



Modernizing the Recall, Reclaiming California's Leadership in Innovative Democracy

Karthick Ramakrishnan, Professor of public policy



Overview and key points

1. The current system, when combined with an environment of deep polarization and rampant misinformation, makes a **mockery of majority rule**
2. Future recall elections, particularly in state legislative elections, could have **significant equity concerns** among voters of color, low-income voters, and younger voters
3. The current system is **archaic**, and does not reflect important innovations that California has made on electoral reform
4. California has the **chance to innovate and lead** once again
 - a. Menu of choices rather than 1 ballot measure
 - b. Sunset provisions, to avoid future problems of obsolescence



Current system - Gamesmanship and mockery of majority rule

1. **Signature gathering requirements are sensitive to context**
 - a. Intense party polarization (including within party)
 - b. Intensification of opinion through social media echo chambers
 - c. Misinformation and disinformation can play a big role in signature gathering phase
2. **Costs can be significant**
 - a. Monetary costs for more frequent elections
 - b. Free-for-all dynamic might force candidates to jump in, hurting chances in future elections
3. **Mockery of majority rule**
 - a. Limits ability of representatives to enact the will of electoral majorities
 - b. Possible for incumbent with 45% to 49% support to lose, and be replaced by someone with support below 30%



Equity concerns

- 1. Voter turnout among young voters, voters of color, renters, low-income voters tends to be disproportionately lower in**
 - Midterm vs presidential elections
 - Primary vs general elections
 - Special elections
 - Off-cycle elections
- 2. Evidence of turnout in 2021 gubernatorial recall**
 - Worsening turnout disparities by race not evident*
 - Turnout disparity by age worse than in 2018
- 3. Turnout disparities likely worse for state legislative recalls**
 - Less news coverage, less advertising, less spending
 - Lower voter awareness, interest among lower-income, younger voters, voters of color



Current system is archaic

1. **Does not incorporate Top Two**
 - a. Helps ensure majoritarian rule in two-stage elections
2. **Does not incorporate instant runoff**
 - a. Helps ensure majoritarian rule in single-stage elections



With reform, we have an opportunity to innovate

- 1. Should consider multiple questions, not just one package**
 - a. Uncertainty in public opinion about particular provisions
 - b. One unpopular provision (now, or closer to Election Day) could sink the effort
 - c. Gives more opportunities for voters to deliberate and decide
 - d. In the spirit of 1911 (23 provisions, 22 passed given the spirit of reform)
- 2. Should consider sunset provisions**
 - a. Has been done for statutory initiatives before
 - b. Prevents us from burdening future generations with unintended consequences and outdated designs
 - c. Allows for learning, opportunity to make permanent in the future
 - d. Can help ease anxiety and reluctance by allowing for reversion to status quo after a set time period, say 10 years



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