

Jeffrey Lustig described politics in 1988 as the "collective artistry of the future." By that he meant "the choices involved with the common shaping of a public life."

A professor of politics at California State University, Sacramento, for 23 years when he retired in 2010, he sought to get beyond the dry study of clauses of the state constitution or the intricacies of the legislative process to promote California as a community and special place.

Lustig died on June 14 at age 69 of cancer. But he left something important behind.

He was working on a book, "Bare Republic: California's Constitutional Crisis," playing on California as the "Bear Flag Republic."

During a lovely hike in 2010 with some of his colleagues at Tomales Point, the Pacific Ocean on one side and Tomales Bay on the other, I had a chance to talk with him about it.

He was building on themes he had developed in a collection of essays published in 2010, "Remaking California: Reclaiming the Public Good," which brought together journalists such as The Bee's Dan Walters, artists such as poet Gary Snyder, historians such as Kevin Starr, politicians such as Barry Keene and others. In that book, he stated his belief that private life is "inseparable from and crucially dependent on the condition of the public world."

Lustig had come to believe that the roots of California's decline were in the state's earliest days, its constitution in particular.

He thought our current dilemmas about private rights vs. the public trust and treatment of "outsiders" ("shadow California," he called it) were structurally deep -- not fleeting. He pointed out to me a fact I did not know and still find shocking: California did not ratify the post-Civil War 15th Amendment of 1868, which gave blacks the right to vote, until 1962.

Why? Fear of Chinese immigrants.

Lustig made a case, better than anyone I know -- and I'm a real skeptic on this front -- for Californians to call a constitutional convention to "alter or reform" their government as the 1879 constitution allows, when "the public good may require."

He was deep into the details of California's 1849 constitution, which he noted was superseded only a generation later by a second constitutional convention in 1879. While other states have managed to hold constitutional conventions -- 63 times since 1900, he said -- California has relied on incoherent, piecemeal initiatives to make changes. It is time for big change, he argued.

A constitutional convention, he believed, is the only way to come up with a government that can protect the liberties of the people against private encroachment.

I expressed skepticism that a constitutional convention would remedy the problems he so clearly sees -- a government that caters to a minority of monied interests.

At a constitutional convention any and all items would have to be on the table, I said; it wouldn't be a true convention if the agenda were limited ahead of time. But, in my view, that would open a Pandora's box that might give us something much worse than we already have.

How would you prevent the special interests that have captured our politics, I asked, from hijacking a constitutional convention?

An assembly with face-to-face discussion of a multitude of issues would be a whole lot different than the initiative process, he believed.

He said you could select a constitutional convention the way that juries are chosen, by random selection, but he was against that. He said that would be a "representative sample," not a "representative assembly."

He hadn't worked it out entirely on that spring 2010 hike, but he envisioned a process where the people would pick their own representatives, after some period of civic engagement and civic education. He was working on the details.

His friend and colleague, Douglas Lummis, who has read about half of **Lustig's** manuscript, says, "When I first heard that **Jeff** was writing a book arguing that California's troubles are rooted in its constitution, I worried that it could not be done."

But after reading it, Lummis believes **Lustig** had succeeded: "By retelling the history of California's first and second constitutions, and their consequences, he gives us a fresh image -- a portrait -- of what California was and is."

Lummis believes **Lustig's** book, which his colleagues hope to get published posthumously, will become a classic in California studies. I'm looking forward to it.

Lustig was such an optimist and he taught a generation of students to value California as a community and a place, and to be active citizens in it. We could use more like him in these times of pessimism and doubt.

Even though he has passed on, he is calling on us to see politics as the "collective artistry of the future."