

case seems different in great degree from that in prior cases and could in the future alter the results in other local government cases. These cases were extended somewhat in *Ball v. James*,<sup>1889</sup> a 5-to-4 decision that sustained a system in which voting eligibility was limited to landowners and votes were allocated to these voters on the basis of the number of acres they owned. The entity was a water reclamation district that stores and delivers water to 236,000 acres of land in the state and subsidizes its water operations by selling electricity to hundreds of thousands of consumers in a nearby metropolitan area. The entity's board of directors was elected through a system in which the eligibility to vote was as described above. The Court thought the entity was a specialized and limited form to which its general franchise rulings did not apply.<sup>1890</sup>

Finding that prevention of “raiding”—the practice whereby voters in sympathy with one party vote in another’s primary election in order to distort that election’s results—is a legitimate and valid state goal, as one element in the preservation of the integrity of the electoral process, the Court sustained a state law requiring those voters eligible at that time to register to enroll in the party of their choice at least 30 days before the general election in order to be eligible to vote in the party’s next primary election, 8 to 11 months hence. The law did not impose a prohibition upon voting but merely imposed a time deadline for enrollment, the Court held, and it was because of the plaintiffs’ voluntary failure to register that they did not meet the deadline.<sup>1891</sup> But a law that prohibited a person from voting in the primary election of a political party if he had voted in the primary election of any other party within the preceding 23 months was subjected to strict scrutiny and was voided, because it constituted a severe restriction upon a voter’s right to associate with the party of his choice by requiring him to forgo participation in at least one primary election in order to change parties.<sup>1892</sup> A less restrictive “closed primary” system was also invalidated, the Court find-

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<sup>1889</sup> 451 U.S. 355 (1981).

<sup>1890</sup> The water district cases were distinguished in *Quinn v. Millsap*, 491 U.S. 95, 109 (1989), the Court holding that a “board of freeholders” appointed to recommend a reorganization of local government had a mandate “far more encompassing” than land use issues, as its recommendations “affect[ ] all citizens . . . regardless of land ownership.”

<sup>1891</sup> *Rosario v. Rockefeller*, 410 U.S. 752 (1973). Justices Powell, Douglas, Brennan, and Marshall dissented. *Id.* at 763.

<sup>1892</sup> *Kusper v. Pontikes*, 414 U.S. 51 (1973). Justices Blackmun and Rehnquist dissented. *Id.* at 61, 65.