensured that primary elections could be adequately administered, prevented strategic voting by members of the opposing party, kept voters from being confused, and protected the "integrity of the two party system" (*Tashjian v. Republican Party*, 1986, n.p.). The Court ultimately ruled in favor of the Republican Party, determining that the state's justification for keeping the statute in place were "insubstantial" and the Republican Party's decision to include independent voters was a "valid exercise of its associational rights" under the First Amendment of the U.S. Constitution (Hancock, 2003, n.p.). Holbrook and La Raja (2013) note that the *Tashjian* decision had "important long-term implications for constraining the states' regulatory power over parties" and established a legal precedent (p. 69). The ruling also determined that the constitutional status of a closed primary requires that *all* political parties affected must agree to be subject to it (Collins, 2010, p. 131). Interestingly, as-of the late 1990s, neither the Republican nor the Democratic Parties of Connecticut allowed independents to vote in their primaries (Gerber & Morton, 1998, p. 304). The Republican Party of Connecticut never invoked the right they sued to establish.

The next major legal decision affecting primary systems was borne of attempted primary reforms in California in the 1990s. As in the popular account of the direct

primary being imposed by Progressives, reformers in California sought to use instruments of direct democracy to wrest control of candidate nominations from political parties.

III. Western States & The Political Primary: A Brief History

Several western states have experimented with primary system reform in the past two decades. In California, the initiative process was used to establish a blanket primary in 1996. A subsequent U.S. Supreme Court decision saw them revert to a closed primary before finally moving to its current top-two primary system. The state of Washington, having lost the ability to continue using a blanket primary following the California decision, briefly switched to an open primary before also instituting a top-two primary system. Oregon, bordering both of these states, has made multiple attempts to reform their closed primary system, including some rather unique proposals that would have given individuals more than a single vote. To date, none have been successful. In examining the history of these reforms, the circumstances surrounding Idaho's decision to change its primary system can be better contextualized.

a. California's Reforms & The Blanket Primary

In 1996, California voters opted to move from a closed primary system to a blanket primary system by passing Proposition 198 through the initiative process, dubbed "The Open Primary Initiative" (Collins, 2010, p. 134). Proponents of Prop 198 argued that the blanket primary would result in candidates that would be more representative of the electorate, reduce the level of partisanship, afford minority parties the opportunity to have an effective vote, promote fairness, grant voters more choices, increase voter participation, and help protect voter privacy (*California Democratic Party v. Jones*, 2000, syllabus p. 2). Both of the major parties and several minor parties joined together and

challenged the new law in court (Maisel & Brewer, 2010, p. 209). They argued that, “the single most important way that a party defines and advances the interests of its members is through the choice of its nominees” (as quoted by Hancock, 2003, n.p.) and that they had a fundamental right to choose who they will be associated with. Of particular concern was the prospect of strategic voting, with parties fearing that voters from opposing parties would “raid” their primaries and vote for the weaker candidate. Expert testimony in the case put the rate of crossover voting in California and Washington (which also had a blanket primary) as high as 25 percent (Cherry & Kroll, 2003, p. 388).

While Prop 198 was upheld by both the District Court and the Ninth Circuit Court of Appeals, which found it “justified by substantial state interest”, the U.S. Supreme Court overturned it (*California Democratic Party v. Jones*, 2000, syllabus p. 1). Citing the precedent established by *Tashjian v. Republican Party*, the Court determined that Prop 198 was unconstitutional. In the majority opinion, the Court asserted that “under California’s blanket primary system, the prospect of having a party’s nominee determined by adherents of an opposing party is far from remote—indeed, it is a clear and present danger” (*California Democratic Party v. Jones*, 2000, opinion p. 10). The Court ruled that the reform’s justifications of candidate representativeness and reduction of partisan issues were “nothing more than a stark repudiation of freedom of political association” (p. 15). They also rejected the argument that minority parties became disenfranchised when barred from a party’s primary election (p. 16). The remaining justifications were dismissed as “not compelling” given the specific circumstances of the California case (pp. 16-17). In short, the *Jones* decision overturned California’s blanket primary system.

The California legislature reacted to the *Jones* decision by adopting a closed primary system wherein parties could choose to allow independent voters to participate if they wished—but they would not be forced to (Collins, 2010, p. 136). Undeterred by the defeat, however, California voters passed another “Open Primary” initiative in 2010, Proposition 14 (p. 136). Proposition 14 established a top-two primary system, where the two candidates that receive the most votes in the primary advance to the general election. Modeled after a similar system in Washington, the top-two system fundamentally differs from the blanket primary because it “does not require political parties to associate with or endorse candidates” (p. 137). Instead it serves the purpose of “winnowing” the field (Washington Secretary of State, 2014, Timeline), as established in a series of court challenges over Washington’s use of the system.

b. Washington’s History & The Rise of the Top-Two

For nearly 70 years, the state of Washington held elections under a blanket primary system (Washington Secretary of State, 2014, History). Following the *California Democratic Party v. Jones* (2000) decision that declared blanket primaries unconstitutional, the state was forced to abandon the primary system in favor of another. While Washington lawmakers responded by instituting what was essentially an open primary system, voters responded by passing an initiative establishing a top-two primary system. In the span of six years, Washington had experienced three different primary systems.

The blanket primary is a political peculiarity. As mentioned earlier, in a blanket primary voters are given a ballot that lists all candidates for all offices from all parties. As long as they only vote once per office, voters are free to switch back and forth between

the primaries of multiple parties. This approach would, in theory, deemphasize the importance of political parties. In describing the effects of the blanket primary, Johnson (1942) imagined a theoretical independent voter, “skip[ping] merrily back and forth [between offices], ‘voting for the man’ for each office” (p. 28). Ogden (1948) declared that the blanket primary “freed [voters] from the onus of publicly declaring party adherence and...permitted [them] to exercise [their] own discretion as completely in the primary as in the general election” (p. 33). In their study, Alvarez and Sinclair (2012) found that candidates elected under a blanket primary were more likely to compromise with legislators from the opposing party than those elected under closed primary systems.

The state of Washington adopted the blanket primary in 1935, following an aggressive multi-year education campaign by the Washington State Grange, a powerful non-profit group in the state (Johnson, 1942, p. 29). While there were several legal challenges to the blanket primary in state courts, the blanket primary was upheld as constitutional for decades.

The chief complaint leveled against the blanket primary, usually by political parties, was that it allowed strategic voting and raiding of their primary nomination process. The rationale follows that if a voter’s preferred candidate is unopposed in the primary, they will be more inclined to vote in the opposing party’s primary in an effort to ensure that the weaker candidate—the one their party’s nominee will have an easier time defeating in a general election—is victorious. Parties asserted that this undermined their ability to select their own candidates and violated their constitutional right of association (*California Democratic Party v. Jones*, 2000).

With the *California Democratic Party v. Jones* (2000) decision, the U.S. Supreme Court tackled the problem of the blanket primary head on. The Court ruled that the blanket primary system violated a political party's constitutional right to freely associate with whomever they choose and its converse right to not associate. By forcing parties to allow non-party members to participate in the nomination of candidates, the state was undermining the party system itself. Following the *Jones* decision, both parties in Washington immediately filed suit challenging the blanket primary once again. While the U.S. district court initially found the Washington iteration of the blanket primary constitutional in 2002, the following year the 9th Circuit Court of Appeals overturned that decision citing the precedent set by *Jones* (Beck & Henrickson, 2013; Birkenstock, 2007; Manweller, 2011; Zhang, 2012).

In response, the Washington legislature passed a law that approved two alternate primary systems: a top-two system where the two highest vote-getters advance to the general and a "pick-a-party" (open) system where voters get to select which party's ballot they will receive on election day (although they will be limited to that party's ballot for all offices). In response, the governor used the line-item veto to strike reference of the top-two primary, thereby adopting the pick-a-party (open) system in Washington as of the 2004 election (Beck & Henrickson, 2013, p. 781).

Voters who had been accustomed to all candidates being listed on a single ballot under the blanket primary expressed "extreme distaste" for the new system (Manweller, 2011, p. 258). In response they drafted and passed Initiative 872 in 2004, which established a top-two primary system. The legal challenges to the top-two system were swift, as parties that had just escaped the blanket primary were now faced with another

system that took the power to nominate candidates out of their hands. The following year, the U.S. District Court—perhaps recalling their earlier failure to take the *Jones* decision into account—declared that the top-two system was unconstitutional and violated a political party’s associational right (Washington Secretary of State, 2014, Timeline). Consequently, the 2006 election cycle continued to operate under the pick-a-party (open) system.

By 2008, the case had once again progressed to the U.S. Supreme Court. In *Washington State Grange v. Washington State Republican Party*, the top-two primary decision was reversed and the Court ruled that the system was in-fact constitutional because it is not a party nominating system and does not pick a *party’s* nominee, but rather “winnows” candidates for the general election (Washington Secretary of State, 2014, Timeline). Parties had unsuccessfully argued that candidates that advanced to the general election de facto became the party nominee, even though non-party members had been able to influence their selection (Zhang, 2012, p. 628).

In the *Washington State Grange* decision, Chief Justice Roberts declared that a party’s associational right did not extend to the prevention of individuals from choosing to associate with that party (Zhang, 2012, p. 629). While Manweller (2011) notes that the “court has sent mixed signals” (p. 256)—creating an uncertain environment for those tasked with implementing the system—the key difference lay in the fact that voters were not selecting party nominees, since no party was guaranteed a spot in the general election (p. 257). Instead of listing a candidate’s political affiliation (implying a party’s endorsement), the ballot listed a candidate’s political *preference*, (i.e. “Prefers the Democratic Party” or “Prefers the Republican Party”) (Noga-Styron, 2009, p. 49). The

presence of the party's name next to a candidate, even with the "prefers" caveat, prompted the parties to argue that the system would be confusing for voters. Manweller (2011) tests this claim and finds that the "prefers" language does confuse up to 1/3 of voters (p. 267). Despite this, the top-two system was implemented for the 2008 election cycle and remains in effect as of this writing. Due to the unique characteristics of the system, Birkenstock (2007) labels it "half-partisan," since partisan affiliation is still listed on the ballot, but potentially against the wishes of the state party apparatus (p. 394).

c. Oregon's Stifled Attempts at Reform

While its neighbors California and Washington experimented with primary systems through the 1990s and 2000s, Oregon has enjoyed a stable primary system, which has remained relatively unchanged since its adoption in 1904. Oregon is a closed primary state and restricts participation to registered party members only. Oregon, however, is not without novelty. In 1998, Oregon expanded its vote-by-mail initiative to primary elections, with the first primary election under the vote-by-mail system to be held in 2000 (Oregon Secretary of State, 2016). Proponents argued that the vote-by-mail system would increase voter turnout, give voters more time to consider their options before casting their vote, and increase the integrity of the election (State of Oregon, 2000, p. 4).

Reformers, however, did not forget about their primary system. The first major attempt at reform occurred in 2008, at the same time Washington's top-two system finally took effect. Using Oregon's initiative process, advocates of primary system reform—led by a former Oregon Secretary of State—gained enough signatures to place Measure 65 on the November ballot. Like Washington and California, Measure 65 would

establish a top-two primary system in Oregon and replace the existing closed primary system. Despite the success top-two advocates had experienced in other states, Oregon voters rejected the measure, with 65.91% against and 34.09% in favor of. In analyzing the effort's failure, former Oregon Secretary of State, Phil Kiesling, suggested Measure 65's ballot title—which read “Changes general election nomination process for major or minor party and independent candidates for most partisan offices”—contributed to its defeat (Mapes, 2009, February 20).

Undeterred, top-two advocates again targeted the state in 2014 and launched two reform campaigns that year. Again using the voter initiative process, the first campaign proposed creating a “unified primary system” that would essentially act like a top-two primary: the two candidates who received the most votes in the primary would advance to the general election. The unique aspect of the proposal was that it sought to combine the top-two with an “approval voting” system, which would allow voters to cast a vote for every candidate they approved of. In short, if five candidates sought a single office, a voter was free to cast a vote for all five at once. It was argued that the two candidates with the widest swaths of support would advance to the general election, where voters could make a final determination. By using the approval voting system, the top-two's moderating effect on candidates could be amplified. While certainly an intriguing system, the petition did not garner enough signatures to advance to the November ballot and the unified primary initiative died. Had it continued, though, it likely would not have survived a legal challenge based on the precedent of *Reynolds v. Sims* (1964), which established the principle of *one person, one vote*. For an approval voting system to function, voters would need to be able to cast as many—or as few—votes as they wished.

This would necessarily lead to some voters casting votes for more candidates than others, thereby diluting the voting power of the latter. As such, the system violates the *one person, one vote* principle.

A second effort to reform the Oregon primary was also underway in 2014, dubbed the “Open Primary Act of 2014.” Like the 2008 proposal, in essence it would establish a top-two system in Oregon similar to the ones found in California and Washington. The most significant difference from the systems in those states was that Oregon would print political party endorsements on the ballot—in Washington, only a candidate’s partisan *preference* is printed on the ballot—but it would still not operate as a traditional partisan primary. While this effort gathered enough signatures to make it onto the November ballot in 2014, where it appeared as Measure 90, once again voters overwhelmingly rejected the reform—68.23% voted against Measure 90, while only 31.77% supported it.

As these three cases illustrate, while there is interest in reforming Oregon’s primary system, that interest does not necessarily translate to Oregon voters. Even so, it is interesting to note that three of the four states bordering Oregon—California, Washington, and Idaho—have all changed their primary systems in the last decade. While Oregon has been resistant so far, anything is possible. For now, let us turn to the last of these reform states: Idaho.

IV. The History of The Idaho Primary

While not emanating from the U.S. Supreme Court, another important legal decision is *Idaho Republican Party v. Ben Ysursa* (2011), which resulted in the state of Idaho shifting from an open primary system to a closed primary system. Given this

dissertation's focus on Idaho's shift, its examination of the state's history surrounding primary elections will be far more detailed and comprehensive than the preceding ones.

a. Establishing the Direct Primary in Idaho

Martin (1947) easily provides the most comprehensive account of how the direct primary was adopted in Idaho. Its earliest mention was in 1903, when the Idaho Legislature passed Senate Bill 45, which described elections where representatives to political conventions were selected as “primary elections,” although it did not actually establish a direct primary (p. 13). Over the next several years, though, citizens and Idaho newspapers began to increasingly call for the adoption of a direct primary. Martin notes that between December 1906 and February 1909, Idaho's major newspaper—*The Idaho Daily Statesman*⁷—published 57 editorials calling for a direct primary (p. 14). In general, Idaho Democrats were supportive of instituting a direct primary, while Republicans were divided. In 1906, the Idaho Republican state convention adopted a platform plank ostensibly supporting the direct primary, so “that elections may be brought nearer to the people,” but an influential senator struck the word “direct” from the resolution before it was reported to the floor of the convention (p. 15). The possibility of a party raiding their primary and influencing Republican nominations was the root of vehement opposition, which would continue for years (p. 17).

⁷ Today the paper is titled *The Idaho Statesman* and has published several editorials critical of Idaho's closed primary system, such as: “A careful-what-you-wish-for closed primary?” (2012, May 13); “[T]he 2012 primary: Remember when elections were easy?” (2012, May 16); “[T]he closed primary: Would a bottom-line case appeal to the GOP?” (2012, June 26); “[S]tate boards and the closed primary: A stubborn political animal: the RIVO” (2012, August 10); “Closing primaries denies voters their voice” (2013, November 8); “Moving Idaho presidential primary to March is really bad idea” (2015, February 22); and “Idaho primary sends along a few messages amid weak voter turnout” (2016, May 21).

In the face of popular support for direct primaries, though, two competing systems were considered during the 1907 legislative session. The first would give the state a greater regulatory role in overseeing party conventions while the second would establish a state-run direct primary system. Both were defeated (Martin, 1947, p. 23). Nonetheless, calls for reform continued and during the 1909 legislative session, the matter was considered again. The major reform was introduced as House Bill 16 and established a direct primary in Idaho, opting for an open system whereby voters were given all parties' ballots and permitted to select one in the privacy of the voting booth (p. 35). The legislation passed both chambers and, on March 6, 1909, was signed into law (p. 39).

A peculiarity of the initial direct primary law was that it called on Idahoans to mark both their first and second choices on the ballot. If a candidate failed to achieve a majority of the vote on the first ballot, second choice votes were added to their totals and the candidate with the most first and second ballot votes became the nominee (Martin, 1947, p. 42). The state's inexperience with conducting a direct primary and the confusing nature of the preference ballot made tabulating results increasingly difficult—Ada County, Idaho's most populous county, was not able to report the results of the election for eight days, a situation mirrored in several other Idaho counties (p. 45).

As a result of the difficulties surrounding the 1910 election, the following year the Idaho Attorney General recommended dropping the second choice requirement of the ballot and proposed adopting a closed primary system (Martin, 1947, p. 53). These recommendations were considered in the 1911 legislative session. Amid much controversy, the Republican-controlled legislature passed Senate Bill 70, which among other things moved the primary earlier in the year and shifted the direct primary from an

open system to a closed system—although it left the issue of the preference ballot unaddressed (pp. 54-55). Democrats, who controlled the governor’s office, opposed the section of the bill that called for switching to a closed primary system and the governor vetoed the bill, arguing that it “violated...the secrecy of the ballot” (pp. 55-56). With Republicans lacking the votes necessary to override the veto, the legislature compromised and passed Senate Bill 176, which was identical to the prior proposal but eliminated the section establishing a closed primary. It passed both chambers with overwhelming support, garnering only a single dissenting vote (p. 56).

Republican lawmakers concerned over opposition raiding in the open primary were undeterred. The party gained control of the governor’s office in the 1912 election and in the 1913 legislative session they passed Senate Bill 69, which reformed several aspects of Idaho’s primary law including the non-partisan nomination of judges and established a modified closed primary in Idaho (Martin, 1947, pp. 60-61). Under the modified version of the closed primary, voters could call for the ballot of their choosing, but could be subject to challenges that they were not true members of the party (p. 69).

b. Early Attempts at Primary Reform

Ironically, the Republican fear of opposition raiding under the open primary system was soon borne out, but the victim was actually the Democratic Party. In 1918, a group called the Non-Partisan League organized and became determined to field their slate of candidates under the Democratic Party’s banner (Martin, 1947, p. 41). Holding a convention in Idaho’s capital, Boise, the League endorsed several candidates for state office that were not Democrats, but pledged to run as Democrats (p. 66). This led most Idaho Democrats to refuse to support their party’s nominees—many defected to support

Republicans—since very few of them actually represented the platform of the party (p. 67). Despite a flurry of legal challenges, the Idaho Supreme Court ruled that there was nothing in the direct primary law that prohibited the Non-Partisan League's actions (p. 68).

In response, during the 1919 legislative session the Idaho Legislature repealed the 1909 direct primary statute and replaced it with a new system outlined in Senate Bill 68 and Senate Bill 188 (Martin, 1947, pp. 70-71). The new system returned nomination of federal and statewide candidates to state conventions, while legislative offices, county level offices, district judges, precinct committees, and county convention delegates would be nominated through a closed direct primary (pp. 70-71). Both Republicans and Democrats supported increasing the strength of the party organizations following the Non-Partisan League's 1918 raiding, allowing the reforms to pass easily (p. 71). Republicans were pleased to return to the convention system they largely preferred and Democrats were reassured that their nomination process would not be co-opted by an outside group again. By the next year, though, the Democrats had reversed their position and once again called for the implementation of a direct primary (p. 75). Leadership in the Republican Party, conversely, remained staunchly opposed to an open primary (p. 76).

During this time, the Idaho Republican Party began to fracture on the issue. Republicans supportive of the direct primary reform rallied behind Senator William Borah, who helped ensure that the matter stayed on the legislative agenda (Martin, 1947, p. 77). Several proposals were considered in the 1923 legislative session, including some that would return to a direct primary but leave administration of the election to the state

rather than the political parties. All of these proposals ultimately failed, either through legislative defeat or gubernatorial veto (pp. 79-80). Proposals in the 1925 legislative session similarly failed (p. 81).

During the 1931 legislative session, efforts for reform finally found success. Senate Bill 3 was introduced, which would reestablish a statewide open direct primary in Idaho. The bill attracted bipartisan support and was sponsored by six Republicans and six Democrats (Martin, 1947, p. 84). Republican support of the reform in the Senate did not grow beyond those six bill sponsors. The measure passed the Senate only due to the six Republican sponsors allying with all 21 Democratic legislators in the chamber. That said, the bill passed by a margin of ten votes in both chambers (pp. 84-85).

Another reversal of the direct primary was attempted in the 1943 legislative session. House Bill 75 was introduced to repeal the use of the direct primary in the nomination of federal and state offices, although it left the system in use for local office. The bill passed both legislative chambers with bipartisan support, but was vetoed by the Republican Governor (Martin, 1947, p. 86).

c. The Preprimary Convention & Open Primary

In 1960 and 1962, Idaho again reformed the primary system and experimented with a runoff primary, wherein candidates are required to gain a majority in order to win. In the event no candidate secures a majority of support, the top two vote getters compete in a second election in order to force a majority. As an added complication, however, in order to cast a ballot in the second (runoff) election, a voter must have cast a vote in the first round (B. Ysursa, personal communication). The 1960 and 1962 primaries also returned to the practice of calling for the ballot in Idaho. Again, voters had to publicly

select one party's ballot in order to vote in the primary and their choice was noted in the official poll book. The records of their selection were maintained for 60 days following the election, although it was a crime to disclose those records publicly (B. Ysursa, personal communication). Some Idaho voters were resistant to sharing their decision publicly, with at least one telling poll workers that it was "none of [their] damn business" (B. Ysursa, personal communication). This system was soon abandoned by the state, though, due to low voter participation and its corresponding influence on electoral outcomes (Duncombe & Martin, 1972, p. 4).

In 1963, a preprimary convention system was enacted (Duncombe & Martin, 1972, pp. 3-4). The system was designed to address the criticism that too many candidates were entering the primary election, causing the vote to be split. Under it, all candidates could file a declaration of candidacy, which would be voted on at the party's preprimary convention in June of an election year. Each party would be able to endorse two candidates in the August primary. Under party rules, the parties would endorse candidates who received at least 20% of the vote at the convention. Those who passed the 10% threshold, but not the 20% one, would be able to re-file and appear on the primary ballot as an unendorsed party candidate (pp. 3-4). This system would persist until the next major reform in the early 1970s.

In the 1971 legislative session, the state passed legislation that again established an open primary system. Once again voters would be able to select the party ballot of their choice in the privacy of the voting booth. Interestingly, additional reforms proposed at the end of the legislative session would have also established an official partisan registration system in Idaho, advocated at the time by legislative Democrats and opposed

by Republicans. Then-Idaho Governor Cecil Andrus, a Democrat, vetoed the bill to maintain Idaho's no registration system (B. Ysursa, personal communication). The open primary system took effect in 1972 and continued until 2012. In data cited during a 2007 Idaho House State Affairs committee meeting, Idaho's shift from a semi-closed to an open primary at this time resulted in voter turnout declining from 58% to 32% (Idaho State Legislature, 2007, February 26, p. 3). While Idaho would continue to experiment with primary laws in the intervening years—in 1976, the state instituted a split primary, where the U.S. Presidential primary was held in May and the state legislative primary was held in August, although it returned to a unified primary for the next Presidential election (B. Ysursa, personal communication)—the overall system was not changed for four decades.

A consistent theme throughout Idaho's primary history is the Republican Party's unease with allowing non-members to participate through an open primary. It can be seen in their early resistance to the direct primary itself, its 1919 repeal, and their subsequent opposition to a restoration of direct primaries over the use of conventions. This was particularly true in Idaho's early history, causing Martin (1947) to note, "...in every instance except the repeal of the 1909 Act in 1919 and the attempt to repeal the Act of 1931 in 1943, the major conflict has been within the Republican party" (p. 86). This trend of Republicans driving primary system reform in Idaho persisted through the turn of the century, culminating in a flurry of proposals that ultimately led to the end of Idaho's open primary and the establishment of a closed primary. These proposals began in 2007 and their reception helped shape much of the final version of the law.

d. Attempting to Close Idaho's Primary

In the 2007 legislative session, three attempts were made to reform the primary system. The first attempt failed to be introduced over concerns that it would discourage or block participation by independent voters. The second attempt, which was introduced as House Bill 185, sought to address those concerns by establishing a semi-open primary system that permitted political parties the choice of allowing independent voters to participate. The bill boasted 21 sponsors, including the Speaker of the House. In committee, the bill's presenting sponsor testified that the changes were designed to limit "tomfoolery" and "strategic cross-voting." Idaho's then-Secretary of State, Ben Ysursa, testified in opposition to the bill and to both closed and semi-closed primaries, disputing the presenting sponsor's characterization that the U.S. Supreme Court had ruled open primaries unconstitutional (the decision dealt with a specific form of open primary, the blanket primary). In later recalling the hearing, Ysursa expressed feeling some anger that his office—which is responsible for overseeing and administering elections in Idaho—was not consulted prior to the bill's introduction (B. Ysursa, personal communication). Since the bill did not address how such a system would be carried out, it left much of the specifics of implementation to administrative rules, something Ysursa opposed. Following the hearing, sponsors withdrew the bill to address the concerns that had been raised.

The legislation returned a month later, this time in the Idaho Senate, in a print hearing that also heard public testimony. The reworked legislation was introduced as Senate Bill 1244. An architect of the legislation, representing the group The Common Interest (a self-described independent moderate organization), argued in favor of the bill's establishment of a semi-closed primary that would block partisans from crossover

voting, but allow independents to continue to participate in party contests. In testimony, it was pointed out that should the Idaho Legislature fail to act, given the Supreme Court rulings, a lawsuit was likely to follow in which the internal rules of the Idaho Republican Party would essentially overrule state statute. Citing an Attorney General's opinion, Representative Labrador testified that in order for a political party to have standing to sue the state, it would need to call for a closed primary in their party rules, which the Idaho Republican Party did not. Labrador also testified that passing the bill would likely prevent the party from adopting a provision calling for a closed primary.

In opposition to introducing the bill, the Senate Minority Leader, a Democrat, argued, "This is a pig and we can't put enough lipstick on it to make it look any different than a pig." In response, the Republican Senate Majority Leader argued that, even if it was a pig, without introducing the bill the public would not be able "to identify whether this is sausage, pork, bacon or ribs" (Idaho State Legislature, 2007, March 26, p. 7). Ultimately Senate Bill 1244 was introduced, but did not advance any further through the legislative process. The 2007 legislative session ended without any primary system reforms being adopted.

In June 2007, the Idaho Republican Party Central Committee voted 2-1 to adopt a rule change calling for Idaho's primaries to be closed and restricted to party members only (*Idaho Republican Party v. Ben Ysursa*, 2011, p. 6; Idaho State Legislature, 2008, January 11, p. 1). The resolution also called for the party to file a legal challenge if the Idaho Legislature failed to close the primary during the next legislative session (Idaho State Legislature, 2008, March 25, p. 1).

The 2008 legislative session would see three more proposals to reform Idaho's primary system. The first proposal was introduced as Senate Bill 1258 and was brought forward by the Republican Party. The bill established a closed primary in Idaho and required electors to declare a partisan affiliation, but after its introduction it did not receive another hearing.

The second proposal was brought forth by the Secretary of State's office and introduced as Senate Bill 1507. The legislation did not establish a partisan registration system, but would revive the 1960s era practice of having voters publicly call for a party's ballot and having their choice recorded in the poll book. Importantly from the Secretary of State's office's view, the statute would only apply to political parties that adopted a rule restricting participation in their primary—all other parties would continue to operate under the existing open system. Since the system would only require a change in poll books and the printing of separate ballots, sponsors argued that it would be less costly and less obtrusive than shifting to a closed or semi-closed system. Conversely, opponents argued that having an individual verbally and publicly declare a partisan affiliation at the polls would produce a "chilling" effect (Idaho State Legislature, 2008, March 14, p. 2). The Secretary of State testified that the solution presented in the bill was not the preferred option—in their view, that would be leaving the existing open system in place—but it was the best alternative they had to forestall a lawsuit (Idaho State Legislature, 2008, March 28, p. 2). Critics argued that the proposal was not consistent with the Idaho Republican Party's resolution and would not actually prevent a legal challenge (p. 3). The bill was sent to the floor of the Senate without a recommendation from the committee.

The third proposal during the 2008 session was brought forth by the group The Common Interest and was introduced as Senate Bill 1506.⁸ The bill established a modified open primary, including a statewide partisan affiliation system, where all voters who affiliated with a political party would be restricted to participate in that party's primary only. Unaffiliated voters would be free to select the partisan primary of their choosing. Alternatively, the bill also allowed political parties to conduct their own nomination process independently of the state, but only by shouldering the cost and administrative responsibility of the process. Supporters of the bill argued that this provision would ameliorate the concerns of closed primary opponents over using taxpayer money to fund a process that, by definition, would exclude some of them from participating. The bill was reported out of committee with a do pass recommendation.

On the last day of the Legislative Session, the third proposal (SB 1506) was returned to committee, effectively killing it. The Secretary of State's proposal (SB 1507) was amended on the Senate floor to include a provision that would allow a political party to hold a nominating process separate from the state, at its own expense. Seen as the best alternative of the various options, Senator Little argued on the floor, "I can tell you that the majority party is not all that excited about this. This issue has not been brought by a private party in Idaho, it's been brought by the U.S. Supreme Court. ... This is the best alternative out there" (Russell, 2008, April 2). Senate Bill 1507 passed the Idaho Senate in a vote of 20-15, but the legislative session concluded before the House could consider it.

⁸ Through a legislative quirk, while the Secretary of State's proposal was heard and introduced first, it was assigned a bill number after The Common Interest's proposal.

Nine days later, the Idaho Republican Party filed suit in U.S. District Court, arguing that its First Amendment right to freely associate was being infringed by the state's failure to comply with its wishes (*Idaho Republican Party v. Ben Ysursa*, 2011, p. 6). The state defended its actions by arguing that since voters would have to self-identify under a closed primary system, it would not actually safeguard against strategic voting, as Democrats could simply register as Republicans (p. 17). The open system, on the other hand, would maintain a secret ballot, help facilitate same-day voter registration, and help the state avoid shouldering the costs associated with having to implement an entirely new primary system (p. 19). The Idaho Legislature refused to take up the issue again while the case was being litigated, which ultimately took three years. A final decision was issued on March 2nd, 2011.

e. Closing Idaho's Primary

In deciding the case, the Court relied substantially on the *Jones* decision. Claiming that it could not transpose the crossover voting statistics from California's blanket primary to Idaho's open primary, it asked for proof such crossover voting occurred in Idaho (*Idaho Republican Party v. Ben Ysursa*, 2011, p. 11). The Court ultimately concluded that the state's own expert witness admitted that crossover voting likely occurred in Idaho, since the Republican primary is often "the only game in town" and presented statistics where the number of contested Republican primaries in the last two decades dwarf the comparative number of contested Democratic primaries (pp. 11-13). The Court concluded by saying that it could not find "any meaningful distinction between the open primary...and the blanket primary found unconstitutional [in] *Jones*" (p. 17).

The decision was issued in the midst of the 2011 legislative session, resulting in a new proposal only four weeks later. The first attempt was introduced as Senate Bill 1198, which established a statewide party registration system for voters. The bill would allow for closed primaries, with participation restricted to registered party members only, but also allowed political parties to open their primary elections to independents and other political parties if they wished (provided their party chair notified the Secretary of State of their wish to do so at least 180 days prior to the election). This avoided the associational trap highlighted in the *Tashjian* case, wherein political parties were forced to hold a closed primary against their will. Opponents once again argued that forcing public partisan affiliation was unnecessary and that the state should not have to shoulder the cost of one party's desire to close their primaries (Idaho State Legislature, 2011, March 30, p. 3). The bill passed the Idaho Senate, 28-7. It was substituted in the House with House Bill 351, which left the core of the proposal intact, but changed the notification requirement from the party chair to simply "the party" over concerns that the party chair could act without the consent of a party's central committee. House Bill 351 was passed by both chambers on April 6th, a day before the legislative session would conclude. It passed the House by a vote of 51-16 (three members were absent) and the Senate by a vote of 28-7. The Governor signed the bill into law on April 10th, thereby closing Idaho's primary election four years after the initial attempts were made.

f. Additional Reforms

As in the 1970s, the period following the adoption of the new primary system was marked by additional primary reforms that bear noting, although none changed the underlying system. For example, in 2012—the year the closed primary was

implemented—the Idaho Republican Party opted to hold a separate Presidential caucus two months prior to the primary election, thereby returning to the split primary approach of 1976.⁹ All other offices remained a part of the May primary election. Low voter turnout in the caucus left some disappointed with the system, although the earlier placement of the primary made Idaho’s decision more impactful in the Presidential race. As a result of the caucus experience, during the 2015 legislative session the legislature passed Senate Bill 1066, which established a Presidential primary election in Idaho on the second Tuesday of March. By making the contest a primary election rather than caucus, the state could increase voter turnout. As before, all other races would remain on the May ballot and participation in the March Presidential primary would be voluntary for all recognized political parties. In 2016, only the Republican and Constitution parties opted to hold a primary—Democrats continued their tradition of holding a caucus at a later date.

As the preceding section has illustrated, both the history and literature surrounding primary systems is varied and complex. It takes into account the wishes of voters, elected officials, and reformers. What it does not reflect is the discretionary implications of a primary system shift. To explore this topic, I turn now to public administration literature.

V. The Public Administration Literature

a. The Politics-Administration Dichotomy

⁹ Idaho Democrats have held a separate Presidential caucus since the 1980s.

Since its inception as a field, there has been no concept as important or as omnipresent in public administration as the politics-administration dichotomy. Wilson's (1887) articulation of it gave rise to the field, Goodnow (1967) considered it from the perspective of political science, Simon and Waldo's debate over its accuracy sent the field into new directions (Harmon, 1989), and the rejection (by some) of the dichotomy resulted in new alternatives that allowed for the inclusion of values like social equity in public decision-making processes (Frederickson, 1980). In many ways, the politics-administration dichotomy served as an engine, driving the field of public administration to new theoretical possibilities and dilemmas. While Wilson was the first to articulate the dichotomy, Goodnow's extensive (though separate) consideration of it placed the concept in the context of political science and helped bridge the two literatures. A proper examination of the dichotomy must consider both perspectives in tandem.

In articulating the dichotomy, Wilson (1887) viewed administration as something wholly different from politics. "The field of administration is a field of business. It is removed from the hurry and strife of politics... It is a part of political life only as the methods of the counting-house are a part of the life of society" (pp. 209-210). This distinction made the prospect of a professional, administrative state, free from the pitfalls of the spoils system that had reigned since the United States' founding, more acceptable to the masses. A professional tool to be utilized by popularly elected officials was far less threatening than a cadre of partisan operatives.

The core justification for this separation, in Wilson's mind, was that "administration lies outside the proper sphere of *politics*. Administrative questions are not political questions. Although politics sets the tasks for administration, it should not be

suffered to manipulate its offices” (1887, p. 210, emphasis in original). Goodnow (1967), expressing a similar view, was more explicit on the separation, arguing that, “Politics has to do with policies or expressions of the state will. Administration has to do with the execution of these policies” (p. 18). While the administrative state must be subordinate to a popularly elected government, Goodnow argued that its control should be limited—the separate roles of politics and administration must be balanced in order to have a truly democratic society (pp. 90-93).

The notion that elected officials set policy, while the administration implements it, is a central concept of the dichotomy. While Goodnow argued that each side must be protected from the other (1967, pp. 92-93), note, however, Wilson’s phrasing suggests an attempt to shield the *administration* from political interference, rather than the reverse. This was an all too likely occurrence at that time, at the height of efforts for civil service reform. The dichotomy came to be understood in more absolute terms, though. The separation erected a wall between politics—the determination of public policy—and administration—the implementation of public policy. Neither side was supposed to cross the wall and interfere in the domain of the other. O’Toole (1987) describes the wall as being “between deciding and executing” (p. 18).

Wilson’s vision ultimately proved successful, though, and the field of public administration was born, with the politics-administration dichotomy remaining a central pillar of the discipline. At its root, the justification for the dichotomy was grounded on the notion of separation of powers, as well as checks and balances. The U.S. Constitution was crafted to set the three branches of government as a check on the others’ power, to ensure that any one could not gain supremacy (The White House, 2013). It provided a

measure of accountability to not just the public, but to other branches of government and to the rule of law. In establishing the dichotomy, Wilson removed from the public's mind the threat that administration posed to the carefully crafted checks and balances in the Constitution. It effectively placed public administration *within* a constitutional framework, where Bertelli and Lynn (2006) argue it properly belongs. The politics-administration dichotomy "seemed a way to show how some traditionally worthy goals could be achieved in an era during which government seemed threatened by the forces of mass-based democracy, crude partisanship, and political infighting" (O'Toole, 1987, p. 18).

O'Toole (1987) explores the interplay between the dichotomy and separation of powers and observes, "it is frequently noted that the word administration does not appear in the constitution" (p. 17). While this is true, it would not be troubling to Wilson. In Wilson's view, Constitutions are only concerned with "instrumentalities of government which are to control general law" (1887, p. 212). It does not preclude a professional apparatus to implement the law and instead leaves that to the discretion of Congress.

Strauss (1984) provides an extensive account of the role agencies play in government and similarly argues that the separation of powers between the three branches was only meant to apply to "the very apex of government—Congress, President, and Supreme Court" (p. 667). The remaining structure was to be at the discretion of Congress, within the constraints that the executive branch would administer the law and the structure would continue the form of checks and balances.

While the politics-administration dichotomy enjoyed favored status in the field for much of its early days, administrators began to chafe under its strict division of roles. A

key problem was that, while perhaps theoretically justified under the separation of powers argument, the dichotomy did not describe what actually occurred. Administrators did influence the “political” and help craft policy. Additionally, the dichotomy, in reducing public administration to the efficient implementation of public policy, had set up efficiency as the core value of the field. The issue came to a head in the Simon-Waldo debates, which sought to reframe the dichotomy in terms of facts and values (Harmon, 1989). Waldo (1952) argued that, in asserting that politics and administration are separate things, the field of public administration was “false to the ideal of democracy” and that efficiency ought not to be the only end to which public administration aspires (p. 87). This made alternative theories, like Frederickson’s (1980) “new public administration,” which emphasized the social equity dimension of public policy, very attractive alternatives to the dichotomy, which prohibited such consideration.

In O’Toole’s (1987) view, the dichotomy ultimately collapsed. The problem was that in emphasizing the separation of powers, the field “neglect[ed] the important reality of sharing” (p. 23). While the dichotomy was useful in shaping the character of the administrative state, it had served that role and it was time to move on (see also Svava, 1998).

Overeem (2005) takes the interesting stance that the politics-administration dichotomy, “one of the most disreputable notions in the field of public administration” (p. 311), was misinterpreted. Overeem argues that, while all policies are political, not all politics are policies. By equating politics with policy, critics establish an easy way to declare that the politics-administration dichotomy is obviously false (pp. 318-319). Paradoxically, in Overeem’s view, administrative neutrality still serves as the

foundational rationale for the field, even among those who claim that the dichotomy was false. One cannot endorse neutrality as a normative characteristic without embracing the dichotomy. Yet, moving away from the dichotomy has not moved public administration as a field away from political neutrality or suggested a return to a partisan bureaucracy (p. 312). For Overeem, neutrality “basically [means] that administrators, in their professional capacity of public functionaries, should not take sides in political controversies” (p. 313). Citing Kernaghan, Overeem provides six principles of neutrality: 1) politics and policy are separate from administration; 2) administration is merit based; 3) administrators engage in no partisan political activities; 4) administrators do not express personal views on government or public policy; 5) administrators give objective counsel to their political superiors; and 6) administrators “execute policy decisions loyally and zealously” (p. 313). A closed primary election with public party registration has the potential to force bureaucrats to violate several of these principles.

O’Toole, Svava, and Overeem all see the politics-administration dichotomy as flawed, but useful for its time. Ultimately, however, they approach it from the perspective of public administration, or the administrative side of the dichotomy. By contrast, Lee (2001) provides insight as a former member of the Wisconsin Legislature, the political side of the dichotomy, where the classic interpretation dominates. To elected officials, administrators are viewed “as subordinate to politicians rather than equal partners” (p. 364). But, this acceptance only went so far, as Lee finds that elected officials saw no problem with “look[ing] into the bowels of the bureaucracy on almost anything” (p. 368). When the legislature conducted audits of public agencies, it was their expectation that the recommendations of those audits would be implemented. “The behavior of legislators

toward administrators...can therefore be viewed as an operationalization of their normative values about the politics-administration dichotomy” (p. 367).

As already alluded, public agencies do cross the dichotomy divide and are often involved in the creation of public policy (Lee, 2001; Verscheure, 2009). Lee notes that, “It was relatively routine for a state agency to seek a sponsor for legislation it wanted adopted” (2001, p. 375). The question of how involved administrators should be in policy-making is addressed in the following section.

b. A More Constitutive Administration

The politics-administration dichotomy established firm roles for administrators and elected officials. Without it in place, the question becomes to what degree administrators *should be* involved in policy decisions. Two competing points of view have arisen, exemplified by Cook (1996) and Bertelli and Lynn (2006).

Cook (1996) argues the politics-administration dichotomy and strict adherence to the Constitutional separation of powers have mistakenly cast the public bureaucracy in an instrumental role. This views the administration as a tool or an instrument that the political actors, serving as the carpenters or the musicians, use to implement public policy (p. 4). The administration has no input in what those policies should be, just as the piano plays no role in determining what notes a musician plays (p. 4). In Cook's view, this is wrong.

Instead, Cook argues, public administration is (and ought to be) constitutive in nature. The bureaucracy should be included not just in discussions of how to accomplish political goals, but also in shaping what those political goals are to begin with. This new understanding of public administration would not be given free rein, but would be constrained by two tenets. First, administrative discretion could not be unlimited. Secondly, there must be a constitutionally legitimate sphere of independence structured for the bureaucracy (1996, pp. 176-177).

Bertelli and Lynn (2006) offer a counterpoint to Cook and argue that public administration is "necessarily instrumental" (p. 9) and must be constrained by the Constitution and rule of law. In this they agree with the spirit of the politics-administration dichotomy, if not a strict interpretation of it. In forwarding their theory of

managerial responsibility—which consists of four axioms of judgment, balance, rationality, and accountability—they also allow for discretion that is constrained by the Constitution (pp. 142-143).

Cook (1996) on the one side and Bertelli and Lynn (2006) on the other form a continuum of sorts. The former seeks to articulate a theory of administration that is permissive of administrative discretion, while the other believes in the supremacy of the U.S. Constitution's separation of powers. Support for both approaches can be found in the literature. Moe and Gilmour (1995), for instance, argue that public administration has drifted away from its formal foundation in the Constitution and law in favor of topics better suited to the field of business management (p. 135). The first principle of public administration they offer is, on the surface, an articulation of the politics-administration dichotomy: "The purpose of agency management is to implement the laws passed by Congress as elected representatives of the people" (p. 138). While those like Cook would like to see more policy-making authority invested in the bureaucracy, "the framers of the Constitution consciously designed a government better suited to frustrate the concentration of political power than to govern effectively" (p. 136). Moe and Gilmour argue that the separation of powers has already been eroded, though, as the three branches of government have begun delegating their functions and power to the bureaucracies and outside contractors (p. 136).

A possible middle ground can be found in Rosenbloom (1983), who argues that there have developed three "distinctive theoretical approaches" to explaining what public administration is: managerial, political, and legal—each recalling a different branch of government (p. 225). Allowing one to drive out the others would erode the entire system

of checks and balances, just as it would in the system of government. The solution is not to choose one over the other, but to balance them against each other just as in the separation of powers. Rosenbloom concludes with a call for the development of a “distinctive theoretical core” that keeps all three (p. 225).

Another middle ground approach is proposed by Meier (2000), who emphasizes the various ways that the U.S. system is able to serve as a check on bureaucratic activities, under what is termed “overhead democracy.” In short, overhead democracy refers to popular control over public officials, who then exercise bureaucratic oversight through the use of sanctions and information gathering techniques (pp. 123-124). Meier argues to essentially nest the bureaucracy within a series of checks and balances, counting on the state level bureaucracies to check the overreach of federal bureaucracies, while federal bureaucracies do the same for states (p. 155). Perhaps a more radical suggestion of Meier’s is the creation of a wholly separate ombudsman office, which would exist independent of the bureaucracy (p. 203). Meier argues that the ombudsman would, in theory, exist to investigate claims of impropriety against bureaucratic agencies while freeing legislative leaders from the responsibility of casework, allowing them to focus on establishing and reviewing administrative priorities instead (pp. 203-204). While not perfect, Meier’s system is an attempt to strike a balance between the constitutive, autonomous bureaucracy tradition extolled by those like Cook, while at the same time addressing the concerns of those like Bertelli and Lynn by formalizing accountability mechanisms into the system. It combines the internal ethics of a more responsive bureaucracy with the external controls of an ombudsman.

The literature suggests that there is a role for administrative involvement in policy formulation, but it must be done within a framework that is consistent with the U.S. Constitution and the separation of powers. Lynn (2001) exhorts that the field has “let lapse the moral and intellectual authority” that comes from recognizing its constitutional foundations (p. 155). Public administrators exercising their “discretion are inevitable components of our constitutional scheme” (p. 155). The Constitution and separation of powers provide not just legitimacy, but also permission to act. If public administrators *are* permitted to act as independent policy contributors (and it seems clear from the literature that they are), the question becomes how to integrate them into our understanding of public officials and predicting their actions.

c. Rational Choice & The Median Voter

Downs’ (1957) rational choice model provides a powerful framework to understand individual behavior among elected officials (and by extension political parties), bureaucrats, and voters. It serves as one of the foundations of principal-agent theory. According to Downs, a rational individual is characterized by five qualities: they are always able to make a decision when faced with multiple options; they are able to rank order those options according to their preferences; their ranking is transitive; they will always choose the option that produces the greatest benefit to themselves; and when presented with the same range of options they will always make the same decision (p. 6). These assumptions have serious implications for politicians, bureaucrats, and voters, forming a complicated series of relationships.

Under the framework, politicians are rational actors who seek to maximize their own self-interest—whether power, prestige, income, or risk (Downs, 1957, p. 30)—by

getting elected. Put more succinctly, politicians are interested in being elected and, once elected, in staying there. In order to achieve this end, though, they must rely on their political party (p. 30). Downs defines political parties as “team[s] of men seeking to control the governing apparatus by gaining office in a duly constituted election” (p. 25). Consequently, Downs argues, political parties craft public policies in order to gain votes in the next election (p. 28; see also Fenno, 1978).

Downs (1967) asserts that bureaucrats are motivated by rational self-interest, also. The rational bureaucrat will distort information to suit their needs, favor policies that further their own interests, respond to directives in proportion to how those directives serve their self-interest, and will only seek responsibility or incur risk depending on their individual goals (p. 77). Likewise, voters will also act to maximize their rational self-interest by voting for candidates that more closely align with their points of view, creating a government that is “responsive to their wants” (Downs, 1957, p. 137). Joining the goals of the voter with the goals of the political party, Downs argues, creates the overall political system (p. 137). Voters have something that the politicians want (their votes), therefore it is in the self-interest of political candidates to make themselves appealing to as broad a constituency as possible. Due to this fact, in order to maximize their potential reelection, electoral candidates tend to adopt the positions that converge on the center of a normal distribution of voters, under the rationale that votes lost at the extreme ends will be inconsequential compared to the pool of votes in the center (p. 118; see also Black, 1948; Congleton, 2002; Krehbiel, 1998). If candidates are able to draw a wider pool of support from the middle than they could at either extreme, adopting the

positions of the exact center (or median voter) essentially maximizes their utility in an election.

Median voter theory has been applied to various levels of government (Congleton, 2002; Ferejohn & Shipan, 1990; Gilligan & Krehbiel, 1989) and policy issues (Bassetto & Benhabib, 2006; Krehbiel, 1996; Medoff, Dennis, & Bishin, 1995). The theory holds that if the individual preferences of a voting body (whether a legislative chamber, committee, or electorate) can be ordered and placed on a continuum, the policy (or victor) will most closely resemble the preferences of the median member (Krehbiel, 1998, p. 13). That median voter consequently controls legislative make-up, resource allocation, and governing rules (Krehbiel, 1996, p. 237). In elections, the median voter will influence a candidate's positions (Congleton, 2002, pp. 3-4).

Grofman (2004) challenges this assertion in part, noting that candidates are more likely to represent the median voters of their own political party rather than the median voter of the general electorate. There is some support for this view. As noted in a previous section, Gerber and Morton (1998) and Kaufmann et al. (2003) find that more open primaries result in more moderate and representative candidates. Gerber and Morton (1998) also find that closed primaries drift towards the extremes, while, conversely, Cherry and Kroll (2003) find that open primaries do not necessarily result in more moderate elected officials. Medoff et al. (1995) find that on bimodal issues like abortion, an elected official's ideology is a stronger position indicator than the median voter.

The expression of the social welfare function through voting and elections ultimately gives elected officials their legitimacy under the separation of powers. Coincidentally, it is precisely this aspect that public administrators lack. Since public

administrators are not directly accountable to the public, only indirectly accountable, concepts like the politics-administration dichotomy (which restricts policymaking to elected officials) find legitimacy. The public elects politicians who are then able to hold the administrators accountable.

If both elected official and bureaucrat are to be considered rational, then they can be assumed to be acting in their own self-interest. This naturally leads to questions of accountability to which the principal-agent model can provide some insight.

d. The Principal-Agent Model and the Bureaucracy

A principal-agent model, as articulated by Wood and Waterman (1994), holds that a hierarchical relationship exists between elected officials (principals) and the public bureaucracy (agents). The principals desire a service that the agent can provide, so they enter into an agreement with each other in order to obtain it. Information asymmetry exists between the two. Typically, the agent possesses more information about the service, such as its true cost or the best way to proceed. This can lead to two significant drawbacks known as moral hazard and adverse selection (p. 24). In moral hazard, agents as rational actors are incentivized to pursue their own self-interest at the expense of others, which can lead to shirking (not doing the job) or sabotage (undermining the job). In adverse selection, principals make decisions on the basis of incomplete information, sometimes withheld by the agent when knowledge of that information may have produced a different, undesirable response (at least from the perspective of the agent). Brehm and Gates (1997) examine these concepts extensively. Applying these concepts to a bureaucratic context, they argue that an agent's decision to either work, shirk, or sabotage, is predominantly influenced by four things: their own preferences; their peers;

their supervisors; and their clients (p. 3). Of these, their personal preference exerts the greatest amount of influence (p. 196) and most bureaucrats could be considered “principled agents” (p. 202).

Despite the potential drawbacks of moral hazard and adverse selection, the principal-agent model is often employed in exploring government-bureaucracy relationships, as it consists of those who need a service and those who can provide a service. Elected officials need an administrative apparatus to implement their public policies and public administrators are well equipped to do just that. As Wood and Waterman (1994) note, though, the principal-agent dynamic is altered in public administration because the bureaucracy is not just constrained by the current batch of elected officials, but by the policies of previous elected officials, as well (p. 23). They argue that, contrary to previous thought, bureaucracies are constantly altered in reaction to changing conditions (p. 101). These conditions can take the form of judicial decisions, congressional hearings, or news media reports. As a result, bureaucracies must become “competitive, adaptive, dynamic entities” (p. 154).

The check that bureaucracies provide in a separation of powers framework is twofold. First, as Bertelli and Lynn (2006) note, they serve all three branches of government. Responding to the needs of all three branches necessarily balances their competing concerns. Furthermore, in manifesting current ideologies, bureaucracies can help government remain “responsive to popular preferences,” while also taking a more long-term view by weighing them against the ideologies of the past (Wood & Waterman, 1994, p. 127).

There is a robust literature on the principal-agent model. Waterman and Meier (1998) test the underlying assumption of the model that principals and agents have conflicting goals and that information asymmetry exists in favor of the agent. They point out that bureaucratic principal-agent relationships are not dyadic, involving only two actors, but rather multifarious. They caution, however, that, “the principal-agent model is not a generalizable explanation for the myriad relationships that actually exist between principals and agents in the bureaucratic world” (p. 197). Generalizability aside, the power of the principal-agent model to understand and contextualize actions remains high.

In their examination of the administration of elections using a principal-agent framework, Alvarez and Hall (2006) explore solutions such as internet voting. They critically observe that, “Principal-agent problems are inherently information related” (p. 493). Likewise, in testing the degree to which politician-principals can exert control over street-level bureaucratic-agents, Winter (2003) finds “Principals often lack the information which is necessary for controlling the behavior of bureaucratic agents, and it is often possible for them to hide such information” (p. 3). This underscores the unique role information asymmetry plays in principal-agent relationships.

Moe (2006) challenges the conventional approach to principal-agent application in public administration, which he argues is usually concerned with how the political authorities as principals can control bureaucracies as agents, and instead explores the political power of the bureaucracy. A severely neglected aspect of principal-agent literature is the fact that bureaucracies, acting collectively, can “exercise *political* power in determining who their bosses are and what choices...[they] will make in office” (p. 2). In other words, bureaucrats have the relatively unique distinction of being able to fire

their bosses at the ballot box or, alternatively, of choosing who actually gets to be their bosses. This is one of the few checks that bureaucrats actually have on elected officials, which emphasizes the important role electoral systems can play in a separation of powers framework. If that role is altered, the check it serves can completely vanish.

At the heart of political control of the bureaucracy is the question of information asymmetry. Public administrators that are called before elected officials typically have a good idea of the official's policy preferences, ideology, and rational self-interest in being reelected. Under traditional primary election systems, the same is not true in the reverse—the elected official typically does not know the political affiliation of the bureaucrat nor how knowledgeable about their policy area they actually are. Since the bureaucratic-agent has that information, it gives them the advantage in any principal-agent exchange. As Moe rightly observes, “when agents have a measure of political power over [principals], the principals may not want to exercise much control” (2006, p. 2). This ultimately serves as a check on legislative behavior, as the legislator cannot always be certain how the bureaucrat will act. Their complicity cannot simply be assumed, as the original version of the politics-administration dichotomy suggests.

Moe (2006) argues that rational choice models tend to view the preferences that influence the behavior of elected officials, especially in their dealings with the bureaucracy, as relatively fixed. This critically ignores the fact that well-organized bureaucratic groups may exert political influence in an election and actually help shape those preferences (p. 2). The potential possibility might be enough to temper the politician's reactions— unless the bureaucrat's preferences are known to be opposed to

the politician's, in which case the bureaucrat can then be marginalized. We will return to this question later.

To better understand the potential impact that shifting primary systems can play on the principal-agent relationship between politicians and bureaucrats, let us synthesize the preceding public administration literature with the political science literature of the previous section. In doing so, the bureaucratic dilemma begins to take shape.

VI. The Bureaucratic Dilemma: Closed Primaries & Exposed Preferences

Thus far this literature review has discussed the politics-administration dichotomy, the balance of bureaucratic discretion between political-principals and bureaucratic-agents, the role of median voter theory in justifying individual behavior as well as shifts in primary systems, the corresponding consequences of various primary systems, their effect on voter turnout, as well as key judicial decisions and specific state histories surrounding primary systems. Now is the point where these disparate bodies of literature come together to form the theoretical justification for this dissertation. Central to this justification is Idaho's aforementioned decision to close its primary elections and institute partisan registration.

Some consequences of this decision can be immediately anticipated, such as lower voter turnout and the selection of more ideological candidates. These consequences have their own implications. As mentioned earlier, Lijphart's (1997) exploration of the effects of low voter turnout finds that it is biased against the poor and can produce "unequal political influence" (p. 1). This is one of the reasons Lijphart argues for compulsory voting, although it admittedly violates the political freedom to *not* vote (p. 11).

The selection of more ideological candidates, under the logic of shifting candidate positions to the median voter within a political party (as opposed to the general electorate), has implications, as well. Wood and Waterman (1994) find that bureaucratic response to legislators is greatest when requests originate from those whose preferences closely resemble the bureaucrat's (p. 102). Recall that this was a characteristic of a rational bureaucrat, as conceived by Downs (1967). Shifting the center of gravity for the median voter closer to an extreme increases the likelihood that legislative and bureaucratic preferences will not align, substantially altering the tenor of the relationship. Under the rational choice model, this reduces the likelihood that legislative policies will be implemented as envisioned by legislators and there will be greater conflict between political-principals and bureaucratic-agents.

While Idaho's initial closed primary elections have seen reduced voter turnout (Idaho Secretary of State, 2016), there is insufficient data to attribute it solely to the primary type. In 2012, Idaho held Presidential caucuses separate from the primary election. Likewise, it must be noted that Kazee (1983) found that Louisiana moving from a closed to an open primary did not result in higher voter turnout, although this admittedly cannot be used to conclusively prove the reverse.

The literature indicates that primary type clearly matters in many ways. What is missing from the scholarship, and what must now be addressed, is the effect it has on the relationship between political-principals and bureaucratic-agents. As already stated, the core of the principal-agent relationship rests on information asymmetry. In closing primary elections in Idaho, bureaucratic-agents are faced with two alternatives: register with a political party publicly or be disenfranchised. As noted by Lijphart (1997), the

second option violates the “basic democratic ideal” of political participation (p. 1). The first option, however, reduces the effectiveness of the bureaucratic-agent, because the political-principal now has another piece of information—whether or not the bureaucratic-agent is a potential supporter and whether they possess the same ideological outlook. If the answer to either is “no,” then the bureaucratic-agent could potentially face either marginalization in the form of political-principals ignoring their expert advice, or constraints as policies are written in a way to limit their ability to exercise discretion. Under the rational choice model, the bureaucratic-agent is motivated to distort information (such as political affiliation) to gain greater latitude to implement policies that align more closely with their individual goals. Alternatively, they could vote the political-principal out of office. Under a closed primary, one of these options is essentially sacrificed.¹⁰

Another consequence of party registration is the erosion of what *was* a nonpartisan workforce, essentially making it partisan. Burden and Greene’s (2000) finding that individuals are 10% more likely to identify as partisans in states with party registration laws, as the very act of verbalizing or declaring an association with one political party makes one more likely to feel attached to it thereafter (p. 64), has grave consequences. By forcing bureaucratic-agents to choose a political affiliation, that choice becomes more meaningful, essentially turning a non-partisan workforce into a partisan one.

¹⁰ It must be acknowledged that even under closed primaries, bureaucratic-agents are still able to vote anonymously in general elections. In states dominated by a single political party, however, like Idaho, it is the primary election that effectively determines who will serve in the legislature. This is explored more in-depth in the next chapter.

Weighing the consequences of the two courses of action, some bureaucratic-agents have opted instead for disenfranchisement, seeing it as the lesser of two evils. The following is an excerpt from a memo written by the Director of the Idaho Legislative Services Office to the members of the Idaho Legislature:

“One of the core professional principles of the Legislative Services Office that assures trust, discretion and objectivity in my staff’s interaction with members of the Idaho Legislature is our fiercely protected status as *nonpartisan* professionals. ... If the nonpartisan LSO staff participates in the upcoming primary election, individual staff members will for the first time be declaring publicly a political party affiliation, and those voter registration lists will be an easily accessible public record. I believe this could fundamentally change the perception of our staff by the legislators, and could affect the working relationship between staff and legislators. ...The overwhelming consensus from most of our employees indicated that our nonpartisan status is so important to the ongoing success of the LSO that the best recourse for us is to opt out of the upcoming primary.” (J. Youtz, personal communication, emphasis in original)

At the time of this memo, the Idaho Legislative Services Office consisted of 66 full-time employees (J. Youtz, personal communication). A similar decision was made by the Office of Performance Evaluations, which also chose self-disenfranchisement over exposing partisan preferences (B. Welch, OPE employee, personal communication). The Office of Performance Evaluations had eight full-time employees at the time (Idaho Legislature, 2013).

From the perspective of the elected official, the potential readjustment of information asymmetry is welcome, as it addresses one of the key constraints principals face in a principal-agent arrangement. In their view, it helps create a more even playing field and alleviates adverse selection. If public policies are the means by which politicians gain reelection (Downs, 1957; Fenno, 1978), then ensuring that those policies are implemented as envisioned is decidedly in the political-principal’s self-interest. Exposing the bureaucratic-agent’s partisan preference signals to the political-principal

how much discretion the administrator should be afforded, because it reveals how closely their respective preferences align. Downs (1957) asserts that three criteria influence delegation: similarity of goals; that the agent possesses more expertise in the policy area; and that the agent's judgment is sufficient that the benefit of the second criterion is not negated (p. 232). Exposing the preferences effectively reveals the first criterion and affects the political-principal's subjective assessment of both the second and third.

Epstein and O'Halloran (1994) argue that when the preferences of the "median legislator" shift, you can see either "hard-wired" agencies that are able to exercise very little discretion, or "soft-wired" agencies that are able to exercise a large amount of discretion. From the bureaucracy's perspective, the benefits of broad policy discretion should be obvious. As Lee (2001) notes, "An agency can use the broad discretion usually reflected in laws to insert its own preferences into a policy before implementing a new law" (p. 369). In the pursuit of their rational self-interest, a bureaucratic-agent is thus motivated to maximize the amount of discretion they receive—effectively choosing disenfranchisement in a closed primary situation. Alternatively, a political-principal is motivated to constrain bureaucratic discretion, but, only in part. "For a legislator intent upon advancing his career, oversight represents an uncertain way to promote himself" (Rosenthal, 1981, p. 119).

There is then reason to assume that regardless of what has occurred to date, there exists incentive for political-principals to reduce the information asymmetry that exists with bureaucratic-agents. At the same time, bureaucratic-agents are incentivized to try to preserve that information asymmetry, which can only be accomplished through self-

disenfranchisement. An open question, then, is what has occurred in Idaho under the closed primary? It is to these questions that this dissertation turns.

VII. Conclusion

When viewed together, the political science and public administration literatures suggest that under a closed primary, exposed preferences scenario, politicians and bureaucrats are more likely to come into conflict. To what extent remains unclear. With a closed primary, public partisan affiliation is a prerequisite to participate, but that could be the very information that bureaucrats most wish to keep private. Recall that Gerber et al. (2013) found that unfamiliarity with the secret ballot and the fear that a person's private political choice could be revealed depressed voter turnout. When these findings are applied to the high-risk conflict that exists between political-principals and bureaucratic-agents, the potential impact increases.

The political science literature suggests that the most likely effects of a primary system shift would be felt in the form of voter turnout rates and the ideology of candidates and voters. At the same time, public administration literature suggests that effects could be disproportionately felt by bureaucrats, due to the nature of their relationship with elected policy-makers. This overlap provides an intriguing area of study—the ideological and participation effects felt by a specific class of individuals, driven by the potential for professional conflict.

Assessing that conflict under these conditions is a critically unaddressed area of research, one that warrants further study. To do so in Idaho, one must look first to identify state bureaucrats and then measure their political participation. It is to this task that this dissertation now turns, first by identifying and analyzing the empirical impact of

the primary system shift in Idaho in Chapter 3, relying on secondary data, and then by exploring the views of bureaucratic-agents themselves in Chapter 4 using survey data.

CHAPTER 3: ASSESSING THE IMPACT OF IDAHO'S CLOSED PRIMARY

I. Introduction

The first step in assessing the impact of the closed primary in Idaho is to evaluate voter participation in the form of turnout data. This can be done both generally, among the statewide electorate, and among a subset of state employees that are the subject of this dissertation. By looking for empirical trends in what actually happened, we are better able to evaluate the effects of the shift and project what effects might be in play later.

Based on the theory and literature review explored in Chapter 2, which argued that bureaucrats would be motivated to choose between risking lower levels of bureaucratic discretion or self-disenfranchisement, I argue that the bureaucrat is incentivized to select self-disenfranchisement. This suggests the following hypotheses:

- H₁: *Under a closed primary system, primary elections will have lower voter turnout than under an open primary system.*
- H₂: *Under a primary system with public party identification, primary elections will have lower bureaucratic turnout than under a primary system with no party identification.*

To begin, I will look at regional trends in voter turnout in the western United States to see if Idaho's experience is markedly different from its neighbors. From there, I will focus on Idaho exclusively and voter turnout under both its previous, open primary system and its current closed system. To capture legislative electoral effects, I will look to legislative contestation rates and incumbent challenges. For bureaucratic effects, I

examine affiliation and participation rates among a sample of state employees. I conclude by considering internal regional effects in Idaho by contrasting the rest of the state with Ada County, the most populous county in the state and the seat of state government in Idaho. I turn now to secondary data in order to evaluate these hypotheses.

II. Methodology

Secondary data on elections provides the most direct method of evaluating voter turnout both prior to and following the implementation of Idaho's closed primary and is a necessary first step to properly understand the effect of the shift. In addition to statewide trends among the wider electorate, I will also examine individual-level voting history among state employees to better assess its impact on the bureaucracy. Towards that end, this chapter will look at the effect that Idaho's primary system has had on total voter turnout, the incidence of open legislative seats, incumbent challenges and their success rates, the partisan affiliation of the electorate, and the affiliation and voter participation of state employees.

The most comprehensive analysis in this chapter is done using a random sample of Idaho state employees, hereafter referred to as the "*bureaucratic sample*." This random probability sample was derived using the Idaho State Employee online directory, which lists all employees of the State of Idaho by their name, agency, office location city, phone number, fax number, and email address. Using this directory (as of September 2015), I consolidated each agency listing into a single database. Employees of the office of the Governor, Lieutenant Governor, Idaho House of Representatives, and Idaho Senate were excluded because these offices could rightly be considered partisan already and their inclusion could skew findings. This resulted in a final population of 17,992 state

employees.¹¹ From this population, a random probability sampling technique was employed to produce a sample of 1,500 state employees.¹²

This bureaucratic sample was then cross-referenced with official voter registration and voting history lists obtained from the Idaho Secretary of State's Office and Ada County Elections. I recorded the voter registration status, partisan affiliation, gender, voting history, state agency, city where their office is located, and county where their office is located for each individual in the sample. Any further groupings of individuals were derived using these variables. Unregistered bureaucrats' affiliation was recorded as missing data so as to not overstate "Unaffiliated" as a conscious choice.

In instances where multiple individuals with the same name as the state employee are registered, the Idaho Statesman's Public Salaries Database and FindTheData's State Employees Database were used to obtain a middle name or middle initial to help identify the appropriate voter. In instances where the correct voter could not be identified, they were dropped from the dataset. This resulted in dropping 49 individuals from the sample, leaving 1,451 individuals in the bureaucratic sample. Of these, 951 (65.54 %) were registered voters, while 500 (34.46%) were not. Approximately 64.01% of the voting age

¹¹ When compared to the Idaho State Controller's raw count of state employees, the population misses approximately 7,000 state employees. This presents a concern for the sample's external validity, making it statistically problematic to generalize to all state employees. The reason for the disparity is because each individual agency is responsible for updating their own State Employee Directory listing and some agencies are more proactive than others (B. Welch, OPE employee, personal communication). Without a better, accessible source from which to compile a comprehensive list of Idaho state employees, though, I am left with the Directory and its population of 17,992 and interpretation of results should be adjusted accordingly. That said, while one cannot statistically generalize to all state employees from this sample, I do believe it is a good representation of the population of study—namely state employees in Idaho.

¹² Using Microsoft Excel's RAND function, all 17,992 employees were assigned a random real number between 0 and 1. Once these numbers were assigned, the spreadsheet was sorted by these values from lowest to highest. The random probability sample consists of the first 1,500 state employees on this re-sorted list.

population is registered to vote in Idaho as of May 2016, per the Idaho Secretary of State, an indication that this sampling technique resulted in a sample that closely approximates the state population in terms of registration behavior. It bears noting that if an individual was not registered to vote in the county where their primary office was located, they were recorded as an unregistered voter. While this runs the risk of missing the voting history of employees who work in one county and live in another, as the ratio of registered to unregistered voters in the bureaucratic sample closely approximates the statewide population, I believe the potential impact of this is negligible.

The timespan for the bureaucratic sample's voting history was limited to primary and general elections from 2008 to 2016. The reason for this is two-fold. In treating the implementation of the closed primary as an experimental treatment, there are actually two eras of study. The open primary period constitutes the pre-treatment era, while the closed primary period represents the post-treatment era. When the study for this dissertation began, the 2016 primary had not yet occurred. With only two data points for the closed primary period (2012 and 2014), in an effort to ensure that the long history of the open primary did not overwhelm more current results, pre-treatment data was limited to the two election cycles prior to the closed primary's implementation so that the pre-treatment and post-treatment periods would be balanced: the two primary elections immediately prior to the implementation of the closed primary system and the two primary elections immediately after. By balancing the data, I believed that it would be easier to control for long-term trends and focus on more immediate shifts in voting behavior that could more accurately be attributed to the treatment (the change in primary system), even at this early stage. In the interim, the 2016 primary occurred, so the additional data it provided was

incorporated to provide a more complete picture.¹³ In the next section, I present my findings.

III. Results

a. Comparing Idaho to Other Western States

It is important to remember that Idaho does not exist in a vacuum and is one of several states in the western United States. As a starting point, it is useful to place its experience within a wider regional context. Idaho is one of three western states to undergo primary system reforms in the last decade. California went through a period of primary upheaval, changing from a closed to a blanket to a closed to a top-two system, while Washington went from a blanket to an open to a top-two system. Idaho's shift from open to closed is the only time a state in the region has actually chosen to shift to a more restrictive primary system.¹⁴ If, as the literature has suggested, closed primaries produce a

¹³ In order to maintain the desired balance, one might contend 2006's data should have been incorporated, as well. This was not done because it could potentially exacerbate one of the methodological weaknesses inherent in this approach. Since participation rates are calculated using the voting history of current state employees as of September 2015, the further back in time one goes the less reliable the figure becomes. There is currently no way to account for which employees are new, either to the agency or to Idaho itself, as such personnel data is protected by the agency and not available. Thus a spike in participation in later years may actually mask new voters entering the system, rather than a willful choice to participate or not in earlier years. While I believe this drawback is cautiously acceptable looking back to 2008, I would argue that 2006—nearly a decade back from the time of sampling—would exacerbate this problem while adding very little useful data.

It should be noted that while this drawback to the bureaucratic sample requires cautious interpretation of results that indicate a long-term *increase* in turnout, I would argue that it is less concerning for long-term *declines* in turnout. The inherent risk is that early turnout figures fail to capture people in the system now. If early turnout rates were higher, however—the individuals are obviously still on the voter rolls—then the decline can be more confidently attributed to the closed primary, because even with an influx of new voters, participation rates are lower. It should be stressed that this applies only to the bureaucratic sample's turnout rates. Statewide participation rates were calculated independently by the state of Idaho and are thus accurate over time.

¹⁴ While California did switch to a closed primary from a blanket primary in 2000, it was a move mandated by a U.S. Supreme Court decision (*California Democratic Party v. Jones*, 2000), not a choice. Since California had a closed primary prior to the blanket primary, it was the easiest system to fall back on in order to comply with the Court's decision. In 2010, California voters instituted a top-two primary system via the initiative process.

dampening effect on voter turnout, then we should expect to see Idaho’s trends match other western states with the same system. Alternatively, if the shock of a primary system switch produces an effect, then it should also be consistent across all western states that have undergone a switch. If not, then the evidence would suggest there are other factors at work.

The seven western states of California, Montana, Nevada, Oregon, Utah, Washington, and Wyoming are useful comparisons for Idaho. Being geographically proximate to the state, they help to control (somewhat) for regional variability. In the instances where these states’ primary systems are included for comparative purposes, I rely on the classification provided by the National Conference of State Legislatures (2016). NCSL has divided primary systems that are currently in-use into six categories: closed, partially closed, partially open, open to unaffiliated voters, open, and top-two.¹⁵ Table 3.1 summarizes each western state’s primary system and recent shifts.

Table 3.1: Primary Systems by Western U.S. States

State	Current Primary System	Previous Primary Systems
California	Top-two	Closed (1960–1996, 2001–2010) Blanket (1997–2000)
Idaho	Partially closed	Open (1972–2010)
Montana	Open	-
Nevada	Closed	-
Oregon	Closed	-
Utah	Partially closed w/ pre-primary convention	-
Washington	Top-two	Blanket (1935–2003) Open (2004–2007)
Wyoming	Partially open	-

¹⁵ *Partially closed* primaries are closed but parties may choose to allow unaffiliated voters to participate; *partially open* primaries let voters decide but consider voting in a party’s primary as affiliating with that party; and *open to unaffiliated* primaries act like closed primaries for those who have affiliated with a political party, but allow unaffiliated voters to participate in the primary of their choosing.

For *election turnout* figures, I have relied upon the official election results and voter turnout statistics as a percentage of registered voters from each state's respective Secretary of State¹⁶ website. The timespan of the data covers a 22-year period, 1994 through 2016, dictated by the availability of data on Idaho. During this time period, several states like California, Utah, Washington, and more recently Idaho, have separated their Presidential and state office primaries. In these instances, turnout statistics from the state office primaries have been used given this dissertation's focus on state-level effects. To compare Idaho's statewide results with its most populous county, county level data was obtained via both the Secretary of State and the county's websites. Figure 3.1 shows the primary election turnout rates for each state from 1994 through 2016, as well as the combined eight-state average of voter turnout. Once again, when states have held separate presidential and state office primaries, the figures from the state office primary were used.

As the upper left graph in Figure 3.1 shows, the eight-state average turnout has been relatively stable over this time period, with the highest average turnout occurring in 1994 (39%) and the lowest in 2014 (29%). Among individual states, Wyoming has boasted the highest level of voter turnout, ranging from a high of 64% (1994) to a low of 46% (2006 & 2014). Conversely, Utah has experienced the worst voter turnout, ranging

¹⁶ In the case of Utah, elections are administered by the Lieutenant Governor rather than the Secretary of State.

between a high of 26% (2016) to a low of 8% (2008).¹⁷ By comparison, Idaho's decline from 33% (1994) to 22% (2016) has been less dramatic.

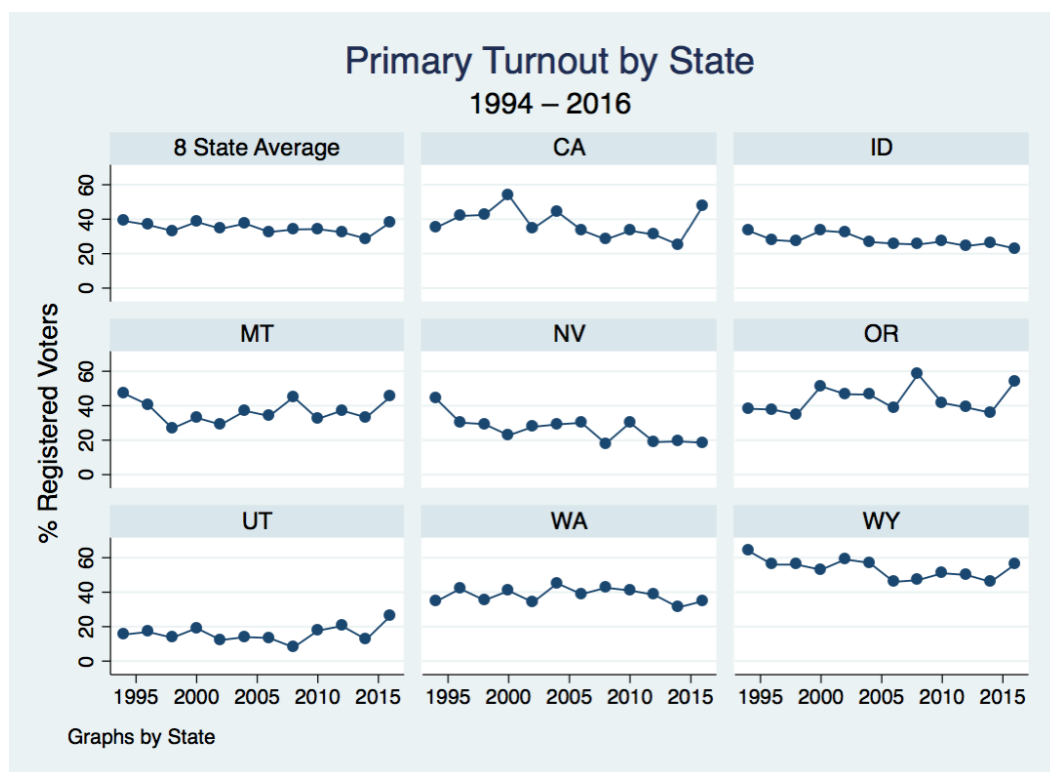


Figure 3.1: Primary Turnout in the Western U.S. (1994–2016)

Interestingly, Idaho and Nevada are the only states to see turnout decline in 2016—the other six states all saw increases. Since California, Montana, and Oregon all currently boast unified primary elections, their increase in voter turnout seems reasonably attributable to the 2016 presidential contest. It does not explain the corresponding increases in Utah, Washington, or Wyoming. In Idaho, the decline in voter turnout is

¹⁷ Utah uses a neighborhood caucus and pre-primary convention system to select a slate of partisan nominees, who are then voted on in the statewide primary. Thus, the pre-primary selection process may help explain its low voter turnout. Reforms in 2014 added a petition process where candidates can get on the primary ballot and bypass the pre-primary convention, but the overall system remains in effect (Evans, 2014, March 2).

likely due to separating the presidential primary from the traditional statewide primary. While other western states have also split statewide and presidential primaries, they have done so less consistently, so its broad effect is difficult to ascertain. California only held a separate presidential primary in 2008, while Utah did so in 2000 and 2008. Washington has held separate presidential primaries more consistently, holding them in 2000, 2008, and 2016—but they did not in 2004 or 2012 due to budgetary concerns. Nevada,¹⁸ Utah, Washington, and Wyoming traditionally make their presidential nomination decisions via a caucus process, with a subsequent state primary either serving to affirm the caucuses' earlier decision or dealing only with state offices.

While the separate presidential caucus is an attractive explanation for Nevada's poor turnout in 2016, since Washington, Wyoming, and Utah operate under similar systems and saw increases, it is probably not the reason for the difference. A more likely explanation is that, with the presidential election not on the ballot, the races that were left were simply not very competitive. Neither the Republican nor Democratic primary for Nevada's U.S. Senate seat was competitive.¹⁹ As the only statewide race on the ballot, this likely helped depress voter turnout. Of the four congressional seats in Nevada, only two of four Democratic races were competitive (2nd CD & 4th CD) and only two of three Republican races were competitive (1st CD & 3rd CD). This likely also helped depress voter turnout. Idaho similarly did not have many competitive statewide races in 2016—no Republican statewide race was competitive and only one Democratic race was (1st

¹⁸ Nevada held a separate Republican presidential primary election in 1996, but has not done so since.

¹⁹ *Competitive* is defined as the winner receives less than 60% of the vote in a two person race or the combined vote-share of the winner's opponents in a three-or-more person race is greater than 40%.

CD). Idaho did have a very competitive Supreme Court judicial race in 2016, but judicial races seldom drive voter turnout. It is likely that the separate presidential contests combined with the low number of competitive races to lower voter turnout in each state.

As mentioned, Idaho, California, and Washington are three states that underwent substantial primary system changes during this time period. California showed some upheaval in Figure 3.1 during the early 2000s when their blanket system was declared unconstitutional (*California Democratic Party v. Jones*, 2000). The state returned to their previous closed primary system until voters approved via the initiative process a shift to a top-two primary system. First implemented in 2012, California saw voter turnout rates decline to a low of 25% in 2014, but participation rebounded dramatically in 2016 to 47%. The 2016 participation rate is the second highest in California during the period of this study (the 2000 turnout of 54% was the highest).

Washington shows stability between presidential and statewide election cycles in the first half of the time period, ranging from 34% (2002) to 45% (2004) until implementation of the top-two primary in 2008. After the shift to the top-two system, turnout peaked at 42% (2008) and then steadily declined to 31% in 2014. Turnout rebounded slightly in 2016, increasing to 35%. Looking solely at states that have shifted primary systems, there does not seem to be an overall trend.

Idaho has consistently performed below the eight-state average over the 22-year period. While it did see an increase in voter turnout in 2014 compared to the 8 state average's decline, the 2016 election saw the reverse with Idaho experiencing a 3% decline while the 8 state average saw a 9% increase. This is likely an artifact of the fact that the Idaho Republican Party separated their presidential and statewide primaries in

2016. Figure 3.2 presents the statewide primary voter turnout in Idaho from 1994 to 2016 in greater detail.

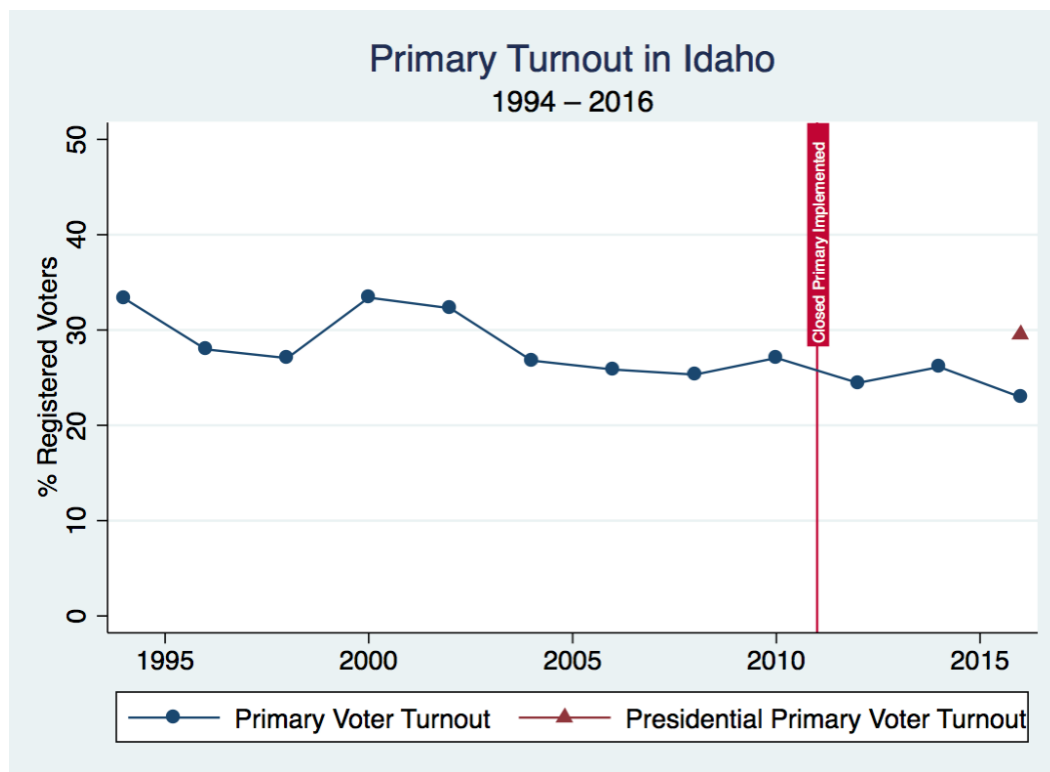


Figure 3.2: Primary Turnout in Idaho (1994–2016)

The most obvious thing about Figure 3.2 is the negative trend. Over the 22-year period, only three primary elections achieved a turnout greater than 30%—1994 (33.3%), 2000 (33.4%), and 2002 (32.28%). In 1994, six of ten statewide races were competitive on the Republican side: Governor, Lieutenant Governor, State Auditor (now Controller), Superintendent of Public Instruction, U.S. House (1st CD),²⁰ and Supreme Court Justice. The high turnout in 2000 is less explained by competitive races, as only two were competitive—the U.S. House (1st CD) race and a Supreme Court Justice race. In 2002, in addition to being a redistricting year, the Idaho Legislature voted to repeal term limits, which had been enacted by voter initiative in 1994. While general election voters would

²⁰ Although U.S. House races in Idaho are not technically “statewide”—each district represents only half of the state—I include them here because they receive statewide attention that can help drive voter turnout.

ultimately vote 50.2% to uphold the repeal that November, the 2002 primary occurred at a time when voter anger at legislators over the repeal was still fresh and likely served to incentivize voter turnout.

Aside from these three outliers, though, primary turnout in Idaho tended to stay in the mid- to high-20s before crossing below the 25% line after the implementation of the closed primary. The clear negative trend prior to the implementation of the closed primary has continued, with 2016 recording the lowest voter turnout in Idaho over these 22 years (22.95%). The average voter turnout during the pre-treatment open primary period was 28.78%, while during the post-treatment closed primary period it is 24.51%, a decline of 4.27%.

One important caveat before reading too much into that statistic, though, is that assessment of the effect of the move from an open to closed primary is contaminated by actions taken by the Idaho Republican Party and Idaho Legislature, in particular the decoupling of the presidential primary from state elections. The turnout rates in Figure 3.2 are for the May statewide primary and do not take into account the fact that the Idaho Republican Party and the Idaho Legislature separated the U.S. Presidential contest from the May statewide primaries in 2012 and 2016, respectively. In 2012, the Idaho Republican Party held a separate presidential caucus in March. While Idaho Democrats have held separate presidential caucuses since the 1980s, this was the first time in the modern era that the Republicans did so. By having the presidential caucus two months early, many voters may have felt that they had already completed their civic duty and could have consequently skipped the May primary, thereby depressing voter turnout. The same holds true for 2016, although with a slightly different set of circumstances. Due to

the nature of caucuses, participation is a fraction of that of a primary election. While 125,570 votes were cast on the Republican side of the 2008 Presidential Primary in Idaho, only 44,672 votes were cast in the 2012 Republican caucus—a decline of approximately 64% that does not even account for four years of population growth. As a result, acceding to the desire of the Idaho Republican Party to play an earlier role in the presidential primary process, the Idaho Legislature voted to hold a separate presidential primary election in March. By switching from a caucus to primary, Idaho would allow for greater voter participation—as evidenced by the fact that voter participation on the Republican side grew to 222,004 votes cast. Overall turnout in the Presidential primary was 29.5%—the highest turnout aside from the three outliers mentioned earlier—even though only the Republican and Constitution parties participated. This is depicted as an unconnected triangle in Figure 3.2 for comparison.

These changes mean that each election following the closed primary implementation has had a unique set of circumstances that make comparisons exceedingly difficult. In 2012, it was not only the newly (on the Republican side) separate presidential caucus, but also the first election cycle following the decennial redistricting process and the first primary under the closed system. In 2014, the Idaho Governor's race headlined the electoral cycle, as it always does in midterm years. Finally, in 2016, we again had a separate presidential contest, but this time in the form of a primary election rather than a caucus. There is no 1:1 comparison among the three, limited data points for the closed primary, which makes inferring any sort of causality problematic.

To see if there is a difference between presidential and statewide contests, Figure 3.3 separates voter turnout in statewide office elections from presidential year elections, with their respective trend lines. Again both exhibit negative trends, but the decline appears more consistent in presidential years, with both post-treatment closed primary elections appearing right on the trend line. Only two statewide election cycles performed substantially better than the trend line—1994 and 2002—and one presidential cycle—2000—all of which were discussed earlier.

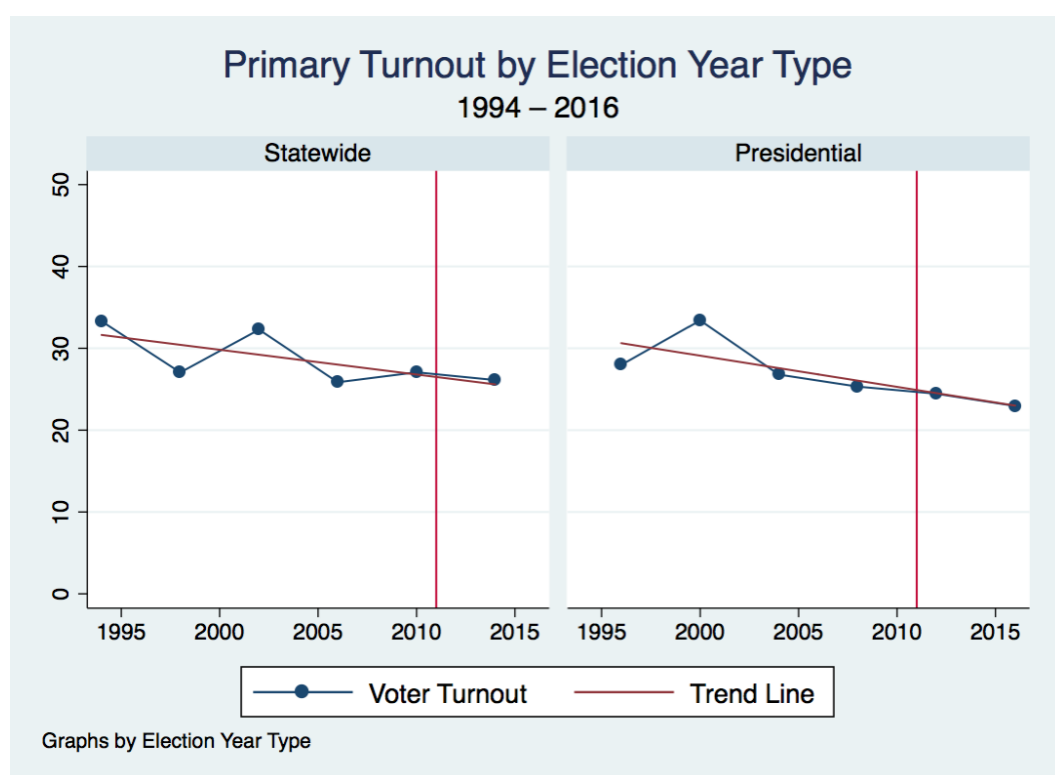


Figure 3.3: Idaho Primary Turnout by Election Year Type (1994–2016)

In statewide election cycles, the pre-treatment average voter turnout was 29.11%, which dropped to 26.12% post-treatment, a decline of 2.99%. Alternatively, in presidential election cycles the pre-treatment average voter turnout of 28.37% fell to 23.70% post-treatment, a 4.67% difference. These charts demonstrate that there is greater

fluctuation in the statewide election cycles, with post-treatment closed primary declines in both categories. In presidential years, most cases are fairly close to the trend line with the exception of the 2000 outlier.

Figures 3.2 and 3.3 both show that Idaho has had an overall negative trend in primary turnout over the last 22 years, although Figure 3.1 demonstrates it is not a phenomenon limited solely to Idaho. When the entire region is taken into account, Idaho has actually performed somewhere in the middle compared to other western states, boasting better voter turnout than Utah, but not as high as Wyoming. It has, however, performed consistently below the eight state average in Figure 3.1. With Idaho's place in the western U.S. clearer, we turn now to the in-state ramifications of its primary system shift, beginning with the level of contested elections.

b. Moving from Turnout to Competition

Primary systems have the ability to influence two sets of actors: voters and candidates. While the effect on the voter can be easily measured in the form of voter turnout, to gauge the impact on candidates one must turn to measures that are less readily available. As mentioned previously, the Idaho Republican Party made a Downsian argument that open primaries were moderating candidate ideology and used that argument to justify closing Idaho's primary system. The implications of this argument are that: (1) the wrong (i.e. moderate) candidates are winning; and (2) primary contests between conservative and moderate candidates are closer than they ought to be. These are actually claims we can test. If the first implication is accurate, then we should see a post-treatment increase of defeated incumbents, as non-Republicans are excluded from the voting pool so moderate candidates that won under the previous system would lose under

the new one. Alternatively, if the second implication is accurate, we should see a decline in the rate of competitive legislative races, as moderate candidates are less able to build winning coalitions that can overcome the Republican base (although competition between conservative candidates could mask this effect).

It is important to understand that Idaho is an overwhelmingly Republican state. As a result of the GOP's dominance, the Democratic Party leaves many legislative seats uncontested. A practical effect of this fact means that many legislative seats—sometimes more than half of the entire legislature—are actually decided in a primary election. It should go without saying that if more than half of a state legislature is decided in a primary election, then the rules governing who can participate in that primary gain greater importance.

Official election results were used to determine the number of legislative seats in Idaho that did not have a major political party²¹ opponent in the general election. In effect, the primary electorate determined the winner of these legislative seats. In order to determine the rate of uncontested seats, the number of races with no major party opponent was divided by the total number of legislative seats (70 in the House of Representatives, 35 in the Senate, for a total of 105). Figure 3.4 depicts the percentage of total legislative seats that had no major party challenger in the general election over time.

²¹ *Major political party* is defined as either Republican or Democrat. While the Libertarian and Constitution parties are officially recognized in Idaho, it is rare for either to field a candidate in a state legislative race. Independent candidates are more frequent, but still rare. The vote share they attract tends to be small, though, making their overall impact negligible.

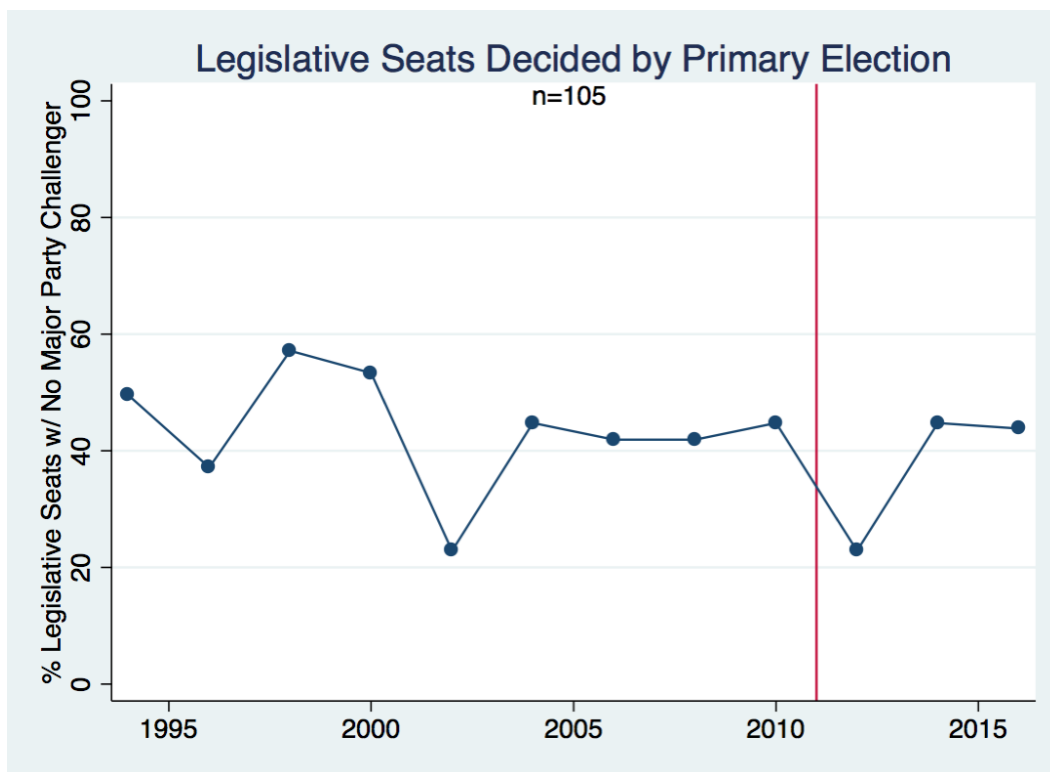


Figure 3.4: Legislative Seats Decided by Primary Election

As we can see, in most years over 40% of the Idaho Legislature has been determined in the primary election. The exceptions occur in 1996, 2002, and 2012. To put it another way, in nine of the last 12 electoral cycles, over 40% of legislative seats were uncontested in the general election. This is why Idaho's choice of primary system in a period where voter turnout in primaries is declining matters—because approximately 40% of the state legislature is decided through primary elections. To place Idaho's rate of contestation in a national context, Rogers (2013) examines legislative elections in 38 states from 2001–2010 and orders them according to the rate of major party challenges. When states are ordered from least likely to face a major party challenger to most likely, Idaho actually places 20th out of 38 states (p. 13). Thus while contestation rates in Idaho are alarming, particularly when considering the implications, they are not outside the

norm in the United States. Compared to other states, Idaho's performance is somewhere in the middle.

In looking further at the outlier years in Figure 3.4, it should be noted that 2002 and 2012 were post-redistricting years, which typically result in numerous legislative retirements prompting more individuals to run for their open seats, thereby explaining the aberration. Looking solely at Figure 3.4, there is no evident post-treatment shift in major party challenges with the closed primary, suggesting that it has had negligible effect. More interesting trends can be found when one looks at the incidence of incumbent challenges.

Data on incumbent challenges was compiled using official election results on the Idaho Secretary of State's website. Beginning with results from 1994, for each of Idaho's 105 legislative seats I recorded the victorious candidate from the general election and their partisan identification. Using election results from the subsequent primary election, I recorded whether the incumbent ran for reelection. If yes, I then recorded whether they were challenged in their party's primary and, if so, whether they won or lost and whether the margin was competitive or not. I defined *competitive* as either a two-person race where the victor received less than 60% of the vote or as a three-or-more-person race where the combined vote-share of the victor's opponents was greater than 40% of the vote. Successful challenges were defined as races in which the incumbent lost their reelection bid in the primary. In order to determine the rates of competitive and successful challenges, percentages were calculated on the basis of total number of races that had an incumbent running (i.e. all legislative seats minus all open seats for that year).

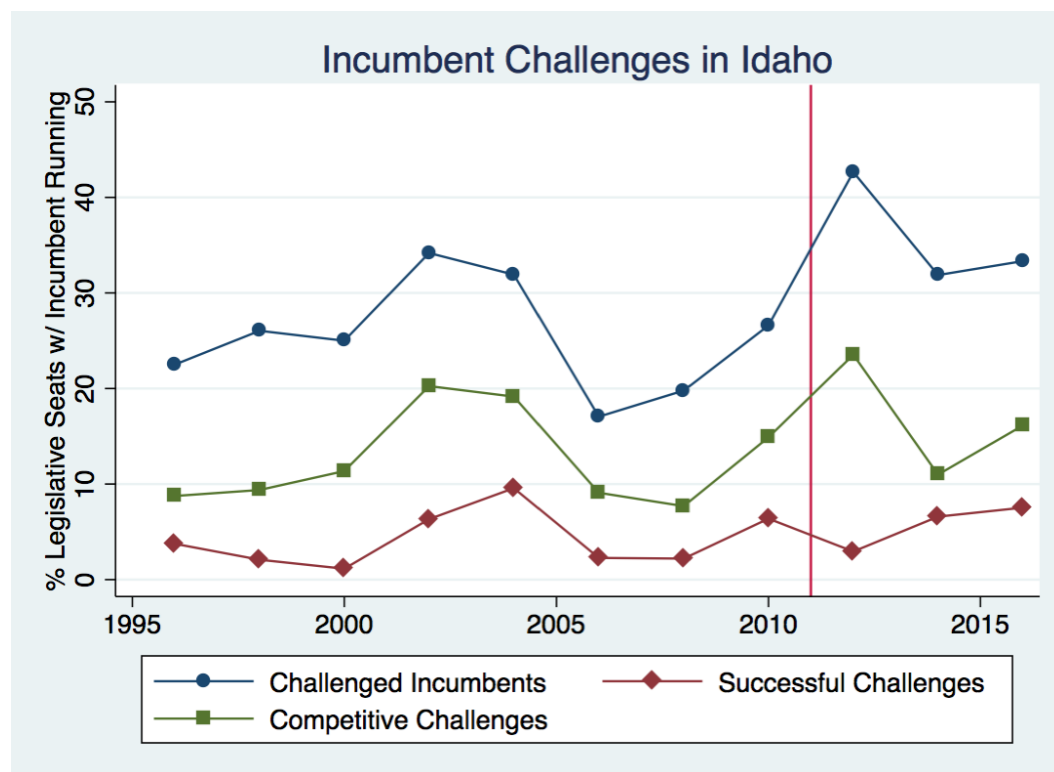
In instances where a legislator attempts to cross over to another legislative chamber (i.e. an incumbent House representative seeks a seat in the Senate or vice versa), they are not considered an incumbent because they are not seeking the seat they already occupy. Likewise, in redistricting years (2002 and 2012), since all legislative districts are redrawn and seat designations change, if a sitting legislator seeks reelection to the same chamber in a redistricting year, they are considered an incumbent regardless of whether or not the legislative district number matches. If the redistricting process places two incumbents in the same district (a so-called “elimination district”), however, it is not considered an incumbent challenge since it is an artifact of a completely separate process and not a conscious decision to challenge a sitting legislator.

A drawback of this method of identifying incumbents is that, by relying on general election results, it fails to account for legislators that die in office or leave mid-term to take a job elsewhere (such as director of a state agency). Thus, a person who is appointed to fill the final year of a legislative term might rightly be considered an “incumbent” in the following primary, even though I have not identified them as such. Even so, I believe the number of such cases to be relatively low, leaving my findings a valid indicator of incumbent challenge rates.

Rates were calculated as a percentage of total races in that year in which an incumbent was running for reelection—which ranged from a high of 96 seats in 1998 to a low of 68 seats in 2012. Table 3.2 shows the number of legislative races that had an incumbent running each election. Only three years saw the number of incumbent races drop below 88 seats: 1996, 2002, and 2012, which correspond with the outlier years in Figure 3.4 and include two redistricting years.

Table 3.2: Number of Legislative Races with an Incumbent Running

	'96	'98	'00	'02	'04	'06	'08	'10	'12	'14	'16
Races w/ Incumbent Running	80	96	88	79	94	88	91	94	68	91	93

**Figure 3.5: Incumbent Challenges in Idaho (1996–2016)**

As Figure 3.5 shows, incumbent challenges in the pre-treatment, open primary period typically fell between 20 and 30%—with a 25.35% average—of all seats with an incumbent running. The exceptions are two outlier years in the early- to mid-2000s (coinciding with that decade’s redistricting cycle), which saw a spike to the mid-30s. While the latter 2000s were trending up to begin with, the first post-treatment closed primary election saw the highest percentage of challenged incumbents during the 20-year period, although its spike *also* occurred during its decade’s redistricting cycle. The post-treatment average of challenged incumbents rose to 35.32%, an increase of 9.97%, which

indicates that challenges do appear more likely in the closed primary era, although the average is certainly influenced by the low number of electoral cycles post-treatment and the 2012 outlier. The middle (square) line in Figure 3.5 depicts a corresponding spike in competitive challenges—the average rose from a pre-treatment rate of 12.54% to a post-treatment rate of 16.27%—but far fewer successful challenges. The average rate of successful incumbent challenges only rose from a pre-treatment rate of 4.23% to a post-treatment rate of 5.95%. In fact, in the first post-treatment closed primary election, the rate of successful challenges went down, even as the number of challenges *and* the number of competitive challenges went up.

As mentioned, the phenomenon of incumbent challenges is one of the real tests of the Idaho Republican Party's central argument to justify closing the primary—namely the Downsian median voter theory to influence candidate ideology. The party argued that the closed primary would result in a different ideological make-up of primary winners (*Idaho Republican Party v. Ben Ysursa*, 2011). If that were the case, we would expect to see a much higher success rate, as more moderate incumbents elected under the old system should be defeated under the new. As the bottom (diamond) line in Figure 3.5 indicates, though, while incumbent challenges in the closed primary era are more prevalent, this has not translated into substantially higher competitiveness or success rates. It has led to *slightly* higher success rates, however, including the second and third highest success rates in the years of study (6.6% in 2014 and 7.5% in 2016—2004's 9.6% is the highest). Even so, 2016 included the defeat of several conservative incumbents (Russell, 2016, May 18), which suggests that the success rate does not necessarily tell the whole story and the theoretical ideological effect should not be assumed.

The 2016 primary in Kansas can also be instructive on this point. Operating under a semi-closed system,²² Kansas, like Idaho, is historically Republican. In recent years, the conservative Republican controlled government has experienced budgetary shortfalls by pursuing an agenda of supply-side tax cuts, which have forced the government to cut services while also struggling with inadequate K-12 education funding. Consequently, in 2016 voters held the conservative wing of the party accountable and voted out several conservative incumbents, favoring moderate challengers instead (Smith, 2016, August 3). Of the 98 Republican incumbents who ran for reelection in 2016, 39 (39.8%) had primary challengers and 14 (14.29%) lost in their primary—6 in the senate and 8 in the house. While the challenge rate is not substantially higher than Idaho's, the success rate is higher than any observed in Figure 3.5.

Some might argue that these election results are a product of Kansas allowing unaffiliated voters to participate in party primaries with no penalty. While it is true that this element causes NCSL to classify Kansas' primary system differently than Idaho's, the difference is not very substantive. In Idaho, unaffiliated voters may still change their affiliation on election day in order to participate in a political party's primary. The only difference is that it counts as a formal affiliation in Idaho, whereas it does not in Kansas. At the very least, the Kansas example suggests that closed primaries do not necessarily produce the effect that the Idaho Republican Party desires and incumbent challenges should be watched closely in the post-treatment era.

²² NCSL classifies Kansas as an *open to unaffiliated voters* system. It functions as a closed primary state for voters who have affiliated with a political party, but allows unaffiliated voters to participate in their choice of partisan primary without counting that choice as affiliating with that party.

c. Challenger Success as Percent of Total Challenges

In the previous section, competitive and success rates were calculated as the percentage of races where an incumbent ran, even those that ran unopposed. A drawback to that approach is that it is susceptible to year-to-year variations in the number of open seats, as well as the number of incumbents who choose to run. Note that the largest percentage of incumbent challenges occurred in 2012, the year that had the fewest number of incumbents actually run for reelection. Thus the spike we observe in Figure 3.5 may actually be a statistical artifact of fewer incumbent legislators running, thereby inflating the percentage. While still useful information to analyze, it does not provide a complete picture. To better control for variation over time and normalize year-to-year rates, it is useful to look at the competitive and success rates as a percentage of total incumbent challenges instead. Table 3.3 excludes unopposed incumbents and provides the raw number of incumbent legislators who were challenged in the primary. As we can see, the raw number of challenged incumbents does increase in the post-treatment period. A twenty-year high of 31 incumbents were challenged in 2016. The other two post-treatment election cycles, 2012 and 2014, tie for the third highest amount of incumbent challenges in the same period. At least numerically, it appears that the closed primary treatment has, indeed, had some effect on incumbent challenges.

Table 3.3: Number of Incumbent Legislators Challenged in Primary (1996–2016)

	'96	'98	'00	'02	'04	'06	'08	'10	'12	'14	'16
Incumbents Challenged	18	25	22	27	30	15	18	25	29	29	31

Figure 3.6 presents the competitiveness and success rates of incumbent challenges as a percentage of the total incumbent challenges seen in Table 3.3. This allows us to

control for year-to-year variation in open seats and better identify any overriding trends.

While Table 3.3 indicates that there was an increase in incumbent challengers, if the Idaho Republican Party's argument and the trends seen in Figure 3.5 are accurate, we should also see an increase in success rates in the post-treatment era.

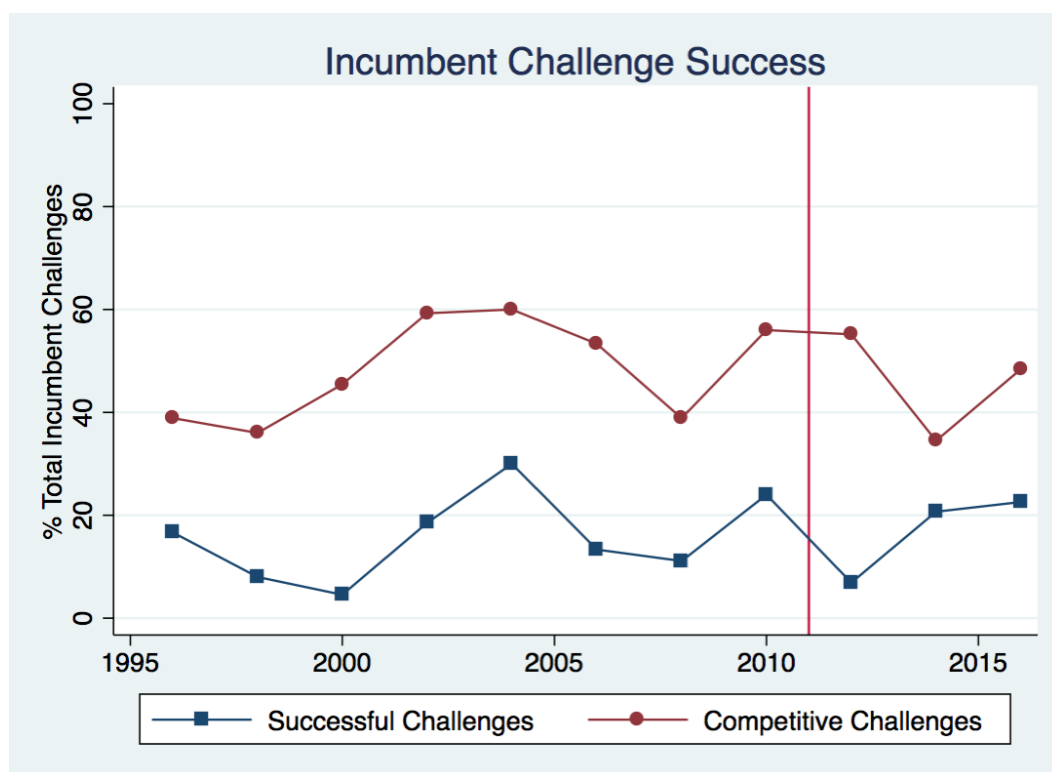


Figure 3.6: Incumbent Challenge Success (1996-2016)

In Figure 3.6 we can see a slight decline in competitiveness following the implementation of the closed primary in 2012, in contrast to the sharp increase shown in Figure 3.5. This suggests more stability than the previous figure indicated, although rates still varied considerably (from a low of 34.5% in 2014 to a high of 60% in 2004). The average rate of competitive challenges declined from a pre-treatment average of 49.44% to a post-treatment average of 46.07%. The average success rate changed even less, increasing from a pre-treatment rate of 16.67% to a post-treatment rate of 16.85%, a

difference of only 0.18%. While the decline of competitive challenges was more drastic in 2014, the success rate saw an increase to narrow the gap between the two lines. The gap widened in 2016 as the rate of competitive races sharply increased again, while the success rate increased only marginally. Notably, of the four times that the success rate of incumbent challenges exceeds 20%, half occur in the post-treatment period under the closed primary, which suggests that it may be a causal factor. As one would expect, most challenges occur over Republican-held seats. As the Republicans control more seats, there is a greater opportunity to challenge. Even so, Democratic challenges are incredibly rare, with five of eleven elections having zero incumbent Democrat legislators challenged, five having only a single challenge, and only one election with two challenges.

In the end, while there is some indication that incumbent challenges have risen slightly in the post-treatment era, there is little evidence that the forces who wanted to close the primary have achieved their desired effect. Demonstrating that would require not only sustained increases in both incumbent challenges and success rates, there would also need to be evidence that moderate candidates have consistently lost in post-treatment primary elections. That evidence does not currently exist. As a result, the overall effect of the shift in primary systems on legislative elections must await additional data points. Early indications are that while the effects are not particularly dramatic, they may exist. Let us shift attention back to the voter.

d. The Closed Primary and Party Affiliation

There is no question that a large component of a closed primary system is the mandate to establish partisan affiliation. Without some mechanism to record a voter's

political party, there would be no way to implement a closed system—the state cannot restrict participation to a single political party unless the state knows who is in that political party and who is not. Idaho is not alone in having a closed system. According to NCSL, 15 other states have a closed or partially closed system. For those who have operated under closed systems for decades, partisan affiliation is simply the way their state elections work. What makes Idaho a unique and interesting case study is that it is still relatively early in the process of shifting from an open system that did not have a state-managed partisan affiliation system to a closed system that has one. When one looks at other primary system shifts in the region, the direction of the change has typically been from a partisan registration system to a non-partisan registration system (California) or from an open system to another type of open system (Washington). In essence, they have either maintained no affiliation requirement or done away with an affiliation requirement altogether. Idaho is the only state in the region that has moved *to* an affiliation requirement. As such, when looking at affiliation numbers, it is useful to remember that the tradition in Idaho has been to not require affiliation and there are likely voters who are resistant to change simply because it deviates from that tradition. At the same time, Idaho is still an overwhelmingly Republican state, so we would expect Republican affiliation to be the largest political party bloc. That said, registered voters who did not affiliate before or at the 2012 primary election were automatically registered as unaffiliated voters. Given declining primary voter turnout, it stands to reason that Unaffiliated should actually be the largest bloc of voters in the state.

For *partisan affiliation* numbers, I used summary statistics provided on the Idaho Secretary of State's website. The website maintains an archive of monthly statewide

voter affiliation totals, breaking down numbers by congressional district, legislative district, and county, beginning with November 2013 and continuing to the present.

Affiliation statistics for sub-groups of voters (described in more detail later) were derived using individual-level official voter registration records, which were obtained from the Office of the Idaho Secretary of State and the Ada County Elections office.

Figure 3.7 depicts partisan affiliation in Idaho over time, beginning approximately two years after the implementation of the closed primary up to the present. As mentioned, while the partisan registration system was instituted in 2012, the earliest figures available on the Idaho Secretary of State’s website only extend to November 2013. Even so, the broader trends with affiliation in the state are recognizable and interesting.

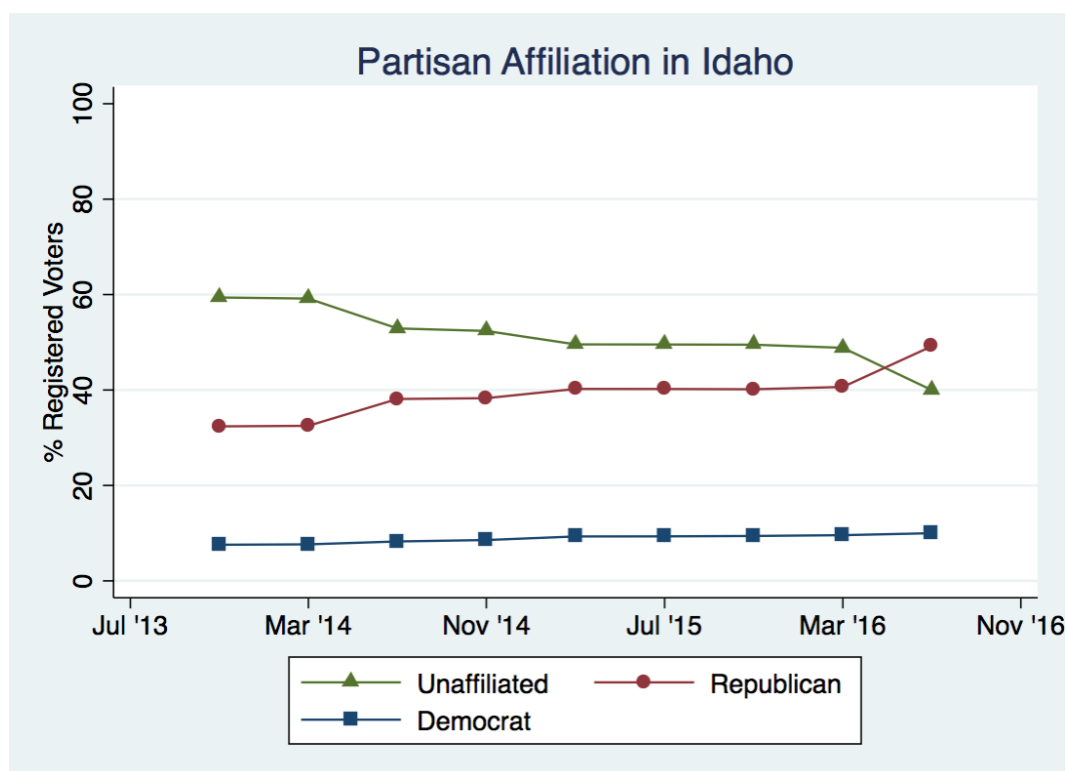


Figure 3.7: Partisan Affiliation in Idaho (November 2013 – July 2016)

Any registered voter who did not declare a partisan affiliation at the 2012 primary was automatically registered as “Unaffiliated” (in addition to those who consciously registered as such). As one would expect, the highest affiliation bloc in 2013—at almost 60%—is Unaffiliated. Its numbers decline with the May 2014 primary election to nearly 50%—Unaffiliated voters are still able to formally register with a political party on election day—and continue to decline. The sharpest decline in Unaffiliated identification corresponds with the 2016 presidential primary, when Unaffiliated drops by 10% and Republican identification increases by 10%. Clearly, many Unaffiliated voters were motivated to register as Republicans to participate in the presidential primary. Consequently, the Republican Party, for the first time, became the highest affiliation bloc in Idaho, with nearly 50% of registered voters after starting in the low-30s. These two trends are likely to continue among the general electorate, as increasingly important Republican contests are restricted to party members only. While Democratic affiliation has also been trending up, it has done so at a more gradual pace and currently rests at 10% of registered voters statewide.

e. Bureaucratic Turnout & Affiliation

At this point we have a fair understanding of the electoral environment of primary elections in Idaho. Overall turnout is declining, incumbents are facing slightly more challenges, and affiliation numbers have slowly come to match conventional expectations of Idaho’s electorate—largely Republican. As the literature review in Chapter 2 suggests, though, there is reason to expect state bureaucrats will behave differently. By virtue of their positions in state government, they can reasonably be assumed (all things being equal) to participate in elections at a higher rate than the general electorate. When you

introduce a partisan affiliation requirement as a prerequisite to participate, however, then concerns over levels of bureaucratic discretion or professional reprisals will incentivize them to not affiliate and instead self-disenfranchise from primary elections. Thus, among state bureaucrats, we should expect to see higher participation rates in the pre-treatment era, but lower participation rates in the post-treatment era. At the same time, we should expect to see a higher proportion of bureaucrats remain Unaffiliated compared to the general electorate. Since the theoretical risk of reduced discretion or reprisal is greatest for minority party members, we should also expect to see fewer bureaucrats affiliate with the Democratic Party in Idaho.

The bureaucratic sample provides an avenue with which we can begin to test these expectations. Figure 3.8 contrasts statewide voter turnout in both the primary and general elections (dashed lines) with turnout among the bureaucratic sample (solid lines). There is an inverse relationship over time that is much more pronounced among state bureaucrats, with general election participation rising in years where primary election participation falls, and vice versa. The biggest uptick in general election participation (and decline in the primary) corresponds to the implementation of the closed primary, giving some support to the argument that it encouraged self-disenfranchisement. That said, interpretation should be mindful of the methodological concern expressed earlier of potentially undercounting participation in early years (see footnote 13).

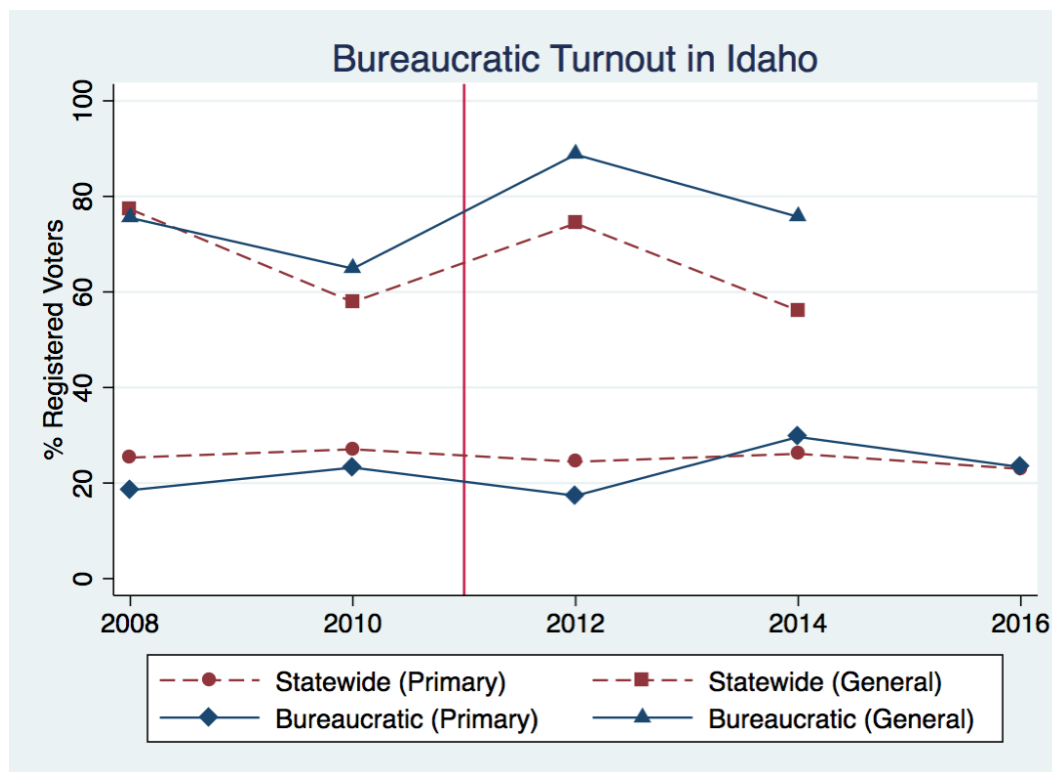


Figure 3.8: Bureaucratic Turnout in Idaho (2008–2016)

Interestingly, bureaucratic turnout consistently exceeds statewide results in the general election for all years of study except 2008, but underperforms in the primary for all years except 2014 (which exceeded statewide performance by 3.53%) and 2016 (which only exceeded statewide performance by 0.39%). This suggests bureaucratic participation in primary elections may have been historically low to begin with and the implementation of the closed primary has actually increased bureaucratic turnout, counter to my hypothesis. Even though bureaucratic participation in pre-treatment primaries was less than the general electorate, counter to expectations, we cannot be certain that it is not due to the methodology employed. There are likely other factors at play, such as the type of bureaucrats, which will be explored later in this chapter.

One of the core contentions of this dissertation is that there is a difference between the general electorate and state bureaucrats. By using voter turnout rates as a

proxy for means, we are able to use a one-sample t-test to determine whether this difference actually exists beyond sampling error and whether it is statistically significant. This is accomplished by comparing the difference between the statewide rate of voter participation (the population) and the bureaucratic sample's rate of voter participation (the sample). Table 3.4 presents the results. The t-test results find that across six primary elections, the bureaucratic sample is statistically different from the statewide population in four of them, with most highly significant. Three of the four elections found to have a statistically significant difference between bureaucrats and the statewide electorate occurred during the post-treatment period. These results are interesting and provide some support for our expectations.

Table 3.4: One-sample t-test of bureaucratic vs. statewide voter turnout in primary

Primary Year	Bureaucratic Primary Turnout	Std. Deviation
2008	.1851*** (.0126)	.3886
2010	.2324 (.0137)	.4226
2012	.1735*** (.0123)	.3789
2014	.2965* (.0148)	.4570
2016 (Presidential)	.1935*** (.0128)	.3952
2016 (Statewide)	.2334 (.0137)	.4232
Standard errors in parentheses.		
One-sample t-test (two-tailed), * p < 0.05, ** p < 0.01, *** p < 0.001		

A comparison of statewide partisan affiliation and bureaucratic partisan affiliation can be found in Table 3.5. While the bureaucratic sample was derived in September

2015, affiliation counts were updated in August 2016 when results from the two 2016 primary elections were incorporated into the dataset.²³ Consequently, I have used the statewide partisan affiliation statistics from August 2016 to ensure greater comparability. A cross-tab with chi-square indicates that there is a statistically significant relationship between the affiliation of statewide voters and the affiliation of bureaucratic voters, significant at the .001-level. Unfortunately it cannot indicate the strength or direction of the relationship.

Table 3.5: Statewide vs. Bureaucrat Partisan Affiliation (August 2016)

Party	Statewide (N=770,039)	Bureaucratic Sample (n=951)
Unaffiliated	307,727 (39.96%)	486 (51.10%)
Republican	378,404 (49.14%)	305 (32.07%)
Democrat	77,212 (10.03%)	156 (16.40%)

$\chi^2 (2, N=764,290) = 123.7452, p = .000$

* The Constitution & Libertarian parties are not listed, but are reflected in percentages. Both parties have been excluded from the χ^2 test due to their low representation both statewide and in the sample. This did not affect the test's statistical significance.

Consistent with expectations, bureaucrats are more likely to be registered as Unaffiliated. While 39.96 % of registered Idaho voters have not affiliated with a political party, 51.10% of state bureaucrats have not. Table 5 also indicates that bureaucrats are

²³ Updating the sample from the initial September 2015 data to August 2016 allowed me to capture any affiliation realignments that occurred in that time period. Within the sample, among previously-Unaffiliated bureaucrats, 55 had switched their affiliation to Republican and 10 to Democrat by August 2016. Likewise, among previously-Republican bureaucrats, three switched their affiliation to Unaffiliated and three to Democrat. Finally, among previously-Democrat bureaucrats, three changed their affiliation to Republican and one switched to Unaffiliated. Most of these shifts were likely the product of the 2016 presidential primary affiliation realignment seen in Figure 7.

less likely to register as Republicans (32.07%) than statewide voters (49.14%), once again consistent with expectations. Curiously, though, we see that bureaucrats are more likely to register as Democrats (16.40%) than are voters statewide (10.03%), which runs counter to our expectations based on the literature, which suggests that the minority party is the affiliation bureaucrats would be least likely to publicly declare. While the affiliation rate for Democrats is the lowest among bureaucrats, given the discretionary concerns suggested by the literature we would expect public affiliation not to exceed the state's proportion of Democrats, even if the bureaucrats were more ideologically aligned with them. The oddity suggests something else may be at work, which we will return to shortly.

Figure 3.9 breaks down bureaucratic turnout over time by the partisan affiliation of the bureaucrat. Rates are calculated as the percentage of Republican, Democrat, or Unaffiliated bureaucrats who voted in the election, out of the total number of bureaucrats who have affiliated with the Republican or Democratic parties, or remained Unaffiliated. From this we can see that bureaucratic participation is highest among registered Republicans, followed by registered Democrats, and lowest among Unaffiliated bureaucrats.

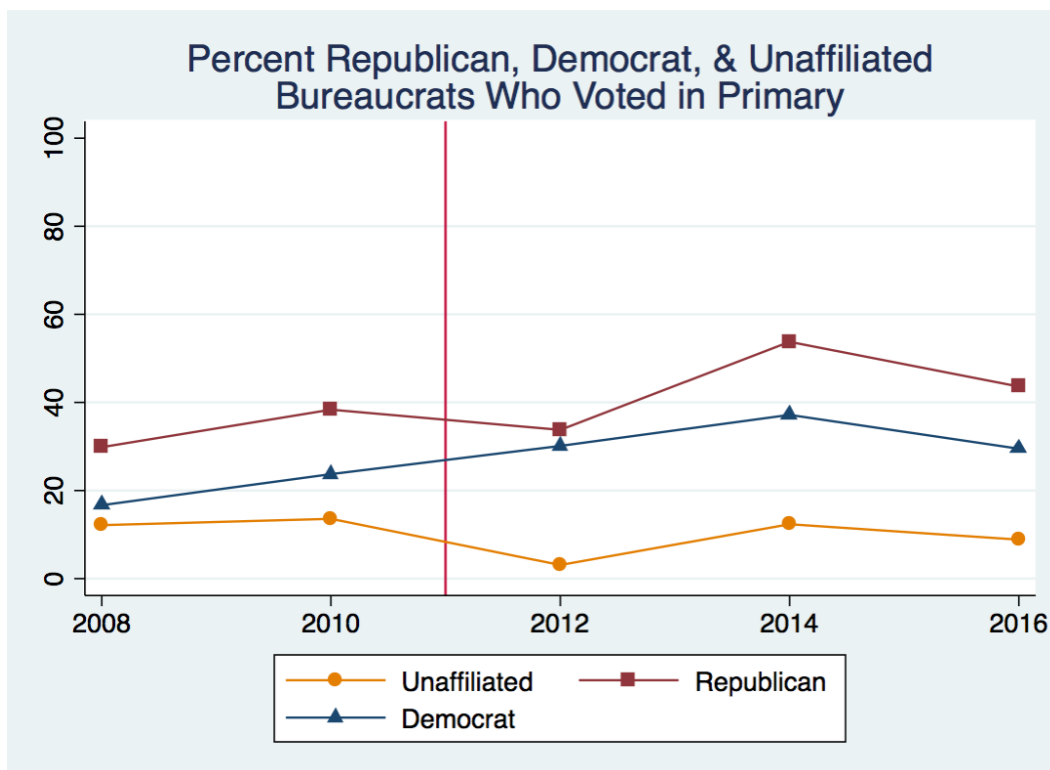


Figure 3.9: Percent Republican, Democrat, & Unaffiliated Bureaucrats Who Voted in Primary (2008-2016)

We can also see a generally positive trend in proportional participation from bureaucrats who affiliate with a political party, with the exception of a slight decline among Republican-affiliated bureaucrats in the first post-treatment closed primary (from 38.36% in 2010 to 33.77% in 2012). Republican-affiliated bureaucrat participation reached a high in the 2014 primary, with 53.77% participating in the election, but declined to 43.61% in 2016. Democrat-affiliated bureaucratic participation grew steadily through 2014, from 16.67% in 2008 to 37.18% in 2014. Their participation also fell in 2016, though, to 29.49%.

Recall that the largest affiliation among bureaucrats was Unaffiliated. Their participation has, by contrast, been anemic. Unaffiliated bureaucrats saw their participation rate drop once the closed primary took effect, plunging from a high of 13.58

% in 2010 to a low of 3.09% in 2012. While the participation rate among Unaffiliated bureaucrats rebounded in 2014 (12.35%), it fell again in 2016 to 8.85% and has not yet returned to pre-treatment open primary levels. This provides some support for my hypothesis that the closed primary has depressed bureaucratic turnout, especially in 2012.

f. Higher Education Bureaucrats & Pure Bureaucrats

The higher Democratic affiliation results in the previous section are curious, contrary to expectations, and suggest that there is something else at work, some rival explanation that the sample design does not adequately take into account. There is great variety in state agency type—competing concerns and different valuations of political risk. If enough agencies had the same valuation, they could potentially skew the findings and produce the results we have observed.

In looking at the list of state agencies in the bureaucratic sample, the most obvious cleavage present is the inclusion of higher education institutions. While technically those who work for colleges and universities are considered public employees, some have the benefit of being in tenured positions, making them less likely to be concerned with the potential professional repercussions of publicly affiliating with a political party than employees of a more typical state agency. Thus there is a compelling theoretical justification to expect that “higher education” bureaucrats would be different from more traditional, “pure” bureaucrats. Separating the sample by bureaucratic type allows the testing of this assumption.²⁴ A comparison of this cleavage between the

²⁴ Employees from Boise State University, College of Southern Idaho, Eastern Idaho Technical College, Idaho State University, Lewis-Clark State College, and the University of Idaho were coded as “higher education” bureaucrats (n=610, registered voters n=407). All other bureaucrats in the sample were coded “pure” bureaucrats (n=841, registered voters n=544). No employee from any other higher education institution in Idaho was selected in the random probability sample.

bureaucratic sample and the population suggest that neither group was oversampled.²⁵

Table 3.6 depicts the initial findings. A cross-tab with chi-square once again indicates that there is a statistically significant relationship between partisan affiliation, statewide voters, pure bureaucrats, and higher education bureaucrats—significant at the .001-level.

Table 3.6: Partisan Affiliation by Bureaucratic Type (August 2016)

Party	Statewide (N=770,039)	Pure Bureaucrats (n=544)	Higher Education (n=407)
Unaffiliated	307,727 (39.96%)	260 (47.79%)	226 (55.53%)
Republican	378,404 (49.14%)	210 (38.60%)	95 (23.34%)
Democrat	77,212 (10.03%)	72 (13.24%)	84 (20.64%)

$\chi^2(4, N=764,290) = 150.9370, p = .000$

*** The Constitution & Libertarian parties are not listed, but are reflected in percentages. Both parties have been excluded from the χ^2 test due to their low representation both statewide and in the sample. This did not affect the test's statistical significance.**

By controlling for bureaucratic type, we find that pure bureaucrats more closely resemble the statewide distribution of affiliations than higher education bureaucrats, although some notable differences persist. Specifically, while the Democratic affiliation rate of pure bureaucrats more closely matches the statewide number, the Unaffiliated and Republican rates are the mirror image of statewide results. Among pure bureaucrats, Unaffiliated represents the highest bloc with 47.79%, followed by Republican with 38.60%. Conversely, statewide Republicans are the highest bloc with 49.14%, while Unaffiliated come in second with 39.96%. These results are consistent with expectations that bureaucrats are more likely to remain Unaffiliated. Finally, 13.24% of pure

²⁵ Pure bureaucrats comprise 58.78% of the population and 57.96% of the bureaucratic sample. Higher education bureaucrats comprise 41.22% of the population and 42.04% of the bureaucratic sample.

bureaucrats are Democrats, compared to 10.03% of voters statewide. While Democratic-pure bureaucrat affiliation remains higher than statewide figures, the difference is much smaller than the earlier full bureaucratic sample would suggest, only 3.21% higher.

Higher education bureaucrats demonstrate the same order of preference, although the margins separating them are tighter. Surprisingly, they are even more likely to stay Unaffiliated than pure bureaucrats or statewide voters; 55.53% are Unaffiliated. The second highest affiliation among higher education bureaucrats is Republican, with 23.34%, with Democrat coming in at 20.64%. This suggests that the earlier disparity was driven, in part, by the inclusion of higher education institutions in the larger sample, as Democratic affiliation among higher education bureaucrats is more than twice the statewide rate. Higher education bureaucrats are the least likely to declare an affiliation—less than half do so—but, of those who do declare a partisan affiliation, they are more evenly split between the Republican Party and the Democratic Party than the statewide population or pure bureaucrats. As such, bureaucratic type is an apparent cleavage that deserves further study. In the next section, I will revisit bureaucratic turnout and affiliation rates, but control for bureaucratic type.

g. Primary Turnout by Bureaucratic Type

The bureaucratic type cleavage brings with it an implicit question: does the literature more accurately apply to one bureaucratic type over the other? My suspicion is yes. Higher education bureaucrats are located within colleges and universities that are not typically thought of as part of state government and which espouse an ideal of intellectual freedom embodied by the protection of tenure. Tenure offers a formal protection against a loss of discretion or reprisals that other state bureaucrats do not possess. While civil

service protections extend to both state agencies and higher education institutions, the addition of tenure is likely enough to skew findings among higher education bureaucrats. Thus, I would expect pure bureaucrats to more closely match the expectations expressed earlier: higher pre-treatment turnout, lower post-treatment turnout, higher non-affiliation rates, and lower Democratic-affiliation rates. Figure 3.10 and Table 3.7 compare voter turnout by pure bureaucrats (triangles), higher education bureaucrats (squares), and statewide voters (circles & dashes).

From Figure 3.10 we can see that pure bureaucrats typically participate at a higher rate than higher education bureaucrats, regardless of the election type. Interestingly, bureaucratic participation in the primary for both typologies only substantially exceeded statewide turnout in the 2014 election, after the implementation of the closed primary, and only pure bureaucrats maintained that edge in 2016. In the pre-treatment period, pure bureaucrat participation hewed closely to statewide rates. In the post-treatment period, though, with the exception of 2012 (which saw a marked decline), pure bureaucrat turnout has exceeded statewide numbers. While participation recovered in 2014 and 2016, the sharp decline in 2012 serves as further evidence of an initial shock and reticence regarding the new system that was calmed later. The consistent decline across groups that year could indicate that uncertainty surrounding the primary system shift led many to adopt a “wait and see” approach that was satisfied by subsequent election cycles. But it could also simply be an artifact of competitive statewide races, including strongly contested statewide gubernatorial and superintendent races in 2014.

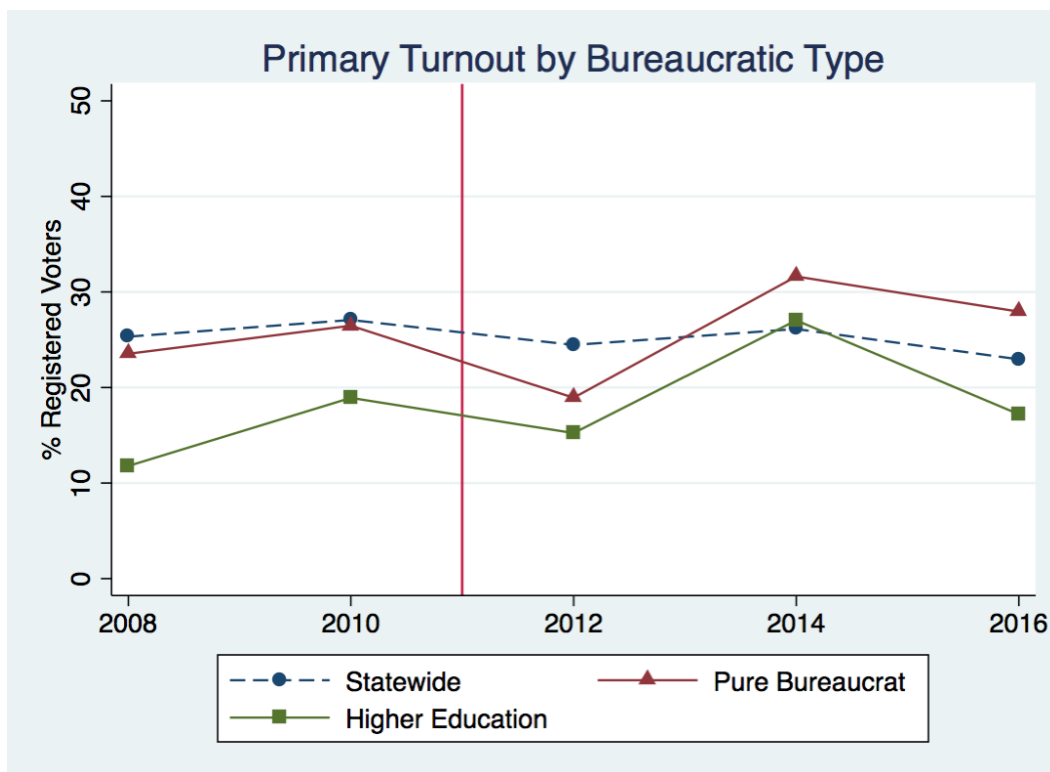


Figure 3.10: Voter Turnout by Bureaucratic Type

The results of the one-sample t-test in Table 3.7 comparing the voter participation rates of pure bureaucrats against statewide voters, and higher education bureaucrats against statewide voters, are mixed. Among higher education bureaucrats, there is a statistically significant difference from statewide voters in all primary elections except 2014. Among pure bureaucrats, there is no statistically significant difference from statewide voters in 2008 or 2010, the two pre-treatment years under the open primary. There *is* a statistically significant difference in all post-treatment closed primaries, however—significant at the .01-level.

Table 3.7: One-sample t-test of bureaucratic type turnout vs. statewide voter turnout in primary elections

Primary Year	Pure Bureaucrat		Higher Education	
	Turnout	Std. Dev.	Turnout	Std. Dev
2008	.2352 (.0182)	.4246	.1179*** (.0160)	.3229
2010	.2647 (.0189)	.4416	.1892*** (.0194)	.3921
2012	.1893** (.0168)	.3921	.1523*** (.0178)	.3598
2014	.3162** (.0200)	.4654	.2703 (.0220)	.4446
2016 (Presidential)	.2408** (.0183)	.4280	.1302*** (.0167)	.3370
2016 (Statewide)	.2794** (.0193)	.4491	.1720** (.0187)	.3778

Standard errors in parentheses.
One-sample t-test (two-tailed), * p < 0.05, ** p < 0.01, * p < 0.001**

These results suggest that the primary system change has produced a more substantial effect among pure bureaucrats than among higher education bureaucrats, as the statistically significant difference is only observed post-treatment. The results for higher education bureaucrats, alternatively, suggest that the differences that exist between them and the statewide population are more likely to transcend primary system type, since the difference is found both pre-treatment and post-treatment. Taken together, the preceding figures and tables indicate that there is a meaningful difference between pure bureaucrats and higher education bureaucrats, and that expectations from the literature are more credibly applied to pure bureaucrats. This is an important distinction to make.

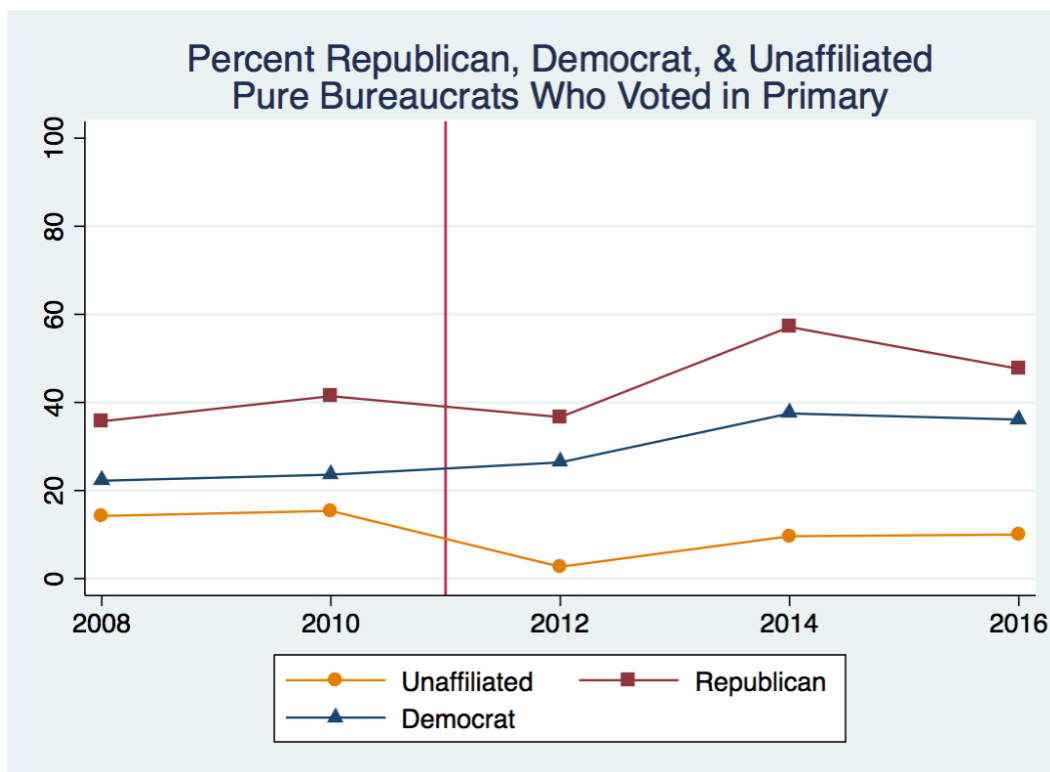


Figure 3.11: Percent Republican, Democrat, & Unaffiliated Pure Bureaucrats Who Voted in Primary (2008–2016)

Figure 3.11 provides the breakdown of primary participation by partisan affiliation for pure bureaucrats only. It demonstrates somewhat more stable trends, as among pure bureaucrats those who affiliate as Republicans are most likely to participate, followed by those who affiliate as Democrats, with those who are Unaffiliated being the least likely to participate. As before, Democrat-affiliated pure bureaucrats have seen participation rates steadily rise, from 22.22% in 2008 to 37.50% in 2014. Democratic participation declined slightly in 2016 to 36.11%. The increase in 2014 is likely driven by the concerted Democratic push to gain statewide offices in the aforementioned gubernatorial and superintendent races, as it put meaningful Democratic contests on the primary ballot that incentivized voter turnout. There was only one such Democratic race in 2016, for the 1st Congressional District, which only half the state could vote in. Over

the same period, Republican-affiliated pure bureaucrats lost participation from 2010 (41.43%) to 2012 (36.67%), but rebounded in 2014 with a high 57.14% participation rate.²⁶ In 2016, participation declined to 47.62%, which is still the second highest participation rate in the period of study.

Once again, the highest affiliation bloc among the bureaucratic sample—Unaffiliated voters—participated the least. Unaffiliated pure bureaucrats participated at a higher rate during the pre-treatment open primary era, staying around 14-15%, which is consistent with expectations. With the first post-treatment closed primary in 2012, however, Unaffiliated pure bureaucrat participation saw a sharp decline to 2.69% (only 7 out of 260 voted) and saw only a minor recovery in 2014 to 9.62%. Unaffiliated pure bureaucrat turnout reached 10% in 2016. This serves as further evidence that, consistent with the literature, the closed primary is of greater concern to the largest affiliation group in the sample: Unaffiliated bureaucrats. Table 3.6 showed that there was a statistically significant relationship between bureaucratic type and partisan affiliation. On its face, the data appears to suggest that bureaucrats—especially pure bureaucrats—are less likely to affiliate with a specific political party than a typical voter in Idaho. As such, given the low participation rate among that class of pure bureaucrat, it seems reasonable to conclude that the effects of the rules governing participation in the closed primary system are disproportionately felt by Unaffiliated pure bureaucrats over pure bureaucrats who are willing to affiliate.

²⁶ It is worth emphasizing that even though this participation rate is numerically high, it only means that 57.14% of the 210 Republican pure bureaucrats—or 120 voters—participated in the 2014 primary. Conversely, the 9.62% participation rate among Unaffiliated pure bureaucrats means that out of 260 Unaffiliated pure bureaucrats, only 25 voted in the 2014 primary.

That said, there remains the possibility that the differences we have identified are actually the product of a different cleavage entirely. There are regional variations in Idaho and key differences between urban and rural areas of the state. To help control for this variation, in the next section I examine the effect that region plays on bureaucratic turnout and affiliation rates.

h. Ada County vs. Statewide

While bureaucratic type is an important cleavage to identify, it is not the only distinction to make. Another competing explanation could be the demographic impact of Ada County, Idaho's most populous county and home to its capital city, Boise, the seat of state government. As a result, most state agencies are headquartered there and it includes, by far, the highest concentration of state employees, lobbyists, and government affairs representatives. This translates to the bureaucratic sample, with 45.9% of the sample being based in Ada County. An important point is that Boise is the largest urban area in the state and urban areas tend to lean more Democratic. Thus, we would expect to find a higher concentration of Democrat-affiliated voters within Ada County, which can reasonably be expected to translate into the bureaucratic sample. Boise is also home to Boise State University, the largest higher education institution in the state and another sector that traditionally skews Democratic (potentially exacerbating the higher education bureaucratic effects I have already identified).

Table 3.8 contrasts the partisan affiliation of Ada County voters with those in the rest of the state. From it, we can see a higher concentration of Unaffiliated voters (45.53% in Ada County compared to 37.75% in the rest of the state), fewer Republicans (36.68% in Ada, 53.31% in the rest of Idaho), and more Democrats (14.82% Ada, 8.12%

elsewhere). A cross-tab with chi-square indicates that there is a statistically significant relationship between partisan affiliation and region, significant at the .001-level. While still a minority, the higher concentration of Democrats in Ada is consistent with our expectations and these findings are not altogether unsurprising.

Table 3.8: Partisan Affiliation, Ada County vs. the Rest of Idaho (August 2016)

Party	Ada County	Rest of Idaho	Statewide Total
Unaffiliated	99,849 (45.53%)	207,878 (37.75%)	307,727 (39.96%)
Republican	84,822 (38.68%)	293,582 (53.31%)	378,404 (49.14%)
Democrat	32,499 (14.82%)	44,713 (8.12%)	77,212 (10.03%)

$\chi^2 (2, N=763,343) = 1.6e+04, p = .000$

*** The Constitution & Libertarian parties are not listed, but are reflected in percentages. Both parties have been excluded from the χ^2 test due to their low representation both statewide and in the sample. This did not affect the test's statistical significance.**

Figure 3.12 tracks partisan affiliation in Ada County over time, similar to Figure 3.7. Once again we see a decline in Unaffiliated voters from a high of 65.59% in late 2013 to a low of 45.58% in July 2016. Affiliated Republicans increased from 23.14% of registered voters in 2013 to 38.37% in July 2016, experiencing two spikes attributable to the 2014 primary election and the 2016 presidential primary. Affiliated Democrats have experienced more moderate increases, from 10.58% in 2013 to 14.74% in July 2016. As expected, there is a greater concentration of Democrats in Ada County compared to statewide figures, but still more than twice as many Republicans.

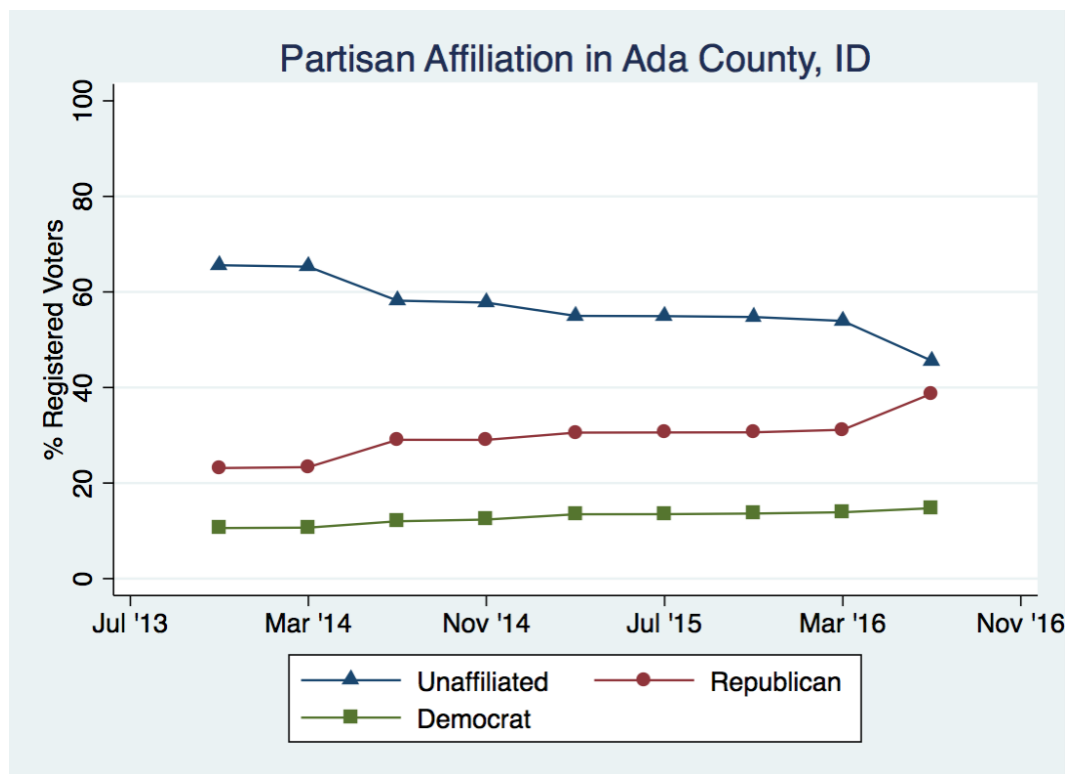


Figure 3.12: Partisan Affiliation in Ada County Over Time (Nov. 2013–Jul. 2016)

Unlike the statewide affiliation figures, Republicans have not yet overtaken Unaffiliated voters as the largest affiliation bloc in Ada County, although if trends continue this is likely to occur. There is not enough evidence to say that state employees are the reason for this difference, but it would be consistent with expectations. If a regional effect is in play, then we would expect to see Democratic affiliation rates among bureaucrats more in line with the wider Ada County electorate. If not, then it gives greater credence to the importance of the other cleavage already identified, namely bureaucratic type.

i. Bureaucratic Participation in Ada County

Given the higher concentration of state employees in Ada County, as well as the regional characteristics that make it likely to skew Democratic (namely urbanization and the presence of a major university), we should expect these regional effects to be present

in the bureaucratic sample. At the same time, given the county's prominence in state government, the concerns raised by the bureaucratic literature should also be present, meaning we should also expect that it will have a higher number of Unaffiliated voters, since Ada County contains a higher number of Democrats and Democratic bureaucrats are the most incentivized to conceal that fact. In essence, regional expectations and bureaucratic expectations are pulling us in two different directions and it remains uncertain which has the greater effect.

The primary election participation and affiliation rates of Ada County bureaucrats provide one avenue with which to begin answering this question. To more rigorously examine if there is a meaningful difference between Ada County bureaucrats and the statewide sample, Table 3.9 presents the results of a one-sample t-test for bureaucratic turnout statewide and bureaucratic turnout within Ada County. Once again treating official voter turnout rates as the population mean, we see statistically significant differences between statewide voters and the statewide bureaucratic sample in four of six elections, three in the post-treatment period. When limiting the test to just Ada County, though, we only observe a statistically significant difference in the three most recent primaries—2014, 2016 presidential, and 2016 statewide. This further suggests that regional effects may not be as pronounced as we might expect.

Table 3.9: One-sample t-test of turnout among statewide bureaucrats vs. Ada County bureaucrats in primaries

Primary Year	Statewide Bureaucrats		Ada County Bureaucrats Only	
	Turnout	Std. Deviation	Turnout	Std. Deviation
2008	.1851*** (.0126)	.3886	.1921 (.0180)	.3943
2010	.2324 (.0137)	.4226	.2401 (.0195)	.4276
2012	.1735*** (.0123)	.3789	.1837 (.0177)	.3877
2014	.2965* (.0148)	.4570	.3090*** (.0211)	.4626
2016 (Presidential)	.1935*** (.0128)	.3952	.1733** (.0173)	.3789
2016 (Statewide)	.2334 (.0137)	.4232	.2526*** (.0199)	.4350

Standard errors in parentheses.
One-sample t-test (two-tailed), * p < 0.05, ** p < 0.01, * p < 0.001**

An important point is this comparison is done with the complete, unified bureaucratic sample. As demonstrated in previous sections, though, there is a meaningful difference when controlling for whether we are dealing with pure bureaucrats or higher education bureaucrats. To more directly address bureaucratic type in a regional context, Table 3.10 compares Ada County's pure bureaucrats and higher education bureaucrats with the wider electorate of Ada County. A cross-tab with chi-square again indicates that there is a statistically significant relationship between partisan affiliation, Ada County voters, and both bureaucratic types, at the .001-level. From this table it becomes clear that pure bureaucrats more closely (though not perfectly) resemble the entire electorate than their higher education counterparts within Ada County, consistent with the statewide findings.

Table 3.10: Partisan Affiliation in Ada County by Bureaucratic Type (August 2016)

Party	Ada County (N=219,301)	Ada Pure Bureaucrats (n=326)	Ada Higher Education (n=153)
Unaffiliated	99,849 (45.98%)	171 (52.45%)	69 (45.10%)
Republican	84,822 (39.06%)	103 (31.60%)	35 (22.88%)
Democrat	32,499 (14.96%)	51 (15.64%)	48 (31.37%)

$\chi^2 (4, N=217,647) = 45.7227, p = .000$

* The Constitution & Libertarian parties are not listed, but are reflected in percentages. Both parties have been excluded from the χ^2 test due to their low representation both statewide and in the sample. This did not affect the test's statistical significance.

These results, when combined with earlier statewide comparisons, seem to suggest that a combination of both region and bureaucratic type are important. Pure bureaucrats in Ada County better mimic the wider Ada electorate, which does suggest there is a regional effect at work. At the same time, though, the same holds true when comparing statewide pure bureaucrat numbers with the statewide electorate. I believe that these two findings, taken together, indicate that bureaucratic type—the pure bureaucrat classification specifically—is the more pertinent cleavage.

IV. Discussion

Taken together, the preceding figures and statistics begin to indicate a broad trend in Idaho primary elections. The first is clearly that voter turnout has been trending down already, a phenomenon not just limited to Idaho. Given this fact, it becomes difficult to ascribe causal responsibility to the change in primary system alone. Unique factors with each post-treatment closed primary election make direct comparability difficult, which only exacerbates any causal argument. Nevertheless, as a start and the foundation for

future analysis, I believe this research will prove invaluable with each additional data point another primary election brings and provides some limited support for H₁.

In terms of the Idaho Republican Party's argument that the closed primary brings more ideological purity, there is not much evidence of that being the case when you look at the levels of incumbent challenges. The number of challenges has not increased enough to make any meaningful inferences, but there are nonetheless early signs that it could be the case in the near future. More data points are necessary to determine this one way or another, but it is possible that we are simply experiencing a readjustment period as incumbents, candidates, and party organizations adapt to the new system.

Perhaps the most striking finding is that the first year following the implementation of a closed primary, 2012, experienced a disproportionate effect among bureaucratic and Unaffiliated voters, seeing major declines in voter participation. Just as surprising is that 2014 widely served as a rebound year, recovering much of—and in some cases surpassing—the 2010 to 2012 decline. Even with moderate declines in 2016, turnout rates still maintained an increase over 2012 numbers. This would seem to suggest that much of the effect was due to the uncertainty surrounding the closed primary, with many voters adopting a “wait-and-see” approach. When fears surrounding the primary did not manifest, participation began to recover. This recovery has been less pronounced among Unaffiliated bureaucrats. Thus I find limited support for H₂, more so in the initial post-treatment primary in 2012, but support nonetheless. An important caveat remains that the Idaho Republican Party and state legislators have continued to alter the environment in which the primary election takes place—holding a separate caucus in 2012 and instituting a separate presidential primary in 2016. Since no two post-treatment

closed primary elections have occurred in the exact same institutional environment, it may take several more election cycles before effects can be more confidently attributed to the primary system shift rather than these competing explanations. As a starting point, though, the limited support for H₂ is heartening.

Another clear outcome is that Unaffiliated voters have been disproportionately affected when compared with those who registered with a political party. As this constitutes over 50% of the bureaucratic sample, this is a not-insignificant point. Additionally, when controlling for bureaucratic type, pure bureaucrats appear to be more susceptible to concerns over the closed primary than higher education bureaucrats, and Unaffiliated pure bureaucrats even more so. This suggests that Unaffiliated pure bureaucrats are the class most likely to be affected by the theoretical concerns outlined in the literature in Chapter 2. When combined with controlling for region, such as Ada County, some of the biasing effects of both the higher education bureaucrats and Ada County's demographics become more evident.

The shift to a closed primary in Idaho has had a clear effect on electoral participation in the short-term, but the long-term impacts are more difficult to ascertain at this time. As mentioned earlier in this chapter, when approximately 40% of the state legislature is decided in a partisan primary each electoral cycle, the rules governing participation matter a great deal—even more so when primary participation is trending down. That said, in examining secondary data only, we are unable to learn much about the motivations behind voting behavior. In the next chapter, I will address that through a survey of state employees to see how their self-identified voting behavior and

participation has changed and how much of that they would attribute to the closed primary.

CHAPTER 4: THE BUREAUCRATIC SURVEY

I. Introduction

While secondary data is useful for determining voter turnout statistics among groups, such data cannot help us understand why individuals are more or less likely to participate. For that, we need to ask those groups what they think and why they think it. Since the matter of bureaucratic reaction to primary system shifts has not been studied previously, there are no existing surveys or datasets upon which one can rely. That is something this chapter seeks to remedy.

To accomplish this goal, employees of four state government entities (three state agencies and one branch of government) were systematically surveyed to ascertain their electoral participation over the primary system shift, their thoughts on the partisan affiliation requirements, and whether the nature of their job had any effect on their responses. This constitutes a unique and original contribution to the literature on primary systems and bureaucratic discretion. To my knowledge, no such survey has been undertaken before.

By using the results of this survey, we are able to revisit hypothesis 2 from the previous chapter:

- *H₂: Under a primary system with public party identification, primary elections will have lower bureaucratic turnout than under a primary system with no party identification.*

While certainly not as precise as an examination of secondary sources (i.e. voter registration lists), the survey response provides an additional data point from which the veracity of H₂ can be evaluated. More importantly, the survey provides an opportunity to capture more individual level characteristics from which the implications of the literature can be more fully tested. This leads me to the following hypothesis:

- H₃: *Under a primary system with public party identification, the affiliation rates of bureaucrats will differ based on the nature of their job.*

In order to properly test this hypothesis, we must first define “the nature of their job.” Specifically, the nature of a bureaucrat’s job can differ depending on several factors: employment length, classified status, policymaking responsibility, and professional interaction with elected or appointed officials. Each carries with it certain expectations. The effect of employment length can be twofold. First, longtime employees of state agencies are ostensibly more accustomed to their role in the bureaucracy and any corresponding need to adhere to principles of professional neutrality. This would reasonably lead us to expect them to affiliate at a lower rate than newer employees. Secondly, in the case of Idaho, more senior employees are the ones who experienced the shift from one primary system to another and would thus be more cognizant of the potential ramifications of publicly affiliating over new employees who entered under the closed primary system. Once again, we would expect the longtime employees to affiliate at a lower rate than newer employees. This expectation serves as the first sub-hypothesis.

- H_{3a}: *Under a primary system with public party identification, the longer an individual has been employed by the state, the less likely they are to affiliate with a political party.*

A second factor is the employee's classified status. Classified employees enjoy civil service protections, guarding against unfair treatment motivated by partisan differences, which could potentially mitigate some of the concerns outlined in the literature and make classified employees more likely to affiliate than non-classified employees, whose employment could be terminated at-will. This leads to the second sub-hypothesis.

- *H_{3b}: Under a primary system with public party identification, classified employees will affiliate at a higher rate than non-classified employees.*

As we saw from the principal-agent literature in Chapter 2, much of the theoretical foundation that leads us to expect different behavior among bureaucrats rests on the assumption that bureaucrats participate in the formulation of public policy (i.e. legislation or administrative rules) and therefore interact with policymakers, whether elected officials or political appointees. Since these are the bureaucrats for whom the literature is most applicable, the expectation is that the frequency of participation in the policymaking process will influence affiliation rates. This suggests the following three sub-hypotheses.

- *H_{3c}: Under a primary system with public party identification, bureaucrats who play a formal role in their agency's policymaking process will affiliate at a lower rate than those who play no role.*
- *H_{3d}: Under a primary system with public party identification, bureaucrats who interact with elected officials more frequently will affiliate at a lower rate than those who interact with elected officials less frequently.*

- H_{3e}: *Under a primary system with public party identification, bureaucrats who interact with political appointees more frequently will affiliate at a lower rate than those who interact with political appointees less frequently.*

Beyond individual characteristics, the nature of a bureaucrat's job is also affected by institutional factors, like an agency's policy cleavage. For example, environmental policy disagreements—whether it relates to climate change, fracking, or other issues—are often cast in partisan terms, with most right-leaning policymakers on one side and most left-leaning policymakers on the other (as with everything, there are exceptions). Since the Idaho Department of Environmental Quality (DEQ) deals primarily with environmental policy, the expectation is that a political cleavage would be particularly salient and employees having to work with policymakers of both sides would not want to be cast as one side over the other.

When it comes to the Judicial Branch/Idaho Supreme Court (ISC), the political cleavage manifests itself differently. On their website, ISC's mission reads: "As the Third Branch of Government, we provide access to justice through the timely, fair, and *impartial* resolution of cases" (2016, emphasis added). In order to maintain its impartiality and fulfill its mission, ISC cannot be seen to favor one political party over another and therefore must stand apart. It is in ensuring the absence of politics that the political cleavage is at work in the ISC. It is still a political cleavage at work, though.

On the other side of the cleavage argument, while there is certainly a political dimension to the policies proposed and adopted by the Idaho State Department of Agriculture (ISDA), many policy conflicts are framed in terms of balancing the competing interests of ranchers with sportsmen, or farmers with other economic interests,

which takes on a decidedly more urban-rural cleavage than a political right-left one. For example, one of the policy areas ISDA is concerned with is preventing the spread of chronic wasting disease among domestic elk populations—an issue of particular interest to both ranchers and sportsmen, and one that transcends the right-left cleavage.

In a similar manner, the Idaho Transportation Department (ITD) is often called upon to balance the needs of rapidly growing urban areas, with their corresponding stress on highways and interstate systems, and those of rural areas in the state that are in need of road repairs or improvements. Again, this is not to say that a political dimension does not exist in transportation issues—Democrats and Republicans can and do support different transportation policy approaches. Rather, I argue that the urban-rural cleavage is simply more dominant and thus exerts a greater influence on the actions of employees within the agency than a political one. This leads me to the following sub-hypothesis.

- *H_{3f}: Under a primary system with public party identification, bureaucrats employed by an agency whose policy cleavages are framed in political terms will affiliate at a lower rate than those employed by an agency whose policy cleavages are framed in non-political terms.*

Finally, in accordance with the theoretical arguments outlined in the literature, we would expect bureaucrats to operate in a more constrained discretionary environment under a closed primary system, one characterized by heightened concern among bureaucrats about being perceived as partisan. This leads me to the final two sub-hypotheses that define the “nature of a bureaucrat’s job”:

- *H_{3g}: Under a primary system with public party identification, bureaucrats will perceive they receive less bureaucratic discretion than under a primary system with no public party identification.*
- *H_{3h}: Under a primary system with public party identification, bureaucratic concerns over being perceived as partisan will be greater than under a primary system with no public party identification.*

Using survey results that are unique to this dissertation, this chapter will test the above hypotheses to better capture the implications of Idaho's primary system shift. In the next section, I describe the survey methodology. In subsequent sections, I examine what the survey contributes to the questions of voter turnout, partisan affiliation, and explore potential institutional effects that may be present. I conclude with a discussion of my findings.

II. Methodology

Recall that, in Chapter 3, we found indications that bureaucratic type is a factor that can influence the applicability of the literature to state employees. Specifically, pure bureaucrats were found to more closely approximate the theoretical expectations of bureaucratic behavior than their higher education counterparts. As such, in constructing a survey to study the behavior of state employees, only pure bureaucrats were targeted. This ensures that the results are a more direct test of expectations based in the literature and that the findings of Chapter 3 can be further tested.²⁷

²⁷ While distributing the survey to the entire population of state employees was briefly considered, given the limitations of the online Idaho State Employee Directory—specifically undercounting the population by approximately 7,000 employees—including the entire population was not deemed feasible and a more targeted approach was used.

a. The Agencies

Four agencies were selected based on the expectations surrounding a political policy cleavage described in H_{3f}. To reiterate, I hypothesize that bureaucrats who work for state agencies whose policy area is frequently defined in terms of a political cleavage (i.e. right vs. left) rather than another cleavage (i.e. urban vs. rural) will behave differently from one another, with the political cleavage agencies recording lower affiliation rates and, consequently, lower voter turnout. In order to balance survey responses, two political cleavage agencies were selected along with two non-political cleavage agencies.

Five agencies in all were approached—four agreed to participate²⁸ and are included in the survey: The Idaho State Department of Agriculture (ISDA), the Idaho Department of Environmental Quality (DEQ), the Judicial Branch/Idaho Supreme Court (ISC), and the Idaho Transportation Department (ITD). Of these, I expect DEQ and ISC to exhibit the political cleavage, while ISDA and ITD will exhibit different (although not necessarily the same) cleavages. Agency policy cleavages are summarized in Table 4.1.

²⁸ The Idaho Department of Health & Welfare was approached but declined to participate.

Table 4.1: Agency Policy Cleavage

Agency	Dominant Policy Cleavage	Employee Count (approx.)
Idaho State Department of Agriculture (ISDA)	Non-political	220
Idaho Department of Environmental Quality (DEQ)	Political	394
Judicial Branch/Idaho Supreme Court (ISC)	Political	174 [†]
Idaho Transportation Department (ITD)	Non-political	1,378
* Employee counts are the approximate number of employees at the agency during the time of the survey.		
†Excludes Judges. For further discussion, see footnote 30.		

Obviously the purposive selection of specific state agencies limits the external validity of my findings. Since only four state agencies were included in the survey, results cannot be statistically generalized to all state agencies. That said, I would argue that the breadth of public policy covered by these agencies and their relatively large employee counts do make them representative of the larger pool of state agencies and maximizes the opportunity to gain insight into the motivations of a typical state employee.

b. The Survey

Given the sensitive nature of the subject matter and recalling the concerns raised by Gerber et al. (2013), the actual survey was constructed to emphasize the anonymity of respondents. Questions and response categories were phrased in a way that would inspire confidence in the respondent that, while providing useful data for my research, it was not information that could be used to identify specific respondents.

The goal of the survey was to establish the self-reported pre-treatment (open primary) behavior of respondents in addition to their self-reported post-treatment (closed primary) behavior. The survey was also designed to capture certain characteristics that could potentially influence a bureaucrat's appraisal of the risks involved in affiliating with a political party and/or participating in a primary election. The survey was crafted in consultation with three faculty members from Boise State University's Department of Political Science and Department of Public Policy and Administration. To ensure that the survey would elicit the appropriate response from state employees, it was pre-tested on a current state employee from a non-participating agency, which resulted in minor clarifications to questions and responses. Finally, executive team members at all four participating state agencies reviewed the survey questionnaire, suggested edits to ensure respondents could not be identified later, and cleared the final version for distribution to their agency's employees. This was done with the understanding that allowing such distribution did not constitute an endorsement of the survey or any analysis resulting from it.

The survey consisted of 30 questions ranging from an employee's voting behavior in both primary and general elections, affiliation choices, employment classification, policy influence, and assessment of the impact of the primary system shift. Skip logic was employed so that respondents would not see inapplicable questions—for example, those who were not registered to vote in the pre-treatment period were not asked questions about their voting behavior in the pre-treatment period. While the whole survey consisted of 30 questions, it was possible to complete the survey and only see 16 of these questions.

To facilitate electronic distribution to state employees via email, the survey was constructed in the Qualtrics platform. As noted, because of the external validity concerns with using the Idaho State Employee Directory, distributing the survey to all state employees was not feasible. Instead, each participating agency was approached prior to the survey's distribution for its approval to distribute the survey to their employees. Each agency facilitated its distribution in different ways. DEQ and ISDA provided updated electronic mailing lists for the survey's distribution to all current employees. ITD preferred that I use their State Employee Directory listing for distribution.²⁹ Conversely, ISC preferred to distribute the survey to their employees internally. To facilitate this, unlike the other agency surveys, a single reusable anonymous link was provided to them, which they sent out to all non-elected, non-temporary employees.³⁰

For the remaining agencies (DEQ, ISDA, and ITD), each employee email was given a unique, anonymous link to complete the survey using Qualtrics. This ensured that each employee could only take the survey once and would not be over represented. Upon completion of the survey, Qualtrics automatically stripped any identifying information from their response set.³¹ Each agency sent out a notice regarding the survey prior to its

²⁹ Numerically there were 161 fewer employees on the directory than ITD actually possessed (approximately 10.3%). While not ideal, to ensure their participation in the survey this was deemed acceptable.

³⁰ In meeting with representatives from the Judicial Branch, we were advised that they were in the midst of implementing a new operating system throughout the state and currently had an excess of temporary contract workers. Since these workers were removed from the day-to-day operations of the ISC, they were excluded from the survey so as to not bias the results. ISC also includes 145 elected judges, whose judicial canons prohibit affiliating with a political party. Since their inclusion would, again, bias the results, they were excluded.

³¹ In one instance, an employee wrote while the survey was active to say that they had accidentally closed their survey without completing it. To ensure their response would be included accurately, they were given a reusable anonymous link to take the survey again. Since the survey was anonymous, their earlier incorrect response could not be isolated and is included in the final dataset. Given

distribution, noting that participation was voluntary and the questionnaire had been cleared for distribution by the office of the agency's director.

The survey was distributed using the Qualtrics platform. For each agency, the survey was active for three weeks, with the earliest survey period beginning in late-June 2016 and the last period concluding in late-August 2016. Participants received periodic reminders to complete the survey if they had not already (for the agencies handled through Qualtrics, this was only distributed to those who had not yet completed the survey—for ISC, this resulted in a reminder being sent by an agency representative). At the end of this period, each response pool was purged of incomplete responses. If a respondent did not give informed affirmative consent to participate in the survey, they were dropped. If a collected response contained no answers, it was dropped. If only partial answers were recorded, I examined how far into the survey it was. If they answered more than half of the total question-set, their answers were kept. If not, they were dropped.³²

III. Results

a. Top-Level Findings

Agency-level response rates ranged from a low of 28.74% to a high of 49.55%. In the end, 735 responses were recorded out of a combined population of 2,166, an overall response rate of 33.93%. Table 4.2 presents the frequency of responses for the most

the response rate from that particular agency (approximately 45%), the overall impact of the tainted response is deemed to be negligible. Through Qualtrics, I was able to confirm that this anonymous link was only used to complete the survey once.

³² A total of 84 collected responses were dropped: 25 for not giving informed affirmative consent to participate, 34 for answering less than six questions, and 25 for having no actual recorded responses.

pertinent survey questions.³³ Percentages are calculated first as the percent of respondents who answered that particular question and then as the percent of total survey respondents.

When survey respondents were asked whether they had affiliated with a political party since the primary system change (Q4), among those who answered yes or no, 50.9% said they had affiliated, while 49.1% had not. This is fairly consistent with (and in fact tighter than) the findings in Chapter 3, which found that 52.21% of pure bureaucrats affiliated while 47.79% remained unaffiliated. The 4.42% margin shrinks to a 1.80% margin with the survey.

Those who answered “no” were asked the reason they have not affiliated with a political party (Q4a). A clear majority of them—58.59%—said it was because they were not interested in affiliating. Over 16% said they were opposed to publicly stating their position, while only 2.45% said they could not affiliate due to professional reasons. A full breakdown of their responses is reported in Table 4.2. A problematic aspect of the strong showing of the “not interested” response is that, in hindsight, it lacked a clear and consistent definition for all respondents. There is evidence in the open-ended “Other” responses that it may have actually subsumed other categories—a respondent may be “not interested” *because* they are opposed to publicly stating their position or *because* of professional concerns. “Not interested” thus manages to straddle several possible response categories without clearly defining what it means, which likely inflated its selection.

³³ For a full frequency table, see Appendix C.

To help illustrate this point, responses in the “Other” category—which accounted for 13.80% of those who had not affiliated—were open-ended and allowed respondents to reply in their own words. Most of these responses included an amalgamation of the provided categories. For example, one respondent said, “I don’t think it’s anybody’s business what party I belong to, professionally it’s not a smart move & I’m opposed to being locked into one party’s primary system.” Another said, “I’m more than not interested in affiliating. I’m opposed to having to affiliate. I’m not concerned with publicly stating my position, I shouldn’t have to choose a party!” These types of responses were common. As such, while over 16% of respondents said they were opposed to publicly stating their affiliation, it should be noted that this is a conservative estimate and the number could actually be much higher.

Others offered more normative explanations, asserting, “[I] should not be required to affiliate with a party to participate in selecting who one believes will do the best job.” Others indicated that they did not know the voting requirements had changed, with one respondent noting, “[I was] unaware of change and how it impacts my ability to vote.” Among responses, many expressed a preference for voting for the best candidate over a “party,” while others said they viewed themselves as independents and wanted to remain such.³⁴

³⁴ At least five respondents noted that they had been affiliated “previously,” and one respondent contacted me directly during the survey period to assert that my claim that this system was new was in error. (It was not.) What they refer to is that under the pre-treatment open primary system, voters were free to indicate a political leaning when they registered to vote *if they wished*, but it was by no means required and had no effect on how one could participate in a primary election. Functionally, it helped direct partisan mailings that used voter registration lists to target supporters. The statewide partisan registration system for the closed primary was not implemented until 2012, however since formal affiliations could be made on election day that year by simply selecting the partisan ballot of choice, it is likely these individuals actually formally affiliated then—their previous affiliation preference would have had no effect.

Table 4.2: Survey Response Frequencies – Select Questions (n=735)

Questions/Responses	Frequency	% Question	(% Survey)
Q4 <i>Since the change in Idaho Code establishing political party registration in 2012, have you registered with a political party in Idaho?</i>			
No	327	44.49%	(44.49%)
Yes	339	46.12%	(46.12%)
Unsure	69	9.39%	(9.39%)
Q4a <i>[If No] Is there a specific reason why you have not registered?</i>			
Too busy	7	2.15%	(0.95%)
Opposed to it	54	16.56%	(7.35%)
Not interested	191	58.59%	(25.99%)
Not registered to vote	13	3.99%	(1.77%)
Can't for professional reasons	8	2.45%	(1.09%)
Other	45	13.80%	(6.12%)
Unsure	8	2.45%	(1.09%)
Q7 <i>Since party registration took effect in 2012, has your willingness to vote in a primary (May) election been affected?</i>			
No	403	54.90%	(54.83%)
Yes	331	45.10%	(45.03%)
Q7a <i>[If Yes affected] How has your willingness to vote in a primary election been affected?</i>			
Less likely to vote	302	91.24%	(41.09%)
More likely to vote	29	8.76%	(3.95%)
Q7b <i>[If Yes affected] Would you say this change is due to party registration?</i>			
No	22	6.65%	(2.99%)
Yes	309	93.35%	(42.04%)
Q16 <i>Prior to the implementation of the closed primary/partisan registration system, how often were you concerned about being perceived as partisan in your professional capacity?</i>			
Never	536	73.12%	(72.93%)
Sometimes	103	14.05%	(14.01%)
Often	18	2.46%	(2.45%)
No response	76	10.37%	(10.34%)
Q17 <i>Since the implementation of the closed primary/partisan registration system, how often have you been concerned about being perceived as partisan in your professional capacity?</i>			
Never	481	65.80%	(65.44%)
Sometimes	141	19.29%	(19.18%)
Often	51	6.98%	(6.94%)
No response	58	7.93%	(7.89%)
Q18 <i>Have you ever encountered someone professionally—such as a coworker, official, or peer—who has shared with you that they looked up your party affiliation?</i>			
No	668	91.38%	(90.88%)
Yes	25	3.42%	(3.40%)
Unsure	27	3.69%	(3.67%)
No response	11	1.50%	(1.50%)

As a more direct measure of the effect of the change, respondents were asked directly whether their willingness to vote in a primary election has changed since the implementation of the closed primary (Q7). Approximately 45.10% of respondents said yes, it had. Among those that said yes, 91.25% said that they were now less likely to vote in a primary (Q7a) while only 8.76% said they were more likely to vote. Of these, 93.25% attributed their change in behavior to the party affiliation requirement of the closed primary system (Q7b). Only 6.65% said that their change in behavior was unrelated. This gives support to the argument that the primary system shift is producing a noticeable effect among bureaucrats, as over 40% say it is a direct cause of a change in their voting behavior.

Respondents were also asked about the frequency of their concerns over being perceived as partisan in their professional capacity, both during the pre-treatment period (Q16) and the post-treatment period (Q17). As Table 4.2 shows, in the pre-treatment period 73.12% of respondents said they were *never* concerned about being perceived as partisan in their professional role, 14.05% said they were *sometimes* concerned about being perceived as partisan, and only 2.46% said that they were *often* concerned (10.37% did not respond).

When asked about the post-treatment period, the frequency of concern has risen. Only 65.80% responded that they are *never* concerned about being perceived as partisan since the primary system shift, 19.29% said they are *sometimes* concerned, and 6.98% said they are *often* concerned (7.93% did not respond). To put it another way, in the pre-treatment period, 16.51% of respondents had some level of concern over being viewed as partisan. In the post-treatment period, though, 26.27% of respondents had that concern—

an increase of 9.76%. Again, this suggests that the primary system has, indeed, had an effect on state employees.

The final question of the survey asked if respondents had ever encountered someone professionally that revealed they had looked up their partisan affiliation. This was done to ascertain if the concerns of the literature were widespread or remained theoretical. Only 3.42% responded *yes*. An overwhelming 91.38% said *no*, with 3.69% *unsure* and 1.50% providing no response. This suggests that while concern over this information is rising among bureaucrats, it is a concern driven by the potential for abuse rather than something occurring widespread.

In the next sections, I examine these results more in-depth and begin testing the afore-mentioned hypotheses, starting with voter turnout and electoral participation (H₂), the decision to affiliate with a political party or not (H_{3a}–H_{3f}) and consideration of institutional effects, such as levels of bureaucratic discretion or concerns over being perceived as partisan (H_{3g}–H_{3h}). I conclude with a logistic regression model that seeks to determine the relative effect of these variables on the probability that a bureaucrat will declare a partisan affiliation.

b. Turnout

To ascertain pre-treatment levels of participation, respondents who were registered to vote prior to the 2012 treatment year (Q1) were asked whether they voted in a primary election from 2000 through 2010 (Q3), including the approximate frequency of their participation (Q3a). Later in the survey, respondents were also asked whether they

voted in a primary election³⁵ in the post-treatment period from 2012 through 2016 (Q6). If results are consistent with what was observed in the bureaucratic sample from Chapter 3, we should expect to see post-treatment participation decline. Table 4.3 presents the results. We can see that primary participation declined post-treatment—from 64.36% pre-treatment to 57.53% post-treatment, a decline of 6.83%. Thus, the survey results are consistent with expectations and our previous findings that the closed primary has depressed bureaucratic turnout. Again, H₂ is supported.

Table 4.3: Voter Participation: Pre-Treatment vs. Post-Treatment

Primary Turnout	Pre-Treatment (2000-2010) n=665	Post-Treatment (2012-2016) n=730
<i>Voted</i>	428 (64.36%)	420 (57.53%)
<i>Did not vote</i>	237 (35.64%)	310 (42.47%)

Recalling that one of the justifications for closing the primary in Idaho was a fear of strategic voting, pre-treatment respondents were asked whether they always participated in the same party's primary or if they would switch year-to-year (Q3b). Of these, 54.10% answered that they would always participate in the same political party's primary, while 45.90% would switch which party's primary they participated in depending upon the year. While not definitive, this does suggest the existence of strategic voting.

³⁵ The survey question specifically referenced the May primary, so this response did not capture participation in the March 2016 presidential primary.

Among respondents who indicated they voted in a pre-treatment primary election, 22.82% have not participated in a post-treatment primary. These results, considered alongside the 45.10% that indicated their willingness to vote in a primary election had changed (overwhelmingly attributing it to the primary shift itself), provide strong evidence that the primary system shift has depressed bureaucratic turnout.

One of the things one would expect with a shift in voting behavior due to a primary system change is that a corresponding difference would not exist when looking at the general election. In fact, it would be expected that since they are shut out of the primary, bureaucratic voters would turn to the general election more readily. Among those who indicated that their willingness to vote in a primary had changed, 70.91% said that the primary system shift had no effect on their willingness to vote in a general election (Q8b), however 29.09% responded that their willingness to participate in *both* types of elections had been affected. This suggests that the primary system shift has resulted in depressed turnout in not just primary elections, but general elections, as well, although to varying degrees.

c. Partisan Affiliation

A key component of the closed primary system is the partisan affiliation requirement. Due to the sensitive nature of this information, the survey did not ask respondents to identify which political party they affiliated with (believing this would depress the response rate). Instead, as a starting point, it asked a more basic version of this question (Q4): did they affiliate with a political party or not? This question allows us a useful measure of the acceptance of this primary system among bureaucrats.

To reiterate, among those who answered, 50.90% stated they had registered with a political party, while 49.10% said they had not.³⁶ The fundamental choice of whether or not to register with a political party is one of the most intriguing questions this dissertation considers. Six factors that could potentially influence an individual's decision were determined and included within the survey questionnaire design: employment length (H_{3a}), classified-employee status (H_{3b}), policy-making involvement (H_{3c}), interaction with elected officials (H_{3d}), interaction with political appointees (H_{3e}), and agency policy cleavage (H_{3f}).

Table 4.4 presents a cross-tabulation of affiliation responses with self-reported employment length (Q10). A majority of those employed for less than four years (52.03%) and those employed between 4-10 years (55.21%) have affiliated with a political party, while a narrow majority of those employed over 10 years (50.67%)—ostensibly those most used to the pre-treatment primary system—have *not* affiliated (although it must be noted that the margin separating affiliated and unaffiliated is only 1.34%). While the results do indicate that those employed the longest are the least likely to affiliate, the pattern does not hold for medium-length employees and the results are not statistically significant. This means that I cannot be certain these results were not arrived at due to chance and, consequently, H_{3a} is not supported statistically by the data.

³⁶ These figures exclude those who responded “Unsure.”

Table 4.4: Cross-tab of Party Registration with Employment Length

Registered with a political party	Employment Length			<i>Total</i>
	<i>Less than 4 yrs</i>	<i>Between 4-10 yrs</i>	<i>Over 10 yrs</i>	
<i>Yes</i>	64 (52.03 %)	90 (55.21%)	183 (49.33%)	337 (51.29%)
<i>No</i>	59 (47.97%)	73 (44.79%)	188 (50.67%)	320 (48.71%)
Total	134 (100%)	184 (100%)	407 (100%)	657 (100%)

$\chi^2(4, N=657) = 1.6048, p = .448$

Responses that answered “No response” or “Unsure” have been excluded so as to not bias the results.

Classified status (Q11) is another factor that could explain affiliation behavior among bureaucrats, as classified employees enjoy civil service protections, guarding against unfair treatment motivated by partisan differences. Among respondents, 62.81% identified themselves as classified employees, while only 25.75% were non-classified—11.44% gave no response.³⁷ By cross-tabulating classified status with party affiliation, we can test whether there is a statistically significant relationship at work. If the anticipated theoretical effect is present, we would expect to see a higher proportion of classified employees affiliate with a party over non-classified employees. Table 4.5 presents these findings.

³⁷ Compared to the numbers for all employees of the State of Idaho (per the Controller’s Office), 50.15% of all non-elected, non-appointed employees in Idaho are classified, while 48.25% are non-classified. While this might indicate that the survey oversampled classified employees, when limiting state rates to the four agencies surveyed only, the numbers become 63.37% classified, 36.62% non-classified, which is more consistent with the survey’s findings. The proportions of classified employees are very close—62.81% in the survey, 63.37% in the population—while non-classified employees are underrepresented by approximately 12%. Notably, however, the survey provided a “No response” category. While we cannot definitively say that “No response” respondents were non-classified employees, they do have the theoretical motivation to conceal that fact over classified employees and it would be consistent with the statewide distribution.

Table 4.5: Cross-tab of Party Registration with Classified Status

Registered with a political party	Classified status		
	<i>Classified</i>	<i>Non-classified</i>	<i>Total</i>
<i>Yes</i>	213 (50.47%)	99 (57.23%)	312 (52.44%)
<i>No</i>	209 (49.53%)	74 (42.77%)	283 (47.56%)
Total	422 (100%)	173 (100%)	595 (100%)

$\chi^2 (2, N=595) = 2.2425, p = .134$

Responses that answered “No response” or “Unsure” have been excluded so as to not bias the results.

Among classified employees, party affiliated employees exceed unaffiliated ones by 0.94%—with 50.47% affiliated and 49.53% unaffiliated. Conversely, among non-classified employees, 57.23% have affiliated with a political party, while 42.77% have not. This is contrary to expectations and the results are not statistically significant. Again, this means that I cannot be confident these results are not due to chance and, therefore, H_{3b} is not supported.

Turning to the question of bureaucratic participation in the policymaking process, respondents were asked to identify if they played a formal role in their agency’s policymaking process (Q12), whether they regularly interacted with elected officials (Q14), and whether they regularly interacted with political appointees (Q15). Tables 4.6, 4.7, and 4.8 present these findings compared against affiliation rates.

As we can see in Table 4.6, 53.06% of those not involved with the policy-making process have affiliated with a political party compared to 51.01% of those who are involved. While the uninvolved have affiliated at a higher rate, it is a difference of only 2.05%. This margin is much narrower than expected. Additionally, the results of the

cross-tab with chi-square indicate that there is no statistically significant relationship and these results could have been observed due to chance. Consequently, H_{3c} is not supported.

Table 4.6: Cross-tab of Party Registration with Policymaking

Registered with a political party	Plays a formal role in agency policymaking		
	<u>Yes</u>	<u>No</u>	<u>Total</u>
<i>Yes</i>	76 (51.01%)	243 (53.06%)	319 (52.55%)
<i>No</i>	73 (48.99%)	215 (48.99%)	288 (47.45%)
Total	149 (100%)	458 (100%)	607 (100%)

$\chi^2(1, N=607) = 0.1895, p = .663$

Responses that answered “No response” or “Unsure” have been excluded so as to not bias the results.

A possible explanation is that “policymaking process” is particularly susceptible to concerns of academic jargon. What a typical respondent considers “policymaking” (and which level of policy) can be subjective and different from what is understood academically. Thus it may be an imprecise measure of the type of relationship the literature actually describes.

When we turn to interaction with an elected official or political appointee as a proxy measure, the results are far more interesting. Among respondents, 39.92% said they *never* interact with an elected official, 49.18% said they *sometimes* interact with an elected official, and only 8.45% said they *often* interact with elected officials. The remaining 2.45% declined to answer.

Table 4.7 presents a respondent’s frequency of elected official interaction compared with partisan affiliation. As interaction with elected officials rises, so do

affiliation rates—this is counter to our expectations. While the margins of affiliation over non-affiliation among those who *never* interact with elected officials and those who *sometimes* interact with elected officials are relatively small—1.16% and 0.90%, respectively—the greatest disparity exists among those who *often* interact with elected officials. Among *often* respondents, 63.16% affiliated with a political party, while 36.84% did not affiliate—a difference of 26.23%. While this suggests that greater interaction with elected officials does have an impact on a bureaucrat’s decision to affiliate or not, it is not in the expected direction and results are not statistically significant. Since I cannot be certain these results were not arrived at due to chance, H_{3d} is not supported. One possible explanation for this unexpected relationship may be that bureaucrats who frequently interact with elected officials find that it is easier, and therefore more conducive to their professional interests, to affiliate with the political party of the elected policymakers they deal with. While we lack data proving this to be the case, it would explain the discrepancy.

Table 4.7: Cross-tab of Party Registration with Elected Official Interaction

Registered with a political party	Interact with elected officials			
	<i>Never</i>	<i>Sometimes</i>	<i>Often</i>	<i>Total</i>
<i>Yes</i>	127 (49.42%)	170 (50.45%)	36 (63.16%)	339 (51.15%)
<i>No</i>	130 (50.58%)	167 (49.55%)	21 (36.84%)	326 (48.85%)
Total	257 (100%)	361 (100%)	57 (100%)	651 (100%)

$\chi^2 (2, N=651) = 3.6654, p = .160$

Responses that answered “No response” or “Unsure” have been excluded so as to not bias the results.

Table 4.8 presents the same cross-tab with chi-square, but for interactions with political appointees instead of elected officials. This is relevant because the heads of most

state agencies—more likely to interact with employees of that agency—are appointed by the governor, which would suggest they are at least partially aligned with each other politically.³⁸ Among respondents, 32.29% reported that they *never* interact with political appointees, 51.77% said they *sometimes* interact with political appointees, and 12.81% said they *often* interact with political appointees (3.13% declined to answer).

Regardless of the frequency of their interaction with political appointees, a majority of respondents affiliated with a political party. Among those who *never* and *sometimes* interact, the margins of affiliation over non-affiliation were 0.98% and 1.42%, respectively. Once again the greatest disparity was found among those who *often* interact with political appointees, which saw respondents affiliate by a margin of 11.12%. Once again, though, results were not statistically significant, so these results could have been observed due to chance. As such, H_{3e} is not supported. The same phenomenon demonstrated in elected official interaction—affiliating with a political appointee’s party for professional reasons—is likely at work, although we lack data to conclude that definitively.

Table 4.8: Cross-tab of Party Registration with Political Appointee Interaction

Registered with a political party	Interact with appointed officials			
	<i>Never</i>	<i>Sometimes</i>	<i>Often</i>	<i>Total</i>
<i>Yes</i>	104 (50.49%)	178 (50.71%)	50 (55.56%)	332 (51.31%)
<i>No</i>	102 (49.51%)	173 (49.29%)	40 (44.44%)	315 (48.69%)
Total	206	351	90	647

³⁸ In some instances, the governor actually appoints a board of directors that then choose the agency director, as is the case with the Idaho Transportation Department. Idaho Code § 40-318 provides some limits on the political activities of ITD employees, unique to ITD within the state (B. Ness, ITD director, personal communication). Notably, however, § 40-318 still permits them to “Be a member of a political party or other political organization and participate in its activities.”

	(100%)	(100%)	(100%)	(100%)
$\chi^2(2, N=647) = 0.7556, p = .685$				
Responses that answered “No response” or “Unsure” have been excluded so as to not bias the results.				

A final cleavage that could help explain affiliation behavior is the agency’s mission. As previously outlined, the agencies surveyed were selected using an assessment of the political nature of their agency’s mission and whether policy cleavages and concerns were of an overriding political nature or instead followed a different cleavage. It should go without saying that no agency of government can ever truly escape political dimensions, but that is not always the dominant cleavage at work. With this cleavage distinction in mind, the four agencies surveyed were each classified as a “political” agency or a “not political” agency. The Idaho State Department of Agriculture and the Idaho Transportation Department were classified not political, while the Idaho Department of Environmental Quality and the Idaho Judicial Branch were classified as political. Table 4.9 presents affiliation rates cross-tabbed with the political cleavage. Consistent with our expectations, respondents from a political cleavage agency were less likely to affiliate than respondents from a non-political cleavage agency—52.10% of non-political cleavage respondents affiliated, compared to 48.36% of political cleavage respondents—but the differences are small and not statistically significant. Again, this means these results could have been arrived at due to chance. Consequently, H_{3f} is not supported by the data.

Table 4.9: Cross-tab of Party Registration with Policy Cleavage

Registered with a political party	Policy cleavage		
	<i>Not political</i>	<i>Political</i>	<i>Total</i>
<i>Yes</i>	236 (52.10%)	103 (48.36%)	339 (50.90%)
<i>No</i>	217 (47.90%)	110 (51.64%)	327 (49.10%)
Total	453 (100%)	213 (100%)	666 (100%)

$\chi^2(1, N=666) = 0.8110, p = .368$

Responses that answered “Unsure” have been excluded so as to not bias the results.

d. Institutional Effects

By *institutional effects*, I am referring more explicitly to the environment surrounding a given agency. Was the agency concerned about the primary system shift? Did it provide guidance on how to approach the new primary system? Have levels of administrative discretion changed since the shift? Have employees become more concerned about being perceived as partisan in their professional role? These questions are real potential consequences of a primary system shift, but operate outside the confines of simple voter turnout or partisan affiliation.

As referenced in Chapter 2, we know that the Legislative Services Office (LSO) and the Office of Performance Evaluation (OPE) discussed the primary system shift and each decided, as an office, to self-disenfranchise from primary elections. While state agencies lack the power to mandate that employees not affiliate with a political party, the cases of LSO and OPE illustrate that conversations do take place. When asked if their agency had given them any guidance on how to approach the closed primary (Q9), only 1.50% of respondents said yes—an overwhelming 92.65% said they did not receive any guidance, while 5.85% were unsure. These results serve as an indicator that, while the

cases of LSO and OPE closely matched the theoretical concerns outlined in the literature, these concerns may have been isolated to them due to the nature of their agency mission and do not necessarily translate to other state agencies—at least at an institutional level. That said, the survey was limited to only four state agencies. There is anecdotal (though unverified) evidence that the conversation was held in at least one other state agency. Additionally, one of the agencies anticipated to be most affected—Health and Welfare—declined to participate in the survey.

The central implication of the literature, and the theoretical motivation behind individual decisions to self-disenfranchise, is the effect partisan affiliation can have on levels of bureaucratic discretion. This proved to be a difficult concept to ask about, for while bureaucratic discretion and administrative discretion are quite familiar within the formal field of public administration, it is less understood *in those terms* by average state employees.³⁹ Nevertheless, given its centrality to the theoretical argument, it was particularly important to establish some sort of measurement of this concept to serve as a foundation for future research. When asked if, in their opinion, the amount of administrative discretion afforded their agency had changed since the implementation of the closed primary (Q13), 19.62% said yes, 35.83% said no, 37.47% were unsure, and 7.08% gave no response. The high response in the “Unsure” category underscores that the results may have been driven, in part, by unfamiliarity with the concept. It could also simply be difficult to assess from a given employee’s place within the organization.

³⁹ In the survey, it was explained as the amount of latitude an agency is granted by policymakers over choosing how to implement a public policy.

Even so, the 19.62% that said yes provide an opportunity to test whether the effect is consistent with expectations—less bureaucratic discretion—or not. Those who answered “yes” were subsequently asked if the change resulted in more bureaucratic discretion or less bureaucratic discretion (Q13a) and if they would attribute that change to the partisan affiliation requirement of the closed primary (Q13b). Among respondents who answered “yes,” 43.57% said in their opinion their agency was afforded *less* discretion in the post-treatment period, but 56.43% said their agency was afforded *more* discretion. When asked if they would attribute this change to the shift in primary systems, 50.69% said *no*, 15.38% said *yes*, and 34.04% were unsure. These results indicate that another explanation may be at work.⁴⁰ As such, H_{3g} is not supported.

One of the more direct tests of the bureaucratic literature is to compare a bureaucrat’s pre-treatment level of concern over being perceived as partisan (Q16) with their post-treatment level of concern (Q17). If accurate, then we should expect to see an increase in the frequency of those concerns post-treatment, under the closed primary. Table 4.10 summarizes the results.

Among those who answered, 18.42% of respondents had some level of concern over being viewed as partisan in the pre-treatment period. This concern rose, post-treatment, to 28.53%—an increase of 10.11%. Clearly the primary system change has

⁴⁰ For instance, the Idaho Transportation Department underwent a massive reorganization shortly before the primary system shift occurred—a new agency director was hired, the agency’s organizational chart was flattened, and its practices revisited. In meeting with ITD’s executive team prior to fielding the survey, they indicated that they felt they had been granted more discretion by the Idaho Legislature in response to positive changes made within the organization (B. Ness, ITD Director, personal communication). That this change in discretion coincided with the primary system shift is simply happenstance. The survey results seem to bear this out. Of those who claimed their agency had been granted *more* discretion, an overwhelming 64.56% said it was not the result of the primary system shift—just 7.59% said it was. This gives credence to ITD’s assertion.

produced an effect that has increased bureaucratic concerns surrounding partisan perception. This bears out the literature and provides support for H_{3h}.

Table 4.10: Partisan Perception Concern: Pre-Treatment vs. Post-Treatment

Concerned about being perceived as partisan	Pre-Treatment n=657	Post-Treatment n=673
Never	536 (81.58%)	481 (71.47%)
Sometimes	103 (15.68%)	141 (20.95%)
Often	18 (2.74%)	51 (7.58%)

Respondents that answered “No response” have been excluded.

e. Logistic Regression of the Decision to Affiliate

As mentioned earlier, survey respondents were asked whether they had affiliated with a political party, yes or no. This is a dichotomous choice. Logistic regression is a sophisticated method of determining a given variable’s effect on the probability of a dichotomous event occurring—in this case, the probability of a bureaucrat’s choice to affiliate with a political party or not. This provides a multivariate test that is more valuable than cross-tabs with chi-square, allowing us to determine not only whether a statistically significant relationship exists, but also the direction and strength of that relationship when holding other variables constant.

In specifying the logistic regression model, the choice to affiliate with a political party or not (Q4) serves as the dependent variable. Pursuant to our hypothetical expectations, employment length (Q10), classified status (Q11), policymaking role (Q12), elected official interaction (Q14), political appointee interaction (Q15), pre-treatment level of partisan concern (Q16), post-treatment level of partisan concern (Q17), and agency policy cleavage all serve as independent variables that encompass the nature of a bureaucrat’s job. In order to ensure proper testing of each variable, observations that answered “No response” or “Unsure” to any of the variables included in the model were

dropped. This reduced the testable sample size from 735 observations to 501 observations.

Table 4.11 summarizes the results of the logistic regression, providing the coefficient, standard error, and odds ratio for each variable. A chi-square test of the model's goodness-of-fit is statistically significant in a one-tailed test at the .05-level, which indicates that the model better predicts the decision to affiliate with a political party than an empty model. A collinearity test found that none was present. The model's low pseudo- R^2 and relatively low correct prediction percentage indicate that a better model would be preferable. It must be noted, however, that since this model relies upon the bureaucratic survey, it is limited solely to *bureaucratic* factors that influence the decision to affiliate. It does not control for outside factors that may influence an individual's decision to affiliate, such as level of political engagement, socioeconomic status, education, and so on. Given this fact, I would argue these results demonstrate that the model actually provides a valid indicator of the effects that bureaucratic factors (specifically those identified in H_3) exert on the decision to affiliate with a political party and will be useful in guiding future research.

Table 4.11: Summary of Logistic Regression Analysis for Variables Predicting Bureaucratic Choice to Affiliate with a Political Party

Predictor	<i>B</i>	<i>SE B</i>	<i>Odds Ratio (e^B)</i>
Employment length (Q10)	-.2125*	.1285	.8086
Classified status (Q11)	-.2596	.2084	.7714
Policymaking role (Q12)	-.1591	.2286	.8529
Elected official interaction (Q14)	.2949	.1854	1.343
Political appointee interaction (Q15)	.0154	.1797	1.015
Pre-treatment level of partisan concern (Q16)	.5733*	.2633	1.774
Post-treatment level of partisan concern (Q17)	-.4706*	.2039	.6247
Policy cleavage	-.1642	.2043	.8486
Constant	.4132	.4905	1.512
<i>N</i>		501	
χ^2		13.98*	
<i>df</i>		8	
<i>Pseudo-R²</i>		.0203	
<i>Percent Correct</i>		58.08%	

One-tailed test, * $p < .05$, ** $p < .01$, *** $p < .001$

D.V. = Affiliated with a Political Party (Q4), 0=no, 1=yes.

The results of the logistic regression indicate that only three predictors have a statistically significant effect on the probability that a bureaucrat will affiliate with a political party or not: employment length (Q10), pre-treatment level of partisan concern (Q16), and post-treatment level of partisan concern (Q17).⁴¹ The remaining variables (classified status, policymaking role, elected official interaction, political appointee interaction, and policy cleavage) were not statistically significant and cannot be interpreted, as I cannot be confident that these results were not arrived at due to chance.

⁴¹ Graphs depicting the predicted probabilities for these variables can be found in Appendix D.

The odds ratio of a variable allows us to calculate the percent change in the probability of a bureaucrat affiliating with a political party over not affiliating.⁴² Consistent with the expectations of H_{3a}, employment length exhibits a statistically significant negative effect on the probability that a bureaucrat affiliates with a political party. Specifically, all else being equal, as you move from a low employment length response category to a higher employment length response category, the odds that a bureaucrat will affiliate with a political party decrease by 19%. To put it another way, the odds that someone who has been employed by the State of Idaho for over 10 years (Q10=2) will affiliate with a political party are 38% lower than someone who has been employed by the State of Idaho for less than 4 years (Q10=0). This provides strong support for H_{3a} and indicates that more senior employees are less likely to declare a partisan affiliation.

The remaining two statistically significant variables are the pre-treatment levels of concern over being perceived as partisan (Q16) and the post-treatment levels of concern over being perceived as partisan (Q17). Once again, expectations were that a negative effect would be more pronounced in the post-treatment period. While this is, indeed, the case—post-treatment levels exert a statistically significant negative effect on the probability that one affiliates with a political party—the pre-treatment effect is actually positive. In fact, results for the pre-treatment levels of concern suggest that, all else equal, as the frequency of a state employee's pre-treatment concern over being perceived as partisan increases from one response category to the next, the odds that they affiliate with

⁴² Percent change = (Odds Ratio - 1) * 100

a political party increase by 77%. Thus, bureaucrats who reported they were *often* (Q16=2) concerned about being perceived as partisan in their professional role under the open primary were actually 154% more likely to affiliate with a political party than those who were *never* (Q16=0) concerned. We will return to this shortly.

More consistent with expectations, post-treatment levels of concern over being perceived as partisan exhibited a statistically significant negative effect on the probability that a bureaucrat affiliates with a political party. With all else being equal, as the frequency of a state employee's post-treatment concern over being perceived as partisan increases from one response category to the next, the odds that they will affiliate with a political party decrease by 38%. To put it another way, under the closed primary, those who are *often* (Q17=2) concerned about being perceived as partisan are 76% less likely to affiliate with a political party than those who are *never* (Q17=0) concerned about being perceived as partisan.

Taken together, these findings generally support H_{3h}, which argued that post-treatment levels of concern would have a greater negative effect than pre-treatment levels. That said, a pre-treatment positive effect of this magnitude is unexpected. It is possible that those who reported having pre-treatment concern, since they were already thinking in terms of professional consequences, were thus incentivized to affiliate strategically in order to minimize those risks. Alternatively, post-treatment levels could reflect newer concerns, and thereby account for the differences between these two findings.

Of the five remaining bureaucratic variables, only two (policymaking role and policy cleavage) were in the expected direction. Again, though, these results were not

statistically significant and, as such, I cannot confidently rule out that these findings were not arrived at due to chance. Consequently, the logistic regression model does not provide any support for H_{3c} or H_{3f}. At the same time, results for classified status, elected official interaction, and political appointee interaction were not only not statistically significant, but not in the expected direction, either. Thus the logistic regression model does not provide any support for H_{3b}, H_{3d}, or H_{3e}. While these factors do not contribute to my analysis regarding this model, it is worth exploring them further in future research.

Recall that the cross-tab with chi-square results earlier in this chapter showed that there was no statistically significant relationship between partisan affiliation and any of the bureaucratic factors identified in H_{3a}-H_{3h}. The findings are supported by the logistic regression for classified status, policymaking role, elected official interaction, political appointee interaction, and policy cleavage. This suggests that, despite theoretical expectations, classified status, policymaking role, elected official interaction, political appointee interaction, and policy cleavages do not significantly affect a bureaucrat's decision to affiliate with a political party.

Contrary to the cross-tab with chi-square results, though, the logistic regression *did* find statistically significant relationships between partisan affiliation and both employment length and level of concern over being perceived as partisan. These results indicate that the theoretical expectations were correct when controlling for other bureaucratic factors and underscores the value of using a multivariate test in addition to cross-tabs with chi-square.

IV. Discussion

Taken together, the findings on turnout, partisan affiliation, and institutional effects suggest that the post-treatment effect of the closed primary is, indeed, present among state employees, although to what degree varies with each respective area. In the case of voter turnout, there is again indication of a post-treatment decline in turnout among bureaucrats, consistent with the findings of Chapter 3, which adds additional (though still limited) support for H₂. The data suggests that the magnitude of bureaucratic non-participation may actually be masked somewhat by previously non-participating bureaucrats entering the system. While the end result is still a net decline in bureaucratic turnout, the net decline does not capture how many bureaucrats actually *chose* to leave the system. Turnout results also indicate that those whose voting willingness changed overwhelmingly attribute that change to the shift in primary systems and that change in willingness does not carry over to the general election. That said, results also indicate that entry into the system under the closed primary does not statistically explain different voting behavior.

In the case of the partisan affiliation behavior of bureaucrats, the results were more mixed. First, consistent with the findings in Table 3.6 of Chapter 3, survey results show that, by a narrow margin, more bureaucrats have affiliated with a political party than not. Additionally, among those who did not affiliate, the vast majority responded that it was because they were not interested, although the exact meaning of “not interested” is obscured. In attempting to contextualize the decision to affiliate, several explanatory factors were considered and tested. Findings for two (policymaking role and policy cleavage) were at least partially consistent with the expectations expressed in H_{3c}

and H_{3f}, but were not statistically significant in either cross-tabs with chi-square or logistic regression. Three of the factors (classified status, elected official interaction, and political appointee interaction) did not demonstrate the expected relationship and were not statistically significant in either cross-tabs with chi-square or logistic regression, and thus provide no support for H_{3b}, H_{3d}, or H_{3e}. One factor (employment length) was both somewhat consistent with expectations and found to exert a statistically significant negative effect on a bureaucrat's decision to affiliate in a logistic regression, which supports H_{3a}. As a result, the survey's findings provide some limited insight into a bureaucrat's decision to affiliate.

In the case of institutional effects, the first real indicator was found that, outside of the Legislative Services Office and the Office of Performance Evaluations, the primary system shift did not appear to rise to the level of agency-wide concern. Very few respondents reported receiving any guidance, which suggests that whatever guidance they did receive was likely informal. While not entirely unexpected, it does suggest that the applicability of the theoretical concerns outlined in the literature may be more limited than anticipated. While Chapter 3 established that pure bureaucrats were the most affected class of bureaucrats, results in this chapter suggest that individual agencies may play a substantial role, as well—and not simply along a policy cleavage, as theorized in H_{3h}.

Survey findings indicate that there was very little *perceived* effect on the levels of administrative discretion, which does not support H_{3g}. This bears the caveat that there was a much higher percentage of respondents who were unsure, suggesting that they were either unfamiliar with the concept or simply lacked the vantage point within their agency

to properly assess discretion levels. Notably, of those who did note a change, few would attribute it to the primary system shift—again suggesting theoretical concerns may not be particularly widespread. That said, concern over being perceived as partisan has certainly increased in the post-treatment period. Logistic regression results indicate that bureaucrats are less likely to affiliate with a political party as those concerns increase, providing support for H_{3b}. This suggests that the theoretical concerns are real for the bureaucrat, in terms of their internal fears and decision-making calculus, if not readily apparent in more measurable ways like classified status.

In the end, there is little support for H₃ overall, despite being theoretically sound. The results of this survey of state employees do not settle the major questions surrounding the effects of changing Idaho's primary system. What it does do is establish a foundation for further research by providing a baseline for bureaucratic concerns and behavior that can be expanded and explored more fully in the future. Combined with the secondary data analysis seen in Chapter 3, we begin to amass enough data points from which the true effects can be triangulated. In this way I believe its contribution will prove invaluable.

CHAPTER 5: CONCLUSION

I. Introduction

As noted in Chapter 1, the ability to elect representatives is one of the most fundamental rights that citizens of the United States of America possess. States vary in the system they use to fulfill this right—some select their general election candidates using an open primary system, where voters are free to make their partisan decision in the privacy of the voting booth; some use a closed primary system and require voters to publicly affiliate with a political party before they are permitted to participate in the nominating election; still others use a top-two system to send the two highest vote getters to the general election. Each state or party is free to choose the primary system that they view as best for them.

When a state shifts from one primary system to another, there is a period of upheaval as a new electoral equilibrium is set—parties, candidates, and voters must all adjust to electoral life under the new system. Much research has been focused on the effect a primary system has on voter turnout, but the results are conflicting—Jewell (1977) and Alvarez and Sinclair (2015) find that closed primaries result in lower turnout than more open primaries, while Kazee (1983) and McGhee (2014) find that this is not necessarily always the case. As the theoretical argument for why a closed primary would produce a decline in voter turnout is sound—by its very nature, it is designed to exclude non-party members—incorporating data from Idaho’s experience provides an avenue for

testing these expectations and adding to the existing literature. Thus, I proposed the following hypothesis:

- H₁: *Under a closed primary system, primary elections will have lower voter turnout than under an open primary system.*

While the effects of primary systems on voter participation, polarization, and candidate ideology have been widely studied, little attention had been paid to their effect on the relationship between policymakers and bureaucrats. As such, I began my examination of primary systems in Chapter 1 with the question, *Does a primary system affect the relationship between public policymakers and professional bureaucrats?* I argued that there were sound theoretical reasons to expect the answer is “yes” and I believe the analysis in the preceding chapters has borne this out.

To reiterate the theoretical argument, there are varying levels of trust between policymakers and bureaucrats, which can affect the likelihood that policymakers listen to a bureaucrat’s professional advice. Principal-agent literature suggests that policymakers will be more likely to listen to bureaucrats they know agree with them ideologically, while they will be more likely to ignore those they disagree with (Downs, 1967; Wood & Waterman, 1994). That said, policymakers possess few proxies they can use to discern a bureaucrat’s ideological leanings, making any assessment of ideological congruence purely subjective. A primary system that requires the public partisan registration of public bureaucrats provides a more objective measure that has the potential to alter the relationship between policymaker and bureaucrat substantially. Policymaking principals are now able to use that information to reduce information asymmetry and adjust not only how much credence to give to a bureaucrat’s advice, but how much administrative

discretion policymakers should afford them when drafting public policies. At the same time, this system incentivizes bureaucrats to minimize the risk of marginalization or less bureaucratic discretion by maintaining existing levels of information asymmetry and guarding their true political affiliation.

This theoretical argument led me to the following hypotheses concerning voter participation and affiliation rates:

- H₂: *Under a primary system with public party identification, primary elections will have lower bureaucratic turnout than under a primary system with no party identification.*
- H₃: *Under a primary system with public party identification, the affiliation rates of bureaucrats will differ based on the nature of their job.*

In order to properly test H₃, it became necessary to define what exactly I meant by “nature of their job.” By this, I refer to characteristics of their position, state agency, job responsibilities, and professional concerns. More specifically, how long they have been employed by the State of Idaho (H_{3a}), whether their position is a classified one (H_{3b}), whether they play a formal policymaking role within their agency (H_{3c}), whether they regularly interact with elected officials (H_{3d}) or political appointees (H_{3e}), the nature of their agency’s policy cleavage (H_{3f}), how they perceive their agency’s level of administrative discretion (H_{3g}), and how concerned they are over being perceived as partisan (H_{3h}).

Using Idaho’s 2011 shift from an open primary to a closed primary as a case study, this dissertation sought to more closely examine this period of upheaval to note what effect, if any, the primary system shift has brought about. The preceding hypotheses

were tested using unique and original data: (1) tracing the registration and voting behavior of a sample of Idaho bureaucrats and (2) a unique survey of employees in four state agencies/offices. This analysis was supplemented by the use of secondary sources to identify the effect that Idaho's shift to a closed primary has had on voter turnout, electoral competition, and incumbent challenges.

II. Findings

a. Electoral Findings

In Chapter 3, we noted many of the electoral effects of shifting from an open to a closed primary, paying particular attention to voter turnout, partisan affiliation, and incumbent challenges. Obviously, voter turnout is the most direct effect measured and is one of the effects most studied in the literature (see Jewell, 1977; Kazee, 1983; McGhee, 2014; Alvarez & Sinclair, 2015). As noted in Chapter 3, under the closed primary, voter turnout in Idaho has declined 4.27% from a pre-treatment average of 28.78% to a post-treatment average of 24.51%. Since voter turnout has been trending down in Idaho for the past 22 years, however, there are simply not enough post-treatment data points to conclusively attribute causality to the primary system shift alone. Moreover, the continual tinkering with Idaho's primary system by the Republican Party, separating presidential primaries from statewide primaries, means we never have exactly the same situation from year to year, which makes comparisons problematic. While the situation is not so drastically different as to be apples-to-oranges, it is enough to constitute comparing different types of apples. While McIntosh apples and Fuji apples are both apples, they are different enough that a 1:1 comparison is not possible. As such, while voter turnout

findings provide some support for H₁, that support should be considered limited and interpreted cautiously until more data can be added.

It also must be noted that state-level voter turnout in the Western U.S. region is also trending down, so the phenomenon is not limited strictly to Idaho. Most states in the West also experienced negative trends. Among eight western states, Idaho performed relatively in the middle of the pack, although below the combined average turnout of those states. Its poor relative performance is likely a combination of a lack of competitive races and, as mentioned, the Idaho Republican Party and the Idaho Legislature separating the presidential primary and statewide office primaries in 2012 and 2016, respectively.

In terms of electoral competition in Idaho, findings indicate that the primary system shift has not substantially affected the number of contested races in the general election—they remain low, with over 40% of the legislature not contested by a major party in the general election in most electoral cycles. While *interparty* competition has been relatively unaffected by the shift, *intraparty* competition has seen a slight increase under the closed primary: a higher proportion of incumbents have faced challengers within their own party. As a percentage of legislative seats with an incumbent running, the proportion of challenges that are competitive fluctuates with no clear trend, but the success rate of challenges increases slightly in the post-treatment period. This suggests that under the closed primary, more incumbents have been challenged within their own party and, while overall they may not be more competitive races, slightly more of these challenges are now successful.

When incumbents who ran unopposed are excluded, results show that challenge rates have remained relatively stable over time. These results also suggest more steady

competitiveness figures, although there is again evidence that success rates have increased under the closed primary. Since we cannot verify the ideology of the defeated candidates, though, these figures do not tell the whole story. They do serve as an indication that the primary system shift has been more conducive to incumbent challenges and, perhaps more significantly, successful incumbent challenges.

b. Bureaucratic Findings

By comparing the participation rates of a random sample of Idaho bureaucrats with statewide voter turnout rates, we are able to assess the effect that Idaho's primary system shift has had on state employees. As noted in Chapter 3, t-test results of a comparison of these rates find that across six primary elections, Idaho bureaucrats are statistically different from the statewide population in four of them. Three of the four elections found to have a statistically significant difference between bureaucrats and the statewide electorate occurred during the post-treatment period, which suggests that the treatment (the primary system shift) could be an explanatory factor. Again, though, this must be interpreted cautiously, as the t-test only establishes that a difference exists between bureaucrats and the statewide population—it does not indicate what that difference is. It does serve as a starting point.

Among all Idaho bureaucrats in the sample, the highest identification group proved to be Unaffiliated, with 51% identifying as such. Among the statewide electorate, 39.96% of registered voters were Unaffiliated. This helps clarify what the difference between the statewide electorate and Idaho bureaucrats may be—by an 11% margin, they are more likely to remain Unaffiliated. This is important, for as Figure 3.9 showed, Unaffiliated bureaucrats had the lowest primary election participation rate, topping out at

13.58% but dropping as low as 3.09%. This means that the largest group of bureaucratic voters (the Unaffiliated) participated the least. Additionally, this group has demonstrated a substantial post-treatment decline in primary participation. In the first year following the implementation of a closed primary, 2012, participation among Unaffiliated bureaucrats fell by over 10%. While 2014 widely served as a rebound year across all affiliation groups, this was followed by yet another, albeit smaller, decline in 2016. These findings provide support for H₂, especially among Unaffiliated bureaucrats.

Perhaps one of the more critical findings of Chapter 3 was that the *type* of bureaucrat has very real implications. When *all* state employees are considered, we include many positions not typically thought of as part of a governmental bureaucracy, such as university professors, administrators, and support staff. Due to the different professional roles of these employees and the existence of protections like tenure, there is reason to expect a difference in how academic employees view themselves and their professional role and how employees of a state agency view themselves. When considering the impact of a primary system shift on the relationship between policymakers and bureaucrats, then, it is more appropriate to consider “pure” bureaucrats (those employed by a state agency and excluding higher education institutions) than other types.

To support this contention, a cross-tabs with chi-square indicates that there is a statistically significant relationship between bureaucratic type and partisan affiliation. When looking at the affiliation rates of pure bureaucrats only, 47.79% are Unaffiliated. While a lower proportion than the entire bureaucratic sample, it remains a high rate of non-affiliation that is, again, consistent with theoretical expectations. Additionally, t-test

results comparing voter turnout by bureaucratic type to the turnout of the statewide population suggest that the primary system change has produced a more substantial effect among pure bureaucrats than among higher education bureaucrats. Among pure bureaucrats, a statistically significant difference is only observed post-treatment; among higher education bureaucrats, differences are found in both pre-treatment and post-treatment primary elections. This suggests that the differences that exist between higher education bureaucrats and the statewide population are more likely to transcend primary system type, since there is no clear pattern between pre-treatment and post-treatment results. Among pure bureaucrats, however, statistical significance is only reached post-treatment, which suggests that the treatment (primary shift) played some role. Once again, these findings support H₂ among pure bureaucrats.

c. Survey Findings

Using the results of a survey that is unique to this dissertation, in Chapter 4 I explored the motivations and behavior among pure bureaucrats who worked for four state agencies: The Idaho Department of Agriculture, Idaho Department of Environmental Quality, Idaho Supreme Court/Judicial Branch, and the Idaho Transportation Department. Since only pure bureaucrats were included in the survey—no higher education institutions were included—there was no need to control for bureaucratic type.

Comparing respondents' pre-treatment (open primary) participation with their post-treatment (closed primary) participation suggests a substantial decline. Among respondents, approximately 64% said they had voted under the open primary, while only 58% had done so under the closed primary—a 6% decline. Additionally, 42% of respondents claimed that the partisan affiliation requirement of the closed primary has

affected their willingness to participate in a primary election—41% said it made them less likely to participate. This provides solid support for H₂, as it clearly demonstrates that a sizable portion of state employees directly attribute their unwillingness to participate to the primary system shift. In a single party dominant state like Idaho, where approximately 40% of the state legislature is routinely decided through primary elections, this is an extremely important point.

Providing further insight into why state bureaucrats have made this choice is that concerns over being perceived as partisan in their professional role has experienced a modest increase. In the pre-treatment period, only 16% of respondents expressed concern over being perceived as partisan. Following the primary system shift, the amount increased to 26%. Put another way, we went from one in seven bureaucrats being concerned about being perceived as partisan to one in four. Clearly the primary system change has produced an effect. Even in the face of increased partisan concerns, though, results indicate that more bureaucrats have affiliated with a political party than not. Approximately 46% of all respondents said they had affiliated with a political party, which is more or less consistent with the 48% pure bureaucrat affiliation rate shown in Table 3.6.

Cross-tabs with chi-square and logistic regression were used to gauge the effect of several aspects of a bureaucrat's job, as specified in H_{3a} through H_{3h}. Six of them—classified status, policymaking role, frequency of interaction with elected officials, frequency of interaction with political appointees, perceived discretion, and agency policy cleavage—were not found to have any statistically significant effect on

bureaucratic decisions to affiliate with a political party, meaning H_{3b}-H_{3g} were not supported by the data.

The remaining two aspects—employment length and frequency of concerns over being perceived as partisan in one’s professional role—demonstrated more promising results. Specifically, employment length was found to exert a statistically significant negative effect; more senior employees are less likely to affiliate with a political party than are those more recently hired. This supports H_{3a}. How often a bureaucrat was concerned over being perceived as partisan in their professional role also exhibited a statistically significant negative effect; those who indicated more frequent concern under the closed primary are less likely to affiliate than those who are unconcerned. This supports H_{3h}.

While in the end, I cannot say that H₃ as a whole is supported, it should be stressed that several findings in this survey support my core contention that the primary system shift has increased concern among state bureaucrats and affected their voting behavior. In this respect, results are promising. Additionally, survey results suggest that some (although not all) of the elements of a bureaucrat’s job can affect their decision to affiliate with a political party, as H₃ contends. As such, imperfect model specification may explain these results. Consequently, H₃ will need to be revisited in future research.

III. Future Research

From the outset, this dissertation has attempted to bridge political science and public administration literatures to expand the study of primary systems to include the effect on bureaucrats and their relationship with policymakers. The preceding chapters constitute the first step of that endeavor, providing a foundation from which future

research can build. The question remains, however, what that future research should entail. Obviously, gathering additional data with each subsequent primary election will be critical. As repeatedly noted, we currently lack enough post-treatment data points to properly assess causal relationships between the primary system shift and electoral effects. Updating this data with subsequent electoral cycles will be important. But, what then?

The logistic regression model in Chapter 4 serves as an ideal starting point. It tested several factors of a bureaucrat's job that, theoretically, might influence their decision to affiliate with a political party or not. There is evidence in the data that the concern is real and does have a statistically significant effect on bureaucrats, but that conventional expectations of which factors play a role are not necessarily borne out. Of the factors included in the model, only two were found to be statistically significant—employment length and concern over being perceived as partisan in their professional role. These findings and less-than-ideal goodness of fit tests indicate that a better model is needed. Specifying that model is a good place to start, as it would provide the opportunity to control for additional factors like socioeconomic status, education level, and other demographic factors to better isolate the effect of bureaucratic factors influencing the decision to affiliate. It bears mentioning that one of the significant effects was found in something intangible, namely *concern* over perceptions, which suggests that future research may need to approach the issue creatively in order to isolate the causal factors behind bureaucratic decisions to affiliate.

A critical contribution of this dissertation is that bureaucratic type matters—pure bureaucrats are different from higher education bureaucrats. That is simply a starting

point, however, and it invites exploration into whether there are also different *types* of pure bureaucrats. Further classifying pure bureaucrats is something that future research must undertake if we are to fully understand the factors that influence a bureaucrat's approach to the self-disenfranchisement bureaucratic dilemma.

While this dissertation has focused exclusively on state-level bureaucrats, expanding research to other levels of government could be illuminating. In Idaho, municipal elections are considered non-partisan, so the political leanings of a mayor or city council may not be known. As a result, the same theoretical concerns identified in the bureaucratic dilemma could be applied to policymakers, who may be wary of revealing their partisan preference and influencing their chances at reelection. In a political system where every voter's partisan affiliation is public record, are non-partisan elections truly possible? This is an open question that deserves study.

A core component of the theoretical argument for why bureaucrats would choose self-disenfranchisement is the concept of bureaucratic discretion. Necessarily, this matter concerns two sets of actors: policymakers and bureaucrats. This dissertation has approached the matter from the administrative side of the politics-administration dichotomy—the bureaucracy—but it is also incumbent upon us to look at it from the political side, from the perspective of policymakers. This invites the study of more tangible measures of bureaucratic discretion, which is something directly controlled by policymakers. In exploring discretion in this dissertation, outside of the theoretical arguments of the literature, we established bureaucrats' *perception* of their agency's discretion. An empirical measure would be invaluable and warrants further attention. Towards that end, one of the next steps should be to look at *actual* discretion levels

granted to bureaucrats by policymakers. Doing so poses a great challenge, as any such study would be either time-intensive or require an inventive operationalization of the discretion variable. Several approaches are suggested by the literature.

Epstein and O'Halloran (1999) measured discretion at the Congressional level by identifying major pieces of legislation over time, followed by content analysis looking for the presence of enabling or restrictive language. Conversely, Huber and Shipan (2002) adopted a more quantitative approach, using legislation word count as a proxy for administrative discretion. They found that pieces of legislation were comparable between states, provided they dealt with the same general policy area (i.e. medical policy, environmental policy, and so on). Using the rationale that more constraints (and thereby less discretion) required longer bills to specify, they argue that legislation word count provides a way to quantitatively measure the phenomenon.

A critical drawback to this approach is that it is incredibly imprecise and vulnerable to misidentifying discretion levels. For example, if legislation simply read, "X shall not be regulated," at five words it would grant a state agency zero discretion on that policy area, but be considered a piece of legislation that granted an agency much discretion (K. Meier, personal communication). As such, Huber and Shipan's operationalization of bureaucratic discretion is not ideal. Still, it may be useful when triangulated with other measurements of bureaucratic discretion.

A third option to measure discretion levels is the legislative veto. A legislative veto refers to an instance where the state legislature rejects an agency's administrative rule because it deviates from the legislative intent of the authorizing piece of legislation. When policymakers grant less bureaucratic discretion, administrative rules cannot deviate

from legislative intent and are more likely to be approved. Conversely, when more bureaucratic discretion is granted, administrative rules may exceed the boundaries of legislative intent and the legislature will reject them in order to bring the agency back in line. Consequently, when less bureaucratic discretion is granted, more administrative rules will be approved.

The question of how best to measure bureaucratic discretion—especially in a pre-treatment, post-treatment environment—is one that could take another dissertation to properly discuss. Employing a methodology that combines content analysis, legislation length, and the legislative veto could provide a way to empirically establish bureaucratic discretion levels pre-treatment and explore whether there has been a statistically significant shift in discretion under the closed primary. It seems clear that it is the next logical step in determining the validity of the argument of the bureaucratic dilemma that a primary system shift can bring. As such, determining a methodology to accurately measure discretion levels is the foremost challenge facing future research in this area.

IV. Conclusion

This dissertation contributes to the literature of political science and public administration in numerous ways. Along more traditional lines of inquiry, its examination of voter turnout in Idaho following its shift to a closed primary system adds an additional test of the claim that more closed primary systems result in lower voter turnout. While this can help address the contradictions found in the literature, it comes with an important caveat, as the institutional environment in Idaho has been in flux and the state's turnout had been in decline already. As such, while these findings are unlikely to settle the debate

surrounding the electoral effects of primary systems, they certainly contribute to a fuller understanding.

More uniquely, this dissertation demonstrates that changing a political structure like an electoral system has implications that reach far beyond the traditional areas of voter participation and candidate ideology. In fact, they have the potential to directly influence the administrative state and affect the relationship between public policymakers and state bureaucrats. These effects are driven by bureaucratic concerns and their assessment of the inherent risks of declaring a partisan affiliation, but these risks have heretofore gone unstudied. By establishing that these effects are real, this dissertation has begun to provide a deeper understanding of primary systems in a public administration context.

Examination of original data in this dissertation establishes that a statistically significant difference exists between state bureaucrats and the wider electorate. Perhaps more importantly, though, it finds that a statistically significant difference exists between bureaucratic types—pure bureaucrats and higher education bureaucrats—and that bureaucrats are more likely to remain unaffiliated than the statewide population. All of this serves as a solid foundation to begin examining the effects of primary systems more fully, which should help guide future research.

In the turmoil surrounding Idaho closing its primary process, arguments on both sides orbited around concerns about who could vote and who would be elected. This dissertation expands the thinking to understand that a state's choice of primary system affects far more than those few domains. Specifically, it possesses a policy component that impacts the very engine of state government—its bureaucrats. If change is to be

undertaken, then it should be done with a fuller picture of what the corresponding effects of the new system will be.

In Chapter 1, I noted that one of the goals of this dissertation was to expand research on primary systems into areas heretofore unstudied. The effect that primary systems can have on the relationship between policymakers and bureaucrats is one such area. It is only by exploring the full breadth of the effect of a given primary system that we can truly assess the strengths and weaknesses of it. More importantly, it is only then that policymakers—and voters—can make a truly informed decision about which system is best for them. I believe this dissertation contributes to that understanding, but much work remains.

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APPENDIX A

Bureaucratic Survey Recruitment

Bureaucratic Survey Recruitment Letter

Hello,

My name is Matthew May and I am a PhD student working with Dr. Greg Hill at Boise State University. I am researching the effect that the 2011 reforms to Idaho's primary election system have had on attitudes and voter participation, especially among state employees. I am emailing to ask if you would be willing to take a 10-minute online survey to help facilitate this research. Participation is completely **voluntary** and your answers will be strictly **anonymous**. No identifying information will be collected.

This survey is not sponsored by [*state agency employee works for*] but it has been approved for distribution to [*state agency*] employees by the office of [*state agency director*]. Its distribution should not be construed in any way as an endorsement of any policy decisions or data analysis that results from this survey. As mentioned, participation is strictly voluntary and will be completely anonymous.

If you would be willing to complete the survey, please click on the following link to access it: [*survey link here*]

If you have any questions, please feel free to contact me ([*email address*]) or my faculty co-investigator, Dr. Greg Hill ([*email address*]).

Thank you for your time.

Matthew May

PhD Candidate, Department of Public Policy & Administration

Boise State University

APPENDIX B

Bureaucratic Survey Questionnaire

Survey Questionnaire

Q1) Were you registered to vote in Idaho prior to 2012?

- No (SKIP LOGIC: PROCEED TO Q4)
- Yes

Q2) Did you vote in any state general (November) election in Idaho prior to 2012?

- No (SKIP LOGIC: PROCEED TO Q3)
- Yes

Q2a) To the best of your recollection, how many general elections in Idaho did you cast a vote in from 2000-2010?

- 1-2 elections
- 3-4 elections
- 5-6 elections

Q3) Did you vote in any state primary (May) election in Idaho prior to 2012?

- No (SKIP LOGIC: PROCEED TO Q4)
- Yes

Q3a) To the best of your recollection, how many primary elections in Idaho did you cast a vote in from 2000-2010?

- 1-2 elections
- 3-4 elections
- 5-6 elections

Q3b) Did you always participate in the same political party's primary or did you switch between primaries depending upon the year?

- Always the same political party
- I would switch depending on the year

Q4) Since the change in Idaho Code establishing political party registration in 2012, have you registered with a political party in Idaho?

- No
- Yes (SKIP LOGIC: PROCEED TO Q5)
- Unsure (SKIP LOGIC: PROCEED TO Q5)

Q4a) Is there a specific reason why you have not registered?

- Too busy
- Opposed to publicly stating my position
- Can't register for professional reasons
- Not interested in affiliating
- Not registered to vote
- Other [_____]
- Unsure

Q5) Did you vote in the state general (November) election in Idaho in either 2012 or 2014?

- No (SKIP LOGIC: PROCEED TO Q6)
- Yes

Q5a) Did you vote in both the 2012 and 2014 general elections, or just once?

- Both
- Once

Q6) Did you vote in a state (partisan or non-partisan) primary (May) election in Idaho in 2012, 2014, or 2016?

- No (SKIP LOGIC: PROCEED TO Q7)
- Yes

Q6a) How many (partisan or non-partisan) primary elections since 2012 did you vote in?

- One
- Two
- Three

Q7) Since party registration took effect in 2012, has your willingness to vote in a primary (May) election been affected?

- No (SKIP LOGIC: PROCEED TO Q8)
- Yes

Q7a) How has your willingness to vote in a primary election been affected?

- Less likely to vote
- More likely to vote

Q7b) Would you say this change is due to party registration?

- No
- Yes

Q8) Since party registration took effect in 2012, has your willingness to vote in a general (November) election been affected?

- No (SKIP LOGIC: PROCEED TO Q9)
- Yes

Q8a) How has your willingness to vote in a general election been affected?

- Less likely to vote
- More likely to vote

Q8b) Would you say this change is due to party registration?

- No
- Yes

Q9) Since the 2012 change, did anyone in your agency provide you guidance on how to approach party registration?

- No
- Yes
- Unsure

Q10) Approximately how long have you been employed by the State of Idaho?

- Less than 4 years
- Between 4 to 10 years
- Over 10 years
- No response

Q11) Would your position be considered classified or non-classified?

- Classified
- Non-Classified
- No response

Q12) In your professional capacity, do you play a formal role in your agency's policy- or rule-making process?

- No
- Yes
- Unsure
- No response

Q13) Some agencies often have latitude, or discretion, in the way they administer policies. In your opinion, has the level of administrative discretion afforded to your agency by policy makers changed since 2012?

- No (SKIP LOGIC: PROCEED TO Q14)
- Yes
- Unsure (SKIP LOGIC: PROCEED TO Q14)
- No response (SKIP LOGIC: PROCEED TO Q14)

Q13a) How has the level of administrative discretion been affected?

- Agency is afforded less administrative discretion
- Agency is afforded more administrative discretion

Q13b) Would you say this change is due to party registration?

- No
- Yes
- Unsure

Q14) In your professional capacity, how often do you interact with state elected officials?

- Never
- Sometimes
- Often
- No response

Q15) In your professional capacity, how often do you interact with state political appointees?

- Never
- Sometimes
- Often
- No response

Q16) Prior to the implementation of the closed primary/partisan registration system, how often were you concerned about being perceived as partisan in your professional capacity?

- Never
- Sometimes
- Often
- No response

Q17) Since the implementation of the closed primary/partisan registration system, how often have you been concerned about being perceived as partisan in your professional capacity?

- Never
- Sometimes
- Often
- No response

Q18) Have you ever encountered someone professionally—such as a coworker, official, or peer—who has shared with you that they looked up your party affiliation?

- No
- Yes
- Unsure
- No response

APPENDIX C

Bureaucratic Survey Response

Table C.1: Survey Response Frequency Table

VAR	QUESTION/RESPONSE	FREQ	Q %	(SVY %)
Q1	<i>Were you registered to vote in Idaho prior to 2012?</i>			
	No	70	9.52%	(9.52%)
	Yes	653	88.84%	(88.84%)
	Unsure	12	1.63%	(1.63%)
Q2	<i>Did you vote in any state general (November) election in Idaho prior to 2012?</i>			
	No	40	6.02%	(5.44%)
	Yes	625	93.98%	(85.03%)
Q2a	<i>To the best of your recollection, how many general elections in Idaho did you cast a vote in from 2000-2010?</i>			
	1-2 elections	114	18.33%	(15.51%)
	3-4 elections	165	26.53%	(22.45%)
	5-6 elections	343	55.14%	(46.67%)
Q3	<i>Did you vote in any state primary (May) election in Idaho prior to 2012?</i>			
	No	237	35.64%	(32.24%)
	Yes	428	64.36%	(58.23%)
Q3a	<i>To the best of your recollection, how many primary elections in Idaho did you cast a vote in from 2000-2010?</i>			
	1-2 elections	109	25.59%	(14.83%)
	3-4 elections	139	32.63%	(18.91%)
	5-6 elections	178	41.78%	(24.22%)
Q3b	<i>Did you always participate in the same political party's primary or did you switch between primaries depending upon the year?</i>			
	Always same	231	54.10%	(31.43%)
	Would switch	196	45.90%	(26.67%)
Q4	<i>Since the change in Idaho Code establishing political party registration in 2012, have you registered with a political party in Idaho?</i>			
	No	327	44.49%	(44.49%)
	Yes	339	46.12%	(46.12%)
	Unsure	69	9.39%	(9.39%)
Q4a	<i>Is there a specific reason why you have not registered?</i>			
	Too busy	7	2.15%	(0.95%)
	Opposed to it	54	16.56%	(7.35%)
	Not interested	191	58.59%	(25.99%)
	Not registered to vote	13	3.99%	(1.77%)
	Can't for professional reasons	8	2.45%	(1.09%)
	Other	45	13.80%	(6.12%)
	Unsure	8	2.45%	(1.09%)
Q5	<i>Did you vote in the state general (November) election in Idaho in either 2012 or 2014?</i>			
	No	96	13.06%	(13.06%)
	Yes	639	86.94%	(86.94%)

Q5a	<i>Did you vote in both the 2012 and 2014 general elections, or just once?</i>			
	Both	520	81.50%	(70.75%)
	Once	118	18.50%	(16.05%)
Q6	<i>Did you vote in a state (partisan or non-partisan) primary (May) election in Idaho in 2012, 2014, or 2016?</i>			
	No	310	42.47%	(42.18%)
	Yes	420	57.53%	(57.14%)
Q6a	<i>How many (partisan or non-partisan) primary elections since 2012 did you vote in?</i>			
	One	98	23.39%	(13.33%)
	Two	169	40.33%	(22.99%)
	Three	152	36.28%	(20.68%)
Q7	<i>Since party registration took effect in 2012, has your willingness to vote in a primary (May) election been affected?</i>			
	No	403	54.90%	(54.83%)
	Yes	331	45.10%	(45.03%)
Q7a	<i>How has your willingness to vote in a primary election been affected?</i>			
	Less likely to vote	302	91.24%	(41.09%)
	More likely to vote	29	8.76%	(3.95%)
Q7b	<i>Would you say this change [in willingness to vote in a primary election] is due to party registration?</i>			
	No	22	6.65%	(2.99%)
	Yes	309	93.35%	(42.04%)
Q8	<i>Since party registration took effect in 2012, has your willingness to vote in a general (November) election been affected?</i>			
	No	629	85.81%	(85.58%)
	Yes	104	14.19%	(14.15%)
Q8a	<i>How has your willingness to vote in a general election been affected?</i>			
	Less likely to vote	93	88.57%	(12.65%)
	More likely to vote	12	11.43%	(1.63%)
Q8b	<i>Would you say this change [in willingness to vote in a general election] is due to party registration?</i>			
	No	12	11.43%	(1.63%)
	Yes	93	88.57%	(12.65%)
Q9	<i>Since the 2012 change, did anyone in your agency provide you guidance on how to approach party registration?</i>			
	No	681	92.65%	(92.65%)
	Yes	11	1.50%	(1.50%)
	Unsure	43	5.85%	(5.85%)
Q10	<i>Approximately how long have you been employed by the State of Idaho?</i>			
	Less than 4 yrs	134	18.23%	(18.23%)
	4-10 yrs	184	25.03%	(25.03%)
	Over 10 yrs	407	55.37%	(55.37%)
	No response	10	1.36%	(1.36%)

Q11	<i>Would your position be considered classified or non-classified?</i>			
	Classified	461	62.81%	(62.72%)
	Non-classified	189	25.75%	(25.71%)
	No response	84	11.44%	(11.43%)
Q12	<i>In your professional capacity, do you play a formal role in your agency's policy- or rule-making process?</i>			
	No	506	68.94%	(68.84%)
	Yes	161	21.93%	(21.90%)
	Unsure	36	4.90%	(4.90%)
	No response	31	4.22%	(4.22%)
Q13	<i>Some agencies often have latitude, or discretion, in the way they administer policies. In your opinion, has the level of administrative discretion afforded to your agency by policy makers changed since 2012?</i>			
	No	263	35.83%	(35.78%)
	Yes	144	19.62%	(19.59%)
	Unsure	275	37.47%	(37.41%)
	No response	52	7.08%	(7.07%)
Q13a	<i>How has the level of administrative discretion been affected?</i>			
	Less discretion	61	45.57%	(8.30%)
	More discretion	79	56.43%	(10.75%)
Q13b	<i>Would you say this change [in administrative discretion] is due to party registration?</i>			
	No	73	50.69%	(9.93%)
	Yes	22	15.28%	(2.99%)
	Unsure	49	34.03%	(6.67%)
Q14	<i>In your professional capacity, how often do you interact with state elected officials?</i>			
	Never	293	39.92%	(39.86%)
	Sometimes	361	49.18%	(49.12%)
	Often	62	8.45%	(8.44%)
	No response	18	2.45%	(2.45%)
Q15	<i>In your professional capacity, how often do you interact with state political appointees?</i>			
	Never	237	32.29%	(32.24%)
	Sometimes	380	51.77%	(51.70%)
	Often	94	12.81%	(12.79%)
	No response	23	3.13%	(3.13%)
Q16	<i>Prior to the implementation of the closed primary/partisan registration system, how often were you concerned about being perceived as partisan in your professional capacity?</i>			
	Never	536	73.12%	(72.93%)
	Sometime	103	14.05%	(14.01%)
	Often	18	2.46%	(2.45%)
	No response	76	10.37%	(10.34%)

Q17	<i>Since the implementation of the closed primary/partisan registration system, how often have you been concerned about being perceived as partisan in your professional capacity?</i>			
	Never	481	65.80%	(65.44%)
	Sometimes	141	19.29%	(19.18%)
	Often	51	6.98%	(6.94%)
	No response	58	7.93%	(7.89%)
Q18	<i>Have you ever encountered someone professionally—such as a coworker, official, or peer—who has shared with you that they looked up your party affiliation?</i>			
	No	668	91.38%	(90.88%)
	Yes	25	3.42%	(3.40%)
	Unsure	27	3.69%	(3.67%)
	No response	11	1.50%	(1.50%)
pol	<i>Dominant policy-cleavage of agency [as determined by the author]</i>			
	Non-political	505	68.71%	(68.71%)
	Political	230	31.29%	(31.29%)

APPENDIX D

Logistic Regression Supplemental Material

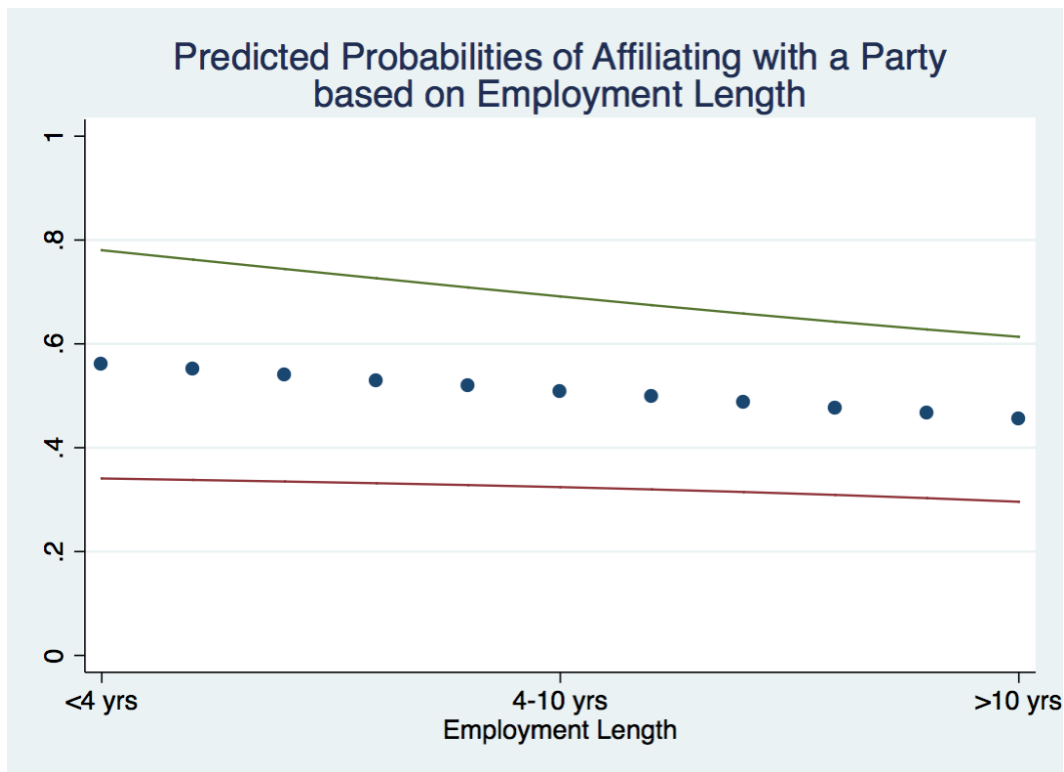


Figure D.1: Predicted Probabilities of Affiliating with a Party based on Employment Length (Q10)

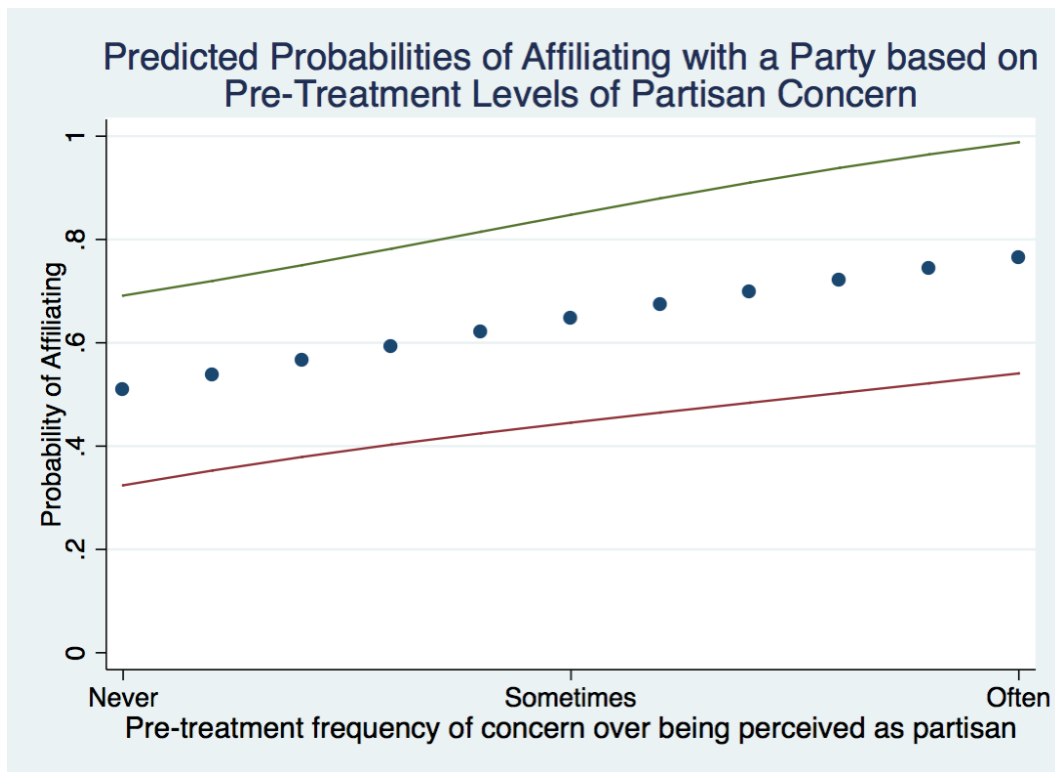


Figure D.2: Predicted Probabilities of Affiliating with a Party based on Pre-Treatment Levels of Partisan Concern (Q16)

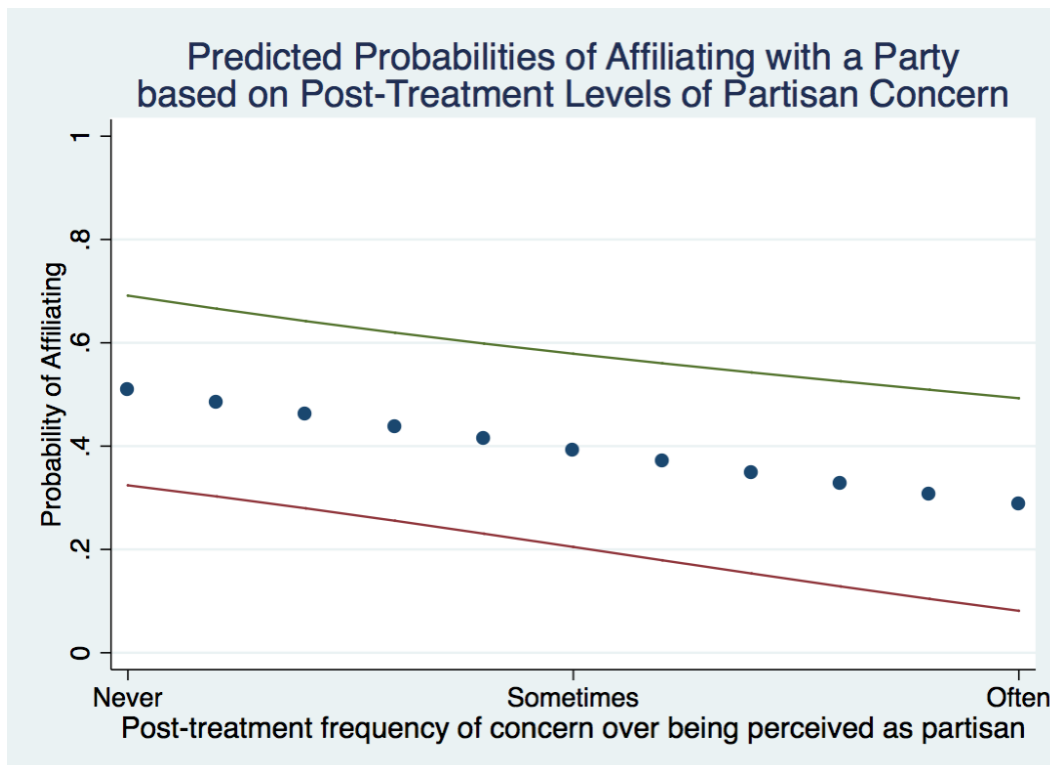


Figure D.3: Predicted Probabilities of Affiliating with a Party based on Post-Treatment Levels of Partisan Concern (Q17)



BOISE STATE UNIVERSITY
RESEARCH AND ECONOMIC DEVELOPMENT

Date: June 15, 2016
 To: Matthew May cc: Gregory Hill
 From: Office of Research Compliance (ORC)
 Subject: SB-IRB Notification of Approval for Modification - 025-SB16-054
The Effect of the Cinked Primary on Idaho State Employees

The Boise State University ORC has reviewed and approved the proposed modifications to your exempt protocol application.

Protocol Number: 025-SB16-054

Approved: 5/15/2016

Submission Received: 6/10/2016

Review: Exempt

Your research is still exempt from further IRB review and supervision under 45 CFR 46.101(b). This exemption covers any research and data collected under your protocol as of the date of approval indicated above, unless terminated in writing by you, the Principal Investigator, or the Boise State University IRB. All amendments or changes (including personnel changes) to your approved protocol **must** be brought to the attention of the Office of Research Compliance for review and approval before they occur, as these modifications may change your exempt status. Complete and submit a Modification Form indicating any changes to your project.

All forms are available on the ORC website at <http://goo.gl/D2FYTY>

Please direct any questions or concerns to ORC at 426-5401 or humansubjects@boisestate.edu.

Thank you and good luck with your research.

Office of Research Compliance