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Hill, Steven

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California's Constitutional Convention: The Spirit of the Founders Visits the Golden State

Steven Hill*
New America Foundation

“Are you ready to put on your white wigs?” That question increasingly is being posed to many everyday Californians, as the Golden State considers if a constitutional convention composed of regular folks might hold the solution to California’s ongoing political and budgetary woes. With state government in Sacramento seemingly frozen in place, a group of California leaders formed RepairCalifornia.org and have filed a voter initiative to

create a constitutional convention to address the state’s deeply entrenched structural problems.

But this would be no ordinary convention. Just over half of the 460 or so participants would be “citizen delegates,” regular people who have been scientifically selected to convene a broad cross-section of California. The rest would be delegates appointed by local government officials. This innovative hybrid would attempt to meld the expertise of people with policy knowledge and political experience with the values of everyday Californians who are not concerned about their political careers or partisanship, but instead can focus on what’s good for their state. While Golden Staters have lost faith in their government and elected

*Steven Hill is director of the Political Reform Program of the New America Foundation, and author of *10 Steps to Repair American Democracy* (www.10Steps.net). His next book, “Europe’s Promise: Why the European Way is the Best Hope for an Insecure Age” (www.EuropesPromise.org), will be published by the University of California Press in January 2010.

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leaders, opinion polls consistently show that Californians trust themselves more than they trust the “experts.” Thus, this kind of “people’s convention” could be well suited to California’s culture that has relied for decades—often to its detriment—on popular referendums and initiatives.

The convention would be a limited one, with a mandate narrowly tailored to those parts of the Constitution that deal with governmental structure. The four areas for reform would be in governance and bureaucracy, elections (including the initiative process), budgetary and revenue rules, and the relationship between local and state government. Social policies and potential wedge issues such as gay marriage, gun control and education would be off the table—this is not meant to be a parallel legislature—but most of Proposition 13 could be considered.

California’s political leaders and so-called experts have little credibility with the public at this point; that’s why a constitutional convention composed of over half regular Californians has gained attention. The convention itself in essence would be an ongoing focus group in which the proposals and reforms would be vetted by a large pool of people who would be just like the voters who eventually will decide whether to enact the proposals of the convention.

In the United States and abroad, citizen-as-delegate models have worked well in a range of circumstances. In California and other states, citizen delegates have been used in forums involving hundreds and even thousands of

people at a time to advance solutions to contentious issues such as post-Katrina rebuilding, tax reform, health care, housing and regional development. Citizen delegates have more of a tendency to focus on what works and finding common ground than on ideology, partisanship, or career self-interest.

And those qualities are exactly what the situation needs. With California grappling with a crisis of historic proportions, many people feel it is time to draw upon the genius of what has always been the Golden State’s greatest resource—Californians themselves.