

California Commentary

Doing the People's Business, or Their Own?

By Jon Coupal

Our elected leaders are generating a great deal of buzz now in the Capitol — but very little of it has to do with issues that concern ordinary Californians. Throughout the shallow (whoops, I meant hallowed) halls of the statehouse, whispers and political jockeying are abounding on three issues relating to raw political power: Term limits, the early presidential primary, and reapportionment.

Let's start with the indisputable truth that politicians hate term limits. While reasonable people can disagree over the efficacy of term limits, elected officials have their careers at stake and publicly or privately (depending on their perception of where their constituents might be) complain bitterly about not being able to stay in office for as long as they wish. Arguments in favor of term limits are compelling — starting with the fact that incumbents have huge advantages over challengers. (For purposes of full disclosure, this writer argued the case before the California Supreme Court in defense of Proposition 140, California's term limit measure, when it was challenged by Willie Brown and others).

It has been argued that Proposition 140 is flawed because it results in an endless game of musical chairs in the California Legislature, and legislators have little time to acquire any expertise in various subject matters. This may be true, at least in part. So one answer has been to change term limits so that a legislator may spend up to 12 years in one house or the other. Currently, legislators are limited to three two

year terms in the Assembly and two four year terms in the Senate.

But there is a sticking point. If the term limit rules are changed, will *current* legislators get to start all over again? In other words, will they get a "fresh clock" or will their existing terms count against them? A word of advice for denizens of the Capitol: If voters perceive that an alteration of the existing term limit restrictions is designed to perpetuate any political careers, that measure is doomed to failure at the polls — by a *large* margin.

So how do politicians entice voters to change term limits at all, even if they don't "restart" the clock? The idea is to couple a change in term limits to something that is viewed as good for government and nonpartisan, such as redistricting. There is broad agreement among liberals, conservatives, editorial writers, and academics that the voting public would benefit significantly through a change in the way we draw our political boundaries. Currently, some legislative districts are so gerrymandered they appear to be Rorschach tests on LSD.

Both Republicans and Democrats have mouthed platitudes about redistricting but, here too, there are sticking points. First, any redistricting plan must be drawn by somebody — which raises Plato's famous inquiry, "who guards the guards?" Or, more precisely, how do we create a *truly independent* commission to oversee the line drawing process? Second,

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would such a plan also redraw California's congressional district lines, or just the boundaries of California's legislative districts? Impasse on either or both of these two issues allows all the pols in Sacramento to say they support reapportionment reform *without* really meaning it.

Finally, overlaying all of this is the issue of an early presidential primary. Camps within both parties see varying degrees of advantages and disadvantages to having California's primary in February. Thus, the analytical types are asking would this help Hillary or Obama? Would McCain or Giuliani be benefited? But shouldn't the question be, does this benefit California? Is it critical that California become "relevant" in the primary process or are we relevant enough because of our size? Moreover, how early is too early for a presidential primary?

All this jockeying does accomplish one thing: It highlights that, once elected, politicians tend to be more concerned with the politics of self-preservation rather than the real problems facing the state.

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