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For Californians, it may be one gerrymander too many

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LOS ANGELES

There is an invisible hand shaping the California congressional races this year that has not been quite invisible enough.

"What you find out in many of these races," says Harvey Hukari, regional political coordinator for the Republican National Committee, "is that you're not fighting the incumbent so much as you're fighting Phil Burton."

US Rep. Phillip Burton, a hard-boiled San Francisco Democrat, redrew the state's new congressional districts to square the one-man-one-vote principle with the latest census. His is the not-so-invisible hand.

And he has probably managed to tip the balance of the California's congressional delegation toward the Democrats this election.

The gerrymander is common political fare, but Mr. Burton may have been heavy-handed enough about it to inspire voters to take the redistricting privilege away from politicians altogether.

California voters rejected the Burton plan in June (for future elections, too late for this one), and they will decide in November on a proposition to set up a redistricting commission. The commission would take a stab at taking the politics out of drawing districts.

Burton has made the redistricting process something of a family affair this round.

His most controversial district was the one he drew for his brother, Congressman John Burton. The younger Burton has since decided he has had enough of Washington and isn't running. Ironically, Phil Burton had whittled away some of his own Democratic strongholds to bolster his brother's chances, and now faces a tough reelection battle himself.

Liberal Democrat Howard Berman, now in the state assembly, had his road to Congress drawn by his brother, campaign consultant Michael Berman, who was one of Burton's two aides-de-camp.

"Chunks and squiggles," says Berman's Republican opponent, Hal Phillips, in pointing out the contrived look of the district.

On the other hand, John Rousselot, a leading conservative congressman from the suburbs east of Los Angeles, found himself drawn right out of his turf.

So rather than elbow out fellow Republican Carlos Moorhead in a fairly safe Republican district, the feisty Rousselot is passing out "Viva! Rousselot" buttons and stumping a heavily Hispanic district with more than twice as many registered Democrats as Republicans.

The common wisdom is that Rousselot roused the Burton ire (beyond that due any conservative Republican) by targeting GOP money and effort in the last election against John Burton, who barely won his seat.

Phil Burton himself strongly asserts this isn't so. He insists, in fact, that he tried to protect incumbents of either party with senior committee posts in Congress. The Rousselot predicament, he says, was simply the unintended result of creating an open Hispanic seat in East Los Angeles - something Burton was under pressure to do.

Overall, California has 21 Democrats and 21 Republicans in Congress, who together make up nearly a 10th of the House. The GOP's Mr. Hukari fears that the Burton plan may cut the Republican contingent down as low as 16.

But it's not just a numbers game. The loss of an established politician like Rousselot is the loss of more than just a vote for Republican causes.

Likewise the addition of Democrat Howard Berman could mean more to national policy than just another liberal vote in the House. His longtime friendship and alliance with Rep. Henry Waxman - detractors call it the Berman-Waxman machine - represents a growing network of like-minded liberal politicians that support each other."

"This is the most important issue in politics," says Walter Zelman, executive director of Common Cause in California. As he sees it, redistricting is how politicians decide the outcome of elections before the voters get their chance.

Common Cause, the nonpartisan "citizens' lobby," has enlisted the support of the state's embattled Republican Party in backing the 10-member commission. Polls show that voters are likely to support it too.

"I would say the congressional plan Phil Burton drew was vicious," says Mr. Zelman. "It was so blatant, such a distortion of community, of reasonableness, that it made our job easy."

Burton points out that by the objective measures of uniform district population and the fewest splits of counties and cities his plan beat all the alternatives. He also insists he "behaved better - if not much better" than Republican district-cutters in states like Indiana, whom he labels "brutal" to Democratic incumbents.

The commission would include three Republicans, three Democrats, and four independent, nonpartisan members.

Democrats, who as the majority party in the state Legislature have the power to get their way on district maps, are skeptical.

They worry that in other states with similar commissions (there are about 16) , a partisan bias is replaced by an incumbent bias where established politicians of both parties try to protect themselves. They are also concerned that the minority

party will seek a stalemate to throw the district-cutting to the courts. And some question how impartial the nonpartisan commissioners will really end up being.

"The present system is terrible," concedes Berman, but at least the politicians who draw the districts are accountable to the voters.

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