

## Statements Regarding the Initiative and Referendum Process

Since the founding of our nation, the issue of citizen participation in the lawmaking process has been hotly debated. Following is a variety of statements from prominent individuals regarding their views on citizen lawmaking and the initiative and referendum process.

"We are cleaning house and in order to clean house the one thing we need is a good broom. Initiative and referendum are good brooms?"

**President Woodrow Wilson** <sup>1</sup>

"I believe in the Initiative and Referendum, which should be used not to destroy representative government, but to correct it whenever it becomes misrepresentative."

**President Teddy Roosevelt** <sup>2</sup>

"I know of no safe repository of the ultimate power of society but the people..."

**Thomas Jefferson** <sup>3</sup>

"As the people are the only legitimate fountain of power, and it is from them that the constitutional charter, under which the several branches of government hold their power, is derived, it seems strictly consonant to the republican theory to recur to the same original authority... whenever it may be necessary to enlarge, diminish, or new-model the powers of government."

**James Madison** <sup>4</sup>

"I most strongly urge, that the first step in our design to preserve and perpetuate popular government shall be the adoption of the Initiative, Referendum, and Recall."

**Hiram Johnson, Governor of the State of California** <sup>5</sup>

"Twenty years ago, citizens of California were being taxed out of their homes by an out-of-control property tax system. While elected officials did little but talk about the problem, the voters acted. Using the initiative process they passed Proposition 13, a citizen's law which cut and capped the property tax."

**Joel Fox, Past President of the Howard Jarvis Taxpayers Association** <sup>6</sup>

"Initiative and Referendum is the citizen activist's 'ace in the hole'."

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<sup>1</sup> Quoted in *Equity Magazine*, January 1913, page 18.

<sup>2</sup> "Charter of Democracy" speech to the 1912 Ohio constitutional convention.

<sup>3</sup> In a letter to James Madison, December 20, 1787. Reprinted in Richard Hofstadter, ed., *Great Issues in American History* (New York: Vintage Books, 1958), p.115.

<sup>4</sup> *Federalist* 49.

<sup>5</sup> January 4, 1911 Inaugural speech as Governor.

<sup>6</sup> In a letter to M. Dane Waters, President of the Initiative & Referendum Institute, 1998.

## **Ralph Nader** <sup>7</sup>

"One big difference between initiatives and elected representatives is that initiatives do not change their minds once you vote them in."

**Grover Norquist, President of Americans for Tax Reform** <sup>8</sup>

"At the very heart of the democratic process is our Constitutionally given right to change, through representation or by Constitutional amendment, the laws which govern us. In states across the country, the initiative and referendum process has become a necessary key to unlocking this democratic process in such a way that true democratic decision-making occurs."

**Hal Daub, Mayor of Omaha, Nebraska** <sup>9</sup>

"The initiative and referendum process is an important means to bypass legislatures who refuse to vote on crucial issues. Initiative and Referendum reminds us the citizens of our republic are the rulers and elected officials are the servants."

**Kirk Fordice, Governor of the State of Mississippi** <sup>10</sup>

"Having this electoral ability [the initiative and referendum process] is a critical 'safety valve' for effective citizenship."

**Edwin Meese, III, former U.S. Attorney General under Ronald Reagan** <sup>11</sup>

"I was born in North Dakota. We had I&R. I thought everyone did. I think everyone should? It is very difficult to get good new ideas to be considered by Legislative bodies. New ideas have to be taken to the people. That's why we need the initiative process."

**Dick Arney, Majority Leader, U.S. House of Representatives**

"In an era when politicians have rigged the system to guarantee 95 percent reelection rates and are increasingly disdainful of the will of the people, the need for initiative and referendum has never been greater. I&R strikes fear in the hearts of bureaucrats and politicians alike, because it implies self-government, hence reducing their importance."

**Ed Crane, President of the Cato Institute** <sup>12</sup>

"The PIRGs have been a leading practitioner of the citizens initiative process to pass environmental, consumer protection, and good government measures. We will continue to use the process and will work to promote and defend the process itself."

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<sup>7</sup> Endorsement from back cover of David Schmidt's book **Citizen Lawmakers** (Temple University Press).

<sup>8</sup> In a letter to M. Dane Waters, President of the Initiative & Referendum Institute, 1998.

<sup>9</sup> Ibid., 1999.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid., 2000.

**Gene Karpinski, Executive Director of U.S.PIRG** <sup>13</sup>

"America's political systems have served us well, but are hopelessly archaic for dealing with the complex issues of the future. Because the establishment is incapable of implementing (or even perceiving) the needed reforms, I&R is the people's tool for change."

**Dennis Polhill, Chairman of the Initiative & Referendum Institute** <sup>14</sup>

"Without initiatives and referendums, elites would barely bother at all to take note of public opinion on issues they disdained - from supermajority requirements to raise taxes to term limits. They serve as a reminder that the experts' sometimes have to pay attention to good old common sense."

**John Fund of *The Wall Street Journal*** <sup>15</sup>

"The citizen initiative process is today the political life-blood of the people. Without initiative and referendum the politicians can ignore the people and monopolize power. Some may prefer all decision-making to take place in the backrooms of the Capitol, but I say let we the people vote on the issues that impact our lives. That's what freedom is all about."

**Paul Jacob, Senior Fellow of U.S. Term Limits** <sup>16</sup>

"For 15 I taught my classes that the Initiative and Referendum wouldn't work. I can prove it now – but the trouble is they do!"

**President Woodrow Wilson** <sup>17</sup>

"...the will of the majority should always prevail."

**Thomas Jefferson** <sup>18</sup>

"Men by their makeup are naturally divided into two camps: those who fear and distrust the people and wish to draw all powers from them into the hands of higher classes; and those who identify themselves with the people, have confidence in them, cherish and consider them the safest and most honest, if always the wisest repository of the public interest. These two camps exist in every country, and wherever men are free to think, speak, and write, they will identify themselves."

**Thomas Jefferson**

"The world is spattered with unrest: rebel forces, civil disobedience, war, civil war, tyranny, and genocide. Any place average citizens have no voice or are losing ground in the fight to control their own lives is one place too many. If we believe in liberty, if we believe in the dignity of the

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<sup>13</sup> Ibid.

<sup>14</sup> Ibid., 1998.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Quoted in *Equity Magazine*, January 1913, page 18.

<sup>18</sup> In a letter to James Madison, December 20, 1787. Reprinted in Richard Hofstadter, ed., *Great Issues in American History* (New York: Vintage Books, 1958), p.115.

human spirit, if we believe in justice for all, then Citizen Lawmaking is as essential to the future as it was to the past. This process is terribly important to the well being of this country. It must accompany us into the new century. By reviewing and honing the process, and most importantly by understanding and using these tools of democracy, we can preserve and even expand every citizen's right to have a voice in the government."

**William J. Janklow, Governor of the State of South Dakota** <sup>19</sup>

"The right of citizens to propose changes in government must be protected. Our country was founded with the revolutionary idea that people could govern themselves. As governments grow larger and career politicians flourish, the preservation of the Founding Father's legacy of self-government must be guarded and enhanced. I believe many of the problems we face as a nation could be resolved with more direct input from America citizens."

**Kirk Fordice, Governor of the State of Mississippi** <sup>20</sup>

"There is nothing more sacred to a free people than the right to govern themselves and take matters into their own hands when their elected officials have failed them. When the very government which the people have created to secure their liberty and domestic tranquility imposes restraints on their freedom, the people have a duty to try to break the shackles themselves. I, along with many of you assembled here this weekend, have responded to that high calling and have utilized the initiative or referendum processes when representative government becomes despotic either by negligence or design? In defense of liberty and in opposition to tyranny, I pray that we continue to empower the American people to mold and shape their own future and the long-term prosperity and pursuit of happiness for generations to come."

**Ward Connerly, Chairman of the American Civil Rights Coalition** <sup>21</sup>

"Those states that have the initiative and referendum process have tended to have less scandals and more honest state government than those states without that process. "

**Paul Weyrich, President of the Free Congress Foundation** <sup>22</sup>

"The initiative and referendum process is a wonderful tool for citizens. It embodies a fundamental right of self-government that is at the very core of democracy. Every community, state and the federal government should provide for some form of direct democracy. "

**Doug Phelps, Chairman of U.S.PIRG** <sup>23</sup>

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<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

"I&R is a critical tool for taxpayers in the fight against unaccountable government and it has been the single most important factor behind the rise of constitutional limits on state and local taxes. I&R enables citizens to make a real difference in how they are governed and thus can reverse the twin problems of rising cynicism and declining participation."

**John Berthoud, President of the National Taxpayers Union** <sup>24</sup>

"The further the departure from direct and constant control by the citizens, the less has the government the ingredient of republicanism."

**Thomas Jefferson** <sup>25</sup>

"George Bush and I Congratulate you on your efforts to attain, for the people of New Jersey, the right to initiative and referendum. We urge you to keep up your fight and we endorse your efforts."

**President Ronald Reagan** <sup>26</sup>

"This initiative and referendum proposal is a cornerstone of our effort to ensure that the voices of all the people of New York are heard. This fundamental reform will empower all New Yorkers by enabling them to become an integral part of the lawmaking process and giving them the power to propose and approve new laws. By reforming the democratic process, we renew our allegiance to the sacred principle that all power ultimately rests in the hands of the people."

**George Pataki, Governor of the State of New York** <sup>27</sup>

"[W] have the initiative and referendum in Nebraska; do not disturb them. If defects are discovered, correct them and perfect the machinery ... make it possible for the people to have what they want ... we are the world's teacher in democracy; ... the world looks to us for an example. We cannot ask others to trust the people unless we ourselves are willing to trust them."

**William Jennings Bryan** <sup>28</sup>

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<sup>24</sup> Ibid.

<sup>25</sup> In a letter to James Taylor, 1816.

<sup>26</sup> In a telegram to Sam Perelli of the United Taxpayers of New Jersey. October 23, 1980.

<sup>27</sup> In a March 12, 2002 press release announcing his support for an initiative and referendum constitutional amendment.

<sup>28</sup> In his address to the Nebraska Constitutional Convention in 1920.