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SECTION: MAIN NEWS; Pg. A3**LENGTH:** 730 words**HEADLINE:** Redistricting reform could revive brain-dead Legislature**BYLINE:** Dan Walters**BODY:**

An autopsy's purpose is to determine what trauma or disease caused a human being to become a lifeless cadaver - not only to satisfy curiosity, or sometimes the law, but so that the living can prevent needless deaths in the future.

The California Legislature is a brain-dead political body, endemically incapable of addressing the issues that a fast-growing and fast-changing society generates. It had been withering away for a quarter-century but lapsed into a coma four years ago after its members administered a dose of institutional poison - a bipartisan gerrymander of 120 legislative districts.

The gerrymander, designed to freeze the status quo in both the state's congressional delegation and in the Legislature, was politically expedient for leaders of both parties. It guaranteed that Democrats would remain in control of both venues, but that Republican ranks would not be reduced.

Californians have seen little impact from fixing the partisan ownership of their 53 congressional seats, because without term limits, all but a couple of those seats were destined to remain in their incumbents' possession anyway. Ironically, while much of the impetus for the gerrymander came from white Democratic congressmen in Southern California who were worried about losing their seats to Latinos, the more important effect was on the Legislature.

By eliminating partisan competition for legislative seats, the scheme not only dealt a blow to small-d democracy but diminished an institution already in failing health. The four years since the gerrymander was enacted have been four years of utter failure, with the perennially deficit-ridden state budget being a prime example.

Lawmakers run up multibillion-dollar deficits year after year - Republicans refusing to raise taxes, Democrats refusing to make major spending reductions - because they can indulge their ideological fancies without fear of losing their seats. Voters may be disgusted with the Legislature, as polls indicate, but they can't express that disgust because the game is fixed.

If, as we must conclude, gerrymandered legislative districts are not only undemocratic, but poisonous in terms of performance, we should embrace the antidote, which is having districts that are drawn independently, without regard to partisan or personal outcomes.

An incidental effect of independent redistricting would be that a significant number of districts would become competitive - i.e., could be won by candidates from either major party, depending on circumstances and the quality of candidates.

Insiders who support the status quo will say it's unlikely that a large number of districts will become competitive because of the state's increasingly red-vs.-blue nature - and that's true. But it also begs the question, because if only a handful of districts moved into the uncertain category - say a half-dozen of the 80 Assembly districts - the entire atmosphere of the Capitol could be changed by creating a decisive bloc of moderates more interested in policy than posturing.

The potential for bringing the Legislature back to life is demonstrated in a new study by the **Rose Institute** at Claremont McKenna College in Southern California, using computerized data and drawing on the redistricting plans drawn by independent panels of judges after the 1970 and 1990 censuses. Rose concluded that were Proposition 77 to be enacted, and new districts drawn by a panel of retired judges, the number of competitive congressional districts would increase to 10, those in the Assembly to seven, and those in the state Senate to eight.

Those who oppose Proposition 77, which is backed by Gov. Arnold Schwarzenegger, are denouncing Rose's demographers as Republican shills, but the essential accuracy of their conclusions is acknowledged by experts with a Democratic tilt and even Democrat-friendly groups such as Common Cause and California Student Public Interest Research Group endorse the measure. And it's also evident that redrawing congressional districts could reduce Republican ranks a bit - which explains why so many GOP congressional members oppose Proposition 77.

What would be the alternative to jolting the Legislature back to life? It's a lingering death for legislative democracy and relevance.

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