



Tuesday, March 22, 2011

The new heave-ho

Voter recalls are on the rise, and lawmakers should pay attention

By JOSHUA SPIVAK

In the wake of Wisconsin's battle over public-sector unions, 16 state senators are now under threat of recall. While potentially unprecedented in scope, the Wisconsin recall effort is part of a burgeoning trend. Miami-Dade County and corruption-plagued Bell, Calif., just kicked out their mayors, while the mayor of Omaha, Neb., only survived by the slimmest of margins.

Lawmakers at all levels of government should take note of this trend. Not only are recall efforts easier to organize than ever before, but, as history has shown, they tend to be successful in booting politicians from office.

Over the last three decades, the recall has been used more frequently, and against more targets, than during any other period in American history.

Most people may have first run across the idea of an electoral recall in a high school history class. California's recall of Gov. Gray Davis in 2003 was a big moment on the national stage, thanks to the circus-like atmosphere surrounding the election, along with some notable bit players and an actual leading man, Arnold Schwarzenegger.

But the recall actually traces its roots to the colonial era, first appearing in Massachusetts Bay Colony in 1631, and it even had a place in the Articles of Confederation government. After being left out of the Constitution, the recall faded into obscurity, until a recall process was adopted by the city of Los Angeles in 1903.

By its very nature, the recall is designed to push elected officials to be more responsive to voters' desires instead of relying solely on personal judgment.

Since its re-adoption, the recall has been used sparingly. Eighteen states allow for a recall of statewide officials, and a 19th, Illinois, allows it only for the governor. (It is not available for use against federal officials.) There have been call votes against state legislative officials in U.S. history, and only two against governors. But the incidence of recall elections has been growing in recent years. Of those 20 legislative recalls, 13 have occurred since 1983.

Voter anger alone doesn't explain this upsurge. There have been plenty of times when waves of voter anger have washed over the country. For example, in 1816, a controversy over a change in congressional pay resulted in the vast majority of the House losing their seats.

What has occurred in recent years is a growth in technology that has made signature-gathering campaigns, fundraising and spreading the news of a recall easier than ever. As we've seen in California, with a little money and decent organization, it is easy to get an initiative on the ballot. A recall operates on the same principle.

But there is another explanation for the resurgence, one that explains the events in Wisconsin. Recalls frequently succeed. There are no hard numbers on their use against local officials, but of those 20 state legislative recalls, the official facing a recall was kicked out 13 times. Both governors who faced a recall were removed. And just last week, Miami-Dade County Mayor Carlos Alvarez lost his office with a whopping 88 percent of the vote against him.

Part of the reason for the recall's success is that the mere fact that the recall got onto the ballot is a bad sign. Another reason is that recall votes are generally standalone special elections. Voters have to both be aware of the recall vote and care enough to come out.

Even if he or she doesn't lose office, and even if the recall doesn't get on the ballot, a recall effort serves to put the elected official on notice. These warning shots, like low poll numbers, can modify or at least tone down an elected official's behavior. Wisconsin Gov. Scott Walker has remained resolute in his fight against public-sector unions, but his job isn't in danger. Wisconsin law prevents a recall before an official serves a year into his current term. We will see if Wisconsin state senators are as firm in their convictions once their political necks are on the line.

Thanks to a contentious issue, Wisconsin is potentially facing a massive recall campaign. But while it is unusual, a look at the history and the use of the recall shows it is a weapon waiting to be used in just such an occasion.

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