

The Top Two: Too Soon to Tell

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Until just a handful of years ago electoral reform advocates in California engaged regularly in eager debates about whether, with the right mix of structural governance reforms, state government could be more accountable and effective for *all* Californians instead of only those with deep pockets and close ties to key power brokers (for a government reform geek, this is a very thrilling line of discussion, I promise you). Everyone had a theory, but no one knew for sure—because as recently as early November 2008, California hadn't passed any of the numerous state-level reforms now jostling California voters. There was no Citizens Redistricting Commission, no Top Two, no loosening of the term limits law, and no initiative process reform (signed by Governor Brown only a few months ago).

The last several years have been a veritable whirlwind of reform. Not surprisingly, now nearly every pundit in the state and no doubt a few political scientists is desperate to opine on whether the landscape has changed, and if so, then for better or worse? Data on the impact of these new policies is trickling in, but we should avoid firm conclusions until the Top Two has had time to take hold. Ideally, this will include giving voters a chance to become aware of the policy changes and consider altering their voting behavior in response, since impact on voter behavior is a major element of the predicted benefit of most of these reforms.

The suggestion to chill for a while particularly applies to those eager to pass judgment on the Top Two, the efficacy of which really is largely a function of voter awareness and behavior.

Absolutely we should be tracking the political affiliation of primary and run-off election candidates, voter turnout, and how winners behave once in office, in the context of the Top Two. But it doesn't make sense to try to interpret possible changes in voter behavior until voters have had a chance to know that in this shimmering new reform-infused world they can vote for *any* candidate irrespective of party affiliation, and *all* of those candidates are (or should be) vying for their vote. If, after robust steps have been taken to alert voters to these changes, voters still take a pass, then perhaps the reform should be viewed as less-than-wholly effective (controlling for unrelated hurdles that also discourage eligible nonvoters from voting). Voter education of this kind hasn't been done in a big way yet, but hopefully we'll see it in 2016.

In addition to ensuring voters are going to be in the loop, there is one more thing to consider. For the Top Two to actually be transformational, the date of the California primary also needs to be moved to much later in the year—for example, August.

Candidates need sufficient time with voters to communicate their political agenda, values and leadership style, and voters need that time to absorb this information and decide what to do with it. The more candidates there are to choose from—and with the Top Two there could be many more—the harder this stage of the process is for everyone.

Expecting voters to manage these new challenges within the old time frame favors candidates with more money in the bank and further pressures all candidates to raise as much cash as they can for paid media. This may discourage candidates with that independent, “can-do” profile the Top Two supporters seek to empower (unless of course candidates are also wealthy). In races with multiple candidates, voters will struggle mightily to effectively comparison shop and may just give up in frustration.

Moving the primary date later in the year could fix this. Candidates and voters would have more time to get to know each other. And given more time, candidates would have the option of presenting themselves to voters in person and through earned media, rather than having to rely largely on paid advertising (or what they could afford of it). This would produce higher quality information for voters and it would help level the playing field for new candidates, candidates not backed by the major-party establishments, and third-party candidates. It is true that a significantly later primary could be viewed as problematic for California’s role in the presidential primary, but the last time I checked, California was already viewed as too late to matter in the way that states who vote early get so excited about.

This is an important time in California governance. A common understanding has been reached among a critical mass of stakeholder groups, including from the left and the right, and from north, south, and inland, that is allowing a collective vision of a more accountable, inclusive, responsive, and effective democracy in California to take hold. It feels like a lot has happened in the past decade, but could it be just the beginning? Let’s continue to monitor the landscape closely, give these new policies a chance to do as they are intended, and keep final judgments at bay. We could be at this for quite a while—which would be a good thing.

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