

KEN WHITE

How to revive democracy on Beacon Hill

IT'S BECOME a familiar picture: the House speaker and the Senate president, emerging from behind closed doors, uneasily sharing a podium to trumpet the results of their latest exercise in brinkmanship. The bit players in this polit-drama, the (mostly) compliant legislators, await their cue to pass whatever is put before them — even if they won't have a chance to read, debate, or understand it.

Watching (or, increasingly, not watching) are the folks back home, wondering why they bother to send legislators up to Beacon Hill. Too many of their representatives never turn up in the credits of this play, let alone have an impact on the plot. Although that disappoints citizens, it doesn't appear to faze many legislators.

After all, electoral competition crept to an all-time low this year: Ninety-two percent of this year's

legislative primaries went uncontested; 71 percent of legislative races had just one candidate from a major party. Not surprisingly, voter participation in Massachusetts dipped to just 9 percent for the primary. In a not-unrelated development, the 2000 Massachusetts Legislature was one of the quietest ever: Of 5,066 laws proposed, barely 200 passed.

The problems don't stop there: The House routinely suspends its own rules, and the speaker gavels controversial and unscheduled measures through near-empty chambers without recorded votes in so-called "informal" sessions. Legislative committees act as graveyards and rubber stamps, where public hearings and recorded votes are rarer than hen's teeth. And individual legislators, often more responsive to peer pressure than constituents, have ceded

much of their autonomy.

Gone are the days when news stories included extensive comments from "the powerful chair of the . . . Committee," or an analysis piece would dissect a winning legislative coalition assembled by a committed backbencher. Lately, it's all about the Toms (House Speaker Thomas Finneran and Senate President Thomas Birmingham), and everyone else either plays along or gets nothing. When the Red Sox came a-calling last year, legislators openly peddled their votes in the media in exchange for pork and pet projects. Even this has its risks, as the gains extracted from one Tom get traded away (sometimes with a nod and a wink) to placate the other.

Meanwhile, the last two state budgets have come before the House with more than 1,300 "outside sections" vying for attention.

These add-ons, proposed by individual legislators frustrated by the lack of progress through normal legislative channels, have become one of the few means of getting anything done on Beacon Hill.

More than simply offensive to democracy, the process is hopelessly inefficient. In 1999 the budget was so overstuffed with issues unrelated to fiscal concerns that it was delivered five months late. This year, attachments to the House budget would have shredded some of the few protections we have from greed and corruption by making dramatic changes in the Commonwealth's laws without so much as a word of debate or a recorded vote. (The Senate, fortunately, squelched the worst of these.)

It's no accident that advocates — and often legislators — find it difficult to intervene in a Legisla-

ture where "one-stop shopping" (in the words of one lobbyist) enables the leadership to amass and disburse money and perks like party favors in exchange for reliable votes.

Change is coming slowly. A hardy few within the State House have repeatedly fought against this diminution of democracy, knowing that the leadership can't unilaterally impose its will unless a majority of the members "go along to get along." In response, Finneran appointed a committee to study the process. The committee's recommendations, while useful, don't go much beyond what one legislator calls "apple pie and motherhood" changes.

To push reform forward, a coalition of public interest groups from across the political spectrum organized by Common Cause Massachusetts is calling for an overhaul in the legislative process. Their proposal would empower individual legislators and committees, and rescue public debate and individual initiative from the

dustbin. Many of these reforms (such as limitations on "outside sections" to the budget and limitations on what can be done in informal sessions) are nothing more than enforcement of the existing rules. Others (such as changes to the budget and committee processes) would offer greater opportunity for legislators to act autonomously — and for citizens to intervene more effectively.

Greater transparency and accountability, combined with the reforms of the Clean Elections Law, could rebalance the internal pressures of the Legislature with responsiveness to constituents.

Will it happen? Watch to see how many deep reforms are proposed and adopted during the opening weeks of the legislative session. And keep an eye on which legislators demand the right to get to work — and which accept permission to go back to sleep.

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