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Initiative avoids a 'lesser evil' pick

By Shawn Steel

I salute the state Legislature for approving Senate Constitutional Amendment 18, a ballot initiative that would preserve the political parties' right to choose their nominees by guaranteeing every party fielding a candidate in the primary will also be represented on the November ballot. It is remarkable any time the Legislature acts either speedily or justly, let alone doing both simultaneously.

SCA 18 will compete for voter favor on the fall ballot with misleadingly christened "Voter Choice Initiative," which would replace the traditional party primary with a "top two" primary system: The top two vote-getters in the primary, regardless of party affiliation, would face each other in the general election. Under the current gerrymander, only a fraction of the legislative districts are competitive — meaning most California voters would find themselves choosing between either two Democrats or two Republicans in the November election.

This is not reform. Indeed, supporters of the "Voter Choice" initiative — a small group of wealthy self-identified reformers — don't contend the current system is ineffective or disenfranchising voters or intrinsically bad. They simply don't think it produces enough officeholders who fit their ideological preferences. Thus, this is less an attempt to reform the system than to bias it to produce a desired outcome, e.g. the election of more

"moderate" legislators.

Unfortunately, there is scant evidence a "top-two" system would perform as intended. Louisiana adopted it nearly 30 years ago, and has hardly been transformed into a citadel of high-minded political moderation.

Indeed, in 1991 the "top-two" system resulted in a gubernatorial run-off between white supremacist David Duke and the notoriously corrupt former governor, Edwin Edwards. Faced with the noxious choice bestowed upon them by their top-two primary system, Louisiana voters held their nose and picked Edwards — who was later imprisoned for bribery and fraud.

France is another singular example of the politically splintering effect of the top-two system — in France's 2002 presidential election, it produced a run-off between incumbent President Jacques Chirac and right-wing extremist Jean-Marie Le Pen. French voters cast their ballot unenthusiastically for the lesser of two evils.

While it's unlikely the Voter Choice Initiative will be a magical formula for cranking out moderate legislators, there is no doubt it would virtually obliterate third parties, because their candidates could never garner sufficient votes to make the run-off. It would raise barriers to running for office by making it a much more expensive undertaking. Partisan primaries are less costly because candidates only communicate with fellow party members. Switching to a top-two system forces candidates to fund two, much costlier

general election campaigns.

If it is the electoral results of our gerrymandered legislative districts that disturbs the backers of the Louisiana Primary Initiative, their money and energy would be better spent transferring reapportionment from the Legislature and the governor and putting it in the hands of special commission like the panel of retired judges who produced the fair reapportionment of 1991.

Which takes me back to why the state Legislature's speedy approval of SCA 18 is a good thing. The editorial pages have been virtually unanimous in their denunciations — an almost foolproof indicator the Legislature acted correctly.

I don't disagree that a number of SCA 18 supporters acted from what they perceive as their own self-interest. I also know just as many share Sen. Ross Johnson's principled opposition to ending the right of political party members to choose their own nominees and denying smaller parties a place at the table of democracy.

Regardless of the various motives at work, I applaud the result because it gives California voters a real opportunity to choose what kind of elections system they want.

It will present a more genuine choice than most California voters will have if the so-called Voter Choice Initiative becomes the law.

Shawn Steel is former chairman of the California Republican Party, a Director of California Club for Growth and a Rolling Hills resident.