

## Recall elections for state legislators, funded by outside interests, are likely to become more common.

*Since September, three Democratic State Senators in Colorado have lost their seats due to recall elections, or the threat of one, over their votes in favor of gun control legislation, due to a concerted campaign from outside interests. [Jim Melcher](#) looks at the increasing popularity of recall elections for ideological reasons, rather than for corruption or incompetence. He argues that such recalls, at least at the state legislature level, are here to stay, and that outside money and interests are also likely to play a more and more important role.*



There are some new things happening in the world of American recall elections: as we've [seen in Colorado](#), these state and local elections have more national repercussions than ever before. Recall elections have been around for a century in American politics, and they've certainly made national news before, particularly in the electoral circus that resulted in the recall of California Governor Gray Davis and his replacement by Arnold Schwarzenegger. But what's happening now in the United States is something new: the targeting of elected officials for recall by national interests and money; not for reasons of perceived corruption, but for ideological and partisan reasons. And, they're becoming more common.

Now, most recall elections don't bring in big bucks from across the country. The overwhelming majority of recall elections are very local affairs for local offices, like school boards or city councils. They're of great interest in the towns where they happen, but almost nobody else notices them. They also don't normally involve big money from inside or outside their towns.

That's what's different about the recalls of legislators in Colorado this year, where voters recalled two Democratic Colorado state senators, John Morse and Angela Giron. Their recall became a flashpoint for national interest groups and money over their votes in favor of gun control legislation. It was followed up late last month by the resignation of another Democratic senator, Evie Hudak, who looked likely to face recall over the same issue.

What happened in Colorado—and to a lesser extent in the massive recall efforts against both Republican and Democratic legislators in Wisconsin in 2011 and 2012—is that legislators are not only facing more threats to finishing out their elective terms, but that much of the pressure comes from interests outside of their districts and even their states. Some critics of the recall argued that the senators chosen for recall were picked by outsiders largely for their perceived vulnerability. These two recall elections attracted over \$3.5 million in spending, much of it from outside Colorado. This included \$350,000 from a visible supporter of gun control, then-New York City Mayor Michael Bloomberg, alone (Bloomberg's contribution was a part of the financial advantage the opponents of the recall had in these elections).

There's nothing illegal about this, of course, and in an era in which the Supreme Court looks very skeptically at campaign finance limits on First Amendment grounds, there's likely little any state troubled by this state of affairs would be able to do about it, short of changing its laws to make recall elections more difficult. We're likely to see more efforts similar to the ones in Colorado, particularly in other cases like Colorado's where issues of party control and hot-button issues are present together.

We're also now seeing that winning recalls can have a plus side. A politician who survives a recall attempt may enjoy multiple bonuses. It's always been the case that a candidate surviving a recall can point to the result and feel vindicated. But the effects of that have never been national ones.

Until now, that is. We're seeing what may be just that from a potential presidential candidate, Wisconsin Governor Scott Walker. Just a few weeks ago, Walker's new book *Unintimidated: A Governor's Story and a Nation's Challenge* was released, and it details Walker's view of his time in office as Governor, with a special focus on the unsuccessful drive to recall him from office in 2012. Walker clearly feels vindicated by his recall victory, and portrays his struggle as a profile in courage. While Walker says he is focused upon running for re-election in

2014, many commentators see the book as an effort to use his recall experience to showcase himself for conservative, anti-union voters for a run for the Republican nomination for 2016.

Is this trend of national news making recall elections likely to continue? Even now, recall elections above the local level are still very rare, and many states either don't have recall elections at all, or only permit them for local offices. But state legislative races may prove to be the "sweet spot" for interest groups out to change the makeup of legislatures more to their liking, or for parties seeking to regain control of state legislatures. And as recalls become more common, the resistance of voters to recalling an elected official for ideological reasons will decrease. Usually in cases of issue-based recalls, a significant percentage of voters will say "I may not like that person in office, but she hasn't done enough wrong to vote her out early. I'll wait until the next election to do that". But as recall becomes more a part of the regular campaign toolkit, more voters will be receptive to recalls. All of these cases show that both the participation in—and repercussions from—elections are increasingly national in scope.

How do I look at this new world of recalls? I believe it is

best to avoid recalls except in cases where voters have learned new information about an elected official since the election. That could certainly include corruption, but could also include specific broken promises or in cases where voters were misled about the intentions of candidates. Otherwise, recall elections become an endless series of expensive "do-overs" where the losing side will be planning to challenge the winning candidate the day after the election, where it is allowed legally. That environment would make a system of separation of powers that is already challenging to govern even more difficult to run.

But for now, we can expect many more recall campaigns to be run, with more out of state money, and with bigger national consequences.

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*Note: This article gives the views of the authors, and not the position of USApp— American Politics and Policy, nor of the London School of Economics.*

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