

# The Dismantling of Democracy by Elected Representatives: Destroying Direct Democracy One Citizen Initiative at a Time

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## Introduction

One of the finest and most explicit forms of democracy in the United States is the citizen initiative. Through this process, residents have a direct voice in policymaking. Everyday citizens have the ability to gather petitions, bring an original idea forward to the ballot, and possibly vote this objective into legislation. Through ballot initiatives, the common man or woman can bypass politicians and legislatures to put forth their own law, or so it may seem. Lawmakers are shutting down these acts of legislative participation and stripping Americans of one of the purest forms of direct democracy. Legislatures rationalize this behavior with the claim that they know what is best for their uninformed electors, when in reality they are blatantly going against the expressed wants and needs of their constituents. In this research, I evaluate these injustices, why they are happening, when they are happening, where they are happening, and what party is making them happen. Ultimately, I look to propose an answer to fight these acts against democracy.

This is not a procedure for which one political party can be held responsible. Through my findings, I determined that legislatures of the Democratic Party and legislatures of the Republican Party are guilty of walking back these ballot initiatives. Overturned citizen initiatives can be found in states that have recently voted primarily for the Democratic Party and states that have recently voted primarily for the Republican Party. This is not a case of one political party against the other, but rather an instance of elected representatives directly pushing back against their electors. I discovered that out of the 22 states that allow citizen-initiated statutes, only 6 have not repealed or altered a statute between the years of 2008 and 2019. This means that 72.73% of state legislatures exercised their ability to annul or alter laws passed by the majority of their constituents. I was also able to detect that initiatives regarding elections comprised was one of the categories that endured the most repeals or alterations by lawmakers. Alarming, my research also made it apparent that there has been a recent spike in legislatures putting to use their abilities to overturn direct democracy. I discovered that 70% of the retractions or modifications of citizen initiatives occurred

within the last four years. These pushbacks of democracy are on an upward trajectory.

There has been a limited quantity of scholarly research around this topic of initiatives. Nearly all sources of the subject matter come from reporting and journalism. This lack of investigation motivated me even more to tackle this paradox. I was propelled into exploring the topic further and expanding the knowledge around legislatures' infringement upon citizens' democratic practices. I hope to minister to the scarcity of research by delving into what is going on, why it is happening, and how to combat this repression of democracy. I hope that my research may be a catalyst for further research and exploration.

## Literature Review

A debate that is as old as the Founding Fathers themselves has been circulating through our nation. Where does the power in the United States of America lie: with the people or their elected officials? Not all states give their residents a form of direct democracy, and those that do find ways to compromise this right. In one of the most famous speeches in American history, "The Gettysburg Address," President Abraham Lincoln states, "Government of the people, by the people, for the people, shall not perish from the earth." Are legislatures depriving our nation of a government that is both by the people and for them?

## Direct Democracy in the United States

Direct democracy is a valuable tool for citizens to use in the legislative process. In their book *Direct Democracy in the United States: Petitioners As a Reflection of Society*, Shauna Reilly and Ryan M. Yonk (2012) describe direct democracy as "the set of procedures that allow individuals and groups the opportunity to put policy decisions in the hands of voters and provide an alternative to the regular procedures through which elected representatives make decisions about policy." Citizens can exercise direct democracy through ballot initiatives and referendums. The 2014 book, *The Initiative: Citizen Law-making*, by Joseph Francis Zimmerman, describes initiatives as "a petition process allowing voters to place one or more propositions on the ballot by collecting a specified



so that they would receive the same minimum wage as non-tipped employees by 2026 (Ballotpedia, “Washington, D.C., Initiative 77, Minimum Wage Increase for Tipped Workers”). A “yes” vote was a vote in favor of increasing the minimum wage for tipped employees to match the city's standard minimum wage by 2026. A “no” vote was a vote against increasing the minimum wage for tipped employees to match the city's standard minimum wage by 2026. City Council members quickly repealed the legislation that the citizens had proposed and passed: “It took about 45,000 Washington, D.C., voters to pass a ballot initiative this June raising the minimum wage for tipped workers. It took only eight city council members out of 13 to begin the process of repealing it only a few months later” (Holder 2018).

In addition to these examples, there have been several different instances when lawmakers have struck down initiated statutes, amendments, and referendums created and passed by the people. These are evident illustrations of lawmakers defying the expressed wants of the majority of their constituents: “Despite the effort of citizens, lawmakers can use their power to limit, block, or reserve the votes, both preemptively and after the fact” (Ballotpedia, “Initiative and Referendum”). In order to challenge these legislatures that are hindering Americans’ from practicing direct democracy it is vital to learn more. To identify how, when, and why these voters’ legislative efforts are being walked back, I will be conducting several analytical tests to get to the root of this dispute.

### Analytical Model

#### Developing a Theory

To begin my exploration, my analytical model will generate the foundation of my tests. In his book *Essentials of Political Research*, Alan D. Monroe states that “Science starts and ends with theories.” A theory is expressed as “a set of empirical generalizations about a topic” (Monroe 2000, 17). For this study, my theory is that citizen initiatives are likely to be repealed by lawmakers in order to protect their legislative power within the state. In order to fully delve into this idea, I will need to evaluate my theory.

#### Testable Hypotheses

A hypothesis is an “empirical statement derived from a theory” (Monroe 2000, 18). Continuing, hypotheses consist of variables. A variable is defined as “an empirical property that can take on two or more different values” (Monroe 2000, 18). A hypothesis is complete with an independent variable and a dependent variable; “Independent variables are those presumed in the theory underlying the hypothesis to be the cause, and dependent variables are the effects or consequences” (Monroe 2000, 20). From my overarching theory and hypotheses, I hope to answer three distinct questions about this phenomenon.

My first question is: *Is the alteration of citizen initiatives a partisan issue?* I want to determine if one political party is responsible for these repeals. The Democratic Party is more likely to favor government solutions and might not be in favor of citizens bringing forth their own statutes: “The current Democratic Party was shaped by the Great Depression and the New Deal.... The Democrats, as exemplified in the New Deal, generally take the view that the state has an active and significant role to play in securing the good of the people” (LaBossiere). Is this active role within the government described in the views of the Democratic Party leading to the appeals of these citizen initiatives? The Republican Party often favors representative government. The GOP tends to oppose direct democracy, by backing institutions such as the Electoral College instead of the popular vote: “Currently, only 19% of Republicans and Republican-leaning independents favor basing the winner on the popular vote” (Swift 2016). Does this disconnect between these forms of direct democracy and the Republican Party lead to these ballot initiatives being walked back?

In order to investigate this question, I have three hypotheses. To begin this search, I first wanted to see if one political party favored direct democracy more than the other. So, Hypothesis #1 is this: States that allow citizen initiatives are more likely to be favoring the Democratic Party. The independent variable is the presence or absence of citizen initiatives and the dependent variable is whether or not the state primarily voted for the Democratic Party in the last three general elections. To specify my question further and focus in on one type of citizen initiative, I want to look at states that allow their citizens to bring forth new laws in the form of initiated statutes. From this I arrive at Hypothesis #2: States that allow citizens to bring forth initiated statutes to the ballot are more likely to favor the Democratic Party. The independent variable is the presence or absence of initiated statutes, and the dependent variable is whether or not the state primarily voted for the Democratic Party in the last three general elections.

On the other end of this scenario, I want to see if there is a certain political party that is repealing these initiated statutes that constituents are putting on the ballot. This would bring me to Hypothesis #3: States that repeal or alter citizen initiatives are more likely to be associated with the Democratic Party. The independent variable is the presence or absence of a repealed or altered initiated statute between the years of 2008-2019, and the dependent variable is whether or not the state primarily voted for the Democratic Party in the last three general elections. Lastly, Hypothesis #4: State legislatures that repeal or alter citizen initiatives are more likely to be controlled by the Republican Party. The independent variable is the presence or absence of a repealed or altered initiative, and the dependent variable is whether or not the Republican Party was in control of the state legislature at the time of the repeal or alteration. Each hypothesis expresses a positive relationship between the variables.

My second question is this: *Are legislatures more inclined to walk back citizen initiatives that involve political participation?* Are the legislatures repealing these initiatives out of their own interest? I want to determine if initiatives regarding elections are the ones that elected lawmakers seek to strike down. Here I reach Hypothesis #5: Citizen initiatives are more likely to be repealed or altered by legislatures if they deal with the topic of elections. The independent variable is the presence or absence of a repealed or altered initiative, and the dependent variable is whether or not the initiative dealt with the topic of elections. There is a positive relationship between the two variables.

My third question is this: *Is the annulment and revision of citizen initiatives a power that legislatures are recently exercising?* Have lawmakers consistently walked back initiatives brought forth by their constituents, or is this a new operation? I want to verify if this is a “new normal” developing. Finally, I have Hypothesis #6: Citizen initiatives are more likely to have been repealed or altered within the last four years. The independent variable is the presence or absence of a repeal or altered initiative, and the dependent variable is whether or not the initiative was repealed or altered within the last 4 years. Once again, there is a positive relationship between the two variables.

## Research Design and Results

### Creating My Database

I wanted to expand my knowledge on a topic that is unique and untouched by the majority. Because my topic is new, there is a limited amount of data collected and assembled. To ensure accuracy and efficiency in my tests, I found it beneficial to essentially create my own database for my research. I wanted to create a list of citizens’ initiatives that were repealed or altered. To narrow down my search, I focused only on initiatives that brought forth new statutes (initiated statutes) and cases that were repealed or altered between the years of 2008 and 2019. I was able to cross-check my data with a similar database created through Ballotpedia. Ballotpedia’s database was titled “Legislative Alterations of Ballot Initiatives,” and it was created on April 16, 2019 (Ballotpedia, 2019 “Legislative Alterations of Ballot Initiatives”).

To begin my search, I contacted the Director of the National Conference of State Legislature’s (NCSL) elections and redistricting team, Wendy Underhill, for information and direction. Underhill’s colleague and fellow NCSL member, Amanda Zoch, provided me with a database that contained every citizen initiative that had ever been put on a state or District of Columbia ballot. For my database, I needed only the initiatives that had been passed by voters. For each state that allowed a form of direct democracy, I recorded each passed initiative for every year, starting with 2008 and ending with 2009. After organizing these cases by year on a spreadsheet, I found that 170 ballot-initiatives were passed between the years of 2008-2019. From here I wanted to narrow my cases down

further to initiated statutes only. By using the ProQuest Newspaper database, in Lewis Library, I was able to narrow down my list even further to initiated statutes within the twenty-one states, and the District of Columbia, that give their citizens the right to bring forth original legislation through initiated statutes. Using key search words, such as “repeal”, “overturned”, “reversed”, “annulled”, “rescinded”, “revoked”, “amended”, and “altered”, I was able to find articles about specific initiated statutes that had been repealed or changed by legislatures between the years of 2008 and 2019. Partnering my findings with the “Legislative Alterations of Ballot Initiatives” database, I was able to generate a case list of thirty repealed or amended initiated statutes in the United States, within my timeframe.

### Question 1 – *Is the Alteration of Citizen Initiatives a Partisan Issue?*

I began my quest to answer my first question by performing tests for Hypothesis #1: States that allow citizen initiatives are more likely to favor the Democratic Party. I explored this idea by conducting a series of chi-square tests. A chi-square test is “a test of the statistical significance of the association between two nominal variables” (Manheim et al. 2008, 411). A chi-square test can examine the two variables by “comparing results actually observed to those that would be expected if no relationship existed” (Manheim et al. 2008, 299). My chi-square tests compared the independent variable, the presence or absence of citizen initiatives, and the dependent variable, whether or not the state primarily voted for the Democratic Party in the last three general elections, for Hypothesis #1.

For my independent variable, I assigned each state and the District of Columbia a value of 0 or 1. If a state or the District of Columbia was assigned a value of 0, then they did not give their citizens any form of direct democracy through initiatives or referendums. If a state or the District of Columbia was assigned a value of 1, then they allowed their citizens to practice some form of direct democracy. The data was found through Ballotpedia and are displayed in Figure 1. To show my dependent variable, again I gave each state and the District of Columbia a value of 0 or 1. If a state or the District of Columbia was assigned a value of 0, then they voted primarily for the Republican Party in the last three general elections. If a state or the District of Columbia was assigned a value of 1, they primarily voted for the Democratic Party in the last three general elections. This information for the 2008, 2012, and 2016 general elections was gathered from the Historical Presidential Election Information by State database (270 to Win, 2020 “Historical Presidential Election Information by State”). I personally created a visual map to show which states were considered “Red States” and which were considered

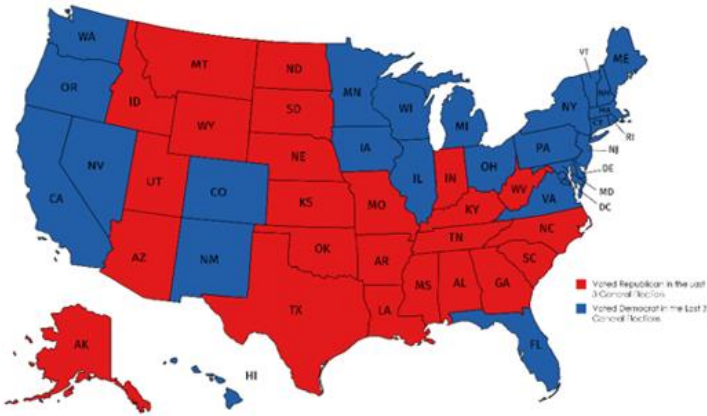


Figure 2. Republican and Democratic States. The state's political party association was determined by how the state voted in the last three general elections.

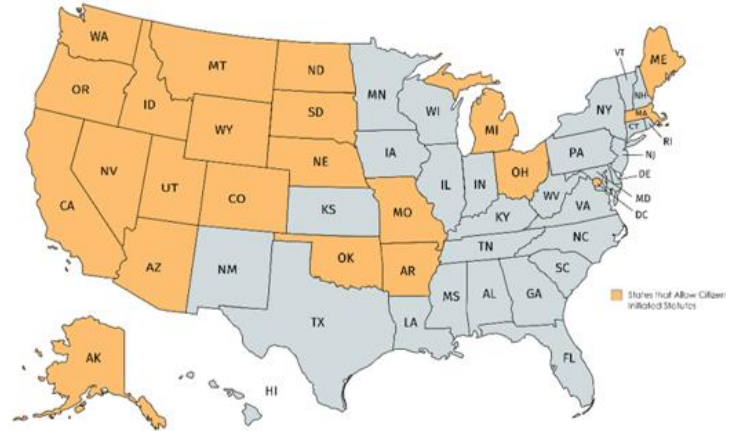


Figure 3. Map showing which states allow citizen initiated statutes.

“Blue States” in this test and throughout my research.

When completing the chi-square test, I found that states that allow their citizens a form of direct democracy and voted for the Democratic Party in the past three general elections had an expected value of 14.29. The actual number of states that fit the criteria was 14. These states were assigned a value of 1 for both the independent and dependent variable. In addition, I found that states that allow their citizens a form of direct democracy and voted for the Republican Party in the past three general election have an expected value of 12.71 and an actual value of 13. These states were given a value of 1 for the independent variable and a value of 0 for the dependent variable.

On the other hand, when performing the chi-square test, I discovered the states that do not give their citizens a form of direct democracy and voted for the Democratic Party in the past three general elections had an expected value of 12.71, when the actual number of states that fit this mold was 13. These states were given a 0 value for the independent variable and a 1 for the dependent variable. Additionally, states that did not give their citizens a form of direct democracy and voted for the Republican Party in the last three general elections had an

expected value of 11.29 and an actual value of 11. These states were given a 0 value for both the independent and dependent variable. I created Table 1 to show how each state scored based on the criteria for Hypothesis #1.

Despite the proximity of the expected values to the actual values, are these numbers statistically significant? In order to determine statistical significance of the two variables we must look at the Pearson Chi-Square value. The value reflects the differences in the expected values and the observed values. The chi-square value needs to be greater than 3.841 in order to be statistically significant at the 0.05 level for a 2x2 table. In this chi-square test for Hypothesis #1, the Chi-Square value is only 0.027, meaning that the relationship is not statistically significant. Table 2 displays these numerical results.

Hypothesis #2: States that allow citizens to bring forth initiated statutes to the ballot are more likely to support the Democratic Party. When moving to Hypothesis #2, I preformed the same chi-square test with one modification. I

**DV: Did the State Vote With the Democratic Party in the Past 3 General Elections?**

|  |                  | Yes (Value of 1)  |  | No (Value of 0)  |   |
|--|------------------|---|--|--|---|
| IV: Does the State Allow a Form of Citizen-Initiative? | Yes (Value of 1) | California<br>Colorado<br>Florida<br>Illinois<br>Maine<br>Maryland<br>Massachusetts   | Michigan<br>Nevada<br>New Mexico<br>Ohio<br>Oregon<br>Washington<br>District of Columbia | Alaska<br>Arizona<br>Arkansas<br>Idaho<br>Mississippi<br>Missouri<br>Montana       | Nebraska<br>North Dakota<br>Oklahoma<br>South Dakota<br>Utah<br>Wyoming |
|  | No (Value of 0)  | Connecticut<br>Delaware<br>Hawaii<br>Iowa<br>Minnesota<br>New Hampshire<br>New Jersey | New York<br>Pennsylvania<br>Rhode Island<br>Vermont<br>Virginia<br>Wisconsin             | Alabama<br>Georgia<br>Indiana<br>Kansas<br>Kentucky<br>Louisiana<br>North Carolina | South Carolina<br>Tennessee<br>Texas<br>West Virginia                   |

Table 1. Each of the 50 states and the District of Columbia scored based on the criteria of Hypothesis #1.

|   |              | Dependent Variable (Y) Dem Vote Over Past 3 Elections Y=1, N=0 |           |           |
|---|--------------|--|-----------|-----------|
| Independent Variable  |              | Yes  | No        | Row Total |
| Allow Citizen-Initiatives   | Y=1          | 14   | 13        | 27        |
|   | N=0          | 14.294118  | 12.705882 | 27        |
|   | Column Total | 27   | 24        | 51        |
| Pearson   | Chi-Square   | 0.0273277  | 3.841     |           |
| Degrees of Freedom = (# of rows-1)(# of columns-1)                  |              |  |           |           |
| Is Chi-Square Statistic Statistically Significant At The .05 Level? |              |  |           |           |
| Not Statistically Significant                                       |              |  |           |           |

Table 2. Chi-square test performed for Hypothesis #1.

**DV: Did the State Vote With the Democratic Party in the Past 3 General Elections?**

**IV: Does the State Allow Initiated Statutes?**

|                  | Yes (Value of 1) |                      | No (Value of 0) |               |
|------------------|------------------|----------------------|-----------------|---------------|
| Yes (Value of 1) | California       | Oregon               | Alaska          | North Dakota  |
|                  | Colorado         | Washington           | Arizona         | Oklahoma      |
|                  | Maine            | District of Columbia | Arkansas        | South Dakota  |
|                  | Massachusetts    |                      | Idaho           | Utah          |
|                  | Michigan         |                      | Missouri        | Wyoming       |
|                  | Nevada           |                      | Montana         |               |
|                  | Ohio             |                      | Nebraska        |               |
|                  |                  |                      |                 |               |
|                  |                  |                      |                 |               |
|                  |                  |                      |                 |               |
| No (Value of 0)  | Connecticut      | New Jersey           | Alabama         | Tennessee     |
|                  | Delaware         | New Mexico           | Georgia         | Texas         |
|                  | Florida          | New York             | Indiana         | West Virginia |
|                  | Hawaii           | Pennsylvania         | Kansas          |               |
|                  | Illinois         | Rhode Island         | Kentucky        |               |
|                  | Iowa             | Vermont              | Louisiana       |               |
|                  | Maryland         | Virginia             | Mississippi     |               |
|                  | Minnesota        | Wisconsin            | North Carolina  |               |
|                  | New Hampshire    |                      | South Carolina  |               |
|                  |                  |                      |                 |               |
|                  |                  |                      |                 |               |
|                  |                  |                      |                 |               |
|                  |                  |                      |                 |               |
|                  |                  |                      |                 |               |

| Independent Variable  | Dependent Variable (Y) |           |   | Row Total |
|---|------------------------|-----------|---|-----------|
|   | Yes                    | No        | Dem Vote Over Past 3 Elections Y=1, N=0 |           |
| <b>Allow Initiated Statutes</b>                                     | <b>Yes</b>             | <b>10</b> | <b>12</b>                               | <b>22</b> |
| <b>Y=1</b>  | <b>No</b>              | <b>17</b> | <b>12</b>                               | <b>29</b> |
| <b>N=0</b>  |                        | 15.352941 | 13.64706                                |           |
|   | Column Tot             | 27        | 24                                      | 51        |
| Pearson   | Chi-Square             | 0.8704284 | 3.841                                   |           |
| Degrees of Freedom = (# of rows-1)(# of columns-1)                  |                        |           |   |           |
| Is Chi-Square Statistic Statistically Significant At The .05 Level? |                        |           |   |           |
| Not Statistically Significant                                       |                        |           |   |           |

Table 3. Each of the 50 states and the District of Columbia scored based on the criteria of Hypothesis #2.

Table 4. Chi-square test performed for Hypothesis #2.

wanted to narrow my independent variable's focus in on only the twenty-one states (as well as the District of Columbia) that give their citizens the right to bring forth a new law or statute in the form of a citizen initiative. My chi-square test compared the independent variable, the presence or absence of initiated statutes, and the dependent variable, whether or not the state primarily voted for the Democratic Party in the last three general elections.

To show my independent variable, I assigned each state and the District of Columbia a value of 0 or 1. If a state or the District of Columbia was assigned a value of 0, then they did not give their citizens the ability to put initiated statutes on the ballot. If a state or the District of Columbia was assigned a value of 1, then citizens of that state could bring initiated statutes to the ballot for popular vote. For visual purposes, I created Figure 3, which is a color-coded map to distinctly show these states that allowed initiated statutes. The states that allowed initiated statutes and scored a 1 are labeled orange on the map. The states with a score of 0 are labeled grey. The data was, once again, found through Ballotpedia. The data used for my dependent variable, was the same as the Republican-leaning and the Democratic-leaning states used in Hypothesis #1 and showed in Figure 2.

Focusing in on only the states that allowed initiated statutes, caused five states to score differently in my chi-square test for Hypothesis #2 than they did in Hypothesis #1. These five states were Florida, Illinois, Maryland, Mississippi, and New Mexico. Table 3 was generated to show how each state scored based on the criteria for Hypothesis #2. When performing the chi-square test, I found that states that allow initiated statutes and voted for the Democratic Party in the past three general elections had an expected value of 11.64. The actual number of states that fit the criteria was 10. These states were assigned a value of 1 for both the independent and dependent variable. Continuing, I found that states that allow initiated statutes and voted for the Republican Party in the past three general elections have an expected value of 10.35 and an actual value of 12. These states were given a value of 1 for the

independent variable and a value of 0 for the dependent variable.

Oppositely, when conducting the test, I determined that the states that do allow initiated statutes and voted for the Democratic Party in more than half of the past three general elections had an expected value of 15.35, when the actual number of states that fit this mold was 17. These states were given a 0 value for the independent variable and a 1 for the dependent variable. Also, states that did not allow initiated statutes and voted for the Republican Party in a majority of the last three general elections had an expected value of 13.65 and an actual value of 12. These states were given a 0 value for both the independent and dependent variable. In my chi-square test for Hypothesis #2, the Pearson Chi-Square value is 0.87, far below the 3.841 number needed to show statistical significance in a 2x2 table. This means that the relationship is not statistically significant. Table 4 shows these numerical results.

The lack of statistical significance alerts us that this is not a problem contained to one political party. This is an issue that is being found in states that voted primarily for the Republican Party, as well as in those states that voted primarily for the Democratic Party in the last three general elections. The results show that both political parties are just as likely to walk back citizen initiatives, and neither party can be solely targeted for these antidemocratic acts.

Moving forward, I wanted to focus on instances where these citizen initiatives were repealed or changed by state lawmakers, after they had been voted through by the majority of state voters. I wanted to see if there was a specific party reversing these initiatives that are being passed by constituents. Hypothesis #3: States that repeal or alter citizen initiatives are more likely to be aligned with the Democratic Party. To test Hypothesis #3, I performed another chi-square test. My test compared the independent variable, the presence or absence of a repealed or altered initiated statute, and the dependent variable, whether or not the state primarily voted for the



identify that 56% of the states that had repealed or altered these initiatives had voted largely for the Democratic Party in the last three general elections. Contrarily, states that voted primarily for the Republican Party in the last three general elections made up the other 44% of the retracted or amended statutes. Figure 5 is a pie chart that I created in order to visually show these percentages.

### States That Repealed or Altered Citizen Initiatives Between 2008 and 2019

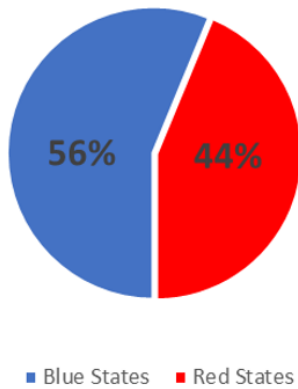


Figure 5. Percentages of states, that have repealed or altered an initiative, are Democratic-leaning states and what percentage are Republican-leaning states.

I performed one more test to explore my first question, regarding citizen initiatives and their modifications being a partisan issue. For this test, I decided to look at the political parties in power of the state legislatures that were walking these initiatives back. Hypothesis #4: State legislatures that repeal or alter citizen initiatives are more likely to be controlled by the Republican Party. The independent variable is the presence or absence of a repealed or altered initiative, and the dependent variable is whether or not the Republican Party had been in control of the state legislature at the time of the repeal or alteration. For my test, I looked at each case of a retracted or amended citizen-initiated statute and determined which political party had controlled the state legislature at the time. The data of each case of repeal or alteration came from the database that I created. The information regarding the political party in power within the state legislature came from the National Conference of State Legislatures database titled “State Legislative Partisan Composition.”

For this test, the state legislatures could fall into one of three categories. At the time of the retracted or changed initiative, the state legislature had been either Republican, Democratic, or Split. These labels are given to state legislatures based on which political party controls the state Senate and State House of Representatives. If the state’s legislature consisted of a Senate and a House of Representatives with the Republican party in power, then it was considered a

Republican legislature. If the state’s legislature comprised a Senate and a House of Representatives with the Democratic Party in power, then it was considered a Democratic legislature. If the state’s legislature contained a Republican Senate and a Democratic House of Representatives, or vice versa, then it was labeled a split legislature (National Conference of State Legislatures).

After administering my examination of the repealed or altered cases, I determined that between the years of 2008 to 2019, there had been 12 instances with a Republican state legislature, 9 instances with a Democratic state legislature, and 9 instances with a split state legislature. This equaled to Republican state legislatures being responsible for 40% of the repealed or altered initiated statutes. Also, 30% of these cases occurred in a Democratic state legislature, leaving the remaining 30% to take place in a split state legislature. Figure 6 is a pie chart that I created to visually express the percentages of repeals or alterations that occurred in each of the three types of state legislatures.

### Political Party In Control of the State Legislature That Repealed or Altered a Citizen Initiative

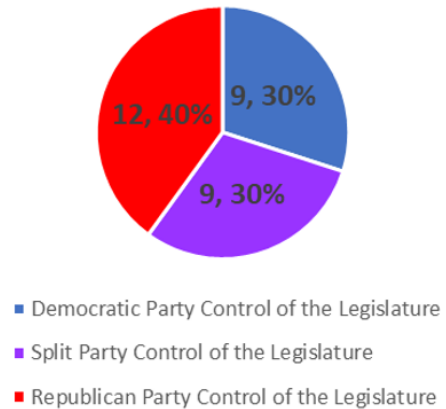


Figure 6. Percentages of repeals or alterations that occurred in each of the three types of state legislatures. The chart displays the number of cases and the percentages for each type of legislature.

### Question 2 – Are Legislatures More Inclined to Walk Back Citizen Initiatives That Involve Political Participation?

In order to resolve my next question at hand, I tested Hypothesis #5: Citizen initiatives are more likely to be repealed or altered by legislatures if they deal with the topic of elections. The independent variable is the presence or absence of a repealed or altered initiative, and the dependent variable is whether or not the initiative dealt with the topic of elections. I performed a test to determine what initiative topic was being rescinded or edited the most by state legislatures. With the categorizing help from Ballotpedia, I was able to put each initiative repeal or alteration into a group based on the topic that it concerned. I found that between the years of 2008 to



### Topic of Repealed or Altered Initiatives

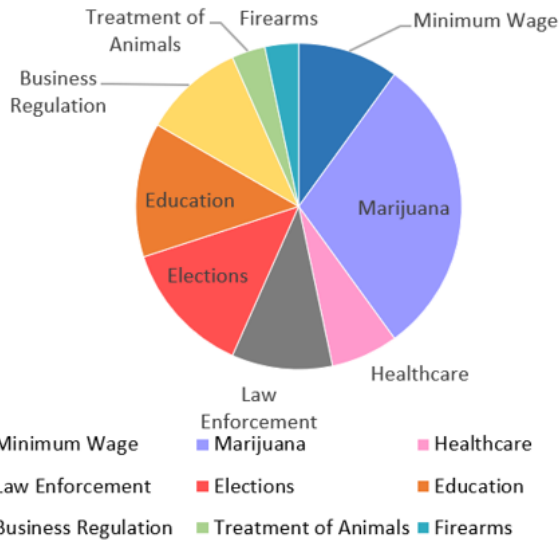


Figure 7. Proportion each initiative topic held of the overall number of repeals and alterations that occurred between the years of 2008 to 2019.

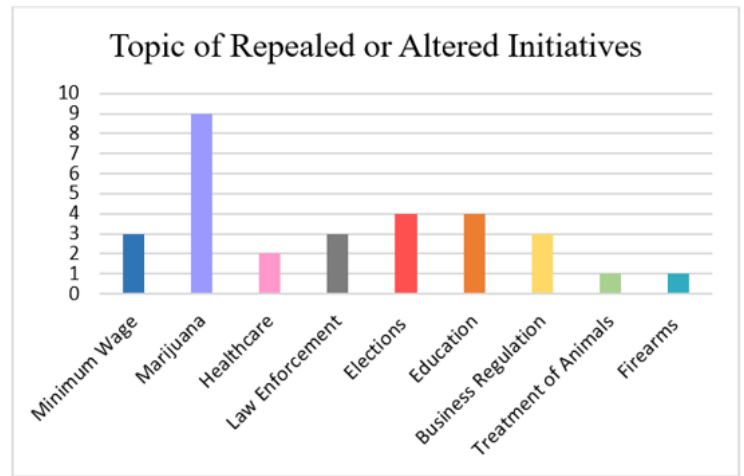


Figure 8. Number of repeals or alterations each initiative topic had between 2008 to 2019. The chart is color-coded to correspond with the pie chart in Figure 7.

2019, these cases had been spread across a variety of categories. These modified initiative topics were marijuana, healthcare, law enforcement, elections, education, business regulation, treatment of animals, firearms, and minimum wage.

From the numbers that I gathered for the given timeframe, it was determined that the initiative topic that of marijuana had gained the most revisions, with 9 occurrences. We find the topic of elections tied for second place with education. Both categories displayed 4 instances of revocation or modification between the years of 2008 and 2019. Figure 7 is a pie chart I constructed to demonstrate the proportion of repeals or alterations that each topic held. To show exact numbers, I generated the bar graph that can be seen in Figure 8.

### Question 3 – Is the Annulment and Revision of Citizen Initiatives a Power That Legislatures Are Recently Exercising?

To test my concluding question, I wanted to determine if this practice of repealing or altering citizen initiatives is a recent phenomenon. In order to do so, I put my sixth and final hypothesis to the test. Hypothesis #6: Citizen initiatives are more likely to have been repealed or altered within the last four years. The independent variable is the presence or absence of a repeal or altered initiative, and the dependent variable is whether or not the initiative had been repealed or altered within the last 4 years. I conducted my test by identifying how many repeals or alterations of initiatives had occurred each year from 2008 to 2019. This data came from my personal database that I created.

After I revealed the year that each retraction or revision took place, it was clear that a prominent number of these cases

took place in one particular year. The year of 2017 saw 13 instances of initiative repeal or alteration by state legislatures. I discovered that 70% of the retractions or modifications of citizen initiatives occurred within the last four years, and 43.33% of these cases occurred in 2017. Figure 9 is a line graph that I personally created to visually express the number of overturned or edited initiatives that occurred each year. The line graph makes the 2017 spike very apparent and distinctly shows an upward trajectory.

Table 7 shows a summary of what I have found in my research. The table is broken down by Question, Hypothesis, and Result.

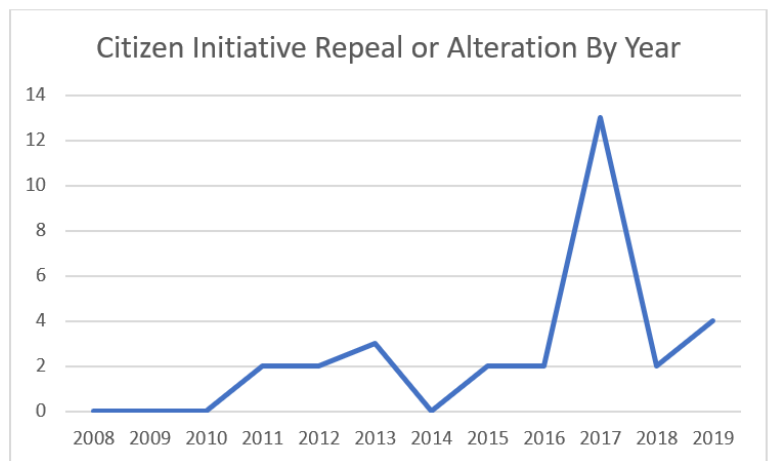


Figure 9. Number of overturned or edited initiatives that occurred each year, from the years 2008 to 2019.

Table 7. Results of each question and hypotheses.

| Question  | Hypothesis  | Result   |
|---|---|--|
| Q1: Is the alteration of citizen initiatives a partisan Issue?  | H1: States that allow citizen initiatives are more likely to be favoring the Democratic Party.                                  | A state's partisanship does not impact whether the state allows a citizen initiative.  |
|   | H2: States that allow citizens to bring forth initiated statutes to the ballot are more likely to support the Democratic Party. | A state's partisanship does not impact whether the state allows initiated statutes, a special example of citizen's   |
|   | H3: States that repeal or alter citizen initiatives are more likely to be aligned with the Democratic Party.                    | A state's partisanship does not impact whether the state repeals or alters citizen initiatives or not.<br><br>The walking back of initiatives is a strike down of democracy that is happening throughout the states, regardless of their political alignment.<br><br>This means 72.73% of state legislatures that had the ability to annul or alter laws passed by the majority of their constituents exercised the process between the years of 2008 to 2019. |
|   | H4: State legislatures that repeal or alter citizen initiatives are more likely to be controlled by the Republican Party.       | The political party in control of a state's legislature does not impact whether the state repeals or alters citizen initiatives or not.<br><br>Both lawmakers of the Republican Party and legislatures of the Democratic Party are responsible for the destruction of these proposed laws brought forth by citizens.   |
| Q2: Are legislatures more inclined to walk back citizen initiatives that involve political participation?   | H5: Citizen initiatives are more likely to be repealed or altered by legislatures if they deal with the topic of elections.     | Initiated statutes dealing with elections was among the most repealed or altered initiative topics.<br><br>State lawmakers are challenging the citizen initiatives that involve political participation and directly affect their position of power.   |
| Q3: Is the annulment and revision of citizen Initiatives a power that legislatures are recently exercising? | H6: Citizen initiatives are more likely to be repealed or altered within the last four years.                                   | Initiatives have been repealed or altered more often recent years.<br><br>The number of initiatives being reversed or edited by lawmakers has spiked lately, with 70% of these cases (between 2008 to 2019) taking place in the last four years.   |

### Conclusion

“The term ‘democracy’ is derived from two Greek words that translate into English as ‘power of the people.’ Hence, it appears direct lawmaking by citizens, whether in a New England open town meeting or by means of the initiative and its compulsory referendum, is the most democratic method for enacting statutes” (Zimmerman 2014, 19-20). If author Joseph Francis Zimmerman is correct in initiatives being the most democratic way to create new legislation, then why are lawmakers making this process so difficult? As previously stated, only 26 states and the District of Columbia have a form of direct democracy, and only 22 of these can exercise the full right of bringing forth a new statute. Even with these powers, the ability for citizens to pass legislation is hindered by complicated signature processes and a long list of qualifications.

Regardless of the majority of state voters passing a citizen-initiated statute, legislatures are still overturning these pieces of legislation. My various tests have shown that both legislatures of the Republican Party and legislatures of the Democratic Party are responsible for the destruction of these proposed laws brought forth by citizens. This is an issue that we as citizens are facing regardless of the political party in power. The contestants in this feud are not political parties but rather the constituents versus their elected officials. Lawmakers are heavily encroaching into voters' right to democracy, with 72.73% of state legislatures having annulled or altered laws passed by the majority of their constituents. State lawmakers are taking interest in the citizen initiatives that involve political participation and directly affect their position of power. “Elections” was one of the most retracted and modified initiative topics, to be preceded only by the controversial topic of “marijuana”. State legislatures have been

recently exercising their power of reversing or editing citizen initiatives, with 70% of these instances taking place in the last four years (i.e. between 2008 to 2019). This sudden increase in these repressive acts is of great concern for democracy as a whole in the United States.

In further research, I would want to look at the role that the court system plays in the repeal or alteration of citizen initiatives. In 2018, Michigan voters brought forth an amendment to their constitution, regarding the drawing of district lines. The amendment took the power of drawing district lines away from the state legislature and gave it to a thirteen-member independent commission. To stop the amendment, the state legislature argued that the selection process for members of the redistricting commission was unconstitutional and took the matter to court. Recently, on April 15, 2020, the court determined that the criteria did not violate the constitution (Macagnone 2020). This was an example of the courts fighting back against the state legislatures' attempt to walk back the citizen initiative passed by voters.

Political scientist Valentina Bali stated, "The large number of constraints suggests that the final policy outcome of an initiative can be quite limited after the initiative's implementation" (Bali 2003, 1141). With this study and further research, I want to expand knowledge on this new and almost unscathed topic of the continued battle between the people and their elected officials, direct democracy, and the creation and destruction of citizen initiatives.

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