Reviving Athenian Democracy in California

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Ironically, just as representative democracy has triumphed on a worldwide scale it is about to face its biggest challenge from a new form of government that is really an old form of government - the direct democracy of Athens in the fifth century B.C. All over the globe we see nations which have long resisted popular rule turning to representative democracy through open multiparty elections. Over the past few years, we have seen an extraordinary number of countries that have only a limited tradition with representative democracy move dramatically away from rule by a narrow group: virtually every country in eastern Europe and the component parts of the old Soviet Union have had multiparty elections; Latin American countries like Nicaragua, Honduras, and Suriname have had their first open elections in years; and numerous African countries ranging from South Africa, Zambia, Madagascar, and Malawi in the south to Burundi and the Central African Republic in the north have moved toward multiparty elections. Even stable Asian governments like South Korea and Taiwan have opened the political process to competitive opposition parties. Yet just in its moment of triumph on a world stage, representative democratic government that has been evolving step-by-step over 2,000 years is about to lose its position of primacy in the foremost example of representative democracy, the United States.

Representative democracy will not be swept away by armies or dictators. Its real challenge will come from the people it was set up to serve - the educated and ambitious middle class. The rising expectations of a more educated, affluent citizenry using new information technologies will place severe limits on representative government. The new middle class will make more of the critical public policy decisions themselves, gradually replac-
ing representative democracy by more direct means of governance, Athenian-style.

While direct democracy in the United States has been growing slowly in the decades since the Progressive Era at the turn of the century, it is only in the last 10 to 15 years that it has clearly emerged as the critical forum for governmental decisions. As with so many social and organizational issues, California is taking the lead, helping to redefine the form and content of direct democracy in surprising ways.¹

I. The Athenian Model

The standard model for direct democracy comes to us from fifth and fourth century B.C. Athens. Athens was a prosperous city-state made up of farmers and merchants in the midst of a culture that promoted in its citizens the open discussion of issues and participation in critical decisions. Most major decisions were made in the popular assembly.² The popular assembly consisted of all Athenian citizens, who gathered together in a single meeting place, listened to arguments for and against an issue, and voted by raising hands. The popular assembly represented the sovereignty of the state and their decision on all issues was final.

This direct form of democracy arose under very specific conditions - a rich and prosperous state, a narrow geographical confine, a homogeneous citizenry, a culture that fostered open discussion and provided manifold routes for cultural identity through the arts, and a system of war that recognized the citizen-soldiers of the phalanx and the oarsman of the fleet as critical components of state security.

Other cultures and places in the ancient world had various forms of direct rule by their citizens that became important models, including the Macedonians, the Romans, and the Germanic tribes. But because of the writings of the great Athenian historians and philosophers (especially Herodotus, Thucydides, Plutarch, and Aristotle) and the central role of the classical Greeks during the Renaissance and the period of state-building in Europe, the Athenian experiment with direct democracy has long been held as the standard of pure democracy.

Still, even this pure form of direct democracy had its limitations. Athenian citizens represented only 5% to 10% of the total

¹ Representative democracy involves the election of a delegate to represent the interests of a constituency in a legislative body. Direct democracy involves citizens voting directly on key legislative issues.
population of Athens - slaves, aliens, and women could not be citizens. The total number of adult males eligible to vote in the assembly probably totaled about 40,000, and, similar to many of American elections, actual participation was probably pretty low - 6,000 citizens seems to be the maximum that could fit in the meeting place and hear the speakers at any one time. Further, a council met between meetings of the assembly to set the agenda, and this council must have had influence on the proceedings. Though this council of 500 was chosen by lots, indications are that the richer classes were more often represented.

Their period of real democracy lasted about 100 years and ended for all practical purposes with defeat in the Peloponnesian Wars at the beginning of the fourth century B.C. Continual wars and ultimate dominance by Macedonia and Rome ended the Athenian experiment with direct citizen rule.

II. Representative Government

Representative government came to us through Rome. At first Rome was much like Athens, a city-state that needed to include all its citizens in the affairs of the state to survive. But as Rome grew beyond the city boundaries, representative assemblies emerged to ensure the indirect participation of all classes. These representative groups evolved into the Senate and other assemblies and into ruling offices such as the Consuls and Tribune. The key to the success of the security and expansion of the Roman state was the integration first of all of the residents of Rome into the political (and military) state and gradually the state's expansion to neighboring lands and cities (and eventually throughout the Mediterranean world) by granting citizenship to all those who accepted Roman law and jurisdiction. Only representative democracy could work to keep citizen participation alive in such a world empire, and even that representation faded as soldier consuls mobilized ever larger armies.

Representative government has remained the norm to our own day and has served well as a model over the century for democratic nation building. Over time, six great advantages fostered the use of elected representatives over an assembly of voting citizens to govern nations:

- The growth of states beyond the bounds of a city made a representative form of government essential for including the voice of geographically dispersed units.
- With more than average wealth, representatives could afford to spend time learning about issues, discussing them, and legislating.
Representatives were generally better educated than the
general public and, hence, could articulate the issues
and concerns of their constituency and translate them
into a program of action.

Representatives were at the center of government. This,
combined with a series of networked ties to many indi-
viduals and important interest groups, gave them unique
access to information not shared by the general
populace.

Representatives could provide a unique set of services to
their constituents by finding them jobs in the growing
public service, tailoring government grant programs rel-
vent to their needs, or bringing large government con-
tracts into the district.

Representatives often had some specialized expertise at
negotiation and group conflict resolution, knowing the
precise moment when compromise would bring maxi-
mum benefit.

Each of these advantages is breaking down in the late 20th
century, and the comparative advantage of representative democ-

dracy is disappearing with it. In fact, the same longer term devel-
openments undermining representative government are creating
the context for a revival of direct democracy in a new form. The
place where the future can be glimpsed is the state of California,
where a citizenry empowered by emerging technologies has
become more directly involved in the state government through
an alternative form of legislation - ballot measures.

III. THE NEW, EMPowered CITIZEN

The basic face of the electorate has changed dramatically in
recent years, making the average citizen of California more like
yesterday's representative. There have been four key changes.

A. Education

The most important characteristic of today's citizen is the
astounding increase in the voters' average level of education.
Over the past two decades, the share of Californians who have
voted who have gone to college has more than doubled, rising
from 23% to 55% (Figure 1). Among younger voters, the level of
educational attainment is even higher with two-thirds of voters
under 45 experiencing some college training, and one-third of
them completing their bachelor's degree (Figure 2).
Figure 1
Rising Level of Education Among the Electorate
(Share of all voters)


Figure 2
The Young Are Even Better Educated
(Share of all voters)


This means that more than half of the voters in California elections have spent a substantial portion of time in a college
classroom. With its pervasive influence in higher education throughout the state, the state university system sets a high standard for achievement among college students. While there is room for argument about the quality of all contemporary college study, the data indicate clearly that the gap in education level between the representatives and the average voter has mostly disappeared. The rising level of education means a more informed voter, and a rising level of expectations about the government process.

B. Affluence

Our society is wealthier than it used to be. The average household in the United States is now earning some $39,000. And the share of households earning over $50,000 (in 1992 dollar equivalents) has risen dramatically over the past 25 years (Figure 3). Purely demographic factors, such as the aging of the baby-boomers into prime earning years and the large number of two-income earning households, will push the share even higher in the future.

Figure 3
Rapid Rise in Affluent Households
(Share of all households with income over $50,000)

California's households are better off than the country as a whole, though the state average is moving closer to the national average because of the severe California recession.

Figure 4

California's Average Income is Even Higher
(California's average income relative to the national average)

Source: Total and Per Capita Personal Income by State and Region, SURV. CURRENT BUS., Apr. 1993, at 54, 60.

Fifty six percent of voters come from households with incomes over $25,000. While not overwhelming, the numbers show that the average voter has a vested stake in electoral issues and has some discretionary income available to spend on issues of importance to them.

C. Occupation

The vast majority of voters work in white-collar, information-intensive jobs (or live in households with such workers). Two-thirds of current voters either have managerial/professional/technical jobs or work in sales and clerical jobs (Table 1).
Table 1  
Voters Are Predominantly White-Collar Workers  
(Share of all voters who work)

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Managerial/professional/technical</td>
<td>37.8</td>
</tr>
<tr>
<td>Sales/clerical</td>
<td>29.1</td>
</tr>
<tr>
<td>Service</td>
<td>10.7</td>
</tr>
<tr>
<td>Craft workers</td>
<td>9.5</td>
</tr>
<tr>
<td>Blue collar/transportation</td>
<td>12.9</td>
</tr>
<tr>
<td>Total</td>
<td>100.0</td>
</tr>
</tbody>
</table>


The occupational structure of the employed voter shows that approximately two-thirds of those who work are in occupations that emphasize the gathering and utilization of information in the workplace. Increasingly sophisticated use of information is a common characteristic of the employed voter. More and more they will use this sophistication to their own purposes as well.

D. Expectations and Attitudes

The data clearly depicts a voter with a rising degree of education and affluence and an increasingly sophisticated ability to use information at work. The average voter can handle complex information and process it as well as the average elected representative of the 20th century. One of the basic justifications for electing representatives, that they are better educated, have more access to information tools and have greater ability to interact on group decisions, is fading year by year as the electorate changes.

But higher levels of education, affluence, and information-oriented work are only the trappings of the governmental process. At the heart of the more educated citizenry is a growing skepticism. Contemporary voters are much more skeptical about elected officials than they ever were and, in fact, much more skeptical about authority in general. Long-term surveys of the general population show that the public's confidence in the leadership of legislators is down dramatically from 25 years ago and down on each of 12 major categories of institutional leaders that make up the overall index (military, Supreme Court, educational institutions, TV news, White House, medicine, major companies, the press, executive branch of government, Wall Street, Congress, and law firms) (Figure 5).
The growing skepticism about leadership is clearly connected to the rising levels of education (the rise in skepticism began during the late 1960s just as the first generation of young people with college experience comprising a majority came of age). Part of the basic college training in the United States is to question authority and a demand to understand not just "how?" but "why?" The college training has been carried into the workplace, where increasingly knowledge-oriented workers are expected to operate independently and expected to understand the "whys" and "hows" of a situation, whether it be operating a machine tool, accessing necessary information, or addressing the complaint of a customer. A voter attuned to taking responsibility for workplace activity will be reluctant to give up control over critical political issues to representatives who are little different from themselves. Voters are looking for a system in which they can participate as fully as their education and experience have trained them to do.

IV. ENABLING TECHNOLOGIES

We are in the throes of probably the greatest of the technology revolutions that periodically transform our society. The information revolution is bringing us remarkable changes in the amounts of information available at our fingertips and in the price of that information. Over the past 30 years, the power of the microprocessor has allowed us to double the amount of
information we can provide at a given cost every one and a half years. (See, for example, the storage capacity of a single microchip in Figure 6). No previous new technology from the steam engine to the chemical revolution has made quite so dramatic an impact over such an extended period of time.

*Figure 6*

The Growing Basis of the Information Revolution

(Storage capacity of a single chip)

![Graph showing the growing basis of the information revolution](image)

Source: Institute for the Future (unpublished compilation of data, on file with the Institute for the Future).

This information revolution has transformed business. Almost half of all workers now have the equivalent of a personal computer on their desk or workstation (Figure 7). And that small computer is just as likely to be at a check-out counter of a store or in a mobile van as it is to be on a desk in an office.
If getting the storage and processing power to the desktop was the challenge of the 1980s, connecting those isolated bits of information into communicating networks is the task of the 1990s. About a half of all computers at work are already connected into local area networks in which they can “talk” to other computers at the same office. But large national and international networks are growing that interconnect workers from a variety of workplaces or computer users outside of the workplace. The Internet, an international network of computer networks, allows anyone to join existing networks of researchers, analysts, hobbyists, or political activists, or to form a network of their own at modest costs. Usage of this network has been growing at the rate of 15% per month (Figure 8). Increasingly, one can find government databases, agendas, staff reports, and hearings available for anyone with the interest to look at them.
Technology will not create reform by itself. The real impact of technology is not the ability to transform politics through interactive voting or immediate polling responses at home. Rather, the technology revolution has already come and it manifests itself in the information available to us, in the varied ways we access information, and in the ways we communicate with each other. In particular, this easy access to information will affect our political lives in five ways:

- Information of every sort and type is no longer a scarce good, but rather easily available for anyone with the time and inclination to get it.
- Fundraisers can use computerized mailing lists to narrowly target potential supporters of a given issue.
• Small groups can organize effectively around a single interest and quickly build a network of supporters from a variety of media and existing networks.

• The media (hundreds of cable channels including local government access shows, hundreds of radio talk and call-in shows, weekly newspapers in virtually every community, newsletters from various groups) has a voracious appetite for news and comment of any kind.

• Single interest organizations, newsletters on a common theme, and computerized public networks make it easy to find a variety of interested parties to form a cohesive public force.

PULLING IT ALL TOGETHER

The demographic, social, and technological transformations of our society have created the need for a new politics. Many of the changes directly challenge the long-held belief in the need for representative government. The average voter now looks more like the average representative in education, income, and occupational characteristics. The average voters now have access to more information at a cheaper cost than all the representatives elected before 1980, have quicker and easier contacts with networks of like-minded citizens, and are used to dealing with the new information sources because of changes in the workplace than ever before. The skeptical voters have a lower regard for leaders of every type than they have had since regular polling was started. In sum, the timing is right for a more direct involvement of citizens in key decisions involving their own governance.

V. BALLOT MEASURES: THE CALIFORNIA ALTERNATIVE

A GROWING ROLE FOR DIRECT VOTES

Californians have found a way to participate directly in their governance. Since 1970 Californians have been using state-wide votes on issues as an alternate form of legislation. Over that time period, Californians have voted directly for almost 350 ballot issues, and 96 of those direct votes have been for initiatives proposed by citizen petition. This averages out to over 15 issues per year. The number of such ballot measures has been slowly increasing, with the number of initiatives rising even faster than the overall ballot measures (Figure 9).
Californians Vote Directly on Issues of Importance to Them
(Number of direct ballot measures per decade)

Source: Institute for the Future (unpublished forecast relying on historical data from California Secretary of State, Ballot Measure Studies (unpublished compilation of voting data, available from the California Secretary of State)).

Note that there are a variety of formats for qualifying an issue for ballot in California, but they fall into two categories. First, two-thirds of the members of each house of the state legislature can propose an act or statute to be voted on by voters. Second, a citizen petition signed by registered voters equal to 5% of the total votes cast for governor in the previous election can require a vote on a bond, a statute, or an amendment to the state constitution.

The direct ballot process has gone through a profound shift over the last two decades. During the 1960s, the state legislature initiated over 90% of ballot proposals, most of them asking for approval of bond issues. Since then the number of citizen petitions has steadily risen to 15% in the 1970s, 34% in the 1980s, and 38% in the 1990s. And there has been a dramatic shift in the content of citizen-petitioned issues. In the 1960s and 1970s many of the initiatives proposed were of the quirky social issues (modifying laws on obscenity and marijuana or instituting a state lottery, for example). There were also at least three attempts to limit property taxes, but most of these issues were soundly defeated by prosperous and happy voters.
The use of direct ballot measures changed dramatically during the 1970s. Part of the change came from the election of Governor Ronald Reagan in 1966, which changed the rules of the game just enough to set off the beginnings of a revolution. The conservative Republican governor and the Democrat-controlled state legislature did not get along well and often disagreed. But this time, important issues moved from governance gridlock to citizen ballot.

The first was the concern about crime, expressed in the issue of the death penalty. The governor and the legislature disagreed about the importance of the death penalty as a symbol of an anti-crime attitude. In 1972, 68% of the voters approved a death penalty for California. (Seventy-one percent of voters again approved a death penalty law in 1978 after courts had ruled on particular restrictions in imposing such a sentence. The resistance of members of the California Supreme Court to move ahead with executions produced another innovative use of popular voting in the 1980s that turned out sitting Supreme Court judges for the first time in memory.)

The second issue that came to a head in the same election, one that again marked a conflict between the legislature and Reagan, was environmental protection of the California coast. On this issue, 55% of the voters approved a measure putting stringent controls on coastal development. The ballot measures were a way for voters to break an impasse within the representative governmental structure and to put in place two clear initiatives for policy change.

The third critical issue that opened up the initiative process was the tax revolt issue that came to a head with Proposition 13 in 1978. After several years of the state legislature failing to rein in taxes rapidly growing under inflationary increases that produced both income tax bracket creep and annual property tax escalation, the voters elected to cap property taxes and permit only a modest 2% increase per year. The vote transformed the fiscal politics of California drastically, and it gave instant credibility to the initiative as a way of getting the attention of legislators who refused to listen.

Since the late 1970s, the set of issues that have come up for citizen vote has spanned the range of critical legislative issues: taxes, limits on government spending, handgun legislation, prison construction, tort reform, toxic discharges, insurance regulation, rapid rail transit, forest acquisition and timber harvesting, health insurance, and school vouchers. The governor and legislature can no longer ignore the opinions of the citizens as expressed by their direct ballot votes.
A. Measuring the Importance of Ballot Measures

It is clear that critical issues voters approved set important precedents and that the number of ballot issues are growing. But have ballot issues and their results improved the governance of the state of California or merely made it more complex in a time when effective government is vitally needed?

There is no easy way to answer that question, but some facts about the relative importance of ballot measures will aid in the search for an answer. There are four ways of judging the importance of ballot issues to voters: by the public's support for ballot measures in general; by the number of people who vote for these ballot measures; by the issues they vote on; and by how discriminating they are in their vote.

1. Public Support

Public support for the initiative process is high. Polls indicate that two-thirds of polled Californians agreed that the initiative process is a "good thing."³

2. Number Who Vote

About 50% of all adult Californians voted for ballot measures in the November 1992 general election when there was a presidential race on the same ballot. The vote reflects a state where many adults either recently arrived from other states or recently emigrated from other countries and hence cannot vote, but about 85% of registered voters vote in a general election. About 28% voted on at least one ballot proposition in the June 1992 primary election, 33% in the 1990 general election, and 23% in the primary election of 1990. Ninety-five percent of voters who vote for the president will also vote for at least one ballot proposition.⁴

3. Issue Selection

Among those who vote, interests vary. The range of interests on ballot measures can be substantial, with a variance of almost 8% in the number of votes on various ballot measures. The 1990 environmental measure called "Big Green" had over 500,000 more voters than another environmental measure on toxic dis-


charge. (Both were defeated.) The measures with the highest numbers of votes are those that grab public attention (both in their inherent interest and in the amount of money and effort put into campaigning by interested parties). They are often initiatives generated by citizen petition rather than the legislature, and they inevitably are important political issues. Table 2 lists the two measures in each election that received the most votes over the last decade. The range of issues covers the key areas of state governmental responsibility: taxation, schools, health care, housing, insurance regulation, criminal justice, the legal system, and the environment. There is no clear pattern to the selection of issues other than their importance to the voter.

4. Discrimination in Vote

While the issues cover a wide gamut, the California voters seem to be quite discriminating in what they vote for. Of those items listed in Table 2, 13 were approved and 9 were rejected. If we look at a broader selection, of all those in the top 20% of vote-getters over the years, 28 were adopted and 33 rejected. The range of the swings on a single ballot can be quite remarkable: in the November 1992 vote, 7 million voters approved an initiative to eliminate taxes on junk food snacks and bottled water (appealing to both ends of the California food spectrum); on the same ballot, only 2.9 million approved a legislative proposal to put a time limit on toll collections on private highways.

Table 2

<table>
<thead>
<tr>
<th>Year</th>
<th>Ballot Measure</th>
<th>Category</th>
<th>Outcome (Share support)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>Bay Area Peripheral Canal</td>
<td>Environmental</td>
<td>Defeated (37)</td>
</tr>
<tr>
<td></td>
<td>New prison construction</td>
<td>Criminal justice</td>
<td>Adopted (56)</td>
</tr>
<tr>
<td></td>
<td>Handgun registration</td>
<td>Criminal justice</td>
<td>Defeated (37)</td>
</tr>
<tr>
<td></td>
<td>Restrictions on beverage containers</td>
<td>Environment</td>
<td>Defeated (46)</td>
</tr>
<tr>
<td>1984</td>
<td>County jail bonds</td>
<td>Criminal justice</td>
<td>Adopted (59)</td>
</tr>
<tr>
<td></td>
<td>State lottery</td>
<td>Gambling</td>
<td>Adopted (58)</td>
</tr>
<tr>
<td></td>
<td>Voting material in English</td>
<td>Government process</td>
<td>Adopted (71)</td>
</tr>
<tr>
<td>1986</td>
<td>Multiple defendants for torts</td>
<td>Law</td>
<td>Adopted (62)</td>
</tr>
<tr>
<td></td>
<td>Veterans bond</td>
<td>Veterans</td>
<td>Adopted (76)</td>
</tr>
<tr>
<td></td>
<td>Restrictions on those with AIDS</td>
<td>Health</td>
<td>Defeated (29)</td>
</tr>
<tr>
<td></td>
<td>Restrict toxic discharges into water</td>
<td>Environment</td>
<td>Adopted (63)</td>
</tr>
</tbody>
</table>

5. California Secretary of State, Ballot Measure Studies (unpublished compilation of voting data, on file with the California Secretary of State).
Redefining second degree murder
Restrictions on those with AIDS
Cigarette/tobacco tax
Insurance rate regulation

Traffic congestion relief act
Housing and homeless bonds
Environmental regulation
Forest acquisition; timber harvest

School facilities bonds
Physician-assisted death
Basic health insurance

School vouchers
Local public safety protection

Outcome
Adopted (82)
Defeated (32)
Adopted (58)
Adopted (51)
Adopted (52)
Adopted (52)
Defeated (36)
Defeated (48)
Adopted (53)
Defeated (46)
Defeated (51)
Adopted (53)
Defeated (46)
Defeated (51)
Defeated (36)
Defeated (48)
Defeated (41-59)
Defeated (13-87)
Approved (51-49)
Defeated (25-75)
Defeated (35-65)
Defeated (48-52)
Defeated (28-72)

The more important discrimination issue is on items that are similar in nature. Some opponents of a particular proposition have put their own measure on a ballot to try to confuse voters with a range of conflicting and sometimes confusing choices. Two recent cases involve a series of initiatives about insurance reform and a pair dealing with timber harvesting. The results are summarized in Table 3.

Table 3
Two Sets of Competing Ballot Issues

November 1988
Prop 100 Insurance rate regulation Defeated (41-59)
Prop 101 Auto accident claims and insurance Defeated (13-87)
Prop 103 Insurance rate regulation; commissioner Approved (51-49)
Prop 104 Automobile and other insurance Defeated (25-75)

November 1990
Prop 128 Environment; public health; bonds Defeated (35-65)
Prop 130 Forest acquisition; timber harvesting Defeated (48-52)
Prop 138 Forest program; timber harvesting Defeated (28-72)
practices

Source: California Secretary of State, Ballot Measure Studies (unpublished compilation of voting data, on file with the California Secretary of State).

In 1988, there were four ballot issues on insurance reform: one no-fault proposal backed by legislators (Proposition 100); two sponsored by key players (insurers and trial lawyers-Propositions 101 and 104); and one by citizen groups. The voters overwhelmingly rejected the insurance and trial lawyer propositions, turned down the no-fault proposal as too radical, and approved with a very slight majority a reform proposal that involved reduc-
ing rates and the establishment of an elected insurance commis-

sioner to deal with future issues.

In 1990, three competing forestry ballot measures appeared. Proposition 128, "Big Green," was pushed by a coalition of envi-

ronmental groups and included a moratorium on logging red-

wood, encouraged replanting, and required monetary incentives

for recycling. Proposition 128 also proposed major reforms in

the use of pesticides, food safety, air pollution, oil drilling, and

governmental oversight. Proposition 130 was also sponsored by

environmental organizations but focused on forest protection; it

restricted clear-cutting of old growth forests. Proposition 138 was

sponsored by the timber industry and left more control over har-

vesting in the hands of owners. All three alternatives lost, but

both the hodge-podge Big Green measure and the timber indus-

try measure were turned down by two out of three voters, while

the more moderate Proposition 130 lost by a relatively narrow

margin.

One of the goals of the alternate proposals was to discourage

voters from participating, but the voters were up to the task. Par-

ticipation rates were very high on these issues, and the more self-

serving propositions received only token support, possibly

because they alienated voters. But they also might have had the

effect of making it harder to sell more modest reform proposals,

such as no-fault insurance and moderate restriction on timber

harvesting.

B. Ballot Measures as Strategic Guidelines

The ballot measure process has given voters a chance to
define a set of strategic guidelines about state policy. General polls have shown that Americans are concerned about the level
of taxation as well as about a clear triumvirate of government
programs at the top of their list of unmet needs—health care, the
environment, and education—with a fourth, crime, just behind.6
The voters in California have indicated through their ballot mea-

sure votes the broad guidelines of a strategy for each of these
critical issues. The guidelines have gradually emerged through
individual votes both favorable and unfavorable over the last two
decades and have been respected by the governor and state legis-

lature. A broadbrush look at those guidelines would include the

following:

• **Taxation.** Voters placed a cap on property taxes (1978), enforced a limit on the growth in total government spending (1979), and indexed the state income tax brackets (1982). This has put a tight rein on increases on state spending. On the other hand, voters rejected further general tax limitations (1984) and approved special taxes (on cigarettes in 1988) and taxes for special purposes (a sales tax surcharge in 1993 for support of local government needs).

• **Schools.** Voters have carved out a portion of the state budget that must be spent on education (Proposition 98 in 1988). This has established a principle that is now a basic assumption underlying the governor's annual budget proposal and the negotiated final document ultimately approved by the legislature. Bonds for new school facilities are regularly approved (1982, 1984, 1986, 1988, 1990, and 1992). On average, school-bond measures receive slightly higher votes than jail-bond measures (schools have averaged 57% approval since 1982 while prisons have received an average 56% approval) and during the recession of 1990-1992 school bonds continued to pass while prison bonds did not. Further, voters are not willing to experiment with the public school system, convincingly turning down a voucher proposal (1993).

• **The environment.** Environmental issues are the voters' favorites. Since 1970, environmental issues have consistently been the top vote getting issues on the ballots (Table 4). Public interest groups have been especially active in environmental affairs. But the voters have rejected as many environmental reforms as they have approved, for example, turning against the diffuse "Big Green" proposal and timber harvesting restrictions (1990). But the environmental reform record is a strong one, including very strong coastal conservation (1972), rejection of a major water project (1982), and strict laws on toxic discharges and informing the consumer (1986).
Table 4

Top Vote Getting Ballot Measures
(Ballot measures that have received the most votes in elections, by type)

<table>
<thead>
<tr>
<th>Number of Measures</th>
<th>Environment</th>
<th>Tax</th>
<th>Social</th>
<th>Health</th>
<th>Schools</th>
<th>Criminal justice</th>
<th>Insurance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>6</td>
<td>5</td>
<td>5</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: Institute for the Future (relying on data from California Secretary of State, Ballot Measure Studies (unpublished compilation of voting data, on file with the California Secretary of State).

- **Insurance.** Proposals pushing for insurance reform have grown in popularity in the past five years. High costs for auto and health insurance and increasing problems of the uninsured have spurred an interest in reform. Rate regulation on auto insurance and the election of a statewide insurance commissioner have been approved (1988). But the voters have spent most of their effort rejecting insurance reforms presented by the trial lawyers (1988), the insurance companies (1988), and the California Medical Association (1992). The state legislature responded to this clear message of reform by voting for a major change in the health arena (1993).

- **Criminal justice.** Voters are very concerned about crime. They pushed beyond what the legislature and the Supreme Court were willing to do on the death penalty, approving death-penalty measures in 1972 and 1978. They have consistently approved large capital expenditures for jails (1982, 1984, 1986, 1988, and 1990) and for support for local law enforcement (1993).

- **Social issues.** The voters are fairly conservative on social issues and have consistently turned down quirky appeals for out-of-the-ordinary social change. Voters rejected, by very large majorities, stricter rules on obscenity (1972), decriminalization of marijuana (1972), restrictions on homosexuals as teachers (1978), discrimination against AIDS patients (1986 and 1988), and physician-assisted death (1992). The social bias towards existing norms is especially prominent on votes favoring English as the official language in California (1984 and 1986).
VI. OTHER FORMS OF DIRECT PARTICIPATION

There are a number of other ways that Californians are participating directly in their governance. These means of direct participation can include:

- **Local ballot issues.** Californians vote directly on ballot issues not just at the state level but at the county and local level as well. San Francisco's municipal code, for instance, requires a direct ballot election for many detailed items including substantive changes in municipal workers' benefit packages. Along with a very activist population that petition to place other items on the ballot, this means that San Francisco voters vote on an average of about 20 local ballot items in addition to the state issues. While San Francisco may be unique, many other communities are using the direct vote to decide the critical bread and butter issues of local politics, such as land use. Over the past 20 years, the number of ballot measures on land use around the state has risen from just a few a year to well over 25 per year (Figure 13). Voters are using the direct ballot as a way of settling key local issues as well.

![Figure 10: Local Use of Direct Ballots Is Growing](image_url)

**Figure 10**

Local Use of Direct Ballots Is Growing
(Average annual number of direct votes on land use issues in California communities)

- **Single interest groups.** The number of people who are paying members of special interest organizations is growing rapidly. Of special note are the public interest groups, which span a broad range of popular interests from
abortion rights to the environment. These are groups that reach a broad spectrum of the public and focus on issues of importance to many. An important example of this type of group are the environmental groups. They continue to attract new paying members at a huge rate. While the rate of growth is down from the 1960s when these organizations were first reaching a mass audience, their membership rolls are large and continue to grow at three to four times the rate of overall population growth (Table 5).

Table 5

Environmental Groups Continue to Grow Rapidly
(Average annual growth in paid members*)

<table>
<thead>
<tr>
<th>Decade</th>
<th>Average Annual Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960s</td>
<td>19%</td>
</tr>
<tr>
<td>1970s</td>
<td>11%</td>
</tr>
<tr>
<td>1980s</td>
<td>7%</td>
</tr>
<tr>
<td>1990s</td>
<td>7%</td>
</tr>
</tbody>
</table>


Source: Institute for the Future (unpublished data relying on membership numbers provided by environmental organizations, on file with the Institute for the Future).

* Litigation. Over the last two decades, individuals have been using the courts as a means of influencing the response of the governmental system to their own rights and needs. One such example is the growth of actions in federal district courts that deal with the implementation of federal laws. These Actions Under Statute have grown seven-fold since 1970, although there is evidence that their use has been leveling off in the last few years (Figure 11).
More Individuals Use the U.S. Courts to get Governmental Response or Protection
(Thousands of Action Under Statute cases commenced in federal district courts)


Each of these are other examples of individuals compelling governmental bodies to respond to their individual needs. All operate outside the representative system, and similar tactics are now being applied to representatives directly - more direct lobbying, more groups organized to provide funding and support, and more participation at state and local governmental meetings and hearings. All of these actions derive from the same source—the desire of an empowered citizenry for more direct involvement in the governmental process.

VII. CONCLUSION: POINTING TOWARD A NEW PATH

We are seeing an increase in direct actions by individuals in the political process. The most significant is the increase in the number of direct ballot measures, especially those initiated by citizen petition. But does it add up to a change in the way we govern? By looking at the positive and negative aspects of direct ballot measures, we may be able to answer this question.

A. The Limitations of Direct Ballot Measures

There are serious reservations about governing by direct ballot measures:

- Limited number. Voters with other full-time career activities can only vote intelligently on a limited number of
issues. This will limit the range of issues that citizens can get involved in over any given period.

- **Money.** Ballot measures cost money, both to get them qualified and to inform the public of both sides of the issue. In the 1970s and 1980s, the cost of ballot measures was about two-thirds of the cost of the campaign of the state legislature candidates. The 1988 campaign, which saw the big insurance propositions, led to substantially more spending on ballot propositions than on the legislative candidates. So ballot propositions can be expensive and draw away monetary resources from other parts of the political process.

- **Avoiding detail.** Ballot measures have to be presented in a simple way, but they often contain detailed language that has unexpected long-term consequences. Proposition 13 capped property taxes, but also brought all kinds of longer term questions on the equity of its impact: between younger and older taxpayers, between recent arrivals and long-time residents, between businesses and homeowners, and between local governments and the state. While legislative hearings and detailed committee discussions can bring these issues out in a legislative setting, for a ballot proposition, it is an all or nothing choice.

- **Compromise.** Legislators know how and when to compromise, or at least their job description includes this skill. Ballot measures do not allow the give and take of trading off my criminal justice concern against your environmental concern. This critical inability to compromise loses some of the flexibility of the representative governing system.

- **Minority protection.** Ballot measures can be approved by the narrowest of majorities. In a legislative process, however, minorities have ways of being heard or of holding up the process if they are not. The state budget in California, for example, needs to win approval of two-thirds of the legislature whenever there is a threat of the governor's veto.

**B. The Advantages of Direct Ballot Measures**

While there are serious limitations to the direct ballot process, there are also some unique and critical advantages.

- **People like it.** Surveys show that people like the initiative process and voters tend to use it with some sophistica-
tion. Since government is for the people, it makes sense to use a system that involves the people and that people like.

- *It's the most open process.* Money is critical to the working of the system, and sometimes having a lot of money proves crucial to the outcome. But all politics is run on money. The advantage of the direct ballot process is that the money is spent completely in the public eye and for the public eye, trying to convince individual voters of their own interests. Special interest groups pleading for their special interests, even with lots of money, have often attracted surprisingly small numbers of votes on important issues. If the base numbers tell us that voters are getting smarter and better educated, the level of debate should rise over time.

- *Public distrust of legislators is high.* Education produces skepticism about those who would lead us. The educated citizen has a healthy dose of skepticism for legislators, and for leaders of every type of organization. They want to be involved in key decisions themselves rather than see it done behind closed doors to be handed a compromised outcome. Direct ballot measures involve people in decisions and give them responsibility for consequences. Just like legislators, people can learn from past decisions.

- *The legislative process has limits too.* While the direct ballot process has limitations associated with it, so does the legislative process. Money, given in various disguises to legislators for their campaigns, creates individual bonds that can easily create unconscious conflicts of interest. Money spent on direct ballot TV campaigns reaches the public but creates no lasting bond or personal commitment. Legislators often lose the ability to compromise. With splits between governor and assembly, with rivalry for positions of influence or positioning for the next campaign, individual pieces of legislation can suffer. While legislators often do much excellent work, the California legislators also have given the state an underfunded education system, an ineffectively regulated insurance system, huge budget deficits, harmful divisions between state and local governments, and a rapidly deteriorating infrastructure.

- *Direct ballot measures can break long-established habits.* One of the virtues of a democratic system is its ability to renew itself and find new solutions to old problems. Often
direct votes on single issues make it easier to move toward a fresh alternative. The establishment of the Coastal Commission, a harder face toward crime, limits on property taxes, restrictions on toxic discharges, a popularly elected insurance commissioner, guaranteed and protected funding for public schools all can be seen as clear and decisive breakthroughs that established precedents or fresh approaches to a long-standing and divisive issue.

- *Direct ballot measures can set strategic guidelines for future action.* It is hard to argue with the vote of a reasonably well-informed populace. Their votes tend to set the political parameters on a host of key issues. The voters will make some mistakes and find themselves reversing decisions of a few years before. But they do set down preferences and expectations in a manner more clearly than any vote for a person or a party could possibly do.

- *The process follows the driving forces.* All of the demographic forces are pushing toward the involvement of those we govern in the decisions that are important to them. Better educated, more affluent citizens who work with ideas and information in the workplace and are given more responsibility for their actions at work or home will expect the same from the political process. The information revolution has made information inexpensive and available and the ability to find and communicate with like-minded citizens easier than it was in ancient Athens, where one still had to walk to the central square under a hot sun to talk about the issues.

C. Where Are We Going?

"No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of Government except all those other forms that have been tried from time to time."

- *Winston Churchill*  

California's experience with ballot measures makes sense when viewed as a whole. They deal with the governmental issues that are uppermost on people's minds, even if the particular ballot measure fails to capture the issue well. They represent the responses of a geographically isolated state that shares a long his-
tory of an open electoral experience in which party politics has always played a secondary role to candidates and issues. Most voting Californians share the common experiences: migration, social mobility, and relative prosperity. All the ballot measures discussed in this paper have been statewide, which means a wide diversity of geographic, economic, and ethnic participation. Between 3 million and 10 million votes were cast for each item. The votes thus represent a fairly large number of people who live in a single relatively compact geographical unit who share a particular openness to demographic, economic, social, and historical change.

The results of the votes establish over time strategic guidelines for public policy in areas of critical public concern. In general, the votes are socially conservative, but they have broken new ground in many areas. The process and the outcomes are not without flaws. But to be valuable and effective, a system need not be perfect. It merely has to meet the needs of the people who use it better than available alternatives. Direct voting by citizens meets this test. It involves an educated electorate in the decisions they will have to live with. It gives them a chance to express their opinions, and exert influence, on issues of particular importance to them.

Representative government remains an essential element of the governing process - to interpret the general statement into the details, to do a budget, to cover the non-glamorous issues, to make government work within the guidelines and parameters voted by the populace. But the true notion of sovereignty, the last word on critical issues lives with the people, will increasingly shift to the direct votes of the people themselves. The more the general populace are involved in critical decisions, the more open and the more effective a government of highly educated and demanding people will be.

California and other states that are currently relying more on direct ballot measures are not just re-creating the gathering of citizens in ancient Athens. They are improving it. Citizenship is open to a much wider population of adult members of today's society; the discussions are open to all and take place in a variety of formats over an extended time period; and the wider involvement ensures that a variety of interests are represented. In Athens, up to 6,000 citizens (about 2% of the adult population) would make key decisions for all; in California, 10 million (or about 45% of the adult population) will vote on a critical issue.

Ancient Athens and modern California share some important characteristics: a relatively homogeneous nation-state that is prosperous and self-confident; a well-educated electorate, open
to public discussion, sharing a socially conservative ideology but at home with some degree of experimentation. The critical difference is in scale. Communication and information technology and a citizenry that is familiar with analyzing information in their every day lives make the difference. More California citizens are involved in a greater range of substantive policy decisions than in any other time in history. Participation should lead to a greater understanding and greater acceptance of these public decisions. In the long run, governments will be stronger because of it. California’s gradual shift towards direct democracy bodes well for effective government in the state and for the other states that follow the same road.

Direct ballot voting may not be perfect, but it will be the direction taken by democratic states that want to integrate the talents of a more educated and demanding citizenry into a system of more open governance during the 21st century.