

IT'S TIME TO REFORM THE REFORM

If you are in a hurry Tuesday morning, you might just want to vote "yes" on all State Propositions through 34; and "no" on the rest of them.

That may not be good civics, but it makes a certain amount of sense. Propositions 25 through 34 were put on the ballot by the legislature. Most of them are bond proposals for "motherhood" issues like clean water and veterans; the others are constitutional adjustments of the "motherhood" variety, like allowing very disabled persons to postpone property taxes. These Propositions received an overall affirmative vote of 98 per cent of our state legislators, the closest one being placed on the ballot by 100 votes to 8.

But Propositions 36 to 41 are a messier lot. If you vote "no" on all of them, you may be making a bad individual decision or two according to your lights, but you will be striking a blow against what has become a cankerous institution: the Initiative referendum. All six of these last State Propositions are Initiative referenda. They were not placed on the ballot by the legislature, but by private groups which hired people to collect the requisite number of signatures.

The Initiative came into some vogue around the turn of the century as part of a reform movement to bring power "back to the people." It was a reaction against the worst kind of political back-roomism. But reform often needs reform, and the Initiative should now be a prime candidate.

It is the Initiative which is now often the worst kind of back-roomism. Indeed, the Initiative was always a dangerous instrument -- and insofar as the Jews have a sharp interest in the kind of democratic society in which they can flourish as free people, they should have a sharp interest in bringing the Initiative under better control.

The genius of the American democracy is its ability to deal with the riddle posed by Alexander Hamilton: "Give all power to the many, they will oppress the few. Give all power to the few, they will oppress the many." Modern Jewish history knows what Hamilton meant.

The best answer to the riddle, so far, is a political system which works only if negotiation and compromise among different interest and idea groups is required. That is the heart of representative government, and of political party coalitions. Among other things, it means the relative avoidance of direct popular referenda issues, which referenda bypass negotiation and can lead to inconsolable division and -- especially in heterogeneous America -- breakdown.

Earl Raab

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Many recent California Initiatives have been showcases for such disaster. A few people write language in their favorite back room. That language goes out on the street, and thereafter cannot be changed, debated or negotiated. The direction may be appealing --hence the signatures and, sometimes, the votes -- but the formulation may be unsound, extreme and divisive. However that formulation has been frozen into place by a few like-minded people, elected by no one. Goodbye democracy.

The Jewish community should this year join with some others in looking for remedies. Sometimes the legislature doesn't do its job and needs some direct shaking up. But perhaps the Initiative should be made much more difficult, more like a last resort. And perhaps the Initiative procedure should call for some public hearings and some kind of negotiating process before it goes out on the street.

You might not really want to vote "no" automatically on all these Initiatives -- after all you might find some highly meritorious on balance. But the more Initiatives you can in conscience vote against, the better, to discourage the Initiative practice. And, most important, you can support a movement to try to reform this hoary old reform.