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**Redistricting Reform Will Not Solve
California's Budget Crisis**

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Abstract

Jarvis (2009) argues that ideological polarization in California's state legislature creates unique problems for the state because of the interaction between polarization and the requirement that the budget pass with a two-thirds supermajority. Thus, Jarvis argues that California should adopt a system of redistricting that produces more competitive elections in order to reduce polarization. However, that is the wrong solution. Increasing the number of competitive districts would have a minimal effect on polarization because polarization has other causes. Instead, the solution is to abandon the two-thirds budget requirement since polarization cannot be solved through redistricting, and increasing the number of competitive districts simply reduces representation.

KEYWORDS: competition, redistricting, polarization, budget

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Redistricting Reform Will Not Solve California's Budget Crisis

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In several previous papers (Buchler 2005, 2007a, 2007b), I argued that promoting competitive elections makes elected officials less representative of their constituents' preferences and interests. Jarvis (2009) acknowledges that minimizing the number of competitive elections promotes representation, but argues that there are more important concerns than representation in California. In order for a budget to be approved by the state legislature, each chamber must pass the budget with a two-thirds supermajority rather than a simple majority. When two ideologically polarized parties must somehow cobble together a two-thirds supermajority in order to pass a budget, problems inevitably ensue. Hence, Jarvis argues that California should sacrifice representation in order to reduce polarization because the interaction between an ideologically polarized legislature, a two-thirds supermajority requirement, and several other factors causes too many problems.

In order to reduce polarization, Jarvis (2009) argues that California should adopt a system of redistricting that creates more competitive districts. The premise of that argument is a common one. The post-2000 census round of redistricting in California was a classic example of a bipartisan gerrymander. In a bipartisan gerrymander, voters of each party are packed into relatively homogenous districts, thus guaranteeing each party a fixed number of safe seats, and eliminating any seats that might potentially be competitive in the general election. In the 2000 presidential election, 15 of California's 52 U.S. House districts had Bush and Gore separated by less than 10 points in the two-party vote. In the 2004 presidential election, only five of California's 53 House districts had Bush and Kerry separated by less than 10 points. Patterns were similar in both the Assembly and state Senate districts. Competitive districts were eliminated, and voters were packed into relatively homogenous districts that would be safe for either the Democrats or Republicans.

Conventional wisdom holds that such bipartisan gerrymanders are responsible for ideological polarization in the legislature. After all, if legislators have no need to worry about their general election prospects, they have no incentive to move to the center. If they only need to worry about a primary challenge, they need to move to the extremes in order to satisfy noncentrist primary voters. Thus, conventional wisdom holds that by eliminating competitive districts, bipartisan gerrymanders produce ideological polarization among legislators. Thus, Jarvis (2009) argues that we should be willing to sacrifice the representational benefits of a bipartisan gerry-

mander because polarization is too dangerous in California's unique system. While a system of competitive districts may not lead to optimal representation, they can reduce polarization, and thus make it easier to pass a compromise budget with a two-thirds supermajority. Failing that, Jarvis argues that a system with more competitive districts can itself produce a two-thirds supermajority for one party (most likely, the Democrats), in which case passing the budget is easier, even with polarized parties.

There are several problems with this argument. First, bipartisan gerrymanders aren't responsible for ideological polarization. They play, at most, a small role in creating polarization, so drawing more competitive districts would sacrifice the representational benefits of a noncompetitive redistricting plan without having a dramatic effect on legislative polarization. Jarvis (2009) acknowledges this point, but argues that competitive districts are a necessary, if insufficient, condition for the election of moderates. Thus, while redistricting reform cannot eliminate polarization, it would at least be a step in the right direction. However, redistricting reform has very little potential to reduce polarization, so it makes little sense to sacrifice representation for such a small chance of reducing polarization.

While Jarvis (2009) is correct that a system with more competitive districts can give one party a two-thirds supermajority (I argued as much in Buchler 2007a), that supermajority runs the risk of long-term entrenchment (again, see Buchler 2007a), and creates unrepresentative policy outcomes across a wide range of policy areas.

Fundamentally, the problems that Jarvis (2009) finds troubling stem not from the redistricting process, but from the two-thirds supermajority requirement for passing the budget. Redistricting reform simply dances around the central problem. If the state is going to attempt any kind of dramatic reform in order to prevent problems with the budget, that reform should be to eliminate the two-thirds requirement rather than to draw more competitive districts. If the state is going to attempt a dramatic reform to address the difficulty of passing the budget, the state should adopt the reform most likely to actually solve that problem without creating the side-effects of competitive districts.

The Causes of Legislative Polarization

Conventional wisdom blames polarization among elected officials on redistricting practices. However, as we shall see, noncompetitive redistricting plans play at most a minor role in promoting polarization. This paper will demonstrate that point using data from the U.S. Congress rather than the California Assembly and Senate because of the availability of data at the federal level that are comparable over time. Legislative redistricting operates in similar ways at the federal and state legislative

level, particularly since so many see the state legislature as a stepping stone to the U.S. Congress (especially with term limits at the state level). Hence, the findings will be applicable to the state legislature.

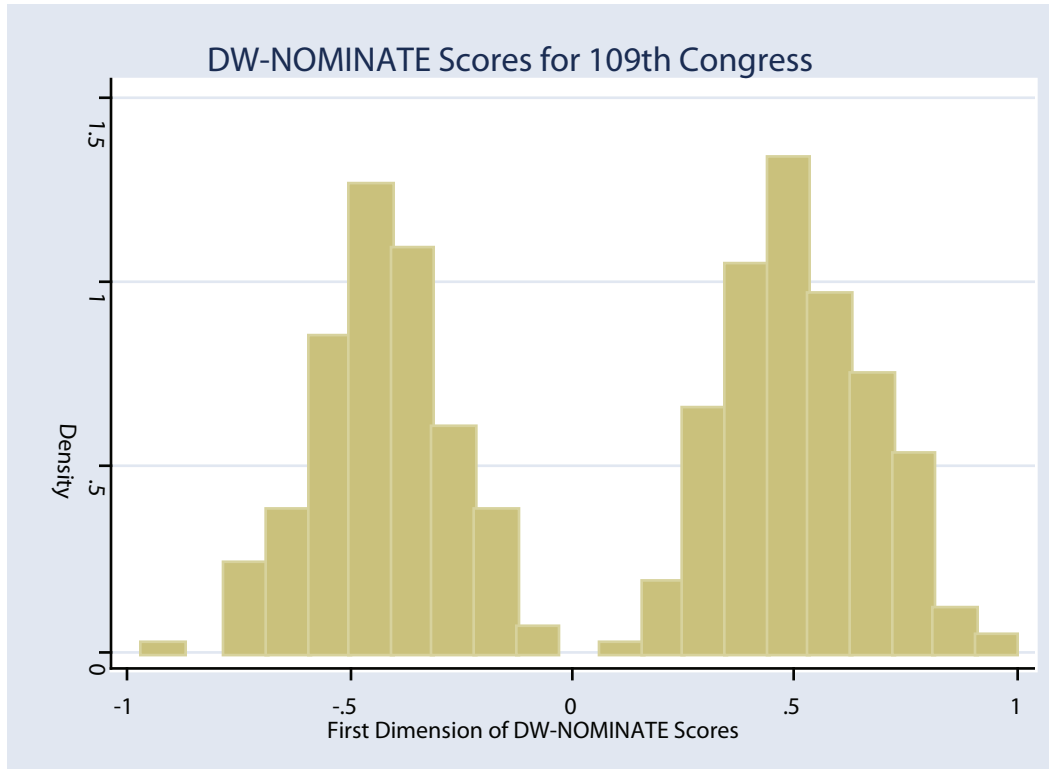
To get a sense of the degree of polarization in modern politics, consider Figure 1, which is a histogram showing DW-NOMINATE scores for Members of the U.S. House for the 109th Congress. DW-NOMINATE scores, of course, measure Representatives' ideology based on roll call voting patterns, and range from -1 (the most liberal end) to +1 (the most conservative end).

Figure 1 shows a familiar pattern. The U.S. House of Representatives consists of a large number of liberals, a large number of conservatives, and very few legislators in between. According to conventional wisdom, this pattern occurs because very few legislators face competitive elections. Bipartisan gerrymanders have given them districts in which they cannot possibly lose the general election because Democratic incumbents represent districts with overwhelming Democratic majorities, and Republican incumbents represent districts with overwhelming Republican majorities. Thus, legislators have no need to moderate their positions for the sake of winning a general election. Instead, they simply represent the ideological extremes because they are more worried about winning their primaries. Thus, by eliminating competitive districts, bipartisan gerrymanders produce legislative polarization.

The data simply do not support that claim. Several studies have been conducted over recent years to examine the impact of redistricting on polarization, and the conclusion has consistently been that the effect is small. Consider, for example, Abramowitz, Alexander, and Gunning (2006), Masket, Winburn, and Wright (2006). Most recently McGhee (2008) conducted an extensive examination of redistricting in California, showing that redistricting is not responsible for ideological polarization. How can that be? After all, redistricting is such an intuitively appealing villain in the story of legislative polarization.

In order to understand why redistricting is not responsible for polarization, let us begin by examining the causal mechanism in this story. The conventional wisdom about redistricting is that a steady disappearance of marginal districts has produced a steady increase in ideological polarization among elected officials. In order for that to be the case, then, we would have to observe the disappearance of marginal districts. Notice that we must distinguish between marginal districts and competitive elections. A marginal district is a district with equal numbers of Democrats and Republicans. Such districts will not always have competitive elections because a competitive election requires not just equal numbers of Democrats and Republicans, but Democratic and Republican candidates of equal stature. A marginal district without a strong candidate on one side will not have a competitive election. Redistricting directly determines the number of marginal districts, and only indirectly determines the number of competitive elections. If redistricting reform is

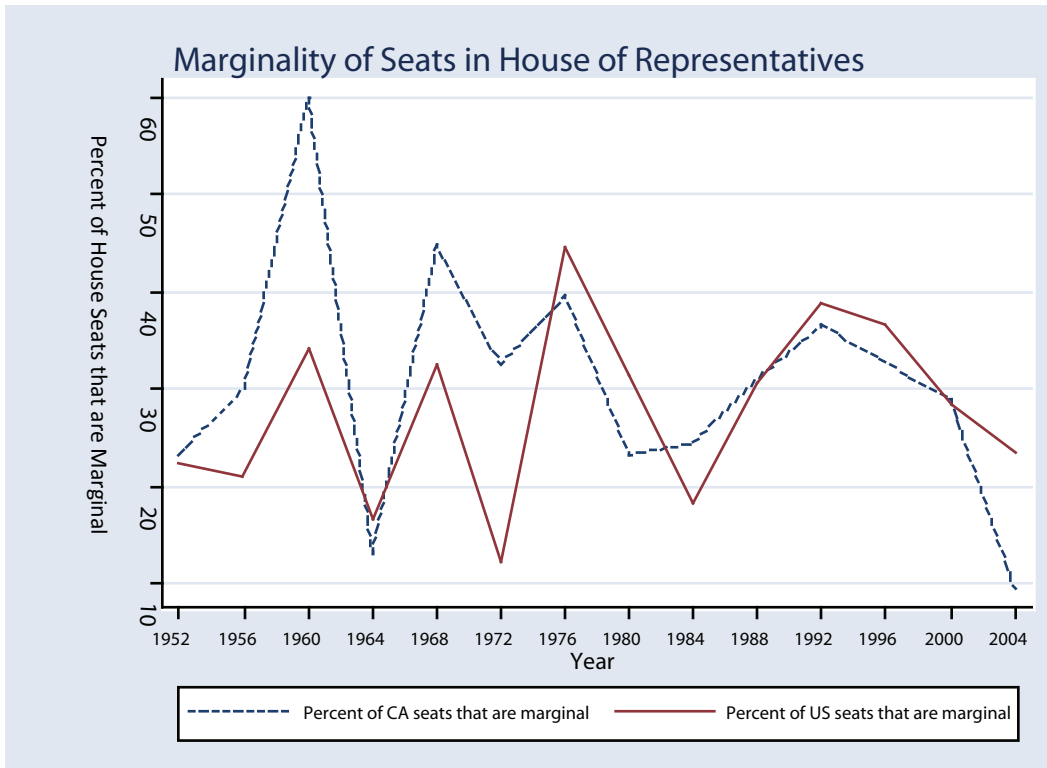
Figure 1.



to explain polarization, it is by eliminating marginal districts rather than competitive elections. Have we seen a disappearance of marginal districts over time? For each presidential election, Figure 2 shows the proportion of U.S. House districts in which the two presidential candidates are separated by less than 10 points in the two-party vote. The solid, red line shows the proportion of all House districts that are marginal, and the dashed, blue line shows the proportion of California House districts that are marginal. Again, these figures are based on U.S. House districts rather than state legislative districts due to the widespread availability of data, but they demonstrate the point.

In order for the disappearance of marginal districts to explain the increase in legislative polarization over time, marginal districts would have to disappear over time. They didn't. There was a precipitous drop in the number of marginal House districts in California following the post-2000 round of redistricting, as we have already discussed, but aside from that dramatic drop in one state, Figure 2 hardly tells the story of the disappearance of marginal districts. 2004 had fewer marginal districts than previous presidential elections that were truly competitive (1964, 1972,

Figure 2.



and 1984 were hardly close elections), but the pattern is not the steady decline that we are led to expect by those who blame homogenous districts for polarization. In fact, 102 House districts—nearly 1/4—were marginal in the 2004 Presidential Election—only 22 fewer than in 2000. Notice, also, that almost half of that decline (10) came from California. The post-2000 round of redistricting was supposed to be the most egregious example of eliminating competitive districts, and while that may have been the case in California, that has not been the case nationwide. Legislators nationwide have become more polarized over time, but if marginal districts didn't disappear, we cannot blame polarization on their disappearance.

So, let us now examine the patterns by which polarization emerged. Figures 3 through 30 show how polarization emerged, and why redistricting cannot be responsible for it. The figures on the left show the degree of polarization in each Congress following a presidential election with a histogram of DW-NOMINATE scores for the House of Representatives. The figures on the right show the marginality of districts in each presidential election with a histogram of presidential election results, broken down by district.¹ If the disappearance of marginal districts had

Figure 3.

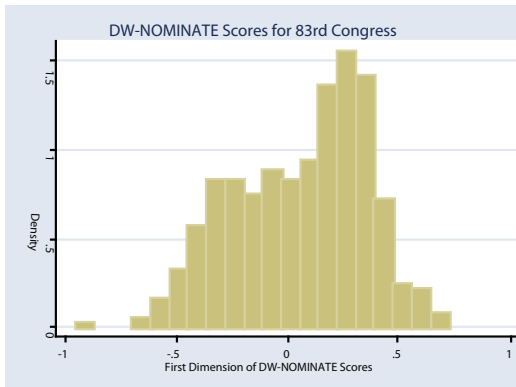


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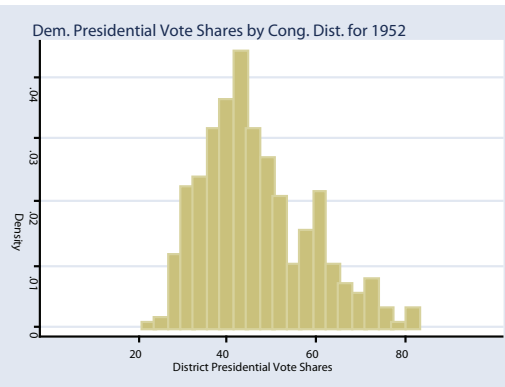


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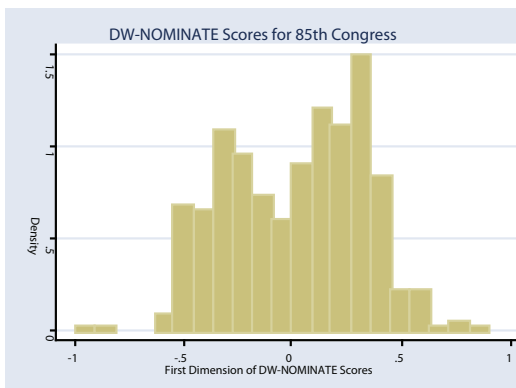


Figure 6.

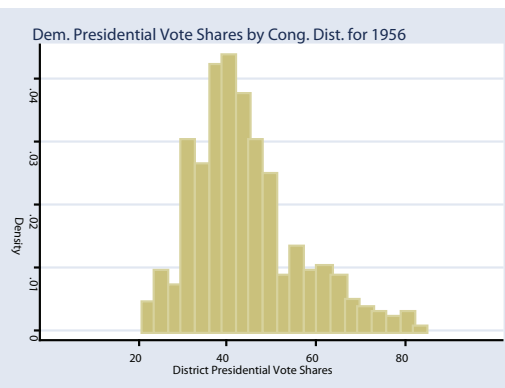


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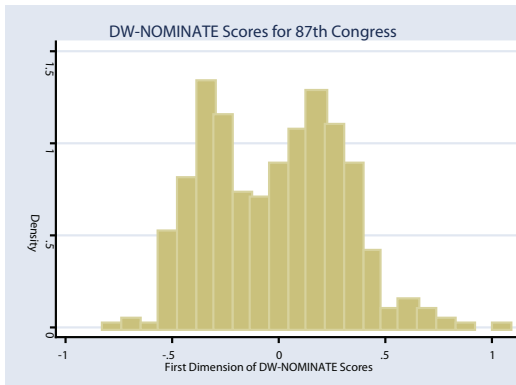


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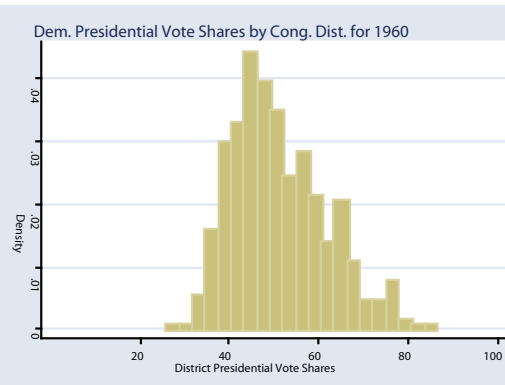


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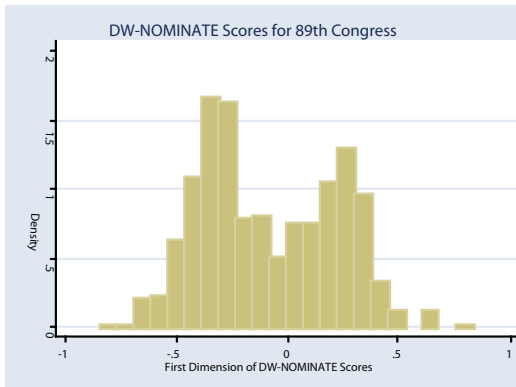


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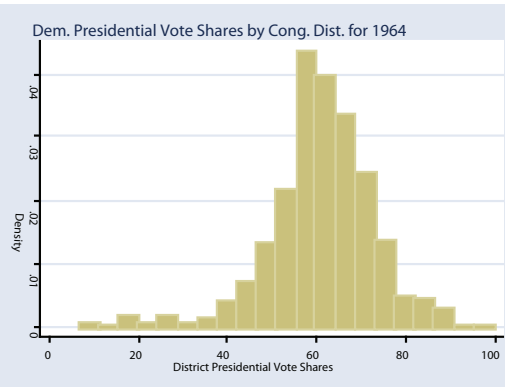


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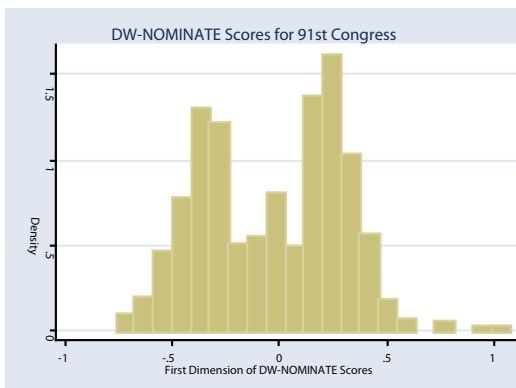


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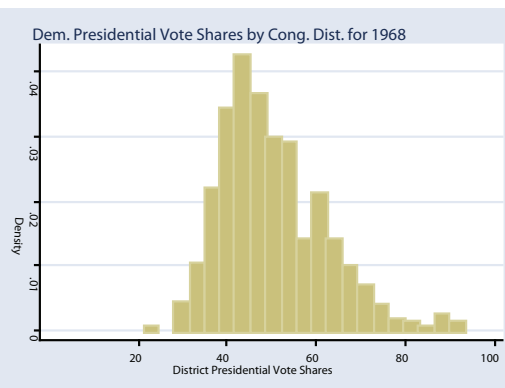


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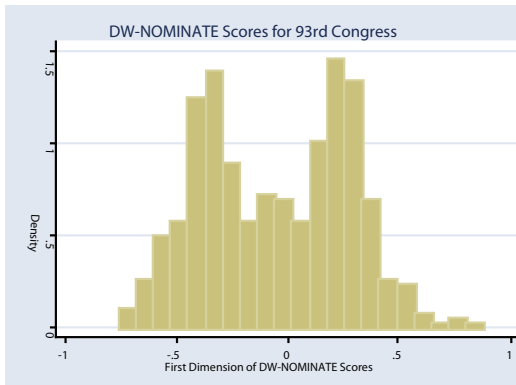


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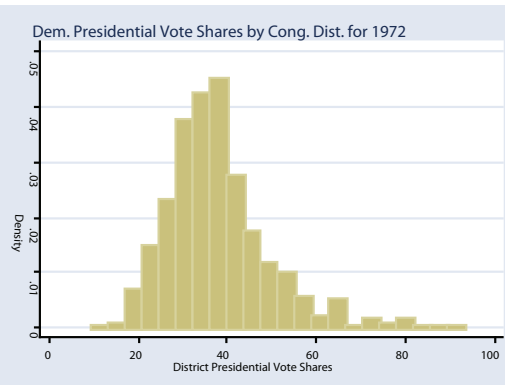


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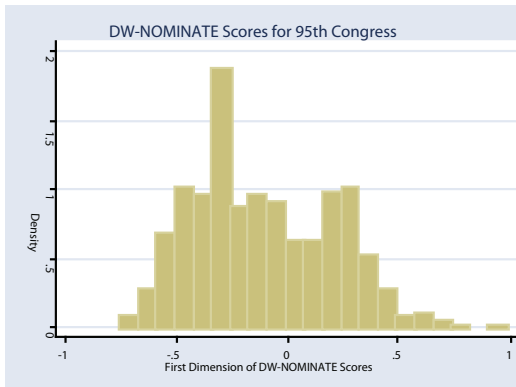


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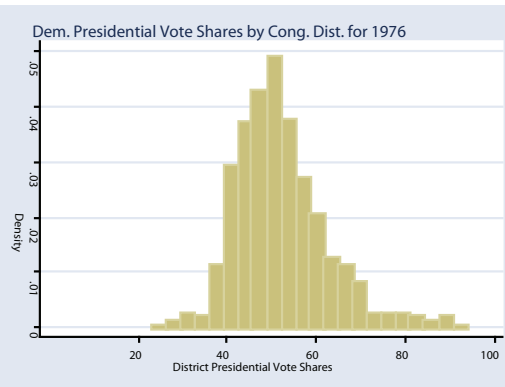


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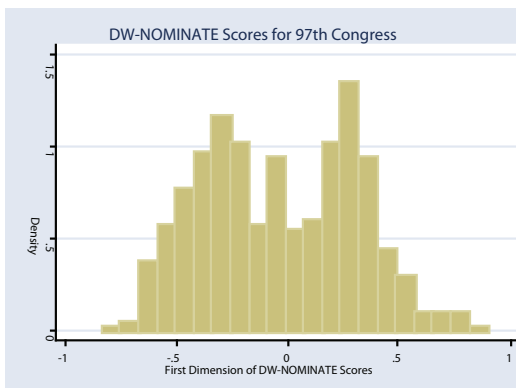


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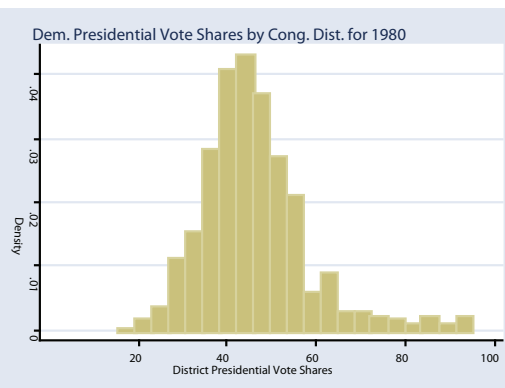


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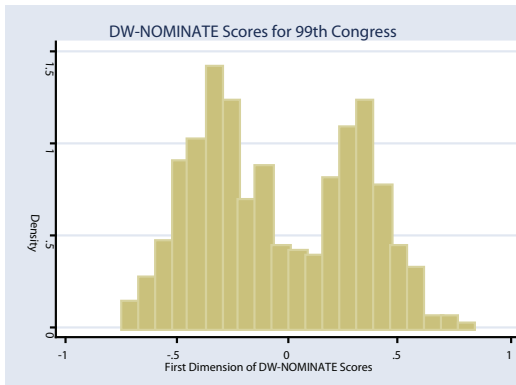


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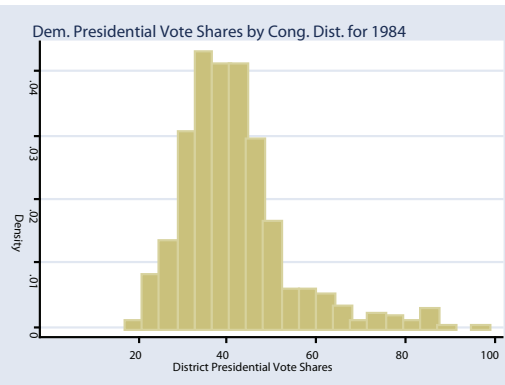


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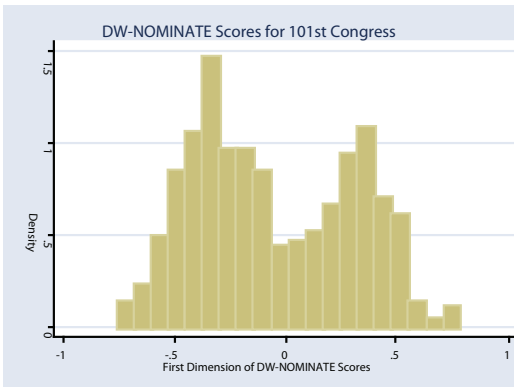


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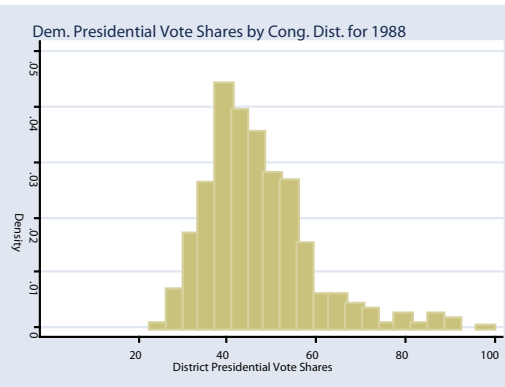


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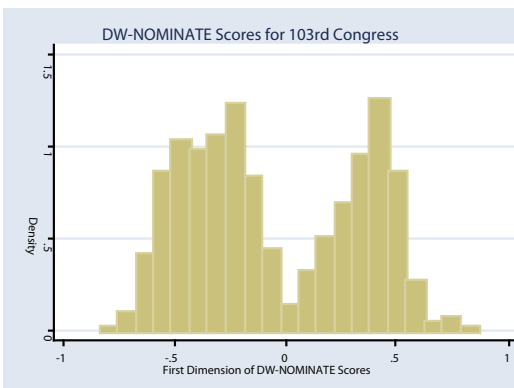


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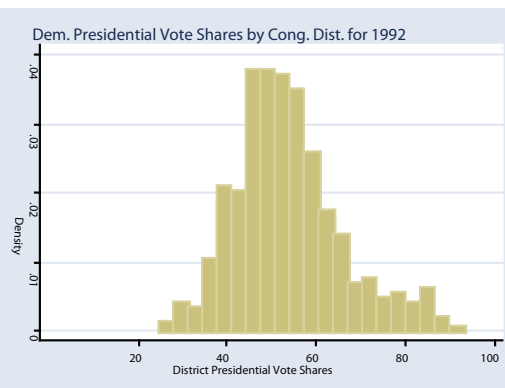


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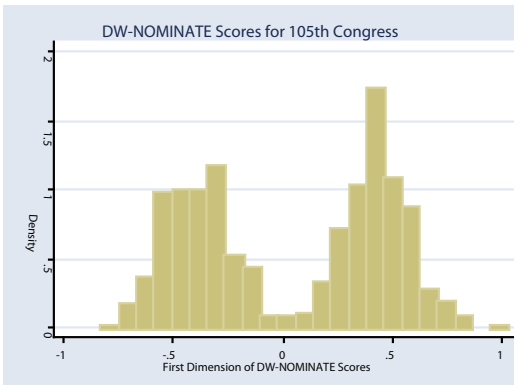


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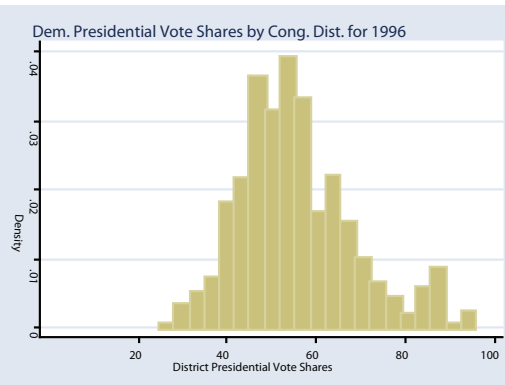


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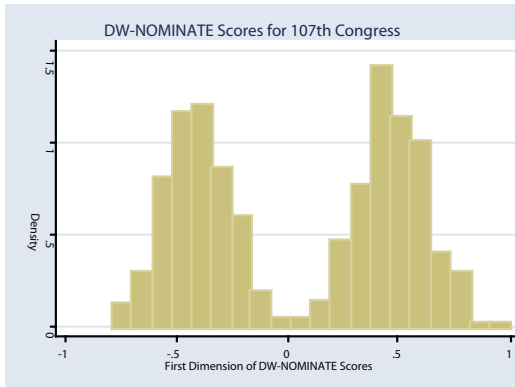


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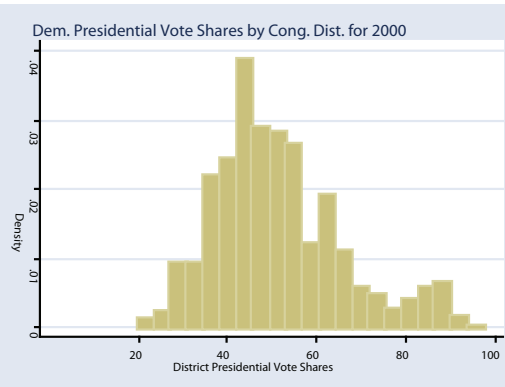


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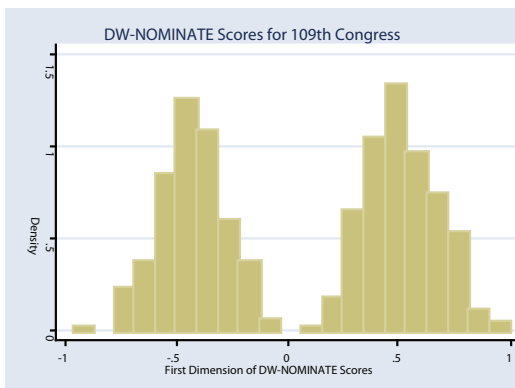
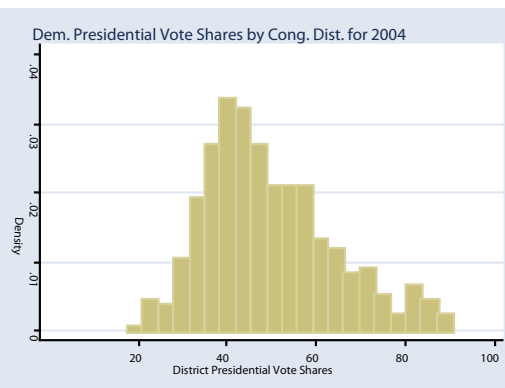


Figure 30.



been responsible for legislative polarization, then the trend in the graphs on the left (NOMINATE scores) would be matched by the trend in the graphs on the right (district-level presidential election results). As we shall see, that is far from the case.

The odd-numbered figures on the left show an emerging pattern of polarization in the U.S. House, becoming particularly pronounced by the 103rd Congress. Moderates disappeared from the House and were replaced by ideological extremists.² However, that pattern is not matched by a similar pattern in presidential election results by district. Marginal districts simply did not disappear. While Figure 30 (results for the 2004 election) shows fewer districts clustered around 50 percent than Figure 4 (results for the 1952 election), the trend is far from dramatic. Also important is the fact that Figure 30 looks quite different from Figure 29. While House members in the 109th Congress were quite polarized along ideological lines, their districts were not. Hence, it would be difficult to blame polarization in Congress

on the disappearance of marginal districts. In fact, if we just look narrowly at the number of districts in which the presidential candidates were separated by less than 10 points, there were 102 such marginal districts in the 2004 election, and only 97 in the 1952 election. There were actually more marginal districts in 2004 than in 1952! Yet, as Figures 3 and 29 show, the 109th Congress was far more polarized than the 83rd Congress. These figures make it very difficult to lay the blame for polarization on the disappearance of marginal districts.

Moreover, we can focus specifically on those marginal districts. Figures 31 through 44 show DW-NOMINATE scores for members of Congress from districts in which the presidential candidates were separated by less than 10 points in the two-party vote. These figures show only NOMINATE scores from Congresses following a presidential election.

If the disappearance of marginal districts had been responsible for legislative polarization, then legislators from marginal districts would not have become more polarized over time—there would simply be fewer of them. We have already seen that marginal districts didn't disappear. Furthermore, Figures 31 through 44 show that legislators from marginal districts have become more polarized over time. The same basic trend that we observed in districts nationwide has taken place in marginal districts as well. Polarization became pronounced, even among legislators from marginal districts, by the 103rd Congress. Recall, also, that the 103rd Congress was when polarization became pronounced among *all* legislators. Whatever has happened to cause ideological polarization in Congress is not limited to safe districts. Members from marginal districts have become more polarized too, and that means we cannot eliminate polarization simply by drawing more marginal districts. Members of Congress from marginal districts are somewhat less extreme than members from safe districts, as Griffin (2006) recently reminded us. However, they have shown the same trend towards polarization that legislators from safe districts have shown, so we cannot blame polarization on the disappearance of marginal districts, which didn't really disappear.

Legislators from marginal districts are slightly more moderate than legislators from safe districts. Theoretically, then, we might reduce polarization a bit by drawing more competitive districts. However, the meager effect that redistricting reform might have would do little to prevent budget stalemates in California. The stumbling block that prevents the emergence of supermajorities on critical votes is the ideological gap between the parties, and that gap appears among members from marginal districts as well as among members from safe districts. Hence, even if the legislature consisted entirely of members from marginal districts, polarization would still prevent supermajorities because the gap between the parties would still exist.

Figure 31.

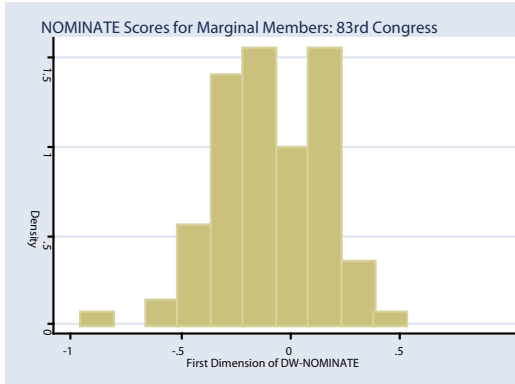


Figure 32.

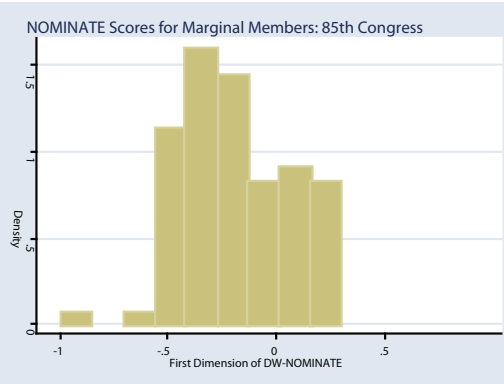


Figure 33.

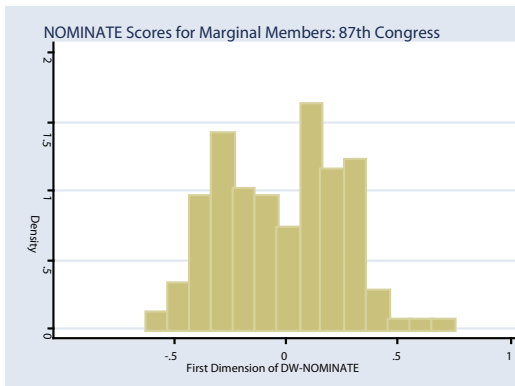


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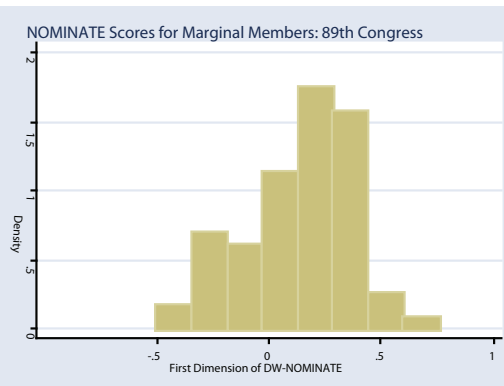


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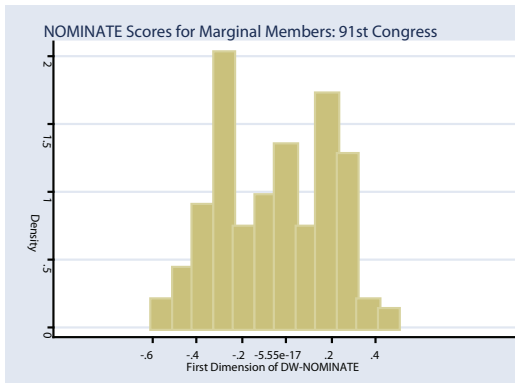


Figure 36.

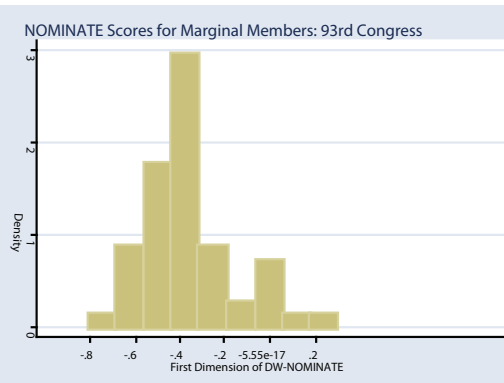


Figure 37.

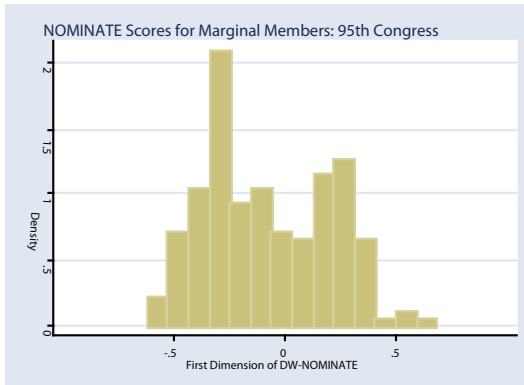


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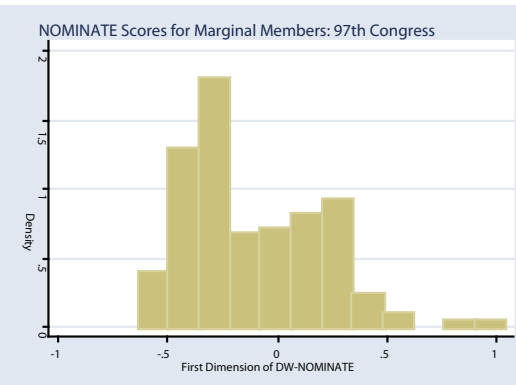


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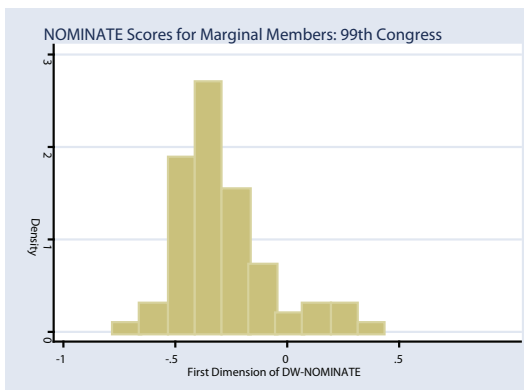


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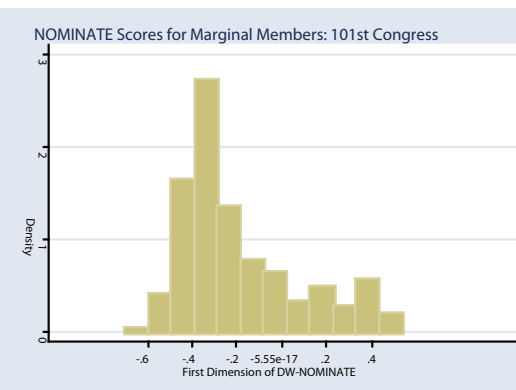


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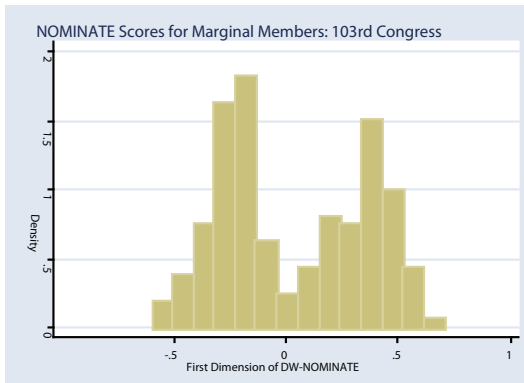


Figure 42.

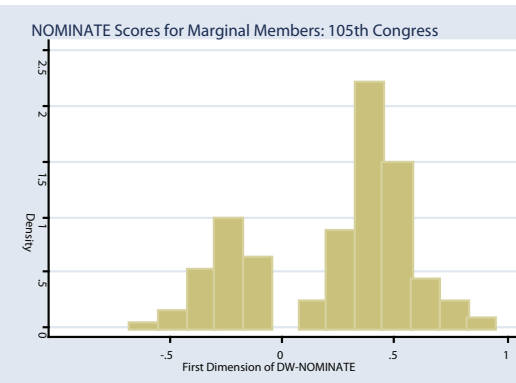


Figure 43.

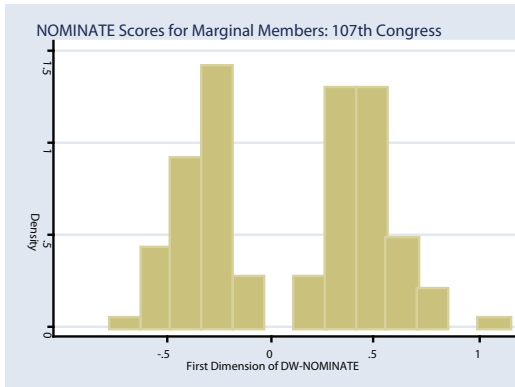
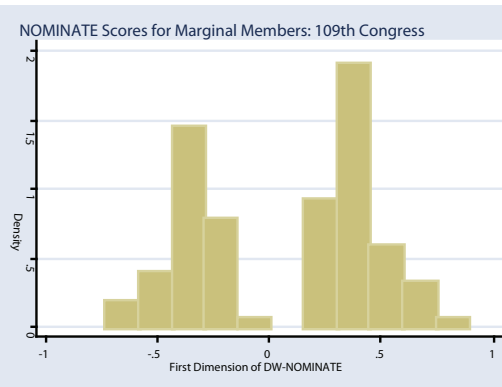


Figure 44.



In fact, there are practical limits on the number of marginal districts that could reasonably be drawn anyway. Recall that in California, Democratic voters are concentrated in the Los Angeles and San Francisco metropolitan areas. Drawing a large number of marginal districts requires drawing districts with even numbers of Democrats and Republicans. That requires mixing urban voters, who are geographically concentrated predominantly in two areas, with suburban and rural voters, who are geographically disbursed. Doing so would require many other sacrifices. Most obviously, such a redistricting plan would make a mockery of compactness beyond anything the late, legendary Congressman Phil Burton ever did. However, drawing more competitive districts would also require ignoring natural and political boundaries, splitting up communities of interest, and perhaps even eliminating majority-minority districts in a way that might violate the Voting Rights Act for vote dilution. Voters live in politically homogenous regions, which make it extraordinarily difficult to draw a large number of marginal districts.

Thus, drawing more marginal districts would be quite difficult, it would have only a minimal effect on legislative polarization, and it wouldn't stop partisan gridlock because even legislators from marginal districts have become more polarized over time. Hence, while Jarvis (2009) is correct that the interaction between ideological polarization and California's two-thirds requirement for budget passage does create unique problems, adopting a new approach to redistricting to increase the number of competitive districts will not solve those problems.

Why Have Legislators from Marginal Districts become More Polarized?

The analysis above presents a puzzle. Redistricting seems like an obvious culprit for increasing polarization, but the data indicate that the impact of redistrict-

ing is minimal, and that polarization has other roots. Those roots limit our ability to reduce polarization through redistricting reform, so if we are concerned with ideological polarization, we must understand its other causes. Three of the more important causes are discussed below.

Candidates Have Policy Preferences

One of the critical flaws in the conventional wisdom on redistricting is the tacit assumption that candidates are little more than spineless panderers with no core beliefs. Hence, they adopt whatever positions are necessary to win. In a competitive district with moderate preferences, they will position themselves as moderates, whereas in safe districts with extreme preferences, they will position themselves as extremists. However, most candidates are involved in politics *because* they have sincere beliefs about which policies are best for society, and there is little point in compromising those beliefs to get into office if they cannot work to enact those beliefs once in office. Thus, Jacobs and Shapiro (2000) argue that politicians do not compromise their beliefs in order to win elections. Instead, they either attempt to couch their beliefs in the most publicly acceptable fashion, or to sway public opinion.

In fact, we see strong evidence of this when we examine how legislators vote. Again, studies come from the U.S. Congress, but there is no reason to believe that the California Assembly or Senate operates under different principles, particularly since so many of them run for Congress once termed out of the state legislature. Studies of U.S. Congressional roll call votes have attempted to measure how often members of Congress make concessions to their constituents by examining what happens when members of Congress no longer need to worry about their constituents' opinions. Consider what happens when a legislator retires. Once a legislator decides to retire, that legislator no longer needs to worry about what constituents think. A retiring legislator can vote sincerely without any fear of electoral reprisal. Hence, if members of Congress change their voting patterns *after* they decide to retire, then they were making electoral concessions *before* they decided to retire. If their voting patterns are ideologically identical, then they were voting sincerely all along. So, how much do retiring legislators change their voting patterns? Not much (Bender and Lott 1996; Lott 1987; Lott and Davis 1992; Poole and Romer 1993; Rothenberg and Sanders 2000). The most generous estimates for the magnitude of the retirement effect are around one to three percent of roll call votes, from Rothenberg and Sanders (2000). If legislators facing electoral constraints make so

few concessions to their constituents, then changing the electoral pressure they face will do very little to reduce polarization.

We observe polarization in the legislature, not because elected officials don't have sufficiently competitive districts, but because legislators are, themselves, ideological extremists who are not willing to make very many concessions to their voters. Rather than casting roll call votes based on public opinion polls, they cast votes sincerely, and look for the most electorally beneficial way to present their records to their constituents. We have seen increasing polarization among elected officials, not because their districts are insufficiently competitive, but because the candidates who run (and win) have personal preferences that are more ideologically extreme than the candidates who ran and won decades ago. The moderates have been replaced by extremists who do not make very many concessions to their voters to help themselves get elected or reelected. Hence, we cannot hope to stop polarization in the legislature simply by drawing more competitive districts. As long as the candidates are ideological extremists who are unwilling to make very many concessions, legislatures will be polarized even if we draw more competitive districts. That is one of the reasons that we have seen increasing polarization among legislators from marginal districts rather than simply among legislators from safe districts.

Primaries

While it is true that candidates in safe districts for one party or the other only need to worry about primaries, candidates in *all* districts must worry about the primaries. In fact, even if they were to position themselves strategically (and as we have seen, they do not), it would do them no good to position themselves for the general election if they cannot make it through the primaries. Consider the following simple game, from Buchler (2005). There are four candidates for a legislative seat: two Democratic candidates, and two Republican candidates. Suppose that each candidate simultaneously chooses a platform. Then, an election occurs in two stages. First, the two Democratic candidates face each other in a primary, and the two Republican candidates face each other in a primary. Then, the winners of each primary face each other in a general election. Suppose that all voters have single-peaked, symmetric preferences in a single ideological dimension. The median voter in the Democratic primary is located at $D < 0$, the median voter of the general election is located at 0, and the median voter of the Republican primary is located at $R > 0$, where $D = -R$. Suppose, finally, that all voters are sincere. What are the equilibria to this game? Suppose the two Democratic candidates each choose a location of d , where $D \leq d \leq 0$. Suppose the two Republican candidates each choose a

location of r , where $0 \leq r \leq R$. If $d = -r$, this profile is a Nash equilibrium. Each Democratic candidate has a .5 probability of winning the Democratic nomination, and each Republican candidate has a .5 probability of winning the Republican nomination. Then, the winner of each primary has a .5 probability of winning the general election. Thus, each candidate has a .25 probability of winning the election, and nobody has any incentive to deviate.

Consider the Democrats. If either Democrat attempted to move to the left to lock up the Democratic nomination, that candidate would succeed because voters are sincere, but only do so to lose the general election deterministically because the Republican nominee would be closer to the median voter. If either Democrat attempted to move to the center with the hope of winning the general election deterministically, that candidate would simply lose the Democratic primary because the other Democrat would be closer to the Democratic primary median, and voters are sincere. Thus, nobody has any incentive to deviate. Thus, this strategy profile is a Nash equilibrium. Even in a district where the median voter is perfectly moderate, candidates can win the general election located anywhere between the Democratic primary median voter and the Republican primary median voter, and those are arguably very extreme locations. Hence, marginal districts cannot stop polarization because no matter how marginal the district is, each candidate must still win a primary in order to get the nomination in the first place, and the voters in primaries are *not* moderates.

Of course, part of the motivation for the blanket primary in Proposition 198 was to reduce the polarizing effects of primaries. If Democrats could vote in the Republican primary and Republicans could vote in the Democratic primary, neither primary would be as ideologically extreme as in the current system. There are two problems with that. First, the blanket primary was ruled unconstitutional in *California Democratic Party v. Jones*. Second, it doesn't work. When crossover voting is permitted, whether in the now-defunct blanket primary or the current system of the semiclosed primary, crossover voting occurs when one party has a resolved contest, and the other party does not. Voters don't cross over to ensure a more moderate candidate of the opposing party—they cross over because there is no point voting in their own primary. Because of that, crossover voting can also take a more dangerous form—raiding. Raiding occurs when voters from one party attempt to stack the election in their favor by voting for the least viable candidate in the opposing party. In fact, fear of raiding was part of the motivation for the overturning of Prop. 198 in *California Democratic Party v. Jones*. As long as the candidates must win a primary before running in the general election, marginal districts cannot possibly eliminate polarization because candidates must win the primary in order to get to the general election in the first place. General elections only sometimes matter, but primaries *always* matter.

Table 1: Respondent’s Ideological Self-Placement (2004 ANES)

Extremely Liberal	2.2%
Liberal	9.2%
Slightly Liberal	8.4%
Moderate	24.5%
Slightly Conservative	12.0%
Conservative	16.6%
Extremely Conservative	3.0%
No answer	24.1%

Voters

Perhaps the most important obstacle that prevents competitive districts from promoting policy moderation is the voters themselves. Those who are bothered by polarization usually defend their position by arguing that legislative polarization is unrepresentative of voters’ preferences because voters are actually moderate. The American National Election Studies survey regularly asks voters to place themselves along a seven-point liberal/conservative spectrum. The table below shows their answers in the 2004 pre-election survey.

Survey responses such as those above lead people to believe that voters are fundamentally moderate. More than three quarters of voters are willing to place themselves on the seven-point liberal/conservative scale, and the modal response is “Moderate.” Only a scant few individuals are willing to refer to themselves as either “Extremely Liberal” or as “Extremely Conservative.” Thus, voters are fundamentally moderate, right? In fact, most voters are simply ideologically unconstrained, in Converse’s (1964) terms. Their opinions across a range of issues are not determined by any underlying principles or patterns. In fact, Converse demonstrated that most voters do not even know what the words, “liberal,” or, “conservative,” mean. Voters are not moderate—they simply claim to be moderate because they don’t want to admit to not knowing what the terms mean, and they don’t want to be seen as extremists. If they were more honest, they would refuse to place themselves on the liberal/conservative scale, but only around 25 percent of respondents are willing to admit their lack of understanding of ideology.

If voters are not ideological, then it is inappropriate to say that voters in packed districts are extremists, and it is equally inappropriate to say that voters in marginal districts are moderates. So, there is no reason to expect voters in marginal districts to punish their extremist representatives by throwing them out of office. In fact, Canes-Wrone, Brady, and Cogan demonstrate that ideologically extreme members of Congress do receive lower vote shares on average, but the magnitude of the effect is quite small—around one to three percentage points smaller vote shares for

every 25 points of extremism on the ADA scale (which ranges from 0 to 100). One of the reasons the effect is small is that voters are simply not ideologically sophisticated, and without ideological sophistication, marginal districts will not produce moderate representatives because voters from marginal districts cannot vote in a way that will reward moderation.

Taken from another perspective, we might argue that unsophisticated voters should simply be excluded from any discussion of voters' ideology because they do not understand what ideology is. Furthermore, the opinions of Converse's (1964) "ideologues" are necessarily polarized. Thus, to the degree that voters are actually ideological, they are polarized. Survey data are simply misleading because (1) voters don't want to admit to being extreme, and (2) voters claim to place themselves on a dimension that many of them don't really understand. If voters are ideologically polarized, that itself would create polarization. One way or another, once we understand that voters are not truly ideological centrists, it becomes more clear why they don't punish ideological extremists.

Creating Supermajorities through Competitive Redistricting Plans

Jarvis (2009) argues that we should promote competitive districts in order to reduce polarization, but he realistically acknowledges that a competitive redistricting plan is not likely to actually achieve an unpolarized state legislature. However, even if competitive redistricting plans do not reduce polarization, Jarvis argues that they can make it easier for the legislature to pass the budget by creating a supermajority for one party. California is a majority-Democratic state, but Democrats do not account for two-thirds of the state's eligible voting population. Hence, a state legislature that is perfectly representative of the state's preferences will give the Democrats a majority in both the Assembly and Senate, but not a large enough majority to pass the budget without Republican support. One of the important benefits of a noncompetitive redistricting plan that Jarvis acknowledges is the fact that a bipartisan gerrymander is actually more likely to produce a state delegation that is representative of the public's preferences. A competitive redistricting plan paradoxically produces a higher "seat-vote gap," meaning that it will produce a greater difference between the percentage of the seats one party holds and the percentage of the vote that it wins. That higher seat-vote gap generally gives a disproportionate advantage to the majority party, giving us the well-known "cube law." If we are concerned with minimizing the partisan bias of a redistricting plan, we should try to minimize the number of competitive districts in order to minimize the seat-vote gap. However, Jarvis argues that increasing the seat-vote gap in California might actually be a good thing because it might give the Democrats a two-thirds

supermajority. Since I have argued in the past that a competitive redistricting plan can actually create a deeply entrenched majority (Buchler 2007a), I agree with this point. However, I do not agree that attempting to give one party an undeserved supermajority is an appropriate way to ease California's budgetary problems. What if a competitive redistricting plan gives one party a disproportionate supermajority of *less than two-thirds*? In that case, California would suffer the policy consequences of a disproportionately extreme legislature while still seeing the state legislature struggle to pass a budget. A competitive redistricting plan might give one party the supermajority necessary to pass the budget, but it might also create extreme policy outcomes without making it any easier to pass the budget.

California's Polarization Problem

Jarvis (2009) is correct that ideological polarization in the state legislature is uniquely problematic for California because of the requirement that the budget pass with a two-thirds supermajority. The solution to that problem is not redistricting reform. Redistricting reform can do little to stop ideological polarization for several reasons, including the policy preferences of candidates, the fact that candidates must win a primary,³ and the fact that the voters are not ideologically sophisticated. Hence, the solution to the gridlock that prevents California from passing a budget in a timely manner is to abandon the two-thirds requirement so that polarization does *not* create such problems. After all, attempting to reduce polarization through redistricting reform will do little to promote moderation, but, and as Jarvis (2009) acknowledges, it will reduce representation. Polarization is not dangerous in a state with a two-thirds supermajority budget requirement. A two-thirds supermajority budget requirement is dangerous in a state with a polarized legislature. The budget requirement is easier to address, and it should be abandoned, but we should not sacrifice the representation provided by a bipartisan gerrymander.

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Notes

¹ Note that the proportions in the figures on the right are proportions of the two-party vote rather than proportions of the overall vote because some presidential elections had relatively popular third-party candidates.

² In fact, several studies have shown that polarization emerged because moderates were replaced rather than because moderates moved to the extremes. See, for example, Polsby (2004), Rohde (1991).

³ Of course, if a governor is recalled, the replacement will be chosen in a plurality rule election without any preceding primaries. Arnold Schwarzenegger probably could not have become governor otherwise because he could not have won a Republican primary.