

UC Berkeley
California Journal of Politics and Policy

Title

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Permalink

<https://escholarship.org/uc/item/9867d79x>

Journal

California Journal of Politics and Policy, 1(1)

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Publication Date

2009-02-03

DOI

10.5070/P28C8B

Peer reviewed

Proposition 11 – What It Will Do

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How legislative district lines are drawn in California is not exactly on the minds of most Californians when they wake up in the morning. If you were to ask an ordinary citizen to rank this issue's relative importance compared with others such as education, the economy, and traffic congestion, this one probably comes in lower than which toothpaste gets teeth whiter than white.

But conventional wisdom in political Sacramento notes that our legislature is ideologically gridlocked and has prescribed Proposition 11 as a procedural remedy. Democrats are too far to the left, Republicans too far to the right to compromise, it is said, because they represent

safe seats where the election is won in the primary, not the general.

Proposition 11 won a narrow victory in November not because most voters noticed any of this, but because, for inexplicable reasons the officeholders and party officials who could have easily funded a campaign to defeat it, a campaign that would have in all likelihood succeeded, took a hike.

Competition in politics, as in the economic market place, is a good thing. It leads to innovation in policy and to greater citizen interest in the process. But whether Prop. 11 will make a difference in any political or policy outcome in California is entirely unclear, for at least three reasons.

First, of course, is the law of unintended consequences. The complex scheme imposed by this measure to resolve how district boundaries will be determined may or may not produce a result that is dramatically different than if the same host of characters who have been doing this behind closed doors for years were left unmolested.

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The intent of Prop. 11's sponsors is to produce a plan for 2012 that looks neat and tidy on a map and that dramatically increases the number of competitive seats for the Assembly and Senate and Board of Equalization. But will the ultimate work product meet those standards? No one can say.

Second, as astounding as it might be to many people living at a time when most of us have the attention span of a house fly, representative democracy in America was designed more than a couple of centuries ago to be messy and difficult and not always convenient. This country, and yes, this state, is deeply, and somewhat evenly divided between people who fundamentally believe that government can't shoot straight and should be given as little to do as possible and people who believe that government intervention is appropriate to solve societal problems.

There is no comprehensive health care reform, for example, because, while almost every Californian agrees that the way health care services are delivered needs to be reformed, every poll I have ever seen has about half the people saying it's the job of government to provide health care and about half the people saying that health care should be delivered by anyone other than the government.

As Tony Quinn notes in his comments about Prop. 11, California is getting bluer by the minute. In the wake of Newt Gingrich's Contract with America, the Democrats emerged from the 1994 elections with a minority of 39

of the 80 seats in the Assembly. During the time that I served as chief campaign strategist for the Democrats in the Assembly we picked up four seats in 1996, five in 1998 and two more in 2000, reaching a total of 50. We dropped back two in 2002 and stayed at that count until this year, when we picked up three new seats, for a total of 51.

In 2002, the Democrats won every single statewide office in California, and we still hold all but two. We hold a commanding lead in the state Senate, both U.S. Senate seats, and a clear majority of California's seats in the U.S. House of Representatives.

But those dramatic Democratic gains reflect not a consensus on the solutions to the problems of the day, but rather a consensus that the California Republican Party is uncompetitive in this state's political market place. The Republican Party in California has become the last refuge of the voters who are far to the right on social issues and who don't like what California has become, which is minority white. California's Republican Party has put out a sign that says "no moderates or people of color need apply" and it is for that reason that the Republicans are an endangered species here.

Drawing district lines differently won't change that. And, if and when the Republicans get back in touch with this state's new voters and improve their electoral fortunes, we are likely to see more policy gridlock, not less.

Third, as a recent candidate for president of the United States noted, you can put a dress (or a pinstripe suit) on a pig, but it is still a pig. No matter how pretty the new legislative district map will look in 2012, no matter how neatly the Assembly seats are nested in the Senate seats, no matter how straight and simple the boundaries are, Proposition 13 will still be starving local government of revenue, the shift to a nontaxable service economy will be constricting the flow of desperately needed sales tax receipts, the two-thirds vote requirement to enact a budget will still have state government tied up in knots for an embarrassingly big chunk of the year, absurdly short term limits will be throwing legislators out on the street just when they're getting good.

Is Proposition 11's November win a victory for good government over political bossism? Maybe. Is it likely to produce any better outcome in the legislature? Don't bet on it. The problems this state faces are fundamental, they are structural, they are farreaching. Changing who draws legislative district lines is unlikely to fix that.

One final observation. From the point of view of our nation's founders, redistricting is really about assuring that every person gets an equal say in the formulation of public policy. One person, one vote. That is why districts are required to be of equal population, why it is required that ethnic groups be "packed" into districts where they have enough numbers to elect their own representatives,

rather than "cracked" into many districts where their power is diluted. Yet, this past November there were Assembly members elected by as few votes at 51,000 and as many as 162,000 votes. When it comes to having a say in Sacramento, the 51,000 are getting a much better deal than the 162,000. Anyone up for doing something about that?