

An Opinion For the People: Informed Voting in Primary Elections by jalp – AG4tP July 8-9, 2014

It's four weeks before the primary election. Do you know what **all** your options are? Not if you're going by what the Bureau of Elections has posted on its Website.

The Bureau has a Webpage for listing candidates who have already qualified for the November 4 general election. They've had it since late March, in fact. But, as you can see [here](#), it's empty.

And it's not empty because the Bureau has no information to put there. They've known about me and the other nominees coming out of the Green Party of Michigan's June 7-8 state convention for a month now. The Libertarian Party of Michigan held its convention May 17, so the Bureau has had information about Libertarian candidates for over seven weeks. Even the June 28 US Taxpayers Party of Michigan convention was over a week ago.

Contrast this with the rapid posting and constant updating of [candidates for the August 5 primary](#). Of course, it is good for those of us who vote on that date, in that publicly-funded function for the major parties, to know ahead of time who's going to be on the ballot. It might also be good for us to know who has filed the paperwork to be an official write-in candidate, whose name we can add to the ballot and expect our votes to be counted. And, for any of us who might want to vote strategically in the primary, it would help to know who else besides a Democrat and a Republican we'll have available to vote for in the November 4 general election.

But how important is this? How big of a share of the voting public does that include? Well, [46% of voters polled by Gallup last month identified themselves as neither Republicans nor Democrats](#). I'm one of the 46%; maybe you are, too. And there are more and more of us: the percentage has been going up over the past ten years, and might top 50% soon. For all of us, and for voters who see themselves as Democrats or Republicans but who also want to consider voting strategically in the August 5 primaries — in short, For the People — I have created the chart posted here:

[chart of alternative candidates for 2014](#)

(The chart is posted at my WordPress blog because I can't post it here at Facebook. It's a 6-page PDF document in landscape format.)

It's based on party Websites, news reports, and the state's campaign-finance database. It even has my best guesses for which of the absolutely independent (NPA = "No Party Affiliation") candidates with active campaign committees are actually running in 2014. I've been in contact with the fourth alternative party on the Michigan ballot, the Natural Law Party, and hope to update the chart with their nominees if and when. If anyone else has updated information, please contact me. (And that includes information that the Bureau has finally activated its own general-election candidates page.)

Michigan courts have long recognized that, "[a]lthough primary elections are run by the state and are regulated by the state election law, they nevertheless remain primarily party functions." [Ferency v Secretary of State, 190 Mich App 398, 415; 476 NW2d 417 \(1991\)](#). The idea has been that publicly-funded primaries are better than back-room deals by party bigwigs as a way to meet the requirement in our state Constitution to preserve the purity of elections. That requirement "has been applied in different factual settings, [and] it unmistakably requires . . . fairness and evenhandedness in the election laws of this state." [Socialist Workers Party v Secretary of State, 412 Mich 571, 598; 317 NW2d 1 \(1982\)](#). This decision also cited the US Supreme Court's 1968 *Williams v Rhodes* decision in recognizing "the right of qualified voters, regardless of their political persuasion, to cast their votes effectively" as a right "basic to effective political expression and merit[ing] strong constitutional protection." [SWP v SOS, 412 Mich at 588](#).

In other words, as long as a primary is publicly funded, and regulated as a public election, it should be run For the People. And making sure We the People can find out now who has qualified for the fall ballot is a natural part of running the primary for us — for the plurality or majority of voters who want that information to help us decide what votes would be in our own best interests.

That's my opinion, anyway. And it would be my opinion as Attorney General . . . For the People.

(I aim to share more of these opinions here as the campaign goes on. One of them may discuss [the provision of state law](#) that authorizes the Secretary of State to have this information posted at the polls on primary election day — if she considers it "necessary" — and how else it could be used For the People.)

prepared using donated labor by and for: **JALP – Attorney General For the People** / 386 Boyer Ct, Marshall, MI 49068