

ARGUMENTS FOR AND AGAINST INITIATIVE AND REFERENDUM

Text writers indicated that the arguments they present are standard arguments advanced by proponents and opponents of direct legislation. Both positions are stated below.

THE INDICTMENT

The consensus is that direct legislation has not enlisted the interest of the electorate to any degree in any state. The number of persons who vote on proposals is even less than those who vote for candidates. Most voters vote blindly, sometimes passing bills directly opposed to each other in the same election. Voters almost invariably approve bills requiring appropriations but reject those calling for tax increases necessary to support expenditures. Government becomes a government of minorities because a minority of the electorate decides too many questions. Determined minorities often use the initiative to further their own ends, taking advantage of the fact that many voters fail to vote on measures of no interest to them, while benefited minorities vote to a man.

Because both are needed to win elections, money and organization become vital in determining important policy. The responsibility of political parties has been damaged by the emphasis placed on direct policymaking. Legislative responsibility also has been reduced by the privilege extended by the optional referendum. Pressure groups still dominate state legislatures; all the direct process does is cause political leaders to alter their techniques.

Furthermore, many measures which are initiated and placed on the ballot are poorly drafted and the ballot, even if the measures are proper, is becoming longer. The long ballot is now even longer, ominously extended by the addi-

tion of technical questions on which people have little knowledge; also, it is not uncommon for identical questions to appear in election after election.

“[Finally] what questions could be put to an electorate? In an age when 531 representatives and senators who are paid so well for their time that they do not have to have other means of livelihood, and who are staffed for the investigation of the merits of proposed legislation, have to throw up their hands and say there are many details on which they cannot pass and which they must leave to administrative determination, it is absurd to suggest that counting the public pulse can give any light or leading save on the simplest kind of a proposition.”¹⁷

THE DEFENSE

If minorities use money and organization to influence the electorate, they influence the legislature even more, as countless instances reveal. All government in finality is the work of minorities. If people vote blindly on issues, so do they on representatives, and legislators do so in legislative bodies as well. If people have been financially irresponsible, have the legislatures of states without direct legislation been any better? If the legislature has been able to submit to the people issues which it felt were too hot to handle, is this fact bad? It is better, perhaps, to give legislators a shield of popular resistance against the insidious influences of the ever-present lobbyists.

On the positive side, direct legislation takes ultimate control from politicians and makes the people masters of their

¹⁷ L. ROGERS, *THE POLLSTERS* 78 (1949).