

TOP-TWO PRIMARY REFORM AND STATE LEGISLATURE IDEOLOGY

by

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## DEDICATION

To my Mom, Dad, Jessie, Kailee, Grandma, Jim, and all other family and friends who have always supported me.

And of course, to KayCee for being my rock when I needed you and a distraction when I needed that.

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## ABSTRACT

Louisiana, Washington, and California have changed their primary election system to top-two primary systems. In this system, candidates are no longer nominated by voters in their own party. Instead, the two candidates receiving the most votes proceed to the general election, regardless of party affiliation. Proponents of the reform argue that it will moderate their state legislatures, helping to reduce gridlock and polarization. The parties and politicians argue that it will not change anything, but rather harm those in office and those who are running for office. Little research had been done on the validity of reformers claims, and most has focused on what impact it had on specific states. This research evaluates the impact of top-two primaries on state legislature ideology in two of the states that have implemented this reform, along with control states to account for outside variables. This comparative research demonstrates that the top-two primary makes liberal states even more liberal and makes legislatures more ideologically homogeneous.

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## CHAPTER ONE: INTRODUCTION

In the early 2000's, California voters were faced with an unusual situation. Coming through a major electricity and budget crisis, Governor Gray Davis, just over a year into his second term, was on the ballot again. This time, however, it was up to the voters to decide whether he would become the second governor in United States history to be recalled. When polls closed on October 7<sup>th</sup>, 2003, it became clear that California was headed for some radical changes. Actor Arnold Schwarzenegger won the election to replace Governor Davis, picking up a governorship for the Republican Party in a state that was becoming increasingly Democratic. Californians elected a man with no political experience to try and clean up an unprecedented disaster. By electing a Republican though, Californians wanted to ensure that the crises would be solved with bipartisan solutions (Westly and Keeley 2010). Even though California was becoming more Democratic, the appeal of divided government and compromise after a large crisis helped Schwarzenegger win. Part of his legacy was to help pass Proposition 14 in 2010.

Proposition 14 was a proposed amendment to the California Constitution that would change the way that primary elections were run. Instead of having primary elections for each party, Proposition 14 would change the primary elections to top-two primaries. A top-two primary is a primary election where every voter, regardless of their party preference, gets the same ballot. Once the primary election is over, the two candidates who get the most votes go on to the general election, no matter which party, if any, they are representing. Governor Schwarzenegger became a crucial ally to the passing

of Proposition 14 in 2010, telling voters that it will “finally giv[e] voters the power to truly hold politicians accountable” (McGreevy and Dolan 2010). This has been the main argument for proponents of top-two primaries, along with the thought that having more diverse opinions involved in the first round of voting will lead to more candidates who are representative of their constituents’ ideology (Moncrief and Squire 2013). When politicians do something that goes against their constituents’ beliefs, a more moderate candidate will come up in two or four years and oust them. While good on paper, very little has been done to see if there is a noticeable change in election results following the implementation of Proposition 14. One potential concern with the switch to the top-two primary is that for states dominated by one political party, there is a chance that general elections could end up being between two members of the same party. The 2016 California Senate general election featured two Democrats, adding fuel to this concern. Because most legislation gets passed and implemented by the states, and since other states are considering adopting similar reforms (*Associated Press* 2017), one needs to look deeper and see how the elections of office holders in the state legislature has been effected by Proposition 14.

In the other states, primary elections occur earlier in the year, and voters are restricted to voting for just one party’s candidates. That means that there is a wide range of ideologies that may not be accurately represented because the nominees are believed to be chosen by the most partisan, ideologically extreme voters. When the general election comes around, voters end up with two candidates who don’t share any views with each other, even though they are trying to win moderate voters (Ansolabehere, Snyder, and Stewart 2001). For voters who are more moderate, or who have liberal views on certain

issues and conservative on others, this means that they are forced to decide which issue is the most important for them. The top-two primaries aim to change this (Hill 2009).

Instead of simply choosing a candidate within the party that you are registered with or voting in, every voter going to their polling place decides which candidate is the most similar to them, and whichever two candidates receive the most votes are the ones who face off in November, no matter what party they belong to.

When the top-two primary reform was debated and implemented in California, proponents argued that this would reduce polarization and ensure more moderate politicians are elected (Elias 2009, Hill 2009, Westly and Keeley 2010). Opponents, which included both the California Democratic and Republican parties, feared that elections would become more expensive and would lead to party leaders endorsing their preferred candidates, limiting the moderating effects (Alexander 2010). However, in 2010, California voters approved the creation of the top-two primary for nearly every election<sup>1</sup> in the state. Since the full implementation in the 2012 elections, there has been little research examining whether this experiment in the largest state of the union has paid off. While the top-two primary has been used in Louisiana for decades and in Washington since 2010, researchers did not focus on these elections because they were considered outliers. Since the issue is gaining some traction and more states have adopted the reform, researchers need to be able to test how this reform works so that other states know what the consequences of reform may be.

Good governance ought to be a desire for constituents of all ideologies, and if one change can produce more effective governance by having legislation that mirrors the

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<sup>1</sup> This does not include Presidential/Vice Presidential elections, Political Party County Central Committees, County Councils, or non-partisan elections (League of Women Voters of California 2016)

ideology of their state, shouldn't it be upheld as a model for the nation to follow?

Research needs to answer this question not only to validate or correct proponents of electoral reform, but also to show that political science can keep up with policy trends.

The following will examine the claims by both proponents and opponents of the top-two primary debate in California to determine if the top-two primary affects chamber ideology. Using a comparative case study examining the citizen and chamber ideologies of California, Washington, Oregon, and New York, I find that the top-two primary tends to further entrench the ideology of liberal states, but creates a more ideologically homogeneous legislature.

## CHAPTER TWO: LITERATURE

### **Polarization**

One of the largest political problems that has grown over time is polarization (*Pew Research Center* 2016). While political polarization is nothing new and one would expect people to disagree on issues, the three most recent administrations (President Clinton, President Bush, and President Obama) saw a rare level of legislative opposition from members of the ideologically opposite party. House Speakers Newt Gingrich, Dennis Hastert, Nancy Pelosi, John Boehner, and Paul Ryan all held up legislation that was part of the President's agenda because of party politics. This created a budget crisis multiple times over the previous decades, resulting in government shutdowns and threats of even more shutdowns. There are certainly voters in both parties who desire the "just say no" policies for a President who is not in their party, but when crises arise, voters want to see their representatives taking action to resolve them (Kopan 2013).

Moreover, polarization has increased over the past few decades in part because of the replacement of moderate candidates from both parties by more ideologically extreme candidates (Fleisher and Bond 2004). Both parties have been rewarding candidates who are willing to oppose everything that the other party is offering. Senator Cruz has made a career out of simply saying no and being conservative on every issue, while Senator Sanders has done the same on the left. Candidates with ideologies like these are no longer just the fringe of the party, but are becoming mainstream due to seat replacement and changes in the voting population. New England Republicans have been replaced by

Democrats who are more liberal because they vote with the Democrats on fiscal issues, unlike the Republicans who voted conservatively on these issues. The same can be said with Southern Democrats being replaced by Republicans who no longer vote with Democrats on the fiscal issues like the Southern Democrats did. The loss of these “non-conformists” has pushed both parties to their ideological poles, increasing party cohesion but losing chamber moderation (Fleisher and Bond 2004). This party cohesion has led to legislators writing more partisan, ideologically extreme legislation. This ideologically extreme legislation makes it harder to create a winning coalition, thus creating the gridlock through polarization (Beckman and Kumar 2011). Gridlock makes it hard for the legislature to address their constituents’ concerns, thereby undermining the very system they are representatives in.

Polarization has changed the way that presidents act during times of divided government (Cohen 2011). To voters, the appeal of divided government is that the executive and legislative branches will have to moderate their positions in order to pass legislation. However, it appears that because of the increase in polarization, presidents are acting similar to their legislative counterparts and are staying with their party’s agenda (Cohen 2011). If polarization continues to prevent presidents from enacting their preferred policies, it makes sense that they would start to use other means to enact policy change. This can be seen through the Obama administration and the actions President Obama took on a wide range of issues from immigration to labor regulations. An executive branch that is able to enact policies on their own may sound good for those who are in the president’s party, but it harms accountability because they no longer have to work with the legislative branch to enact policies.

One issue that has become increasingly polarized is income inequality. Even though the people who would benefit from legislation reigning in income inequality cross party lines, the issue has been picked up by one of the major parties while being rejected by the other (Soldano 2016). While high profile surrogates like Senators Elizabeth Warren and Bernie Sanders have brought this issue to the forefront of political discourse, the House and the Senate cannot agree on what needs to be done (McCarty, Poole, and Rosenthal 2006). This shows that polarization on specific issues can lead to a stalemate in legislation in the Senate (Garand 2010). Concern of income inequality has pervaded the Democratic Party, however for most Republicans the issue simply is another example of Democrats dividing the United States among demographics. This belief has trickled down into the average voter, which is why there is so much polarization around an issue that on its face is a concern for all constituents, not just those belonging to one party.

Polarization is not just found in national politics; states also have to deal with highly polarized constituents. Shor and McCarty (2011) show the distance between party medians for state legislatures and find that two of most polarized states in the years 1996-2008 were California and Washington, with California having just over twice the distance between party medians than the average in the United States Congress. Washington is not far behind, with a gap in legislative ideology that is about one and a half times the size as the federal government. California and Washington have both very liberal and very conservative areas in the state. The Republicans in the conservative areas of these states act similarly to Southern Republicans, while the Democrats in the liberal areas are

typically very liberal (Shor and McCarty 2011)<sup>2</sup>. This has created a huge divide between the two parties because they hold vastly different views. The ideological divide between party medians makes it hard for our representatives to come together and solve problems with a bipartisan solution.

The high levels of polarization in these two states became the catalyst of primary reform. In California, budget stalemates had become the norm because California's constitution required a two-thirds supermajority vote to pass a budget. While the state of California has been reliably Democratic, until recently, the state legislature has not had one party hold a supermajority in both chambers. This meant that California Republicans and Democrats had to come together on every budget, and since the state was the most polarized of all legislatures, it was difficult to create the necessary coalition to pass budgets.

Some of this can be explained by the diversity of opinions within a legislative district (Kirkland 2014). Kirkland (2014) finds that in the districts that have a high level of ideological heterogeneity, the candidates that are elected tend to be more ideologically extreme. This leads to an increase in party line voting, polarization, and gridlock. Since states pass more legislation than the federal congress, polarization at the state level can actually be more harmful for constituents' everyday lives.

Another concern with polarization is that we do not know exactly how to fix it. One reform that has been tried is to take control of redistricting, because some people believe that gerrymandering has helped foster polarization. When districts are gerrymandered to make it difficult for the minority party candidate to unseat the

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<sup>2</sup> Shor and McCarty's (2011) figure 7 shows that the median for Washington Republicans look ideologically similar to Mississippi's, and California's median is actually the most conservative

incumbent, then the candidate who is in the majority party for their district does not have to worry about concerns of voting too often on party lines. Some research examining the impact of gerrymandering on polarization found that the districts that have changed because of gerrymandering tend to be more polarized than the ones that were not (Carson et al. 2007); however, there is still a debate in political science literature over the impact of redistricting on polarization. If district gerrymandering is causing a problem with polarization, then electoral reform to assuage some of these fears makes sense. States like California have redistricting committees to try to take partisan politics out of redistricting. Even with the redistricting commission, California voters wanted to go further to try and increase accountability.

This is not to say that polarization is always bad. For those who live in districts that are not heavily impacted by gerrymandering, polarization and party line voting has made it much easier to punish members of Congress for their voting record (Jones 2010). Jones (2010) argues that because members of Congress are voting in a partisan manner, the approval rating of Congress and the party of the representative can be a heuristic for how they should vote. This means that while polarization has created a roadblock in policymaking if there is not a unified government, it can also help voters determine who they should vote for. Ideally voters would be examining how their legislator is voting and not just using this heuristic. That may have saved many Democrats in the 2010 election when they were voted out of office for the Affordable Care Act passing even though they voted against it, but having polarization as a tool for congressional accountability is noteworthy. If one values accountability over governance, then polarization may be beneficial. However, if one values governance and policies being enacted to deal with

crises quickly, then polarization is a major concern. Therefore, redistricting may seem like a good way to remove some polarization and produce more moderate candidates (Altman and McDonald 2015), which would yield the same results that is desired from electoral reform.

A reform that promises to remove polarization and gridlock may be appealing to voters who are frustrated with what is happening in their legislature. Polarization has made it difficult for issues to be addressed unless there is unified government. Unified government tends to be the exception not the rule, meaning that voters who want their legislators to address issues important to them would be open to arguments that state moderate candidates will be more successful. The top-two primary reform is meant to change the problems that many believe occur in primary elections.

### **Primary Elections and Ideology**

Depending on the state that a voter lives in, they will have different requirements for voting in primary elections. For some voters, they may only be able to vote if they are registered with a political party. Others may be able to vote for whichever party they choose, no matter if they are registered with that or any party. While the differing rules in each state has led to some patchwork laws that confuse voters, ultimately states and state parties have the right to decide what they will require for constituents to be involved in their primary (Moncrief and Squire 2013).

Many believe that closed primaries lead to more ideologically extreme candidates being nominated for the general election because the base of their party turns out more than casual party voters. They argue that one way to reduce polarization is to change the electoral system (Gerber and Morton 1998, Brady, Han, and Pope 2007). While this

makes sense intuitively, political science research has come up with mixed results over the effect that primary election types have on the ideology of general election candidates. For some researchers, data has shown little impact of closed primary elections on moving candidates closer to their ideological pole, but they did find that an increase in general election competition makes it more likely for a moderate candidate to win (Hirano et al. 2010). While electoral reforms to increase competition sounds like a decent way to moderate candidates from Hirano et al.'s (2010) research, the states that would benefit most from this reform are dominated by one party. In these states, the chance of the legislature passing a bill that would harm their party strength seems miniscule at best. Other researchers have looked at the impact that open primaries have on legislator ideology and found little evidence that legislators moderate their positions to appeal to a wider base (McGhee et al. 2014, Rogowski and Langella 2015).

There has been some research suggesting that even if closed primary electorates are more ideologically extreme, they still are aware of the political realities of their candidate's success in the general election (Mirhosseini 2015). Mirhosseini (2015) argues that even the most ideologically extreme voters want to ensure that someone from their party wins the general election, and if they nominate a candidate too far outside of the political culture of their state, they will lose. This should result in moderate candidates being nominated for the general election. Yet recent failed campaigns of candidates like Republican Senate nominees Richard Mourdock, Todd Akin and Christine O'Donnell seem counter to the ideas of Mirhosseini (2015), McGhee et al. (2014), Rogowski and Langella (2015) and Hirano et al. (2010). In each of these races, Republicans had a chance to either pick up a Senate seat from the Democrats or keep a seat held by an

incumbent Republican and did not. Does the rise of the Tea Party explain the fact that voters from Indiana, Missouri, and Delaware all went for ideologically extreme candidates instead of their more moderate alternatives, or is it a symptom of a closed primary system?

Using Twitter, King, Orlando, and Sparks (2016) found that candidates who are perceived to be more ideologically extreme (determined by creating an ideal point based on who they follow) are more likely to have success in their primary campaign. Other researchers have looked more specifically at how the type of primary changes who wins. Gerber and Morton (1998) found that in closed primary systems, Democratic nominees tended to be more liberal and Republican nominees more conservative. Brady, Han, and Pope (2007) found similar results, validating what people think the closed primary does.

McGhee et al. (2014) examined primary elections in states to determine how primary structure effects the ideology of the candidates who make it to the general election. While research suggests that closed primaries should lead to more liberal Democrats and more conservative Republicans (Gerber and Morton 1998, Brady, Han, and Pope 2007), McGhee et al. (2014) found the opposite. In their research, a state that had open primaries actually led to more ideologically extreme nominees in the general election. They also found that California appears to be the only state where primary reform has had the effects reform proponents argued it would. The primary structure in each state does appear to have an impact on the ideology of the candidate who makes it to the general election, but researchers have come to different conclusions on how reform affects the ideology of general election candidates.

Is there a way to explain why some researchers are finding more extreme candidates coming from closed primaries and some finding null results? One reason why this could be the case is because of voters' misattribution of beliefs to a candidate because of their party label (Koch 2001). Koch (2001) found that on the issue of abortion, voters were not able to successfully pinpoint when Democratic nominees held stronger pro-life views than their party's platform. When such controversial issues are at the center of elections, candidates may be able to target the moderate voters by staking out positions closer to the district median. Koch (2001) suggests that by taking this approach, candidates may not be hurting their primary chances because voters who are not being targeted with this message don't know the actual position they hold. The timing of elections could also help the more ideologically extreme candidates. For example, more conservative candidates found success during the Tea Party wave in 2010 then would have otherwise.

While bipartisanship is something that is upheld as a universally positive trait in politics, there are times when partisanship and polarization are so high that just the appearance of being willing to work with the other side can help candidates win elections (Trubowitz and Mellow 2005). Bipartisanship is necessary to pass legislation during times of divided government, but when one party controls the government, there is no real reason to try and work for the median voter (Trubowitz and Mellow 2005). Obviously the partisan makeup of a legislature can change drastically over the course of two years, so depending on the political realities of the time, moderation may appear to win out because of the need for bridge-building candidates. At other times, more ideologically extreme candidates will win because they are either a part of the minority

party picking up a seat on an anti-incumbent wave or because the majority party is so dominant that a more extreme candidate can push through extremely ideological legislation.

### **Top-Two Primary**

One proposed reform for reducing ideologically extreme candidates is the top-two primary. In fact, local news sources proclaimed that “California voters will have the rare opportunity to free their government from the kind of ideological gridlock that leads to lengthy budget stalemates” (Elias 2009) and that this reform would change a state that “is being held hostage by partisan gridlock” (Westly and Keeley 2010). California is a unique state in that it is considered to be liberal and favorable to Democrats, yet is one of the most polarized states in the union (Shor and McCarty 2011, Moncrief and Squire 2013). For Californians, budget crises had become the norm, drastically impacting the effectiveness of government. These crises, along with the recall of Governor Gray Davis and subsequent election of Arnold Schwarzenegger, are excellent examples of the polarization and gridlock that has stalled progress in The Golden State. The switch to the top-two primary was intended to fix this problem.

Little research has been conducted on the impacts of the top-two primaries. After California’s electoral reform, researchers started to examine the issue a bit more. The argument that the top-two primary would lead to more moderate candidates being elected has had little statistical support. When moderate candidates were on the ballot, they were not elected even though this was one of the major intended effects (Ahler, Citrin, and Lenz 2015). Some voters were unable to accurately determine the ideology of the moderate candidate because of little information and a reliance on party labels (Ahler,

Citrin, and Lenz 2015), although it did change the way that campaigns were run (Kousser 2015). In the 2014 statewide elections, some Republican candidates found success running campaigns as moderate alternatives to the hardline conservatives, yet in the end most still lost to their Democratic opponents in November (Kousser 2015), with the notable exception of moderate Republican Frank Bigelow who overcame a traditional conservative challenger in both the primary and the general election (Sinclair 2015). Is this enough of a change then if only one party is experiencing changes in their nominees? If not, is there a way that the parties can help moderate candidates?

Both the California Republican Party and the California Democratic Party were opposed to the implementation of the top-two primary, fearing that it would weaken the impact party elites have on elections. However, the 2014 midterm elections showed that the state parties still have significant control over who makes it into the general election. In fact, all but eight non-incumbents who were endorsed by their party made it to the general election (Masket 2014). If this continues to hold true, then has the top-two primary really made an impact on who makes it to the general elections? Maybe not, but this is only accounting for the concerns of the party faithful in primary elections. Reformers claimed that the change to a top-two primary would increase voter turnout, mainly by engaging with those who would not want to be involved in a primary or are unable to vote because they are not registered with a particular party.

Voter participation in the United States is relatively low, frequently coming in at just under 60% for the presidential elections. Primary elections see even lower turnout because of different institutional rules in each state that impact who can vote in which primary (Moncrief and Squire 2013). Proponents of the top-two primary in California

believed that switching to this primary system would increase voter turnout in both rounds because more candidates with diverse ideologies would run, increasing the chance that voters could find a candidate whose ideology matched theirs. Yet it appears that the implementation of the top-two primary in California has done little to help increase voter turnout. In fact, voter turnout in the 2012 and 2014 elections both saw decreases in turnout (Hill and Kousser 2015) even though the top-two primary had been implemented by this point. The argument that more candidates would run has not found much success either. Washington implemented their top-two primary in 2008, hoping to achieve the same things that proponents in California wanted. While it appears that the top-two primary did not significantly impact the number of Republican candidates, there was actually a decline in the number of Democratic candidates running against one another in the primaries (Beck and Henrickson 2013). This surprising result is like that of Kousser's (2015) in that it appears to have only impacted one party. For top-two proponents whose main goal was to see polarization decrease in their state, the fact that little change is occurring should be concerning.

Another unintended consequence of the switch to the top-two primary is that in situations where two members of the same party make it to the general election, some voters may choose to abstain instead of vote for the "lesser" candidate. California may have seen this happen already (Nagler 2015). When Californians went to vote in the primary election, they still ended up voting for someone from their preferred party (registered or just leaning), hurting the chance that crossover voters would help to elect moderate candidates (Nagler 2015). Once all of the election data is finalized and accessible, I am curious to see what impact the 2016 California Senate election had on

voters. These two Democratic women, Kamala Harris and Loretta Sanchez, were both left-leaning, even if Harris became the favorite among liberals. Are California Republicans then expected to vote for the less liberal candidate? Proponents of the top-two primary argue that they should because this is a better representation of the political beliefs of their district. However, faithful Republicans may have found it impossible to vote for one of these candidates, thereby abstaining from the first open senate election in California in over two decades. This may have made some leaders and members of the California Democratic Party happy, but for Republicans, this electoral reform hurt the (admittedly small) chance of picking up a U.S. Senate seat. Proposition 14 may not have been a success for the few California Republicans who pushed for it.

An interesting thing to note is that while both California and Washington are on the West Coast, there does not seem to be a regional trend on the adoption of top-two primaries. Oregon has had the top-two reform on the ballot twice in the past ten years, and it failed both times by large margins. In neither election did the initiative even reach 35% support, even though in 2014 the pro-reform groups invested over three times the amount that reform opponents did (Mapes 2014). The reasons for the failure to pass in Oregon are not very clear. Similar to Washington and California, both the state Republican and Democratic parties were against the change. Some third parties in Oregon were also against the change, fearing that they would no longer be able to be on general election ballots. Mapes (2014) also wrote that unions had been against the change, and that the opponents of Measure 90 argued that it was only good for corporations. Even though the states are somewhat similar ideologically, the arguments around the primary reform potentially changed the way that Oregon voters viewed the

issue. The arguments in favor of the top-two primary seem to only be successful in states that view polarization as a problem within their state. Shor and McCarty's (2011) graph shows that Oregon has an ideological divide between the two major parties that is similar to the one that exists on the federal level. Reform proponents may need to consider adjusting their arguments to problems that the voters of the specific state believe need to be solved.

### CHAPTER THREE: THEORY

This study examines the arguments in favor of top-two reform. One of the key arguments that top-two proponents use is that partisan gridlock is preventing legislatures from taking action on key issues (Westly and Keeley 2010). The top-two primary should, proponents argue, ensure that more moderate candidates win the election and work across the aisle to pass bipartisan legislation. However, this implies that voters in state legislative elections are holding their own representatives accountable, and not just following national trends. Research has shown that while this is what was intended by the federalism model, the state of national politics is affecting state legislatures (Rogers 2016). Rogers (2016) argues that when voters are choosing who to vote for in state legislature elections they pay more attention to what is happening on the national level than what their own legislators are doing. The popularity of the President is more likely to determine who voters will choose than what state legislators are actually doing.

The decline of competitive House districts can also make it hard to see ideological change (Abramowitz, Alexander, and Gunning 2006). According to Abramowitz, Alexander, and Gunning (2006), districts are becoming more ideologically extreme, and not just because of redistricting. As polarization is increasing, legislators are increasingly voting the party line. Along with this, challengers in many races are unable to raise enough money to fund a competitive election. Both have led to a decline in competitive House races. Voting for House candidates is now more strongly tied to their view of the president, similar to what Rogers (2016) argues. Along with the national trends, I expect

the small number of competitive districts make it more likely to lead to elections with two candidates from the same party. This would make it hard to lead to a more moderate chamber, and in fact may exacerbate the ideology of the state. Liberal districts will now hold general elections between two Democrats, with the liberal candidate having a larger chance of success than if they were just a primary challenger. Again, this should not be leading to a more moderate chamber, but rather one that is either similar to before the reform or even more ideologically extreme.

If state legislature races are being determined by the approval of the President (Rogers 2016), then it would be hard to see an electoral reform changing who is being voted in. A primary reform would not change the impact that the President has on these races. The fact that districts are becoming less competitive (Abramowitz, Alexander, and Gunning 2006), also makes it hard to believe that voters will change to hold their own representatives accountable instead of the national party. This leads me to believe that:

*H1: The implementation of a top-two primary electoral system does not significantly change the chamber's ideology.*

Simply put, national politics and a low number of competitive districts play too large of a role on down ballot races, and this will make it hard for real ideological change to occur.

Whether constituents are conservative or liberal, Democrat or Republican, at the end of the day they all want their government to work to enact their policy goals. In times of crisis, all citizens want their government to be able to react to pressing matters, putting the good of their state above party politics. If the top-two primaries work as proposed and

lead to moderate candidates who are more willing to pass bipartisan legislation being elected, then the data should be used to help expand this policy nationwide. If, however, it does not advance these goals, researchers need to see that and work to understand why change is not occurring like proponents wanted. Electoral reform is never easy and often can have unintended consequences. The following research certainly will not be able to examine every consequence of the switch to the top-two primary in Washington and California, but it will examine the central talking point of reform proponents to give statistical support or opposition to their claims.

## CHAPTER FOUR: METHODOLOGY

Examining the arguments made in favor of top-two primaries will help explain how the reform has impacted chamber ideologies. Looking at California and Washington before and after the reform shows the changes that occurred during the implementation of the top-two primary. Since both states are considered liberal, they should already have a pretty liberal median for both chambers. It is important to examine what they were both before and after the reform to see if the top-two primary has worked as intended.

To test the impact of the primary system on ideology and voting behavior, there needs to be some control variable to account for national factors. The reason why a legislature may be more conservative or liberal during a specific timeframe could simply be because of a political reaction to the current president and their administration (Rogers 2016). This happened in 2010 when Republicans picked up a large number of state legislative seats because of the unpopularity of the Affordable Care Act (Brady, Fiorina, and Wilkins 2011). This led me to find control states to try and account for some of these national trends. The control states in conjunction with the President's party variable with control for some of the national and regional affects that could be impacting a state legislature's ideology.

Looking at the three states that have implemented the top-two primary, two are either liberal or lean liberal (California and Washington) and one is conservative (Louisiana). However, since data limitations did not allow Louisiana to be used in this

research, the only ones that were left are both liberal. I thought the best way to examine these was to find states that are politically similar. For Washington, I chose Oregon because of their geographical locations being similar and because they tend to be of a similar ideological bent. While both are Democrat controlled, they have opportunities for Republican candidates to be competitive and even win statewide office. California was unique in that its size required it to be paired with another state that was large and diverse, but also considered liberal. This left only one option: New York. While unfortunately I lose some regional controls, the two states are similar in their ideology and statewide officer holders and are regularly represented by Democratic politicians, with a few notable exceptions in the past two decades that I examine.

I measure chamber ideology for the four states (two states with the top-two primary and the two control states) using Shor and McCarty's (2011) data<sup>3</sup> for the years 1997 through 2014 (Table 1). Shor and McCarty's data examines the ideology of individual state legislators and compiles an average chamber score for each state. This allows researchers to examine how legislators are voting and to see what changes in ideology are occurring within chambers over time. It is worth noting that Shor and McCarty's data is not without its flaws. For one, the data relies heavily on the ratings of four interest groups (National Federation of Independent Business, National Rifle Association, AFL-CIO, and the League of Conservation Voters). These four groups certainly do not cover every policy issue, and may not accurately represent the issues of the state. If states are not debating issues of this nature or only have a few issues during the year, they are trying to assign an ideology score based on just a limited number of

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<sup>3</sup> Updated in 2015; values range from -1.42 for the most liberal chamber median to 0.611 in the most conservative chamber median

votes. They also rely on NPAT scores, which can have the problem of non-response bias and may not go in depth on the issues they are being surveyed on. For example, there is a large difference between saying that health care should be available versus affordable, and the phrasing of the question may affect how people answer. However, because of their data availability for state legislatures, imperfect data became better than no data.

**Table 1 Chamber Ideology Medians by Year**

	California		New York		Washington		Oregon	
	Lower Median	Upper Median						
2014	-1.189	-1.395	-1.063	-.542	-.858	-.036	-.688	-.525
2013	-1.218	-1.370	-1.051	-.542	-.846	-.036	-.688	-.525
2012	-1.420	-1.332	-1.051	-.232	-.775	-.542	-.201	-.472
2011	-1.420	-1.332	-1.084	-.232	-.833	-.572	-.201	-.472
2010	-1.416	-1.202	-1.094	-.750	-.812	-.666	-.727	-.451
2009	-1.418	-1.132	-1.128	-.750	-.798	-.666	-.727	-.451
2008	-1.390	-1.122	-1.032	-.363	-.819	-.668	.042	-.484
2007	-1.390	-1.122	-1.097	-.232	-.827	-.668	-.563	-.517
2006	-1.251	-1.181	-1.049	-.232	-.782	-.542	.156	-.484
2005	-1.251	-1.181	-1.067	-.222	-.782	-.179	.156	-.484
2004	-1.287	-1.138	-1.049	-.183	-.711	.185	.183	-.341
2003	-1.287	-1.138	-1.049	-.183	-.711	.185	.183	-.341
2002	-1.170	-1.138	-.993	-.208	-.395	-.006	.042	-.168
2001	-1.170	-1.138	-.995	-.208	-.151	-.006	.042	-.168
2000	-.953	-1.014	-1.032	-.208	-.151	-.639	.196	.028
1999	-.953	-1.014	-1.023	-.208	.057	-.639	.196	.028
1998	-.848	-.820	-1.023	-.223	.611	.430	-.043	.003
1997	-.848	-.820	-1.023	-.183	.609	.423	-.043	.003

The next variable I use is for the top-two primary. This is the main independent variable, used to measure when the chambers held primary elections using the top-two reform. These are measured simply using 1 if the primary was a top-two primary and a 0 if it was any other type of primary. Along with that, I build a regression model using

citizen ideology (Berry et al. 1998, Jordan and Grossmann 2016)<sup>4</sup> and the President's party. The citizen ideology variable creates a value for the district based on the ideology of members of congress, the ideology of their challenger, and the election results. This gives them an estimate of what the median ideology is in the district, allowing me to examine what impact citizen ideology has on the ideology of their legislators.

I also use the President's party as a control for the national political climate. Including national political climate data is important because Presidential politics plays an impact on the electoral successes of state legislative candidates (Rogers 2016). If the President plays a role in the successes of state legislative candidates from the President's party, then it is important to note what party they belong to. Following Rogers (2016) argument, it makes sense that the lower and upper chamber median ideology scores would be impacted by the President's party.

After running the regression models, I look at the correlation between the state legislature chambers and citizen ideology. The first correlation examines the control chambers and the chambers before the implementation of the top-two primary. The second will look at the chambers after the implementation. Examining this data can explain if the reform is helping to bring the chambers more in line with citizen ideology and if there is a change in correlation between the chambers following the reform. A stronger correlation between citizen ideology and chamber ideology is good for representation, although it may not help moderation. The chambers having an increased correlation means that legislation should be able to pass both chambers easier, increasing the efficiency of government.

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<sup>4</sup> An increase in citizen ideology score means a more liberal ideology in Berry et al.'s (1998) data, while a decrease in Shor and McCarty's (2015) data means a more liberal ideology

## CHAPTER FIVE: RESULTS

When examining the data from California and Washington, the implementation of the top-two primary does have a significant impact on the chamber's ideology (Table 2). The top-two reform reaches statistical significance in every model, and in every model the top-two reform moves the chamber in a liberal direction. While it appears that the top-two reform was not successful in moderating the chambers, it is interesting to note that changes occurred in the liberal direction. Even though both Washington and California are considered liberal states, the top-two reform created a more liberal chamber. Citizen ideology is statistically significant in the two lower chamber models, showing that the lower chambers are doing a good job representing the views of their constituents.

**Table 2 Median Chamber Ideology Scores Regression**

	Lower Chamber		Upper Chamber	
	Model 1	Model 2	Model 1	Model 2
Citizen Ideology	-.024****	-.025****	.00009	.001
Top-Two	-.434***	-.428**	-.339***	-.354***
Pres Party		.018		-.047
(Constant)	.806*	.817*	-.464	-.493
# of observations	68	68	68	68
Adjusted R <sup>2</sup>	0.138	0.124	0.039	0.026
Sig.: **** <.01 *** <.05 ** <.10 * <.15				

Top-two reform in California and Washington did not create the moderate chambers that proponents had wanted. While the changes in ideology (and constitutional amendment for California) may have helped reduce gridlock, it does not appear that this change occurred because of moderating chambers. In fact, in all four of the models, the top-two reform created a more liberal chamber. Creating more liberal chambers can help remove the ideological gridlock that proponents were wanting to remove. In this aspect, the top-two reform may have worked, but only because the chamber is becoming more liberal.

While the regression shows how the implementation of the top-two primary affected legislature ideology, it is also important to examine what was happening both before and after reform in terms of chamber median. In 1997, the first year used in my models, the citizen ideology in California was 53.75, the lower chamber median was -.848, and the upper chamber median was -.820. In 2010, the year the top-two reform was

passed by voters, citizen ideology was 58.17, the lower chamber median was -1.416, and the upper chamber median was -1.202. The latest year used in my data was 2013, which had a citizen ideology of 57.35, a lower chamber median of -1.218, and an upper chamber median of -1.370. The raw data appears to show a moderating effect on the lower chamber median, while the upper chamber has the changes in line with what the regression model suggested. A change in the chamber median toward the center could potentially show that the reform is working as proponents had intended, however because there is only one year that shows a moderating effect it is hard to know the importance of the reform on this.

One important fact not accounted for in the models is the change in term limit laws in California. In 2012, California voters approved an initiative that changed the way that term limits were calculated in the state. Before 2012, California legislators were limited to a set number of terms in each chamber. Following the reform, California legislators could serve a total of twelve years, no matter which chamber they are in. This means that legislators can serve up to six terms in the State Assembly or three terms in the State Senate, or any combination that leads to twelve years. This could have some impact on the changes in ideology; however, legislators that were in office when the initiative was approved were grandfathered in to the old law. The real change will not be noticed until 2024, when the first group of legislators are term limited out of their chambers under the new rules. So, while it is important to note that this could change the dynamics of some individuals who decided to run, it is hard to quantify any effect it has had this early on.

The Washington raw data looks similar to what the regression model is suggesting. The first year in the model, 1997, had Washington's citizen ideology score as 50.96, a lower chamber median of .609, and an upper chamber median of .423. In 2008 when voters approved the implementation of a top-two primary, the citizen ideology score was 68.77, a lower chamber median of -.819, and an upper chamber median of -.668. The most recent year in the model, 2013, had a citizen ideology score of 52.97, a lower chamber median of -.846, and an upper chamber median of -.036. The lower chamber moved in a more liberal direction following implementation of the top-two primary just as the models suggested. The upper chamber had a sharp moderating turn in 2013, where the median went from -.542 the year before to -.036. Part of this can be accounted for in the fact that Republicans picked up a seat in the upper chamber, but more importantly the change is probably a reflection of Washington's coalition Senate (Schoesler and Tom 2012). While the Washington Senate had a Democratic majority, two Democratic senators caucused with all the Republicans to create a "Majority Coalition Caucus". This change is what likely created the moderation, and I am not sure that this occurred because of the top-two primary.

Examining the correlations yielded interesting results. The first correlation with the control states and the chambers prior to reform show that citizen ideology does have a significant effect on the lower chamber median (Table 3). This suggests that constituents were being accurately represented by the lower chambers, but not represented in the upper chambers. This makes sense considering the districts are typically smaller and designed to be more intimate between the representative and the voters. The state upper

and lower chambers are also correlated, suggesting that there is some ideological homogeneity.

**Table 3 Correlations All States Before or Without Reform**

		Citizen Ideology	State Upper Chamber Median	State Lower Chamber Median
Citizen Ideology	Pearson Correlation	1	.018	-.378**
	Sig. (2-tailed)		.890	.003
	N	59	59	59
State Upper Chamber Median	Pearson Correlation	.018	1	.584**
	Sig. (2-tailed)	.890		.000
	N	59	61	61
State Lower Chamber Median	Pearson Correlation	-.378**	.584**	1
	Sig. (2-tailed)	.003	.000	
	N	59	61	61
**. Correlation is significant at the 0.01 level (2-tailed).				

The correlation of chambers that have enacted the top-two reform shows a more homogeneous legislature, although there is now no significant impact of citizen ideology on chamber median (Table 4). The upper and lower chambers are more strongly correlated with one another, suggesting a more ideologically homogeneous legislature that may help reduce gridlock because legislation making it through one chamber should be ideologically similar to what the other chamber would desire. More legislation should be sent to the governor's desk, making or a more efficient government.

**Table 4 Correlations of States After Reform**

		Citizen Ideology	State Upper Chamber Median	State Lower Chamber Median
Citizen Ideology	Pearson Correlation	1	-.152	.014
	Sig. (2-tailed)		.696	.972
	N	9	9	9
State Upper Chamber Median	Pearson Correlation	-.152	1	.824**
	Sig. (2-tailed)	.696		.002
	N	9	11	11
State Lower Chamber Median	Pearson Correlation	.014	.824**	1
	Sig. (2-tailed)	.972	.002	
	N	9	11	11
**. Correlation is significant at the 0.01 level (2-tailed).				

## CHAPTER SIX: DISCUSSION

When looking at the results from the regression models, it appears that the top-two primary reform does have an impact on a chamber's ideology. Top-two primary reform was statistically significant in the liberal direction, even though the two states in the models are already considered to be liberal. This implies that the top-two primary does have an impact on legislator ideology, disproving my hypothesis. However, this does not mean that reformers had the right arguments in every state. In the liberal states, a top-two reform may move the chamber further to the left.

If this is true, more research needs to be done to study voting behavior based on ideological preferences. Another possible explanation is that the top-two primary in California and Washington is helping more liberal Democrats take down incumbents in a system that had previously made it very hard to do so. Because of the small number of competitive districts (Abramowitz, Alexander, and Gunning 2006), in large cities like Los Angeles, San Francisco, and Sacramento, the chance of a Republican even making it to the general election is slim. However, this opens the door for someone to run as a more liberal Democrat and force a general election campaign between two members of the same party. In this scenario, reform proponents argue that voters that belong to other parties should be voting for the candidate that is most like them (a Republican should be voting for the moderate Democrat, a Green Party voter for the more liberal Democrat). But what if this voter decides not to vote in this race? This would create an election

where the incumbent would have to try and defend their moderate positions in a district that may reward those that are more liberal. If seat replacement is the reason why there is a change in the chamber median, proponents would be incorrect to argue that they are moderating the chamber, however they could claim that the legislators are now more ideologically similar to their constituents.

It appears that the party of the President did not impact the chamber median for the states in my model, possibly conflicting with Rogers' (2016) research. While there were many losses for Democrats across the country during President Obama's administration, in most of the chambers used in my models, the chambers became more liberal during these eight years. The expectation that there would not be an impact on ideology seems to be incorrect. The top-two reform does impact the ideology of state legislatures, although the impact appears to be different than one would suggest and the party of the President did not have a significant effect on these four states.

In both California and Washington, the top-two reform created a more liberal legislature. Does this mean that the top-two primary only works in one way? Not necessarily, but it is interesting that there appears to be less of a moderating impact than an entrenching of the state's dominant ideology. This suggests that either more liberal Democrats are winning elections, or that there is some truth to the fact that moderate Republicans will carry some crossover voters to win against a more conservative Republican. This leads me to reject my hypothesis, because it does look like the top-two primary is changing who gets elected; it just isn't necessarily changing it in the way that proponents wanted it to.

The top-two primary also appears to have helped reduce the “ideological” (Elias 2009) and “partisan gridlock” (Westly and Keeley 2010) that proponents wanted. This was not done by moderating the candidates, but rather by making the two chambers more ideologically homogeneous. The two chambers became more strongly correlated both following implementation of the top-two primary and when compared to their control states. A more homogeneous legislature may be beneficial for governance, but the lack of significance for citizen ideology could be concerning. If the chambers are enacting more legislation to try and solve problems for their constituents, that would be a benefit to governance. However, if they are passing more legislation but less representative of their constituents, that should be a concern. Legislatures should not be enacting policies that only they want, and the lack of significance for citizen ideology in addition to Abramowitz, Alexander, and Gunning (2006) research showing a decline in competitive elections suggests that there would be little incentive for legislators to vote in line with the ideology of their citizens.

## CHAPTER SEVEN: CONCLUSION

Further research will need to be done to examine what other variables may be affecting state chamber ideology. While I had intended to use measures of bipartisan legislation passage and the role of interest groups, time and data restrictions did not allow for these to be added. Future research will want to add in these variables to examine if these factors change the direction and strength of the top-two reform. There is also a need to examine whether voting behavior changes depending on which candidates make it to the general election. The prospect of conservative and liberal constituents reacting differently to a ballot featuring two candidates of the ideologically opposing party can lead to examples of other situations when reform may only be impacting one group of voters and not another. Adding the election results from 2014 on would also help to show some variation. In particular, the U.S. Senate race in California can be a good case study to see if there is a lower statewide turnout for this race than the presidential one, since it was the first statewide contest for an open seat that had two members of a single party on the general election ballot.

Overall, it appears that the top-two primary reform does impact the chamber's ideology. The data, along with previous research like Sinclair (2015), suggests that the reason why there is a change in ideology has less to do with a different party winning the seat than with a moderate Republican winning over a conservative Republican. Being able to add in the voting behavior of legislators in future projects can examine whether

these more moderate legislators are voting in different ways than their more conservative counterparts.

While the debate in California centered on the prospect of holding legislators accountable and removing ideological gridlock, many assumed that this would come true because of a change to a more moderate legislature. The data suggests that if there was any change in California that helped ease gridlock, it was not because of moderate legislators coming in. Gridlock may have been eased through a more solidly liberal block of Democratic legislators enacting policies with a Democratic governor. This can be good if the reformers real goal was for a more efficient government, but based on the arguments and those who were making them, the top-two reform in California was a failure. Liberal Democrats won, but moderate Democrats and all Republicans lost. For states that are liberal, the top-two primary will not help to moderate the chamber, but will create a more liberal chamber that can potentially be more efficient.

In terms of efficiency, the top-two primary reform is great for liberal states. Creating a more ideologically homogeneous legislature can make it easier for legislation to reach the governor's desk, helping to grease the wheel of the legislative process. For moderation, the reform is not working as intended for liberal states. A state deciding if they want to enact this reform should then examine what it is that they are trying to achieve. Efficiency versus moderation is a debate that we have had over federal politics for decades, but now it is in the hands of state legislators and voters to decide if they want a more efficient government or a more moderate government. It is my hope that this research will help guide their decision.

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