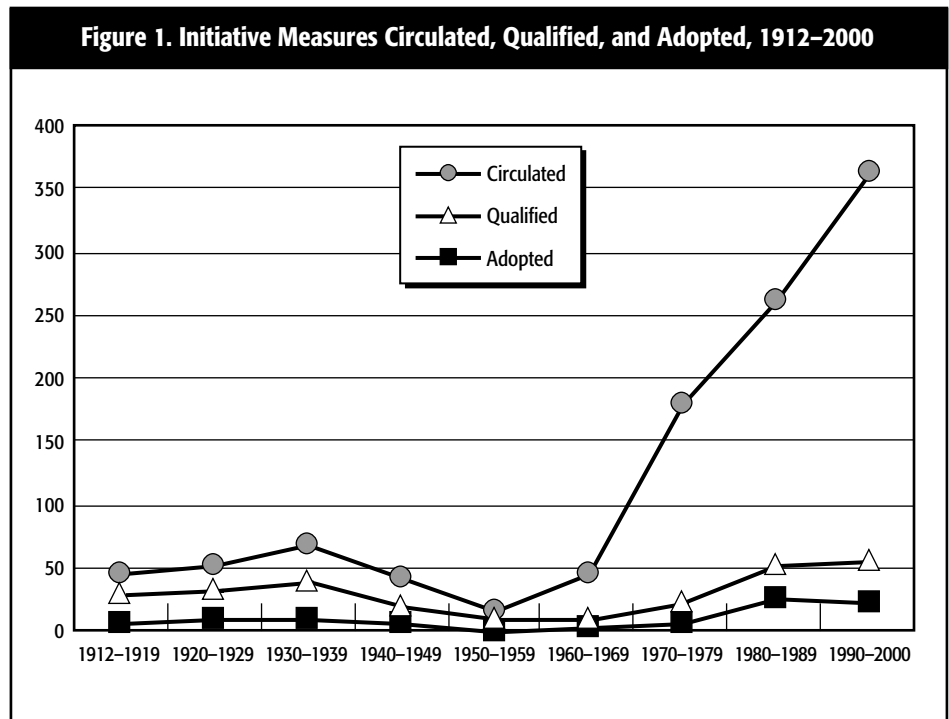


The California Initiative Process— How Democratic Is It?

Instituted in 1911, the statewide initiative process was a Progressive Era reform that allowed citizens to enact legislation directly. That reform was a response to the perceived influence of corporate interests on the state legislature at that time. Reformers maintained that the initiative process was a suitable remedy for a government that was beholden to those interests.

Since the 1970s, California has come to rely heavily on direct democracy to make major policy decisions. During that time, the number of initiatives per ballot has almost tripled (Figure 1), and voters have used direct democracy to decide the fate of such issues as drug enforcement, property taxes, environmental regulation, bilingual education, and affirmative action. Some observers have concluded that the initiative process is replacing the legislature as the most important law-making institution in the state.

California's growing reliance on the initiative process has raised a host of policy questions, some of which have been addressed by the PPIC surveys and other research publications. (For more information on these publications, please visit www.ppic.org.)



Although the number of initiatives circulated has grown considerably, the percentage of those qualifying and adopted has fallen.

Do Californians like the idea of using initiatives to make public policy?

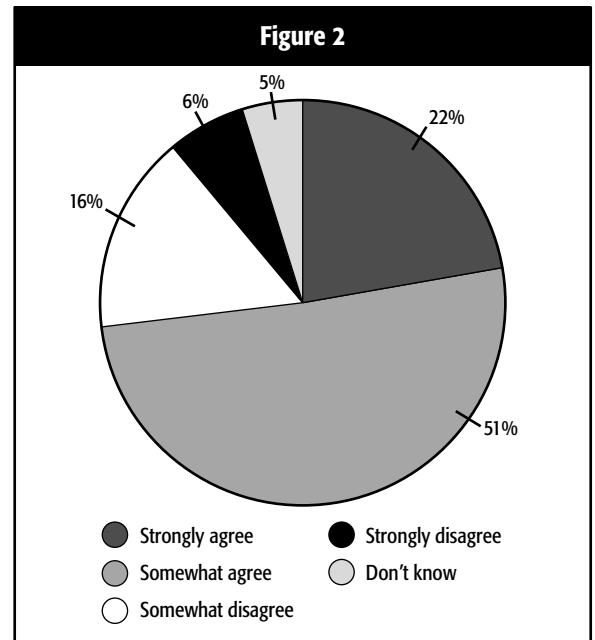
Seventy percent of Californians surveyed in 2000 believed that making laws and changing public policies through initiatives is a “good thing.”¹ Nearly 60 percent liked the fact that a majority of voters can use the initiative process to make permanent changes in the state’s constitution. Most Californians (56 percent) believed that policy decisions made through the initiative process are probably better than those made by the governor and the legislature. Voters across political parties, regions, and racial and ethnic groups shared this view.

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Do initiatives raise issues that might otherwise be ignored?

Most Californians surveyed in 1998 thought so (Figure 2). Twenty-two percent strongly agreed, and 51 percent somewhat agreed, that citizens’ initiatives bring up important public policy issues that the governor and state legislature have not adequately addressed.

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Citizens’ initiatives bring up important public policy issues that the governor and state legislature have not adequately addressed.

Do Californians want a more or less powerful initiative process?

Many would like direct democracy to be more powerful than it is now. Forty-two percent of those surveyed in 1999 said they would like the initiative process to have more influence on public policy than the governor or the legislature have.

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Are Californians satisfied with the current initiative process?

Most (58 percent) were somewhat satisfied with the initiative process as it now stands; only 10 percent were very satisfied, and 25 percent were not satisfied. Three-quarters of those surveyed said they would like to see changes in the initiative process; about one-third believed that those changes should be major. Only 20 percent described the current process as “fine the way it is.”

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What changes in that process would Californians like to see?

Voters expressed frustration with the large number of initiatives on the ballot, confusing ballot language, and initiatives that are passed but later overturned by the courts. Eighty

¹ All survey data are from the *PPIC Statewide Survey* conducted by Mark Baldassare. For more discussion of these findings and their implications, see Baldassare (2000).

percent of those surveyed supported a review system that would address problems with ballot language for proposed initiatives, and 90 percent supported a review that would raise constitutional or legal questions before initiatives are placed on the ballot.

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What else can be done to improve the initiative process?

Eight in ten Californians would support a proposal to increase public disclosure about the financial backers in the signature-gathering process. Sixty percent would favor a proposal that banned the use of paid signature gatherers, and 61 percent would oppose a law that allowed signature-gathering over the Internet.

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What about an indirect initiative?

One reform under consideration is the indirect initiative, which allows citizens to gather signatures for a measure and submit it to the legislature. If the measure were enacted, the initiative would not appear on the ballot. The original initiative process permitted indirect initiatives, but that provision was repealed in 1966 for lack of use. Ten other states currently allow for indirect initiatives.²

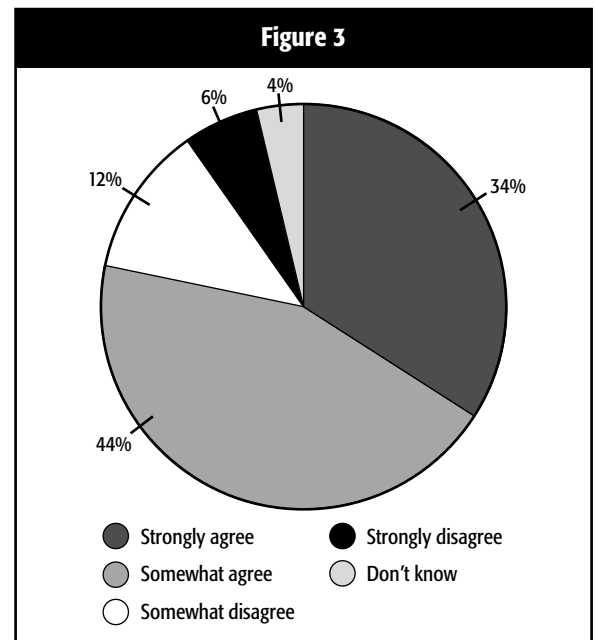
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How important are special interests to the initiative process?

Over half of Californians surveyed (52 percent) thought the initiative process was controlled “a lot” by special interests. Seventy-eight percent agreed strongly or somewhat that initiatives reflect the concerns of organized special interests rather than those of average residents (Figure 3).

When it comes to campaign spending on initiatives, economic and citizen interest groups tend to pursue different strategies (Gerber, 1998). Between 1988 and 1990, economic interests spent over 78 percent of their \$99 million in contributions to defeat ballot measures. During the same period, citizen groups spent 88 percent of their \$33 million to support proposed changes to the status quo. This evidence suggests that economic interests use the initiative process most often and most effectively to fight ballot propositions they oppose, whereas citizen groups use their more limited resources to effect change.

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Citizens' initiatives usually reflect the concerns of organized special interests rather than the concerns of average California residents.

² See Silva (2000) for more discussion.

Is the initiative process fair to nonwhite voters?

Although no racial or ethnic group now constitutes a simple majority of the state’s overall population, non-Hispanic whites cast nearly two-thirds of the votes in initiative elections. Some observers have argued that this electoral majority—which is older, whiter, more educated, and more conservative than the state’s population as a whole—has used the initiative process to target the state’s growing nonwhite population.

When considering the outcomes of all initiative elections between 1978 and 2000, one sees little evidence of bias against any racial or ethnic group. Blacks and Latinos voted for the winning side 59 percent of the time, whereas Asian Americans and whites were on the winning side 60 and 62 percent of the time, respectively. However, when race or ethnicity itself was an important part of an initiative, nonwhite voters fared poorly compared to whites (Figure 4). On minority-focused issues such as affirmative action, social services for illegal immigrants, and bilingual education, whites voted for the winning side 64 percent of the time, whereas the comparable figure for Latinos was 32 percent. On these same issues, African Americans and Asian Americans voted for the winning side 57 percent and 48 percent of the time, respectively (Hajnal and Louch 2001).

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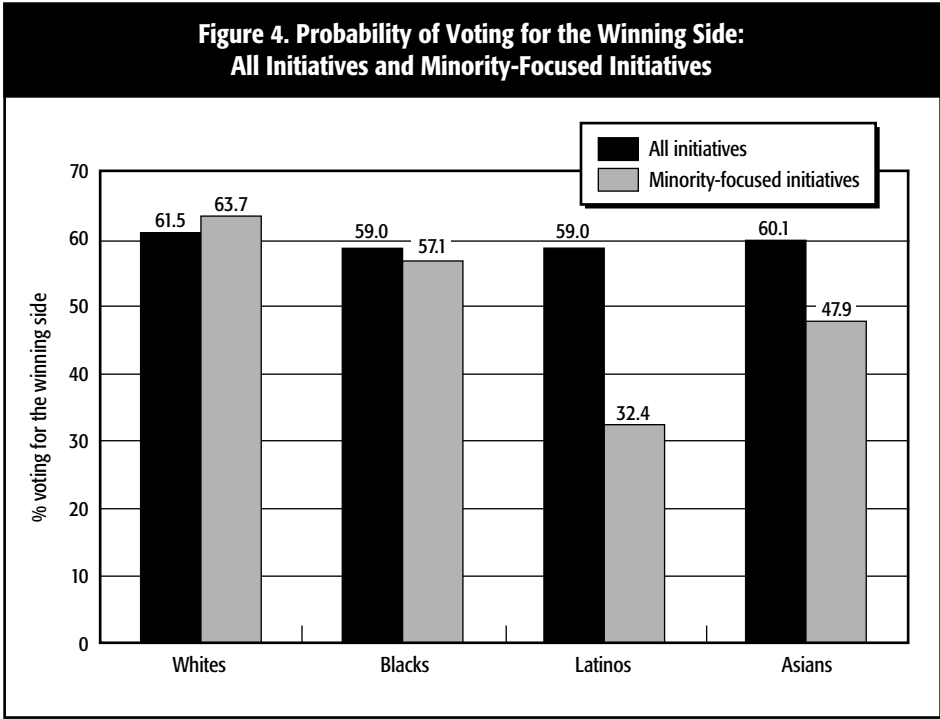
Which party has benefited the most from the initiative process?

Before 1990, both Democrats and Republicans voted for the winning side in initiative elections 62 percent of the time. Since then, Democrats have voted for the winning side 2 percent less often than Republicans. Self-identified liberals have slid 6 percentage points over the last two decades (Hajnal and Louch 2001).

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Where do citizens get their information about initiatives?

Eighty-four percent of Californians surveyed in 2000 considered the Voter Information Guide mailed by the Secretary of State a useful source of information on initiatives, and more than half said it is very useful. Yet two-thirds of those surveyed believed that the



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media—including news stories and paid political commercials—are the most influential source of information on initiatives. A slight majority of Californians believed that voters are not receiving enough information to decide how to vote on initiatives. Independent voters were the most likely to hold this view.

What do Californians think about Proposition 13?

To many observers, Proposition 13 of 1978 remains a prime example of what is wrong with direct democracy. That initiative limited the property tax rate to 1 percent and the growth of property tax increases to 2 percent annually until a property is sold. Although many local officials maintain that Proposition 13 limits their ability to provide residents with public services, only 25 percent of Californians surveyed in 1998 believed that Proposition 13 has affected those services negatively. Two-thirds said that Proposition 13 has had no effects or positive effects on public services. Responses from homeowners and renters did not differ on this question.

Conclusion

Campaign spending on initiatives has risen substantially over the last 25 years, and the growth and influence of the “initiative industrial complex” have made it increasingly difficult to regard the initiative process as the citizenry’s protection against special interests. Yet that process remains popular, in part because most Californians believe it raises important policy issues that would otherwise go unaddressed.

The survey data indicate that Californians favor direct democracy in part because they distrust government. As a result, voters have taken on more responsibility for policy decisions, with political parties and elected officials playing diminished roles. But the survey evidence also indicates that voters lament the sheer number of initiatives, are often confused by ballot language, and suspect the motives behind many measures. Furthermore, they frequently do not understand the details of the policies they are voting on. Consequently, policymaking through the initiative process has become less predictable. Along with a distrust of government by voters, this unpredictability can be added to the list of policy challenges facing the state. ▲

PPIC Sources

Baer, Walter, *Signing Initiative Petitions Online: Possibilities, Problems, and Prospects*, Occasional Paper, 2001.

Baldassare, Mark, *California in the New Millennium: The Changing Social and Political Landscape*, University of California Press and the Public Policy Institute of California, 2000.

Gerber, Elizabeth R., *Interest Group Influence in the California Initiative Process*, Background Paper, 1998.

Hajnal, Zoltan, and Hugh Louch, *Are There Winners and Losers? Race, Ethnicity, and California's Initiative Process*, 2001.

Silva, J. Fred, *The California Initiative Process: Background and Perspective*, Occasional Paper, 2000.

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