



Politics and government are awash in tradition and ceremony from solemn inaugurations and swearing in rituals to fund raising events (less solemn but equally important.)

In New Jersey politics, three traditions are held in particular reverence:

- \*Senatorial courtesy.
- \*Placement on the county line on primary election ballots.
- \*Not pumping our own gasoline.

All have at one time or another been challenged by groups who demand they be abolished or dramatically altered. All have proven invulnerable to the forces arrayed against them.

Senatorial courtesy, the practice which permits senators to block consideration of a gubernatorial nominee who resides in any of the counties he or she represents, has been criticized as an affront to the democratic process and flies in the face of representative government.

It does not exist in statute and therefore cannot be repealed. It is not mentioned in the Constitution and therefore is not subject to a challenge on constitutional grounds.

Rather, it is a tradition scrupulously observed and jealously guarded by both political parties as the single most effective weapon placing an individual Senator on a level equal to that of the governor – a bargaining chip that never expires and whose usage is unlimited.

A Senator merely expresses to the chamber's leadership dissatisfaction with a particular nominee, blocking consideration until the legislator and the Administration negotiate a settlement. No reason for the hold is required.

In reality, invoking courtesy is rarely conducted in public. A governor, when considering a nominee, wisely clears his intention with the senator or senators affected and any differences are talked through privately to guarantee a smooth confirmation process.

All involved benefit from the secrecy – the governor avoids an embarrassing defeat at confirmation; the senator avoids a potentially harmful political entanglement, and the nominee is spared the awkward distress of rejection.

Opponents of the courtesy practice argue that placing such power in the hands of one individual to thwart – without explanation – the selection of personnel by a governor is patently unfair, never intended by the framers of the Constitution, and relegates a nominee to a political pawn.

Supporters contend the process guards against an overzealous chief executive with unfettered authority to select cabinet officers, judges, and thousands of paid and unpaid members of boards, commissions and authorities. It is, they say, simply an extension of the checks and balances between the two branches.

Several years ago, the abolition of courtesy was proposed to be replaced by a Constitutional amendment requiring the Senate act on nominations with 60 days – longer if requested and agreed to – or the nominee would be approved automatically.

To no one's amazement, the proposal was buried by Senators who were not inclined to voluntarily cede the most powerful authority at their disposal in dealing with the Administration.

Governors, though irked by a recalcitrant legislator over a nominee, understand and accept the process and grudgingly negotiate a face-saving exit strategy.

Settlements usually involve agreeing to a Senator's request for Administration support of a legislative proposal, a public event involving the governor, an appropriation to assist a municipal project, a campaign appearance or fund-raising help.

### **TOE THE LINE**

New Jersey is one of the few states in the nation whose primary election ballot design is developed by county political committees to give a significant edge to organization favored candidates.

The "county line" groups candidates in a column under an organization-approved slogan, signaling they have received the imprimatur of the political leadership. The party faithful who participate in primaries are expected to vote the line and largely do so.

Those candidates who do not receive party endorsements are left to form their own slate and run off line, tantamount to running off the ballot.

Their ballot placement is usually around the margins where voters require a GPS to locate them.

Like senatorial courtesy, the county line has survived numerous attempts to eliminate it, arguing it is grossly unfair, effectively locks out attracting new candidates and broadening the party base while a handful of backroom pols and power brokers abuse the system to reward those who will be responsive to their demands and direction.

Courts are reluctant to become involved in tinkering with partisan political decision-making, preferring to leave intra-party squabbles in the hands of those elected to settle disputes.

Supporters defend the county line as a valuable tool to assure the strongest possible candidates receive the endorsement, those with a greater chance of electoral success. It eliminates the potential for weaker contenders from the fringes who are unable to raise the funds necessary to mount a credible and winning campaign.

It creates a party hierarchy and a controlled system of advancement.

Like the Senators who will not cede their courtesy power, county political leaders will not willingly give up their control over ballot design.

There is, moreover, scant public interest in the issue, no clamor to reform what most see as “inside baseball.”

For the frustrated advocates of change, their efforts are similar to convincing the student body at the University of Alabama to rally around the math club rather than the football team.

A Legislature, many of whose members owe their membership to the county line system, is not about to ignore their party leadership’s wishes or act to undermine their power.

## **FILL IT UP**

For the last 73 years — four years after the end of World War II — New Jersey drivers have been prohibited from leaving their cars and filling their gas tanks on their own.

A recent poll showed that more than 70 percent like it just that way.

Self-serve, offered in the other 49 states and the District of Columbia, has not taken hold in New Jersey and likely will not, despite the recent push behind a proposal to offer pump your own along with full attendant service.

Despite supporters’ claims that the per gallon cost will fall by 15 cents if self-serve was implemented, a skeptical public either doesn’t believe it or is willing to pay a higher price for the convenience and safety of remaining in their cars and leaving the hands dirty, smelly task to those paid to do it.

Others have expressed the concern that allowing self-serve as an alternative is the nose of the camel poking through the flaps of the tent, that over time the animal — hump and all — will move in entirely.

In other words, what may begin as a few self-serve pumps will, over time, expand and crowd out full serve, effectively forcing a do it yourself system.

And, when an incumbent governor characterizes taking on the issue as the equivalent of committing political suicide, the die has been cast.

Tradition will triumph...senatorial courtesy will remain in force...the county ballot line will survive and thrive...fill her up will remain an order rather than a task.

Maybe all those welcoming signs at New Jersey’s borders with New York, Pennsylvania and Delaware should be reworked to honor these traditions. Visitors and potential residents deserve to know about the unique, eccentric and quintessentially New Jersey customs that await them.

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