Can Polarization Be “Fixed”?  
California’s Experiment with the Top-two Primary  

Seth E. Masket

Introduction

In the summer 2010, California’s voters, annoyed by legislative polarization in an increasingly dysfunctional state government, launched a statewide experiment by passing Proposition 14. This initiative instituted a top-two “jungle” primary for the state’s partisan offices, beginning in 2012. The idea was that by changing the very nature of the primary—placing candidates of all parties within the same primary contest—the state could encourage the election of more moderate state legislators and discourage excessive partisanship among elected officials.

This chapter is an attempt to assess just how successful this reform has been in changing the nature of California’s elected officials. To be sure, it is still quite early. At the time this is being written, those elected in the 2012 general elections have only served in Sacramento for a few months, and it is difficult to know if their behavior will be markedly different from that of the past. Nonetheless, the June 2012 elections featured the first top-two primary contest in state history, and we can glean some useful information from those results.

What those results suggest is that Proposition 14 was disruptive to some longstanding political patterns, creating greater competition in elections and reducing the electoral security of incumbents. The political parties, however, responded to this change quickly and have sought ways to control the top-two ballot and make it as close to a closed primary election as possible. The district-level results of the 2012 primary in California suggest a legislature that will not be significantly different from those that preceded it.
Polarization and Its Remedies

Political observers and practitioners in California largely agree that the state is facing some sort of governing crisis. The state has faced numerous fiscal crises over the past few decades. Typically, an economic downturn leads to a decrease in state revenues, leaving lawmakers in a scramble for funds to pay the state’s considerable obligations, many of which have been mandated by voters via a series of initiatives. Since running a deficit is technically illegal for the state (and most others), Democratic lawmakers often seek to raise taxes to cover the shortfall. However, the legislature’s unusual two-thirds vote requirement for revenue increases often presents a barrier for the lawmakers; Democrats have held majorities for all but two years of the past four decades, but prior to 2013, they had never consistently held onto supermajorities in both chambers. Any agreement on spending cuts or revenue enhancements must, therefore, be produced via bipartisan compromise.

This has generally proven impossible, largely because of the sharply polarized nature of the California legislature. Figure 10.1 charts the mean “ideal points” (estimations of legislators’ ideological preferences based on their roll call voting patterns) by party in the state Assembly since the 1940s. For a variety of reasons, California’s parties have moved dramatically apart in recent decades. Even while some moderate legislative districts remain, voters in those districts must increasingly choose between a very liberal Democrat or a very conservative Republican to represent them in the state Assembly, Senate, or the US House of Representatives (Masket 2009). Although polarization is a common phenomenon across the United States, California’s case

![Figure 10.1 Polarization in California.](image-url)