

# Direct democracy in representative systems: Understanding breakdowns in responsiveness through ballot initiative success\*

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## Abstract

Policy referendums around the world succeed regularly and on important policy areas. But why do these policies pass by direct democracy and not through the legislature? While previous work has explored mechanisms that help explain policy incongruence, less work has considered how this impacts policymaking in systems where citizens have alternative venues to pass legislation. I test two novel theories – exploring institutional and behavioral factors respectively – using a combination of district-level voting data, campaign finance information, and a survey of state legislators to understand why policymaking occurs via ballot initiative and not the legislature. I find successful initiatives tend not to be fully captured by the partisan dimension and are supported by more ideologically extreme donors than successful legislative candidates in the same cycles. Taken together, the evidence suggests that initiatives succeed when policies have not taken root in the mainstream policy networks that regulate conventional policymaking.

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\*This version: September 10, 2021. I would like to thank Andy Eggers, Lucas Leemann, James Snyder, Ben Ansell, David Broockman, Karine van der Straeten, Desmond King, Rachel Bernhard, Nelson Ruiz, Musashi Harukawa, Michael Olson, Arndt Leininger, and participants at both the 2019 European Political Science Association conference and the Politics Colloquium at the Department of Politics and International Relations, University of Oxford, for their insightful feedback at various stages of this research. Parts of this research were conducted while I was in receipt of a Wadham RCUK - ESRC studentship.

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Representative institutions are designed to align legislators' behavior with the popular will. Yet we know that legislators sometimes ignore policy proposals preferred by a majority of voters or set positions out of kilter with public opinion (Lax and Phillips, 2012; Caughey, Warshaw and Xu, 2017; Simonovits, Guess and Nagler, 2019). When legislators fail to respond to the demands of their electorate, this raises fundamental questions about the mechanisms of representation in democratic systems.

In systems around the world, citizens have alternate and direct means of setting policy when legislators fail to act on the public's preferences. In the United States, for example, 24 states have the direct ballot initiative process – a form of referendum where citizens draft, submit, and vote on laws directly without the *ex ante* support of the legislature. At the 2020 general election, among other policies, the ballot initiative process was used to alter electoral redistricting processes, legalize federally-prohibited drugs, and adjust tax rates. These successful initiatives represent cases where there was sufficient policy incongruence for outside groups to take matters into their own hands. If they are democratically accountable to the same set of voters, however, why would legislators not act on these popular policies? Put another way, why do we observe policies that are electorally popular but which are not supported in the legislature?

In competitive democracies like the United States, when a policy is supported by a majority of voters we should expect a party to advocate and claim that policy position (Manza and Cook, 2002; Gerber and Lewis, 2004; Ezrow et al., 2011; Leeman and Wasserfallen, 2016; Page and Gilens, 2017). If they do, direct democratic policymaking should never be necessary, let alone succeed. Representative institutions should “crowd out” initiative policymaking, with the legislature converging towards the electorate's majority preference (Gerber, 1996). Yet initiatives succeed regularly, and typically by large margins. In 2020, 29 of 39 initiatives were approved. Of these, the average vote share was 62 percent and 22 of the 29 initiatives passed with more than 55 percent of the vote.<sup>1</sup>

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<sup>1</sup>Similar trends can be observed in previous elections. In 2018, the average vote share for successful

The broader literature on policy responsiveness demonstrates how legislators' representation is mediated by formal institutional rules (Boehmke, Osborn and Schilling, 2015), interest group interactions (Hertel-Fernandez, Mildemberger and Stokes, 2018; Henderson et al., 2021), policy learning among co-partisans (Pereira, 2021a), and systematic biases in legislators' perceptions of public positions (Broockman and Skovron, 2018). To date, however, less work has considered how these mechanisms help explain direct democratic policymaking. This lack of research is surprising given the empirical leverage ballot initiatives give scholars over questions of representation and policy responsiveness (Simonovits, Guess and Nagler, 2019). Since initiative policymaking is both electoral and focuses on specific legislation, we can observe both voters' and proponents' behavior with respect to real policies.

In this paper, I propose two distinct theories of legislative inaction that would help explain why policy passes by ballot initiative. First, I suppose that state legislators faithfully represent their constituents. I show how faithful district-level representation can lead to counter-intuitive policymaking outcomes that conflict with the statewide majority preference. When public support for initiatives is unevenly distributed across districts, initiatives may be necessary to correct for conflicting levels of representation within the electoral system.

If this explanation does not hold, however, then at least some legislators are not acting on the preferences of their constituents. The second theory therefore builds on recent studies that emphasise the unequal exposure of legislators to different groups. I propose that legislators are constrained to act on policies supported by the mainstream policy community – that set of actors and institutions who regulate conventional legislative processes and have greater influence on legislators' behavior. Of course, there are many other explanations I could consider. This paper does not aim to solve the puzzle in its entirety, but to

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initiatives across the United States was nearly 64 percent, and 27 of these 28 measures were supported by over 55 percent of voters. Taken together, this evidence is suggestive that these are not issues over which legislators would be uncertain of the majority's opinion (Matusaka and McCarty, 2001; Hug, 2004).

assess the evidence for two theories that speak to our wider study of the institutional and behavioral determinants of policy responsiveness.

To test these two theories I combine evidence from district-level vote returns, donations activity, and legislative preferences. Using vote returns for initiative races, I calculate the “ideal” behavior of legislators assuming that they were to follow their districts’ majority preferences. I use these predictions to test whether successful initiatives are supported by only a minority of districts (even if they are supported by a majority of voters). I then isolate the political action committees (PACs) supporting successful ballot initiatives, and merge this information with financial contribution data from the Database on Ideology, Money in Politics, and Elections (DIME; [Bonica, 2016](#)), to compare the ideological distribution of their financial supporters to those of successful legislators. In total, I consider the support coalitions of 77 successful initiative campaigns and 13,500 legislators, calculated on the basis of nearly three million unique donors. Finally, I use small-n evidence from a survey of state legislators to probe directly how they consider policy areas addressed by initiatives in their states.

I do not find support for the theory of constituency-level representation. I demonstrate that, were legislators to vote according to the expressed preference of their district, almost all successful initiative policies should have been supported by a majority of politicians in the legislature. Instead, I find descriptive evidence that successful initiatives lie outside the political mainstream. Initiative voting is only moderately correlated with partisan voting in the same electoral cycles. Moreover, supporters of successful initiative campaigns are substantially more ideologically “extreme” than supporters of successful legislative candidates. Taken together, this evidence is consistent with broader theories of democratic responsiveness that emphasise the role political institutions and networks play in conditioning the responsiveness of legislators.

This paper also grapples with a political context that is particularly challenging to study

empirically. While we observe cases where legislators fail to act on majority public opinion (successful initiatives), we are unable to directly observe the relevant counterfactual – those initiatives that were not proposed because the legislature had passed the popular policy. Selection problems of this sort often pose serious inferential issues for research designs (Geddes, 1990). This poses a distinct limitation to inferences about this paper’s research puzzle. A more general contribution of this paper, therefore, is to highlight how these selection issues can be intrinsic to the area under study, and present an analysis strategy that allows for informative (descriptive) inference under these conditions.

More generally, this paper shifts our attention towards cases where we observe policy incongruence being resolved – cases where ballot initiatives succeed – and presents a new lens through which to understand the conditions surrounding policy incongruence and legislative intransigence. Given the consequential nature of direct democratic policymaking, not just in the United States but also across democracies worldwide (Qvortrup, 2014), these findings contribute to our knowledge of the complicated nature of democratic representation and policymaking in modern democracies.

## **1 Breakdowns in legislative responsiveness**

In this section I outline the research puzzle in more detail, before discussing two general explanations for breakdowns in responsiveness that would lead to successful initiative policymaking. I begin by assuming legislators are faithful delegates of their districts, and show how initiative policymaking may be a response to conflicting preferences across levels of state systems. I then suppose the opposite: that legislators go against the wishes of a majority of their constituents, and build on recent works to suggest a broader theory of legislative inaction based on the influence of policy networks and the “political mainstream”.

## 1.1 What's so special about successful initiatives?

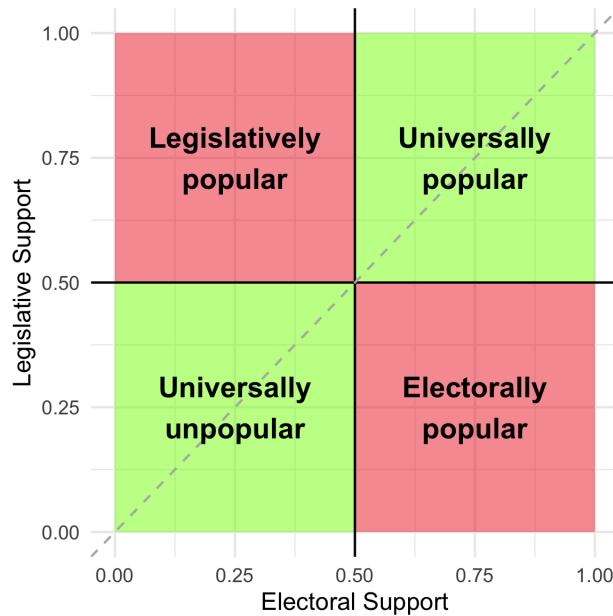
Sometimes legislators do not pass policies that a majority of the electorate want. In which case, the policy status quo is incongruent with the public's preferences. In systems where alternative modes of policymaking are available – as is the case with ballot initiative states – other political actors may seek to address directly this lack of responsiveness by placing legislation directly on the ballot for the electorate to enact. But why would legislators, who collectively represent this same electorate, not act on these policies prior to citizens initiating this process?

To refine this puzzle, consider the graph depicted in Figure 1, where policy support is disaggregated into electoral and legislative support respectively. The four quadrants indicate ideal types of policy proposals: universally popular policies favoured by both legislators and voters, those that are electorally popular but legislatively unpopular, universally unpopular policies, and legislatively popular but electorally unpopular policies. In a majoritarian system where elected representatives respond to the public's policy demands, all policy proposals should fall along the positive diagonal – either universally unpopular or universally popular. As a result, all policies with greater than 50 percent support in the electorate (and no others) should be passed into law by the legislature.

Policy incongruence occurs when policy proposals end up in either the top-left or bottom-right quadrant of Figure 1. “Legislatively popular” policies are those where legislators pass policies despite opposition from a majority of the public. These cases are not directly of interest here (no matter how interesting substantively) because they do not reflect cases where the legislature fails to act on a popular policy demand. Instead, the pertinent cases are those in the bottom-right quadrant – policies with a majority of electoral support, but where legislators are resistant to change. It is in this circumstance that ballot initiatives will likely succeed.

This puzzle is distinct from the separate but related question of “Why do initiatives suc-

Figure 1: Hypothetical forms of policy proposals disaggregating legislative and popular support.



ceed?”. Like any electoral campaign, there will be factors that influence the success or failure of particular campaigns. To answer this question, we would typically compare initiative policies located in the bottom-left and bottom-right quadrants.<sup>2</sup> This comparison is less informative for the present study because initiatives that fail are by definition unpopular. It is therefore not puzzling why legislators do not act on these proposals. The puzzle I consider in this paper conditions on majority electoral support for public policy, and therefore focuses on those instances where democratic responsiveness has broken down.

## 1.2 Conflicting levels of representation

Previous studies have focused on institutional features of the legislature that create gridlock intervals where the legislative body cannot converge. For example, [Boehmke, Osborn and Schilling \(2015\)](#) argue that, in the presence of super-majority requirements, pivotal legislators can hinder the passage of popular legislation even if a majority of the chamber

<sup>2</sup>There is an entire literature on understanding the drivers of initiative campaign success ([Gerber, 1999](#); [Smith and Tolbert, 2007](#); [Stratmann, 2010](#); [Figueiredo et al., 2011](#); [Adams, 2012](#); [Richards, Allender and Fang, 2013](#)).

support it. In turn, in states with the direct initiative process, proponents not restricted by these legislative dynamics can place legislation directly on the ballot to overcome legislative gridlock.

To date, less attention has been paid to how the nature of electoral representation might explain the use of initiative policymaking. In particular, where there are conflicts between district- and state-level preferences, policymaking outcomes in the legislature may not match the electorate's aggregate wishes. In state legislative elections, voters' preferences are aggregated into policy decisions via a two-stage process. First, smaller subsets of the state electorate each individually elect a representative. The body of elected representatives then formulates and votes on policy proposals. This process is in contrast to state initiative policymaking, where preferences are directly aggregated in a one-step process: each voter casts a single vote on the policy itself, and votes are aggregated statewide under a simple majority rule. If a majority of voters prefer the initiative policy it passes.<sup>3</sup>

When elected legislators decide policy, the two-step aggregation of preferences can lead to counter-intuitive outcomes when legislators faithfully represent their individual constituency preferences. Each legislator, when casting their vote, is not deciding whether the policy is commensurate with the state median voter but with their district median voter. If, in a majority of districts, the median voter is against some proposed policy then the legislature would not enact it. Nevertheless, in a minority of districts, a much larger proportion of voters may be for the policy and, more importantly, across the state as a whole there may be more voters in favour of the policy. Therefore, this same policy would pass by ballot initiative. In short, the responsiveness of the legislature to statewide opinion may be limited when preferences for and against policy change are unevenly distributed across electoral districts.

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<sup>3</sup>A small set of initiative-using states impose additional electoral constraints on initiative passage. In Florida, for example, constitutional amendments imposing a fee or state tax require two-thirds of voters to endorse it.



To illustrate this logic numerically, suppose a state has 10 electoral districts, each with 100 voters.<sup>4</sup> Three districts have large majorities in favour of the proposed policy - say, 80 percent. In the other seven districts, only 40 percent favour the initiative policy. With full turnout, 52 percent of the state electorate would be in favour of the initiative policy. With the same distribution of preferences, however, seven out of the ten legislators *should* vote against that policy, and therefore it would fail to pass the legislature. Most importantly, in doing so these seven state legislators are acting in accordance with their own constituents' median preference. In other words, individual legislators' responsiveness to their own constituency median does not entail the legislature itself will be responsive to the demands of the statewide median.

How preferences are aggregated can, therefore, impact legislative policy responsiveness at the state level, opening the door for initiative success. If support for a proposal is concentrated in relatively few districts, a majority of legislators may oppose policy change that is nevertheless supported by a majority of voters in the state. Successful initiatives, under this theory, would reflect those policies where support is concentrated in a minority of districts, despite a raw majority preferring the policy statewide.

This explanation is important when we consider that the distribution of preferences on political issues and legislative districting are likely to be related. Demographic and geographic features of the state constrain how districts are drawn, and evidence suggests that spatial issues like urban density are correlated with voter preferences (e.g. [Scala and Johnson, 2017](#)). Moreover, in the presence of partisan gerrymandering, districts may be drawn explicitly to include or exclude portions of the political community ([McGhee, 2020](#)), and thus affect how policy preferences are distributed (or concentrated) across districts. If this explanation holds, ballot initiatives would enable statewide policy responsiveness by overcoming the geographic restrictions of district-based representation in the legislature.

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<sup>4</sup>Note this argument does not rely on imbalances in population across districts. Of course, if the number of voters are unevenly distributed across legislative districts, the potential for incongruent state level outcomes increases.

### 1.3 The influence of policy networks and institutions

Suppose, however, that legislators' actions simply are not consistent with the (majority) preferences of their own constituents. In which case, it is not the conflict between district and statewide preferences that constrains policy outcomes, but rather that (some) legislators do not support what a majority of their voters want. Of course, there are many reasons why legislators may not act as "faithful" representatives of their districts' preferences. In particular, elected officials face a host of behavioral constraints on legislative action, including partisanship (Pereira, 2021a), conservative biases in their perceptions of voters' positions (Broockman and Skovron, 2018), interest group influence (Hertel-Fernandez, Mildemberger and Stokes, 2018), and legislators' own independent policy judgements and preferences (Pereira, 2021b). Each of these features can mediate the relationship between what constituents want and what legislators are willing to provide.

Common across these constraints is the idea that unequal exposure to different groups can bias legislators' perceptions about the public's preferences (e.g. Pereira, 2021b), in turn leading to a lack of responsiveness on certain policy areas. Experimental evidence demonstrates that politicians learn from each other, taking more interest in issues supported by members of their own party (Pereira, 2021a), and thus reinforcing partisan priorities. Legislators of both parties tend to overestimate their constituents' support for conservative policies, with suggestive evidence that this is driven by greater contact from Republican-leaning citizens (Broockman and Skovron, 2018). Legislators also acknowledge that their understanding of constituency opinion is informed by interest group contact (Hertel-Fernandez, Mildemberger and Stokes, 2018), and even directly solicit opinion from these organised groups (Henderson et al., 2021).

Taken together, these studies suggest a broader explanation of legislative responsiveness that would help explain why some policies pass via initiative rather than through the legislature. Put simply, legislators may not act on policies when support for these policies

lies outside the *political mainstream*: those actors, party institutions, and networks that regulate conventional policymaking. If a policy (even one with considerable support in the electorate) is not supported by actors within this community, legislators may simply not take up these issues, as a result of the pressures and influence of this network on the preferences and behavior of legislators. In turn, the intransigence of legislators to these policies may spur outsider policy entrepreneurs into action, and result in policy change via initiative policymaking. To expand on this explanation, I consider two particular class of actors of the mainstream community and their impact on legislative behavior: co-partisans and donors.

### **1.3.1 Party-conditioned behavior**

Parties and their members act to condition both the beliefs over public opinion (Pereira, 2021a), and the incentives to act on popular policy demands (Cox and McCubbins, 2005). When legislators prioritise issues supported by their co-partisans, other policy proposals popular with the public may go ignored. Moreover, parties themselves may deliberately use this policy learning mechanism in order to focus their party's agenda within legislative sessions, to ensure a consistent party line, at the expense of always being responsive to public opinion.

Moreover, inter-party polarisation has made parties' programs more distinct and increased hostility towards the opposition, reducing cooperation across party lines (Miller and Conover, 2015; Shor, Berry and McCarty, 2010; Aldrich and Battista, 2002). One consequence of this trend is that policies that do not easily align with the partisan dimension of conflict will be harder to pass in the legislature because they will require bipartisan action. This issue is reinforced when increasingly disciplined, homogeneous parties instill partisan priorities into their members that limit the willingness of individual legislators to work across the aisle. In short, partisan politics and party conditioning of legislative behavior may lead to legislative gridlock if a given (popular) policy's passage through the legislature would

rely on cross-party cooperation.

To make this logic clearer, consider a specific issue dimension,  $D_I$ , and the dominant partisan dimension of conflict  $D_P$ . The correlation between voting along these two dimensions,  $\rho$ , ranges between 0 to 1 (in absolute terms). Let us also assume that there are two parties in the legislature – Party A and Party B – and along  $D_P$  the rightmost legislator in A is to the left of the leftmost legislator in B. The two parties in other words are polarised - mirroring contemporary legislative dynamics (Barber and McCarty, 2015; Thomsen, 2014; Andris et al., 2015; McCarty, Poole and Rosenthal, 2016).

If  $\rho = 1$ ,  $D_I = D_P$  and legislators in Party A and Party B are perfectly divided on the issue. In which case, the passage of a policy proposal on dimension  $D_I$  will depend on which party is in power.<sup>5</sup> As  $\rho$  approaches 0, however, the extent to which  $D_P$  determines  $D_I$  diminishes, and as a consequence we would expect the composition of support coalitions across this dimension to be comprised more equally of members of Party A and B. If  $\rho$  is low for a given issue, then the legislative coalition behind this support is likely to be bipartisan. These policies will not be enacted by the legislature, even if a raw majority of legislators favour the policy, when legislators are deterred from bipartisan action (either implicitly through policy learning or explicitly through threat of sanction). If that policy is popular with the public, however, these sorts of issues may pass by the ballot initiative process.

### 1.3.2 Donor-conditioned behavior

Outside of party institutions, political donors are a key feature of the political mainstream. Like parties, donors may condition behavior by shaping their beliefs over public opinion or by offering or withholding financial resources. When legislators perceptions of the median voter (or public opinion more generally) are skewed, then they may endorse unpopular

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<sup>5</sup>Absent electoral issues discussed in Section 1.2, when  $\rho = 1$  we would expect the majority party to share the preference of the electorate and enact the policy via conventional legislative policymaking.

proposals or fail to pass policies actually preferred by a majority of their voters. Under this form of influence, legislators are not intentionally going against the will of the public, but rather wrongly perceive the majority's preference in part due to interest group contact (Hertel-Fernandez, Mildenerger and Stokes, 2018).

Donor influence may also be more overt. Dependent on donations to finance their campaigns, politicians may discount the preferences of the majority in favour of their donors (Barber, 2016). In other words, if legislators prioritise the interests of donors, then legislators may oppose certain policy positions even if they are electorally popular (Francia et al., 2005; Hill and Huber, 2017; Page and Gilens, 2017; Klüver and Pickup, 2019). In this case legislators may know the electoral popularity of a policy, but deliberately override these demands where they conflict with the donors upon whom they rely for campaign resources.

In short, the influence of donors in the mainstream political community may contribute to policy outcomes being out of kilter with public preferences. Popular policies that do not pass may be those that are, in part, not supported by donors within the mainstream policy community. As with the influence of party institutions, when legislators ignore popular policy demands then outside entrepreneurs may seek to pass these ballots via initiative.<sup>6</sup>

## 2 Inference and observable implications

Testing these theories poses an interesting methodological and empirical challenge. When policies are enacted by the legislature, the electorate never votes on them.<sup>7</sup> By dint of their legislative support, we never observe these policies on the ballot. Conversely, we observe

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<sup>6</sup>Nothing about this claim precludes popular policies being defeated in a ballot initiative election. The same donors influencing legislators may construct advocacy campaigns to oppose an initiative's passage, altering public opinion in the run up to an election. For example, Rogers and Middleton (2015) show using a field experiment that two initiative campaigns would likely have been successful had advocacy campaigns not run against them.

<sup>7</sup>Absent polling on individual bills, it would not be possible to distinguish universally popular legislative bills from those that are simply "legislatively popular".

successful initiative proposals when legislators vote down, refuse to advance, or even fail to consider a popular policy. Therefore, we face systematically missing data when we compare across these policymaking venues.

Put another way, the ideal comparison is between successful initiatives and that set of initiative policies that are *not* posed on the ballot because legislators have already acted on the public's preferences. This comparison would distinguish observations of the same type (initiative policies), but which differ in terms of legislative support. These latter cases, however, are entirely counterfactual. They represent what *would* have been proposed on the ballot, *had* the legislature not already resolved any policy incongruence with the public's majority demands.

Given this systematic absence of data, we should rightly be concerned about inferences made on the basis of observed cases alone, or "selecting on the dependent variable" (Geddes, 1990). In particular, selection issues are problematic when we think there are alternate and *plausible* hypotheses commensurate with the observed data in which the proposed mechanism has no effect. In other words, features that appear common to successful initiatives may be causally inert if they are also present in the unobserved "unproposed initiative" cases. Of course, this is not possible to verify when a systematic portion of the data is unobserved, and thus limits the scope of inference.

Despite this challenge, there are still two useful ways that we can use data on observed, successful initiatives to understand why direct democracy is successful in representative systems. First, evidence from the observed cases may be sufficient to *falsify* a hypothesis. Suppose we theorise that legislators refuse to consider religious issues, and so initiatives succeed when a popular policy has religious content. Having surveyed all successful initiatives, if we find none with religious content then this theory is likely false even though we cannot check whether unproposed initiatives are those that do not contain religious content. Therefore, strong evidence against a hypothesis from the observed cases may be

sufficient to discredit a theory even in the presence of selection issues.

Second, in cases where we cannot reject a theory, the analysis is limited to descriptive inference over the subset of cases we observe. We can identify, for example, that initiatives tend to be on religious topics, without claiming this proves a theory about religious policymaking. This limitation does not preclude recovering useful information on these cases, and can provide evidence in favour of a theory without claiming to have “rejected the null.” In doing so, the researcher can make useful caveats about the scope of the inference that can help guide future studies.

## 2.1 Empirical expectations

With these challenges in mind, we can generate specific expectations over successful initiatives from the two theories outlined in the previous section. For each, I outline the expectation over observed cases, as well as the conditions under which the theory would be falsified by this data alone.

If electoral districting constrains legislative responsiveness on some policies, then this leads to a straightforward and clear expectation:

*Policy is passed by ballot initiative when, despite a majority of support statewide, a majority of legislative districts prefer the status quo.*

In this instance, since a majority of districts are against the policy, legislators individually following their constituents’ median opinions would be “right” not to act on the proposed policy.

To falsify this theory, we would conversely expect successful initiatives to be supported by a majority of statewide voters and a majority of legislative districts. A strict test of this theory would require information on legislation passed via the legislature too – if legislators pass items of legislation despite a majority of districts being against the proposal

(holding constant majority statewide support), then this theory would not explain why some issues are ignored by legislators.

Under the behavioral theory, I disaggregate the expectations for two important sets of actors that make up the mainstream policy community. First, regarding the partisan influences on legislative action, I expect that:

*Successful initiative policies are not aligned with the main partisan dimension of conflict.*

If legislators are constrained by party institutions that prioritise partisan policymaking then we would expect popular policy passed by initiative to be those that lie off this dimension. Similar to the expectation regarding electoral districting, finding that successful initiative policies align strongly with the initiative proposal would be evidence against the theory. Verifying the wider theory is harder because, implicitly, this expectation is comparative: policies passed by the legislature should be (more) aligned with the partisan dimension of conflict. While we can present supportive evidence to bolster the theory, it is important to note that since ballot initiative and legislative policymaking are not directly comparable this limits the type of inference we can make.

In addition to this partisan behavior, we would also expect differences in which donors support successful ballot initiatives:

*Successful initiatives are not supported by the same (type of) donors as successful legislators.*

If legislators act according to the will of their donors, then we would be more likely to see action on issues supported by those donors, and less likely to see action on those issues not supported by them. As a consequence, policy passed via the initiative process should reflect issues that legislators' donors are not supportive of (and therefore do not donate to). Hence, the support coalitions for legislators and successful initiatives should differ.



Finding that donors to successful initiatives are similar to those that support legislators would be evidence against this theory. Implicitly, this expectation also implies that policies passed by the legislature are (more often) supported by these donors. Unlike in initiative races, it is not possible to systematically tie donation activity to support for specific policy proposals in the legislature. Crucially, therefore, any empirical evidence must be treated as descriptive. If support coalitions differ this is indicative evidence in support of the theory but does not constitute a verification of it.

### **3 Empirical evidence: district-level preferences**

In this section, I use district-level voting data to test our expectations for both theories advanced in Section 1. Data were collected from the Secretary of State websites for all states where initiative voting returns could be recovered at the legislative district level.<sup>8</sup> As a result, I consider all initiatives held between 2000 and 2016 across six states with the initiative process – Alaska, California, Colorado, Massachusetts, Ohio, and Washington. These states vary in terms of legislative control (Republican, Democratic and split control) and are geographically diverse. In four of these states (Alaska, Colorado, Ohio and Massachusetts), district level data was not directly available but could be computed from precinct-level returns. I also record the corresponding two-party Democratic vote share for the same geographic areas.

#### **3.1 District-level support for ballot initiative policy**

I calculate each *district's* level of support for each initiative proposal. I then record whether each respective legislator should have voted in favour of the legislation dependent on whether a majority of their constituents approved the policy (coded as “1”, otherwise

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<sup>8</sup>In most initiative states, electoral returns for statewide races like initiatives are typically reported by state counties. It is typically not possible to calculate district vote breakdowns from county data alone since a single legislative district may overlap portions of two (or more) counties.

“0”). The mean ideal response is the proportion of legislators who should have voted in favour of the initiative had the initiative been posed as a bill within the legislature.<sup>9</sup>

Figure 2 plots the results graphically against the statewide vote share each initiative received. If the theory holds we should observe successful initiatives occupying the lower-right quadrant of the voting space. In other words, while a majority of voters within the state favoured the initiative over the status quo, a majority of district median voters did not. In which case, a majority of legislators (acting faithfully on behalf of their constituencies) should have voted against the hypothetical bill (had it been posed on the floor).

The results across all six states overwhelmingly suggest this theory does not explain legislative resistance to some popular policies. Every *successful* initiative bar one (N = 90) across the six states would have had more than 50 percent support in the legislature had each legislator faithfully represented their district median voter. In fact, given the steepness of the trend line it is clear that the aggregation of electoral preferences works near perfectly. As electoral popularity increases, ideal legislative support rises at a ‘faster’ rate. By about 65 percent electoral popularity, we should expect the legislature to be near unanimous in its approval of the policy proposal.

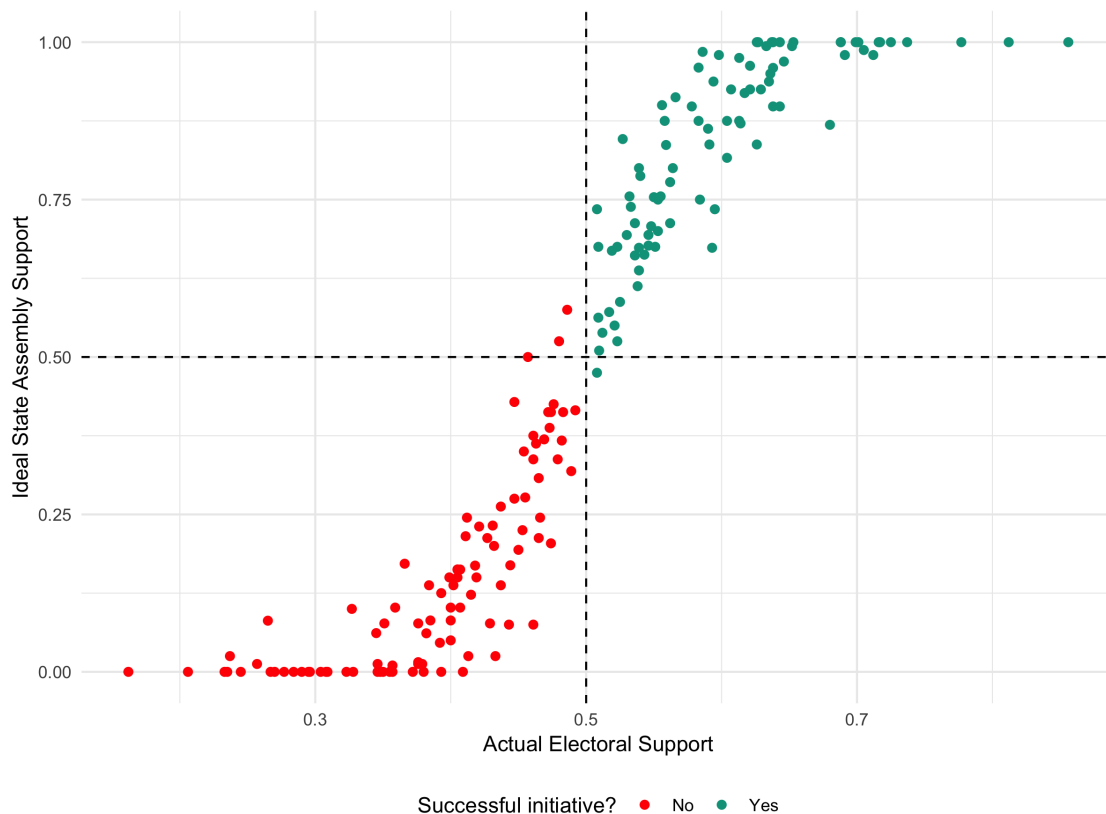
Consistent with the pattern for successful initiatives, those issues that lack majority support in the electorate also lack a majority of ideal support in the legislature, for all but two initiatives (both in California) while one further Californian initiative would command exactly half of the legislature’s support. Despite the apparent majority of ideal support in the legislature, representatives evidently did not pass these bills, since each ended up on the state ballot.

These findings are robust to more risk-averse assumptions about legislative behavior. If

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<sup>9</sup>I present results for the ideal behavior of the lower chamber alone. For the states in question, with the exception of Massachusetts, the upper chamber districts are made up of two or more lower chamber legislative districts. The difference between the chambers is typically, but not always, the length of legislative term. Given the strength of findings for the lower chamber, and for the sake of brevity, I do not address bicameral issues in this paper.

Figure 2: Comparison of the ideal support within the legislature to actual support in the electorate for initiatives.



194 initiatives are examined in total. Ideal support is calculated as the proportion of legislative districts that voted in favour of the initiative proposal. Green (red) points indicate initiative proposals that received more (less) than 50 percent of the statewide vote.

we suppose that legislators abstain when their district’s support for an issue is marginal (operationalized as a vote share less than 52.5 percent), the results are unchanged. We observe no cases where an initiative is electorally popular but legislatively unpopular. If legislators vote against rather than abstaining on any marginally popular policies, six successful initiatives are pushed into bottom-right quadrant that reflects electorally popular but legislatively unpopular policy.<sup>10</sup> Hence, there are a small handful of cases where we would expect the legislative outcome to diverge from the initiative outcome. These cases only occur, however, when we impose conservative criteria about legislative behavior. The vast majority of initiatives should still receive a majority of support in the legislature.

<sup>10</sup>Both of these results are reported in Appendix Section A.

The correlation between ideal legislative support and popular vote shares is so strong that despite the absence of counterfactual cases the likelihood of the full hypothesis is very low. In fact, since all but one successful initiative had a majority of support from legislative districts, the full hypothesis would only hold if every unproposed initiative had both majority statewide and district support. Only in that case would it be true that successful initiatives had more concentrated support. Even then, however, the difference would be negligible and insubstantial.

These findings therefore suggest that popular policies do not end up on the ballot because preferences for change are unequally distributed across legislative districts. The almost perfect clustering of successful initiative cases within the upper-right quadrant of Figure 2 is strong evidence against the institutional theory advanced in this paper, and we can therefore reject it.

### **3.2 Partisan dimension of conflict**

We can also use the district-level voting data to assess how well initiative policies correlate with the partisan dimension of political conflict. Greater alignment would suggest the policy issues are consistent with the partisan nature of legislative policymaking. To do so, I regress the precinct/district level vote shares for initiatives on presidential vote shares in the same election. Presidential elections are highly salient, partisan contests that activate first-dimension, liberal-conservative political values. If successful initiative policies are those that lie off this dimension (as detailed in Section 1.3.1), then we would not expect to observe substantial correlations between presidential vote choice and ballot initiative support (or opposition).

As above, I look at all initiative elections held in the same six states, except I only take the subset that occurred in presidential election years (N=110). For each initiative, I regress the precinct/district presidential vote share (the smallest unit available) on the initiative

vote share:

$$V_{ij} = \alpha + \beta \times \text{Dem}_j + \epsilon_{ij},$$

where  $V_{i,j}$  is the vote share in favour of initiative  $i$  in precinct/district  $j$ , and  $\text{Dem}_j$  is the two-way Democratic vote share (versus Republicans) in the presidential election in the same area.<sup>11</sup> I include unsuccessful initiatives for reference purposes.

57 of 59 successful initiatives exhibit a statistically significant relationship between Democratic presidential vote share and the initiative vote share (overall, 101 of the 110 initiatives have a statistically significant relationship). Figure 3 plots the interquartile ranges and median value for both successful and unsuccessful initiatives' absolute beta coefficients (excluding non-significant results).

Despite the statistical significance of these results, the median absolute value across successful initiatives is 0.41.<sup>12</sup> Voter's decisions on initiatives appear to partially covary with Democratic presidential candidate vote shares. Most successful ballot initiatives have a correlation between 0.25 and 0.6, which is suggestive that, while voting across initiative and presidential elections are not like-for-like, some portion of voters' behavior correspond to the partisan dimension of conflict.

We may also want to gauge how significant the correlations are compared to other types of political races. It may be that no race correlates very highly and therefore the observed coefficients are near the top of the plausible range. In other words, do other overtly partisan races exhibit much higher correlations with presidential voting? Finding a consistent comparison race across states and electoral cycles is beyond the scope of this paper. There is, however, some suggestive evidence from individual races.<sup>13</sup> In Washington state, for in-

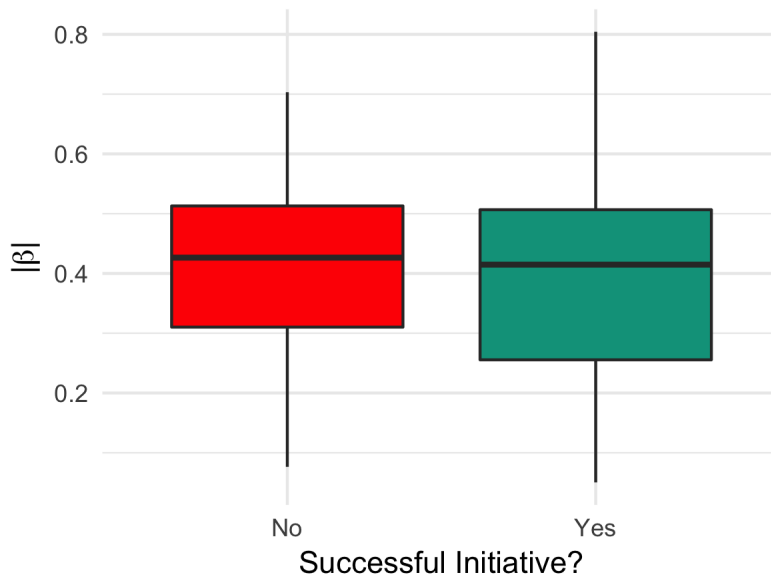
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<sup>11</sup>I note that there is some potential for an ecological inference fallacy here. There is no guarantee that as the absolute number of voters correlate, that it is the same voters across the two contests. The evidence presented here is purely descriptive, and inferences from these relationships should be treated with appropriate caution.

<sup>12</sup>The median absolute size of the beta coefficient for unsuccessful initiatives is very similar at 0.43, with a narrower interquartile range.

<sup>13</sup>Not all state legislative seats are contested, senate and gubernatorial races are staggered across cycles

Figure 3: Boxplot of initiative-specific bivariate regression on Democratic presidential vote share.



stance, the correlation between voting for the Lieutenant Governor and the president had a regression coefficient of 0.89 – higher than any initiative correlation and almost double the median. While we cannot generalise from a single datapoint, this does at least suggest that initiative correlations are reasonably moderate since partisan correlations nearing 1 are feasible and observed.

## 4 Empirical evidence: campaign donors' ideology

To explore donor support across policymaking venues, I compare the ideology of donors to successful initiative campaigns to that of the financial backers of seated legislators. I use the ideological position of donors to legislators as an indication of where the mainstream policy community lies. These are the donors who support and fund the activities of “conventional” legislative policymakers. I show that, in ideological terms, the financial support coalition behind successful initiative campaigns differs substantially from those of successful candidates. The large majority of successful initiatives have support coalitions in different states, limiting the ability to generate comparable data.

that are, on average, more “extreme” than of either legislative party.

## 4.1 Data and case selection

Between 2000 and 2012 (for which the relevant data is available), 148 *successful* initiatives were passed across all states that have the initiative provision.<sup>14</sup> These initiatives cover a wide range of issue areas, as summarised in Figure 4.<sup>15</sup> For each campaign I used the respective Secretary of State website and PAC listings in NIMSP to generate a list of supportive political action committees for each successful ballot initiative. I merge this data with ideal point estimates of campaign finance donors (Bonica, 2014) to assess the relative distribution of ideological support for successful initiatives and legislative candidates within the same electoral cycle. For each supportive PAC, I generate a distribution of donors’ ideological positions. In total, this data captures 94,289 initiative donors who gave a cumulative 152,241 times.

I compare these initiatives to the relevant state-cycle subsets of the 13,506 successful legislative candidates who ran for state legislative office in the same time period and states – including both lower and upper chambers. For each legislator I include all donations made by individuals to their respective candidate PAC. In total, this legislative set of ideology estimates captures 2.9 million contributors who made 3.8 million donations collectively to successful legislative candidates.

All ideological estimates – common-space campaign finance scores (CFscores) – are taken from the Database on Ideology, Money in Politics, and Elections (DIME), which contains contribution-level data for state and federal level campaigns between 1979 and 2014.<sup>16</sup> The

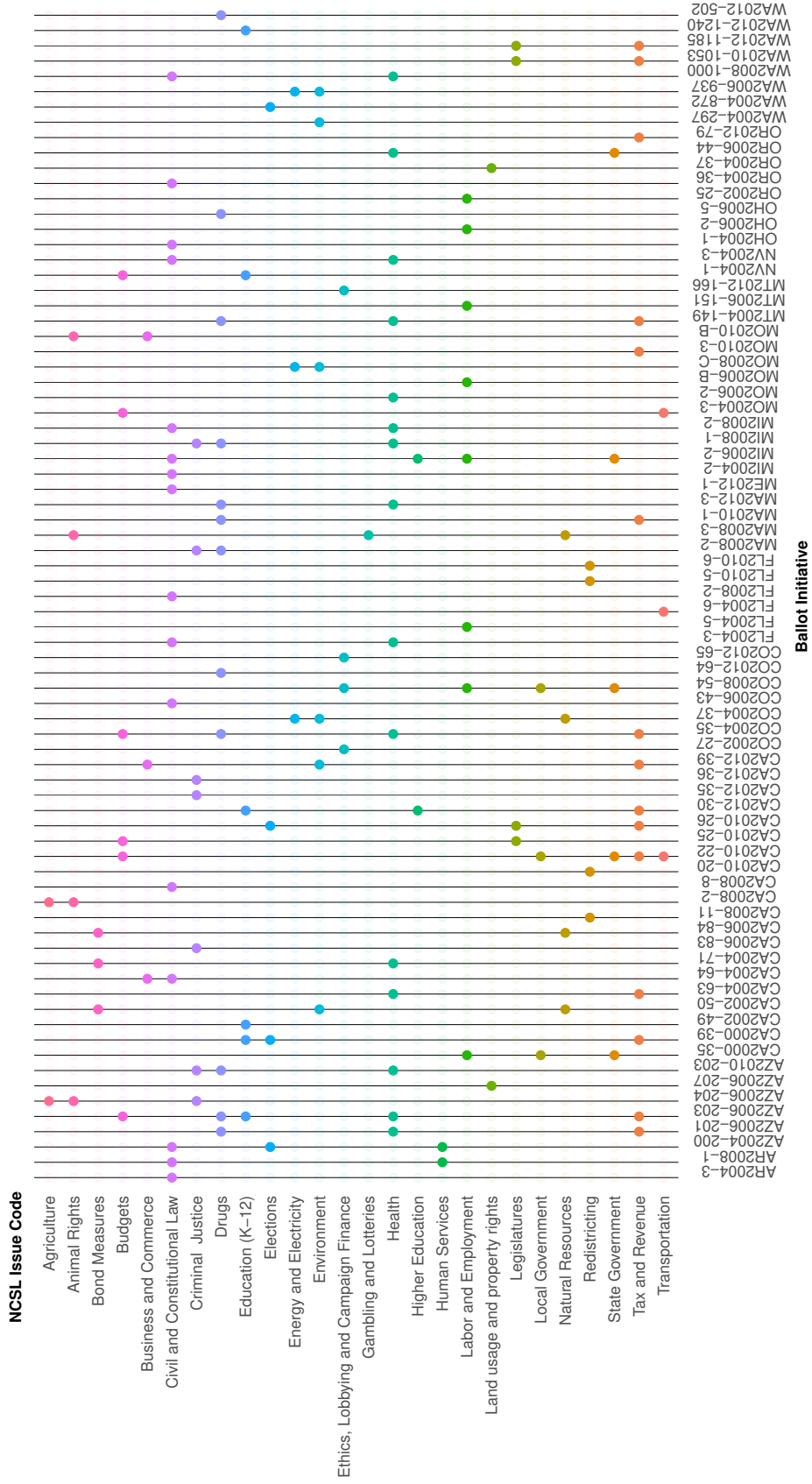
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<sup>14</sup>This section focuses solely on successful political campaigns - that is, candidates who are elected to state legislative office and initiatives that pass the ballot. Failed initiatives represent cases where legislators were right not to act since initiative proponents misjudged the majority preference of the electorate.

<sup>15</sup>Initiative topic areas are taken from the National Conference of State Legislatures’ initiative database. For further analysis, see Online Appendix B.

<sup>16</sup>In particular, I leverage the state-level subset of this database which draws data from the National Institute for Money in Politics (NIMSP) ballot measure database available at <https://www.followthemoney.org/tools/ballot-measures/>.

Figure 4: The (multiple) policy topics covered by ballot initiatives in the donor data analysis





CFscore assesses ideological similarity based solely on donation activity. Donors who donate to the same political entities (candidates or PACs) are assumed to be ideologically similar. The CFscore is highly correlated with existing ideal point estimation techniques for legislators yet the universe of estimated positions is much larger (Bonica, 2014).<sup>17</sup>

Out of the 148 initiatives that passed in this time-period, I was able to isolate the key support groups for 124 campaigns. The missing 24 cases lacked donor or PAC information on both the respective state repository and NIMSP. This missing data can largely be attributed to initiatives held earlier in the time period, where records have not been digitised. The DIME database also lacks donor data for some initiatives held earlier in the time period: for instance the database does not include any records for Washington ballot initiative PACs in the 2000 and 2002 general elections, for instance.<sup>18</sup> Finally, the number of unique contributors to each initiative campaign varies substantially.<sup>19</sup> To ensure my results are meaningful, I exclude those initiatives with less than 40 unique contributors, leaving 77 initiative campaigns in the dataset.

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<sup>17</sup>The CFscore has come under criticism for deriving candidate point estimates from donors who are unrepresentative of the voting population (Hill and Huber, 2017). This criticism does not affect the analysis in the present study. First, and most importantly, even if the point estimates are not accurate (relative to the American population), that should not impact the relative position of CFScores vis-a-vis initiative and candidate campaigns. I can still analyse and draw meaningful conclusions from the *relative* position of support coalitions. Second, there are *prima facie* reasons to think that ideal point estimates *should* focus on donors. Donors to political campaigns are predominantly individuals and not corporations (Barber, Canes-Wrone and Thrower, 2017). This subset of the electorate are active participants in political contests (Ansolabehere et al., 2003), who use financial contributions to support candidates and campaigns within electoral races, and whose support impacts both campaign and legislative behavior.

<sup>18</sup>Ballot initiative PACs often do not need to be registered specifically to a single campaign, since initiatives are submitted by a chief petitioner. Thus, multiple committees may register in favour of an initiative proposal. I include all committees registered in support of an initiative. Moreover, committees may register in support of multiple campaigns. In these cases, donors to these PACs are not explicitly supporting a single issue. I include these PACs since I assume that donors would not donate if they were opposed to the passage of a specific initiative, and that said PACs act based on the interests of their donors.

<sup>19</sup>Those with very low numbers of contributors represent cases either where financial disclosure was poor, where campaigns were funded solely by single individuals/groups, or where campaigns were financed other than through PACs (such as independent expenditures). These reporting leakages are a potential limitation of this analysis, but are broadly unavoidable.

## 4.2 Are successful initiatives supported by donors outside the political mainstream?

**Distributions of support.** To compare the distribution of support for successful initiatives and legislators, I generate non-cumulative kernel density plots for each initiative and the two corresponding state legislative parties. For instance, Figure 5 demonstrates the relative densities of support along the ideological axis for initiatives held in Florida. In both Figure 5, and across the entire set of initiatives considered in this paper, the vast majority of initiatives exhibit support clustered around a distinct region of the ideological axis, with limited diffusion of ideological positions.<sup>20</sup>

I classify the position of initiatives dependent on relative position of the initiative's mean ideological support *vis-a-vis* the mean support for both parties. "Left" ("right") positions indicate those initiatives whose mean ideological support is more liberal (conservative) than both party means. Since both positions lie outside the interval between the two parties, "left" and "right" initiatives are also "extreme". Initiatives with mean ideological support between the parties are labelled "centrist". Table B1 in the Appendix reports the mean ideological position of support for each ballot initiative, as well as a brief description of the bill's content.<sup>21</sup> The position column refers to whether the mean ideological support of the initiative is to the 'Left' of the Democratic Party, 'Right' of the Republican Party, or in the 'Centre' between the two party distributions.

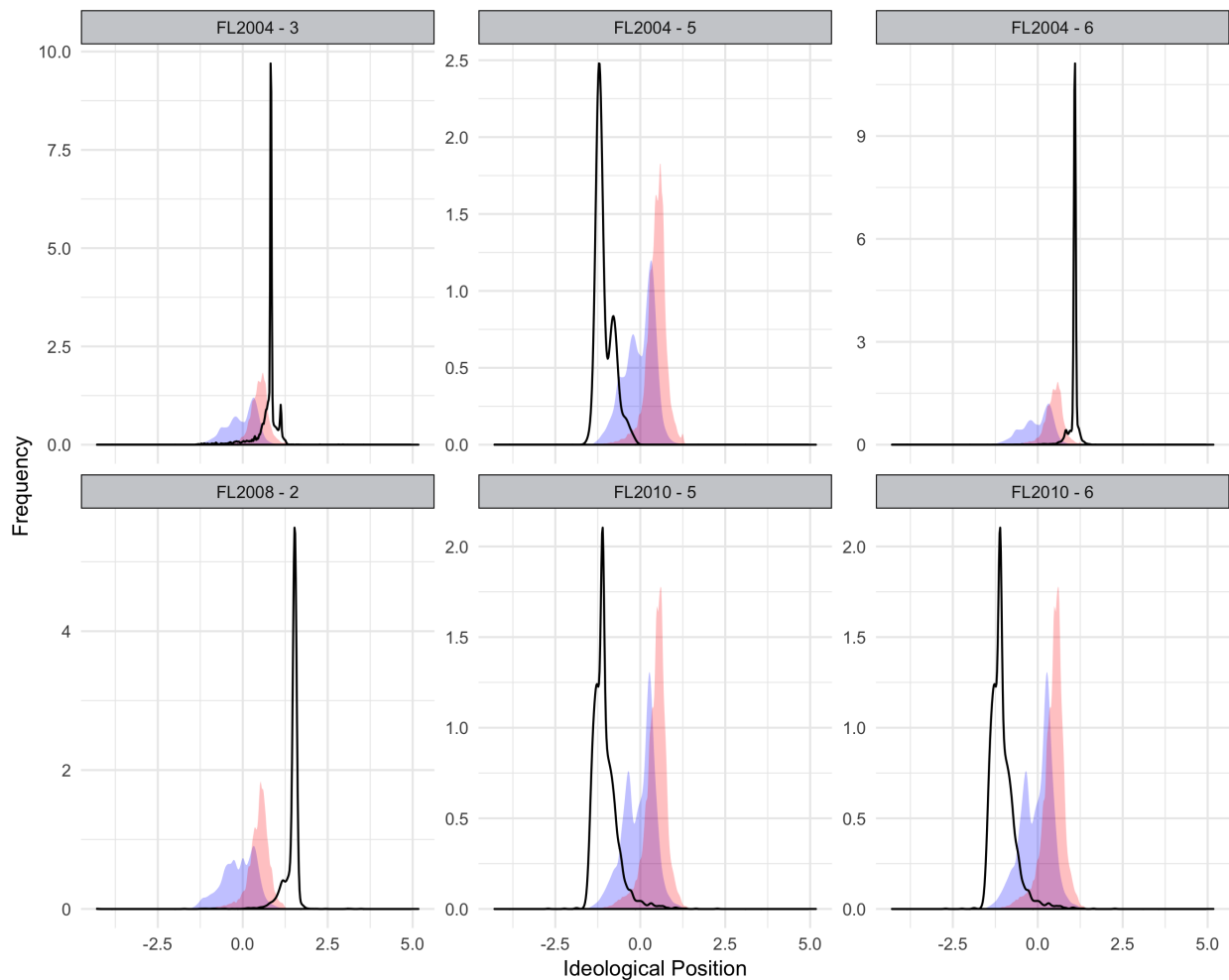
Figure 6 summarises the distribution of the relative positions of initiatives. Initiatives succeed at all three relative positions, but a clear majority of initiatives are "extreme". Collectively, 77 percent of initiatives have a mean ideological score that is greater (in absolute terms) than the closest party mean. These "extreme" initiatives (in relative terms) are like those displayed in Figure 5 where the ideological support for each initiatives lies predom-

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<sup>20</sup>A full set of kernel density plots for each state are available in Online Appendix E.

<sup>21</sup>Descriptions adapted from information provided by the National Conference of State Legislatures' ballot measures database available at <http://www.ncsl.org/Default.aspx?TabId=16580>.

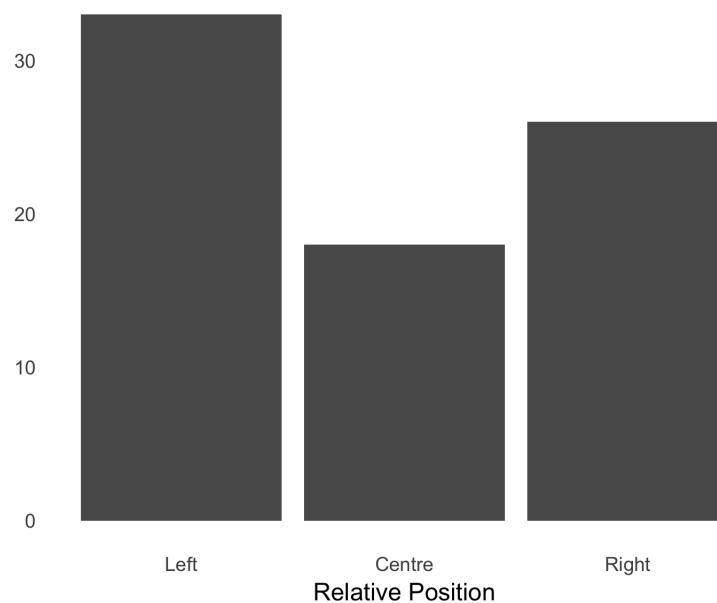
Figure 5: Kernel density plots of the ideological distribution of financial donors to initiatives held in Florida, compared against the respective support for both parties for the corresponding electoral cycle.



inantly outside the respective distributions for both major parties. Indeed, this imbalance of extreme initiatives is found within each state, and for all but the 2000 electoral cycle where data is more sparse (see Table B3 in the Appendix.) In Appendix Table B4 I also show that this pattern occurs within social, economic, and governmental issue areas. For social and economic issues, most initiatives are further left than the Democratic Party but governmental issues (policies that determine how politics is conducted) tend to be right-leaning.

Initiatives labelled “extreme” are substantively further to the left or right than either party.

Figure 6: Histogram of the relative position of initiatives compared to the legislative parties.



On average, extreme initiatives are 1.2 standard deviations (in terms of the party distribution) away from the legislative support of the closest party. These measures are therefore much closer to the extremes of the ideological dimension than are the two respective parties. This is a non-trivial finding: successful initiatives that command majority support in the electorate often have a support base that is substantively more extreme along the ideological dimension than that for either party.

To compare the distributions of donors' ideology between initiative and successful party candidates further, I run Mann-Whitney two-sample U-tests to determine whether these ideological values are drawn from the same population distribution (Lewis-Beck, Bryman and Futing Liao, 2004). This nonparametric test assesses the likelihood that a randomly selected CFscore from one distribution is higher than a randomly selected CFscore from the other. The resultant p-value corresponds to the null hypothesis that the two distributions of ideological support are identical. Full results can be found in Appendix Table

## B2.<sup>22</sup>

These tests show that initiative and legislative party support are drawn from separate distributions. We can reject the null hypothesis that the ideological support for initiatives is distinct from both parties in 71 out of 77 cases. Overall, not only are the vast majority of initiatives statistically distinguishable from support for the two parties respectively, but the statistical confidence in these results is high too. Even after Bonferroni-adjustments,  $p < 0.001$  for 144/154 tests. In general, therefore, support for initiatives are drawn from distinct bases of ideological support relative to those of the two legislative parties.

### 4.2.1 Robustness tests

**Projected donors and CFscore confidence.** The CFscore metric relies on the shared donation history between donors. Individual point estimates in turn rely on the number of donations that each separate donor makes across the pooled universe. As a consequence, the greater the number of distinct donations to different campaigns made by an individual, the greater our confidence in the ideological point estimate of that actor. Individuals who make a single distinct donation – that is, to one candidate only across the entire donor universe – are excluded from the scaling, and only reintroduced through projection. These donors are assigned the ideological score of the candidate or group to which they donate.

This projection is potentially problematic. While a donation to a liberal Democrat might indicate that that donor is also a left liberal, projection assumes their ideologies are exactly the same when in reality there might be substantial divergence. Projected donors pose a robustness problem if they substantively impact the categorisation and distance measurement of support for legislative and initiative campaigns alike. Conventional confidence intervals of the individual ideological positions are not possible since the scaling

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<sup>22</sup>Since the number of pairings between the two groups is large, the reported p-values are calculated using a normal approximation. Moreover, running 154 separate Mann-Whitney U-tests (77 initiatives compared against the two parties separately) increases the likelihood of Type-I errors through multiple comparisons. I therefore report corrected p-values using the Bonferroni adjustment (Sedgwick, 2014).

algorithm used to determine the score relies on the *non-independence* of observations. To test the robustness of my findings, therefore, I reran my analysis imposing increasingly stringent restrictions on the number of distinct donations required to be included within the analysis - a minimum of two, four, and eight distinct donations respectively (similar to tests in (Hill and Huber, 2017)).

Table 1 summarises the results of these robustness checks. As in the main analysis, I do not consider any initiative where the total number of donors is below 40. Therefore, there are fewer initiatives considered as the stringency increases. The average extremeness of measures is stable as the stringency of the exclusion criteria is increased - increasing slightly from 77 to 82 percent over the four specifications. There is a slight decrease in the average distance (in standard deviations) as the stringency of inclusion increases, but the average extremity remains around one standard deviation away from the closest party. Overall, this test suggests that projected donors are not unevenly distributed between centrist and extreme positions, which would result in larger shifts in the number of extreme initiatives relative to centrist ones. If anything, including projected donors is a more conservative estimate of this ratio. Full initiative-level results are reported in Table C1 of the Online Appendix.

Table 1: Robustness test: comparison of SD distances for extreme measures.

Minimum donations	Distance ( $\sigma$ )			No. of extreme initiatives	Extreme %
	Min.	Max.	Mean		
$n \geq 1$	0.019	5.355	1.269	59	0.766
$n \geq 2$	0.006	4.525	1.058	59	0.787
$n \geq 4$	0.075	2.32	0.975	54	0.783
$n \geq 8$	0	2.524	0.96	53	0.815

**Bootstrapped means.** The distribution-test results are also robust to a direct comparison of means, as opposed to Mann-Whitney U-tests. In Online Appendix Section D I report difference-in-means estimates between the initiative and legislative positions using bootstrapping. The results are substantively unchanged.

### 4.3 Correlations with party control of the legislature

As a final test, I merge the initiative-level donor data with information on state-level party control taken from [Caughey, Warshaw and Xu \(2016\)](#) to inspect any correlation between the direction of initiative support and party control of government.

Table 2 reports the relative position of successful initiatives by party control of the state legislature in the same year (the legislative session prior to the November election). A chi-squared test of the two categorical variables fails to reject the null hypothesis ( $\chi^2 = 1.91$ ,  $df = 4$ ,  $p\text{-value} = 0.75$ ).<sup>23</sup> This association is similarly weak if you aggregate initiative positions into a binary measure of extreme or centrist support ( $\chi^2 = 1.45$ ,  $df = 2$ ,  $p\text{-value} = 0.48$ ).

Table 2: Legislative control and initiative position.

Initiative Position	Legislative Control		
	Democrat	Republican	Split
Left	13	14	6
Centre	10	6	2
Right	11	9	6

Initiative proponents appear able to build majority coalitions at the relative fringes of the ideological spectrum regardless of party control within the state legislature. There is however some suggestive evidence that successful initiatives tend to be supported by donors who moderate *away* from the majority party's position. In 65 percent of cases, successful initiatives' mean ideological support is to the right of the Democratic party in Democrat-controlled legislatures, and *vice versa* ( $p < 0.05$ ).<sup>24</sup> This finding perhaps suggests that majority party's control of agenda-setting procedures precludes convergence on median electoral preferences that are towards the other side of the ideological spectrum, although

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<sup>23</sup>As a directional test of association, I also run a Goodman-Kruskal tau test to check for the presence of an asymmetric relationship between the two variables. In both directions, there is no substantive correlation between state legislative control and the relative position of initiatives ( $\tau_{xy} = 0.012$ ,  $\tau_{yx} = 0.011$ ).

<sup>24</sup>Ignoring cases of split legislative control, I do not find evidence of a systematic liberal bias to initiative support, which might be expected if legislators are conservatively biased ([Broockman and Skovron, 2018](#)). 33 of 63 cases exhibit more liberal-leaning supporters ( $p > 0.8$ ).

future work would need to test this mechanism in more detail.

In summary, the financial support bases for successful initiatives and candidates are, in almost all cases, ideologically distinct. Moreover, robust to specification changes, a large majority of successful initiatives have, on average, more ideologically extreme donors than do the respective state legislators of each party. The observed differences in mean ideological position are substantial and suggestive of differences in the underlying support coalitions for issues that have to be passed by initiative. In other words, we do find evidence from the donor data that successful initiatives draw their support from donors outside the mainstream policy community. Moreover, there is some suggestive evidence that successful initiatives have support coalitions that mediate towards the direction of the minority party.

## 5 Empirical evidence: Surveying state legislators directly

The evidence considered in Sections 3 and 4 assesses the theories on the basis of observable behavior of voters and donors. These data do not allow us to directly assess the motivations behind legislators' apparent intransigence towards certain popular policies. To do so, I conducted a small survey on state legislators to test their attitudes on the initiative process and its role vis-a-vis the legislature. All state legislators in Arizona, California, Massachusetts, Oregon, and Washington were contacted at their official legislative email address and asked to complete a short structured survey. Given the likely policy knowledge of staffers close to state legislators, I indicated that senior legislative staffers could respond on behalf of their representative. In total, 27 legislators responded to these invitations.<sup>25</sup> Limits to the generalisability of this evidence go without saying. I use these structured responses as a qualitative complement to the analysis in the rest of this paper.

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<sup>25</sup>The response rate was 5.4 percent, which is in line with similar studies (e.g. Hertel-Fernandez, Miltenberger and Stokes, 2018), but the size of the population is much smaller in this case. Informed consent was obtained at the beginning of the survey, and respondents were not paid for their participation.



Legislators were asked to indicate their level of agreement with respect to five statements about the initiative process and when it is best used. Over 60 percent of respondents agreed that ‘there are times when legislators have to be more cautious than voters would be’, and a majority indicated that the initiative process itself ‘takes the pressure off legislators to act on certain issues.’ High levels of support for both statements indicate that legislators acknowledge both policy incongruence, and that the initiative process can act as a pressure valve in these instances. No respondent, however, agreed that the initiative process was best used when the legislative session was busy.

Over half of all respondents also indicated that the initiative process was *not* a good way to make ‘important political decisions’. And only a minority of respondents (38.5 percent) agreed that the initiative process was best used for ‘politically sensitive’ issues. The surveyed legislators do not simply defer to the initiative process because they perceive normative benefits to direct democratic action. Instead, legislators appear to prefer, hypothetically, to handle policy issues themselves. That said, half of all respondents reported that some issues were better resolved by ballot initiative. The most frequently chosen areas were “lobbying and campaign finance” and “ethics” (six times); “drug policy” and “alcohol and tobacco policy” (five times); “criminal justice” and “tax and revenue” policy (four times).<sup>26</sup> As a note of caution, there may be some confirmation bias to this question given the sorts of policies that have recently passed by initiative.

Legislators were also asked to rate the importance of seven different factors that “deter the legislature from passing legislation” (on a scale from 0 = “not at all important”, to 7 = “very important”). This question was asked abstractly without reference to any particular policy or legislation. To avoid possible social desirability bias the question was framed in terms of the legislature as a whole. Table 3 orders these factors by their average importance to legislators.

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<sup>26</sup> Respondents who answered in the affirmative could choose from a list of 26 areas derived from the National Conference of State Legislatures’ policy categorisations. 15 of the areas were chosen at least once suggesting inaction is not clustered in a small number of policy areas.

Table 3: Factors contributing to legislative inaction.

Factor	Mean Importance	$\sigma$	N
Political sensitivity of the policy	5.72	1.17	25
Pressure from interest groups	5.48	1.61	25
Policy stalemate within the legislature	5.17	1.75	23
The relative importance of the policy	5.00	2.20	25
Economic costs of the policy	4.96	1.81	25
Unstable public opinion on the policy	4.71	2.12	24
How well the policy is written	4.29	1.88	24

Each factor was ranked above the scale's midpoint, suggestive of the complexity behind why legislatures act on some issues but not others. That said, political sensitivity was ranked the most important reason for inaction (with the smallest variance in ranking across respondents). Consistent with the above findings, legislators appear averse to some issue areas, dampening legislative enthusiasm towards passing new policy even if it is popular. While this factor was consistently rated as important for deterring legislative action objectively, legislators did not believe that the initiative process was better able to handle these types of sensitive issues.

Interest group pressure was the second most important reason for inaction, on average. Given the sensitivity of this subject, it is notable that legislators were willing to rate the effect of interest group influence so highly. These responses accord with the findings of the previous section: pressure from organized interests appear to influence the ability of legislators to act on certain, popular policy proposals. Legislators feel the pressure of groups who may not necessarily be aligned with popular opinion, providing further evidence that sectional interests may diminish policy responsiveness.

Less influential (in relative terms) were the quality of the written policy and unstable public opinion on a given issue. At least relative to the other factors, legislators did not see inactivity as a result of uncertainty about the position of the median voter. Given the ideal legislative responses computed earlier in the paper, it is not surprising that legislators

do not rank this factor as highly as the others.<sup>27</sup>

These findings complement the analysis of the previous section. Issues are less likely to be acted on if they alienate key interest groups or are politically sensitive, features we would expect of issues not incorporated into mainstream political networks. Legislators, while sceptical of the initiative process, recognise that the initiative process alleviates the pressure to act on certain issues, allowing legislators to shift responsibility for their passage directly to voters.

## 6 Discussion

In this paper, I explore two novel reasons why initiatives might be expected to succeed, given our intuitions about legislative responsiveness in representative democratic systems. I find that issues are typified by moderate to low correlations with the partisan dimension of conflict. Financial supporters of these issues are, typically, substantially more extreme than donors to state Republican and Democrat legislators. Taken together, this evidence is consistent with a theory that legislators avoid passing legislation on some policies not supported by mainstream policy networks, despite their electoral popularity. Qualitative survey evidence further suggests that both interest group contact and the political sensitivity of policy issues help explain legislators' hesitance to act.

This paper also finds an important null result. Popular policy does not appear to end up on the ballot due to the electoral system distorting statewide majority preferences. If legislators were acting as faithful representatives of their district median voters, the legislature

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<sup>27</sup>Respondents were also asked about specific initiative policies passed in the last two electoral cycles (2016 and 2018) in their state. Respondents were asked to rank their relative importance of the same factors as in Table 3. Table F1 in the Online Appendix groups these issues into six policy areas - drug, election, environmental, gun, tax, and wage policies - and compares rankings across issue areas. Notably when respondents were asked about specific issues, interest group pressure is the most consistently important factor. Respondents rate political sensitivity as the most important factor for drugs and gun policy, but this factor is less important for elections and wage policy respectively. Legislative time and uncertain public opinion are consistently ranked the least important across issue areas.

should have passed policies that went on to succeed at the ballot. Not only does the evidence suggest legislators appear to, at times, ignore majority demands of the statewide electorate, but more particularly representatives appear to ignore the majority demands of the specific subset voters upon whom their legislative seats depend.

The selection issues that arise as a consequence of having a latent comparison class limits the type and extent of inference possible. This paper addresses this issue by showing how informative analysis are nevertheless possible. To that extent, the evidence presented in favour of the behavioral theory is descriptive. Future work should seek to verify these claims further, perhaps by implementing experimental methods to test specific mechanisms of legislative inaction. What types of popular issues, in particular, are legislators keen to avoid? Alternative approaches may seek to develop designs that allow a more explicit comparison to policy passed in the legislature.

More generally, this paper helps to develop our understanding of representation in modern democratic systems. Legislators do not always act on popular policies. Our focus on political representation to date has established when, and for how long, gaps exist between the positions of voters and their elected representatives (Caughey, Warshaw and Xu, 2017; Simonovits, Guess and Nagler, 2019). New theories of representation have highlighted impediments, both strategic and psychological, that limit this convergence (Broockman and Skovron, 2018; Hertel-Fernandez, Mildemberger and Stokes, 2018). The findings of this paper suggest we should also consider the wider political networks to which legislators belong, and the impact this has on representative policymaking.

Ballot initiatives serve as a mechanism to resolve policy incongruence, and this paper provides novel evidence about the conditions under which this occurs. Initiatives succeed when legislators fail to act on popular policy demands. The implications of this research are important, particularly when disillusionment with politics today is often attributed to failures in democratic representation and responsiveness. At a time when politics has

become distinctly 'populist', understanding the relationships between these fundamental types of democratic policymaking is crucial to the public's trust in democracy.

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## **Appendices for:**

**“Direct democracy in representative systems: Understanding  
breakdowns in responsiveness through ballot initiative  
success”**

<b>A Robustness tests for estimating legislator’s ideal responses</b>	<b>ii</b>
<b>B Further analysis of ideological distributions of support</b>	<b>iii</b>
<b>C Robustness tests: stringency of exclusion criteria</b>	<b>viii</b>
<b>D Robustness tests: Bootstrapped difference-in-means estimates</b>	<b>xi</b>
<b>E Kernel density plots</b>	<b>xiii</b>
<b>F Legislator survey: further analysis</b>	<b>xxv</b>

# A Robustness tests for estimating legislator's ideal responses

Figure A1: Estimating the ideal legislative support where legislators *abstain* if  $0.475 < \text{constituency proportion in favour} < 0.525$

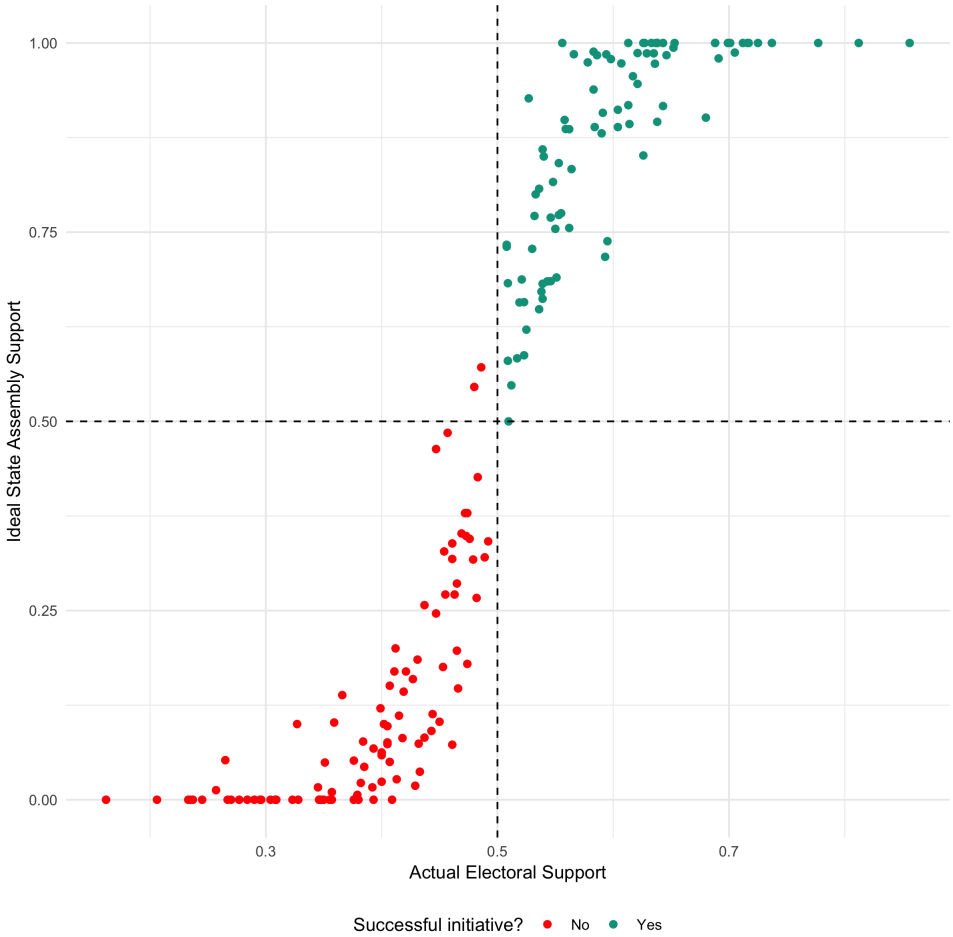
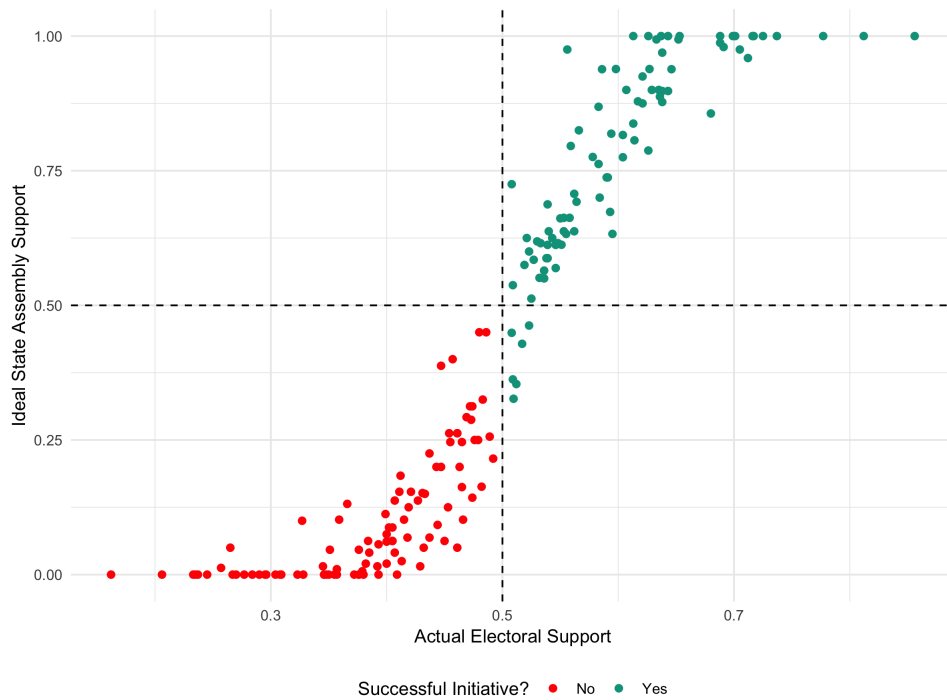


Figure A2: Estimating the ideal legislative support where legislators *vote against* constituency proportion in favour is  $< 0.525$



## B Further analysis of ideological distributions of support

Table B1 provides a brief description of each initiative included in the main analysis, as well as the mean ideological support and position of donors. Table B2 reports the complete results of the Mann-Whitney U-tests conducted between initiative and legislative party support coalitions. Table B3 crosstabulates the proportion of extreme initiatives by election year.

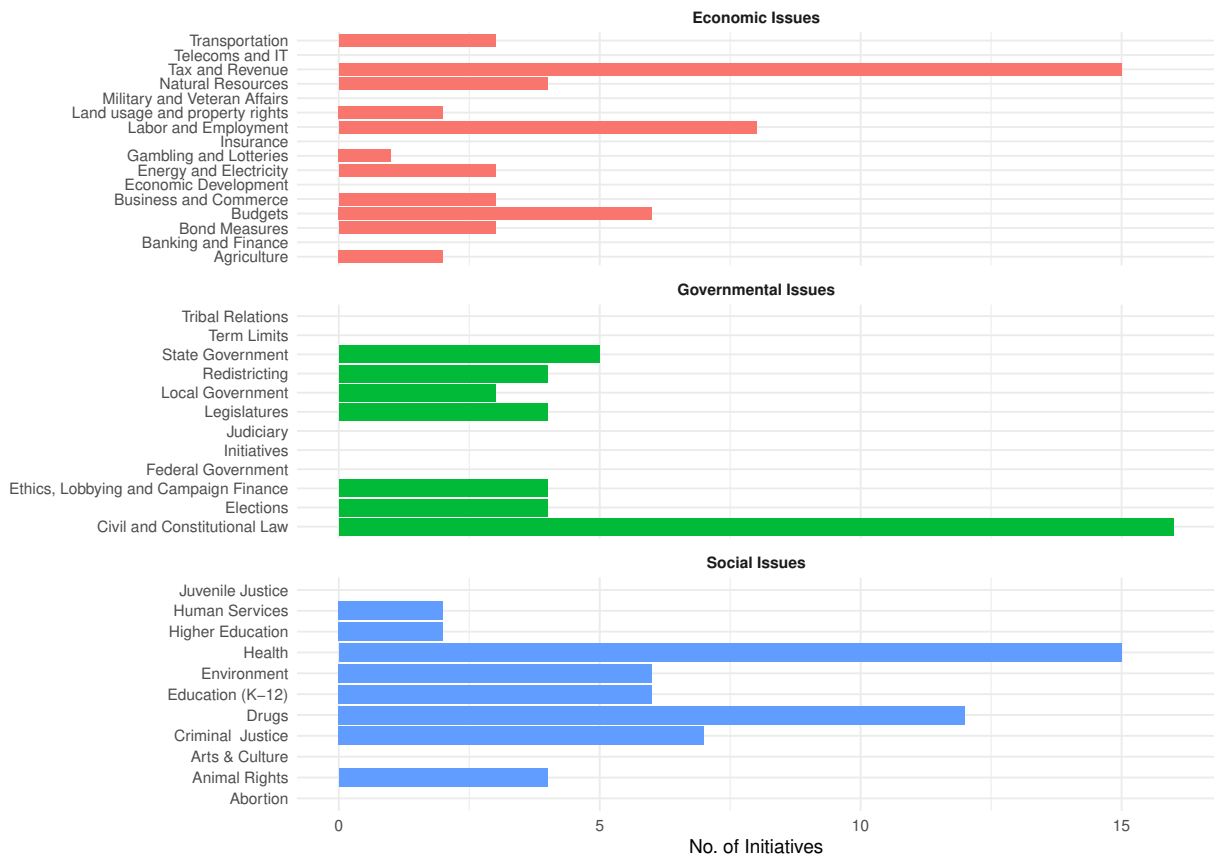
**Proportion of extreme initiatives by policy area** I use the National Conference of State Legislature’s coding of initiative policy across 40 different topics.<sup>28</sup> I then aggregate the individual NCSL topics into social, economic, and governmental<sup>29</sup> categories respectively. Figure B1 plots the total counts of each category over the 77 initiatives in the donor data sample. The size of the sample of initiatives makes a conclusive analysis of differences across issue areas difficult.

Of the 77 initiatives considered, 53 percent cover social topics, 52 percent cover economic

<sup>28</sup>Note that a single initiative can be coded as including multiple topics.

<sup>29</sup>Governmental pertains to policies that regulate how state politics is conducted.

Figure B1: Total count of each policy topic across all initiatives considered in the donor data analysis



topics, and 43 percent cover governmental topics. The modal topic across the entire list is ‘civil and constitutional law’. Other notably frequent topics of initiatives include taxation, as well as health, drugs policy, and labor and employment law.

Table B4 reports the proportion of left, centre, and right positioned initiatives (relative to parties) by issue category.<sup>30</sup> Across all three categories there is a clear tendency for initiatives to be extreme. A majority of initiatives covering social issues are left-extreme, and only about 20 percent have support that is on average more conservative than the Republican party. Similarly, for economic initiatives, a clear plurality of initiatives are left-extreme. Interestingly, a majority of governmental issues are right-extreme. The distribution of positions for these initiatives is almost the complete opposite of that for social and economic initiatives.

<sup>30</sup>Note that individual initiatives may be included in multiple counts where they cover more than one topic.

Table B1: Descriptions of successful initiatives and the calculated ideological positions

State	Year	Ballot No.	Description	Mean Ideology	Position
Arizona	2004	200	Implement voter ID law	1.82	Right
Arizona	2006	201	Public smoking ban	-0.66	Left
Arizona	2006	203	Funding for early childhood development and health programs	0.24	Centre
Arizona	2006	204	Prevent cruel and inhumane confinement of animals	-1.05	Left
Arizona	2006	207	Reimburse lost property value when imposing land usage restrictions	1.27	Right
Arizona	2010	203	Legalise medical marijuana	-0.44	Centre
Arkansas	2004	3	Same-sex marriage ban	1.22	Right
Arkansas	2008	1	Prevent fostering or adoption by non-married cohabiters	1.28	Right
California	2000	35	Use of private contractors in public works projects	0.22	Right
California	2000	39	Bond for school facilities	-0.41	Centre
California	2002	49	State grant for after school activities	0.37	Right
California	2002	50	Bonds to improve water quality	-0.43	Centre
California	2004	64	Limit enforcement of business competition laws	0.21	Centre
California	2004	63	Mental health services expansion and funding via millionaire's tax	-1.16	Left
California	2004	71	Stem cell research funding	-0.57	Centre
California	2006	83	Punishment, residence restrictions and monitoring of sexual offenders	0.65	Right
California	2006	84	Bond to improve water quality	-0.50	Centre
California	2008	8	Same-sex marriage ban	1.87	Right
California	2008	11	Redistricting to be decided by citizens commission	0.09	Centre
California	2008	2	Confined farm animal standards	-1.39	Left
California	2010	25	Change legislative budget passage vote to 50% threshold	-0.86	Left
California	2010	22	Prevent appropriation of funds from transportation or local government projects	-0.33	Centre
California	2010	20	Redistricting of congressional districts	0.30	Right
California	2010	26	Require two-thirds approval to increase state and local fees	0.23	Centre
California	2012	30	Temporary tax to fund education spending	-1.18	Left
California	2012	35	Penalties for human trafficking and offender registration	-1.16	Left
California	2012	36	Three strikes law	-1.13	Left
California	2012	39	Clean energy funding	-1.86	Left
Colorado	2002	27	Implement campaign finance limits	-1.36	Left
Colorado	2004	37	Renewable energy requirement	-1.32	Left
Colorado	2004	35	Increase tobacco tax	-0.88	Centre
Colorado	2006	43	Same-sex marriage ban	1.50	Right
Colorado	2008	54	Campaign finance regulations for government contractors	1.21	Right
Colorado	2012	64	Legalis use and regulation of marijuana	-0.91	Centre
Colorado	2012	65	Charge congressional delegation with supporting campaign finance limits	-1.40	Left
Florida	2004	3	Limit fees paid to attorneys in medical malpractice suits	0.74	Right
Florida	2004	6	High speed rail amendment repeal	1.06	Right
Florida	2004	5	Increase minimum wage	-1.05	Left
Florida	2008	2	Same-sex marriage ban	1.44	Right
Florida	2010	5	Legislative redistricting to be 'fair' and use geographical boundaries when possible	-1.03	Left

Table B1: Descriptions of successful initiatives and the calculated ideological positions

State	Year	Ballot No.	Description	Mean Ideology	Position
Florida	2010	6	Congressional redistricting as in Measure 5	-1.03	Left
Maine	2012	1	Same-sex marriage legalisation	-1.44	Left
Massachusetts	2008	3	Prohibit dog racing	-1.17	Left
Massachusetts	2008	2	Decriminalize marijuana	-0.92	Left
Massachusetts	2010	1	Salex tax on alcoholic beverages	-0.17	Centre
Massachusetts	2012	3	Legalise medical use of marijuana	-0.92	Left
Michigan	2004	2	Same-sex marriage ban	1.45	Right
Michigan	2006	2	Ban affirmative action	1.17	Right
Michigan	2008	2	Allow human embryo and human embryonic stem cell research	-0.65	Centre
Michigan	2008	1	Permitte the use and cultivation of marijuana for medical conditions	-0.88	Left
Missouri	2004	3	Transportation funds	-0.07	Centre
Missouri	2006	2	Stem cell research	-0.28	Centre
Missouri	2006	B	Increase minimum wage	-0.79	Left
Missouri	2008	C	Create a renewable energy standard	-1.01	Left
Missouri	2010	B	Improve dog breeding welfare standards	-0.80	Left
Missouri	2010	3	Prevent new real estate taxes	1.69	Right
Montana	2004	149	Increase tobacco tax	-2.78	Left
Montana	2006	151	Increase minimum wage	-1.10	Left
Montana	2012	166	Prevent corporations from being considered 'human beings'	-1.36	Left
Nevada	2004	1	Fund education before any other budget item at state-level	0.30	Right
Nevada	2004	3	Limit fees paid to attorneys in medical malpractice suits	0.47	Right
Ohio	2004	1	Same-sex marriage ban	1.44	Right
Ohio	2006	2	Increase minimum wage	-0.89	Left
Ohio	2006	5	Ban smoking in public places	-0.35	Centre
Oregon	2002	25	Increase minimum wage	-1.02	Left
Oregon	2004	36	Same-sex marriage ban	1.24	Right
Oregon	2004	37	Reimburse lost property value when imposing land usage restrictions	0.78	Right
Oregon	2006	44	Expand state drug prescription program	-3.21	Left
Oregon	2012	79	Prevent new real estate taxes	0.88	Right
Washington	2004	297	Added regulations about (mixed-) radioactive waste	-1.41	Left
Washington	2004	872	Reform electoral system to use "top-two" primary	0.40	Right
Washington	2006	937	Energy resource use by utilities companies	-1.33	Left
Washington	2008	1000	Establish right to die	-1.13	Left
Washington	2010	1053	Require two-third vote to increase state taxes and fees	1.10	Right
Washington	2012	502	Decriminalize marijuana	-1.25	Left
Washington	2012	1240	Create a public charter school system	0.11	Centre
Washington	2012	1185	Two-thirds vote for tax increases	1.34	Right



Table B2: Mann-Whitney U-tests for initiative campaigns and state legislative parties.

Cycle	Initiative	Initiative Donor N	p-value	
			Democratic Party	Republican Party
AZ2004	200	550	0.000***	0.000***
AZ2006	201	302	0.000***	0.000***
AZ2006	203	304	0.000***	0.000***
AZ2006	204	1737	0.000***	0.000***
AZ2006	207	101	0.000***	0.000***
AZ2010	203	130	1.000	0.000***
CA2000	35	4657	0.000***	0.000***
CA2000	39	658	0.000***	0.000***
CA2002	49	636	0.000***	0.000***
CA2002	50	266	0.000***	0.000***
CA2004	64	551	0.000***	0.001***
CA2004	63	259	0.000***	0.000***
CA2004	71	252	0.234	0.000***
CA2006	83	158	0.000***	0.000***
CA2006	84	157	0.001***	0.000***
CA2008	8	6944	0.000***	0.000***
CA2008	11	661	0.000***	0.007**
CA2008	2	6183	0.000***	0.000***
CA2010	25	75	0.000***	0.000***
CA2010	22	1050	0.000***	0.000***
CA2010	20	41	0.000***	0.482
CA2010	26	107	0.000***	0.038*
CA2012	30	2157	0.000***	0.000***
CA2012	35	364	0.000***	0.000***
CA2012	36	47	0.000***	0.000***
CA2012	39	350	0.000***	0.000***
MA2008	3	2729	0.000***	0.000***
MA2008	2	372	0.000***	0.000***
MA2010	1	266	0.000***	0.000***
MA2012	3	100	0.000***	0.000***
OR2002	25	52	0.000***	0.000***
OR2004	36	2614	0.000***	0.000***
OR2004	37	184	0.000***	0.000***
OR2006	44	846	0.000***	0.000***
OR2012	79	81	0.000***	0.000***
WA2004	297	118	0.000***	0.000***
WA2004	872	213	0.000***	0.165
WA2006	937	1404	0.000***	0.000***
WA2008	1000	8865	0.000***	0.000***
WA2010	1053	816	0.000***	0.000***
WA2012	502	620	0.000***	0.000***
WA2012	1240	194	0.000***	0.000***
WA2012	1185	667	0.000***	0.000***

\*\*\*= $p < 0.001$ , \*\*= $p < 0.01$ , \*= $p < 0.05$

Table B3: Cross-tabulation of relative initiative positions by year.

Year	Centrist	Extreme	N
2000	0.50	0.50	2
2002	0.25	0.75	4
2004	0.20	0.80	20
2006	0.27	0.73	15
2008	0.17	0.83	12
2010	0.36	0.64	11
2012	0.15	0.85	13

Table B4: Cross-tabulation of relative initiative positions by issue category.

	Relative position		
	Left	Centre	Right
Social initiatives	0.512	0.293	0.195
Economic initiatives	0.45	0.275	0.275
Governmental initiatives	0.273	0.182	0.545

## C Robustness tests: stringency of exclusion criteria

Table C1 demonstrates the robustness of the main paper’s findings on ideological distributions, by excluding infrequent donors from the analysis. Overall, the results are substantively unchanged across the increasingly strict exclusion criteria. Only four initiative’s support base change positions as the stringency of exclusion criteria increases (highlighted in bold). Proposition 35 (2000) moves from a Centre to Right position and then back again; Propositions 11 (2008) and 26 (2010) in California move from Centre to Right positions; and Ohio Issue 5 (2006) switches from Centre to Left position. These are all cases where the support distribution was already very close to the party mean, and do not alter the substantive findings of this analysis.

Table C1: Relative position of initiatives when controlling for number of unique donations per contributor

Cycle	Initiative	$n \geq 2$		$n \geq 4$		$n \geq 8$				
		$N_i$	Position	Distance ( $\sigma$ )	$N_i$	Position	Distance ( $\sigma$ )	$N_i$	Position	Distance ( $\sigma$ )
AR2004	3	147	Right	1.82	80	Right	1.81	56	Right	2.01
AR2008	1	147	Right	1.40	69	Right	1.43	69	Right	1.43
AZ2004	200	243	Right	1.84	119	Right	1.48	60	Left	0.57
AZ2006	201	159	Left	0.34	95	Left	0.26	106	Centre	0.14
AZ2006	203	175	Centre	0.38	145	Centre	0.27	85	Left	0.88
AZ2006	204	425	Left	0.72	181	Left	0.64	45	Right	1.19
AZ2006	207	75	Right	1.24	60	Right	1.22			
AZ2010	203	68	Left	0.09	48	Left	0.17			
CA2000	35	1405	Right	0.01	652	Centre	0.01	338	Right	0.04
CA2000	39	380	Centre	0.48	307	Centre	0.43	245	Centre	0.43
CA2002	49	423	Right	0.09	333	Right	0.08	278	Right	0.17
CA2002	50	195	Centre	0.35	144	Centre	0.36	99	Centre	0.32
CA2004	63	190	Left	0.99	95	Left	0.80	59	Left	0.69
CA2004	64	260	Centre	0.09	187	Centre	0.07	146	Centre	0.07
CA2004	71	198	Centre	0.11	160	Centre	0.10	135	Centre	0.08
CA2006	83	109	Right	0.76	87	Right	0.76	63	Right	0.83
CA2006	84	122	Centre	0.18	96	Centre	0.19	78	Centre	0.25
CA2008	11	572	Centre	0.19	500	Centre	0.15	421	Right	0.00
CA2008	2	5229	Left	1.37	1682	Left	1.02	831	Left	1.01
CA2008	8	3811	Right	2.61	1301	Right	2.13	603	Right	1.97
CA2010	22	548	Centre	0.44	345	Centre	0.36	221	Centre	0.26
CA2010	25	70	Left	0.58	59	Left	0.68	47	Left	0.81
CA2010	26	94	Centre	0.06	80	Centre	0.03	69	Right	0.01
CA2012	30	1503	Left	0.87	889	Left	0.62	641	Left	0.60
CA2012	35	293	Left	0.99	100	Left	0.54	73	Left	0.58
CA2012	36	43	Left	0.96						
CA2012	39	300	Left	2.33	142	Left	1.90	74	Left	1.75
CO2002	27	189	Left	0.74	148	Left	0.76	115	Left	0.80
CO2004	35	307	Centre	0.23	231	Centre	0.16	162	Centre	0.10
CO2004	37	469	Left	0.51	333	Left	0.51	228	Left	0.56
CO2006	43	237	Right	1.19	127	Right	1.23	82	Right	1.39
CO2008	54	49	Right	0.78						
CO2012	64	692	Centre	0.45	429	Centre	0.33	276	Centre	0.17
CO2012	65	264	Left	0.54	229	Left	0.57	191	Left	0.61
FL2004	3	1734	Right	0.67	1057	Right	0.57	600	Right	0.63
FL2004	5	58	Left	2.19	51	Left	2.32	47	Left	2.52
FL2004	6	2272	Right	1.62	1057	Right	1.70	461	Right	1.80
FL2008	2	764	Right	2.25	341	Right	2.16	168	Right	2.43

Continued on next page

Table C1 – Continued from previous page

Cycle	Initiative	$n \geq 2$			$n \geq 4$			$n \geq 8$		
		$N_I$	Position	Distance ( $\sigma$ )	$N_I$	Position	Distance ( $\sigma$ )	$N_I$	Position	Distance ( $\sigma$ )
FL2010	5	3512	Left	2.17	2987	Left	2.27	2288	Left	2.48
FL2010	6	3512	Left	2.17	2987	Left	2.27	2288	Left	2.48
MA2008	2	265	Left	0.37	206	Left	0.31	146	Left	0.38
MA2008	3	649	Left	0.52	270	Left	0.67	111	Left	0.66
MA2010	1	154	Centre	0.68						
MA2012	3	44	Left	0.49						
ME2012	1	5866	Left	0.59	3969	Left	0.52	2330	Left	0.49
MI2004	2	454	Right	1.20	210	Right	1.18	104	Right	1.25
MI2006	2	921	Right	0.90	670	Right	0.92	430	Right	1.04
MI2008	1	364	Left	0.36	238	Left	0.50	150	Left	0.67
MI2008	2	255	Left	0.18	216	Left	0.25	176	Left	0.32
MO2004	3	180	Centre	0.70	142	Centre	0.64	109	Centre	0.56
MO2006	2	359	Left	0.08	221	Left	0.09	142	Left	0.00
MO2006	B	80	Left	0.53	76	Left	0.56	74	Left	0.60
MO2008	C	94	Left	0.94	76	Left	0.98	56	Left	1.11
MO2010	B	318	Left	0.43	218	Left	0.41	145	Left	0.36
MI2004	149	64	Left	1.76	48	Left	0.76	40	Left	0.21
MI2006	151	72	Left	0.28	69	Left	0.29	66	Left	0.32
MI2012	166	63	Left	0.49	50	Left	0.55	40	Left	0.58
NV2004	1	67	Right	0.42	58	Right	0.47	46	Right	0.58
NV2004	3	721	Right	0.77	468	Right	0.88	269	Right	0.96
OH2004	1	121	Right	1.48	65	Right	1.43			
OH2006	2	65	Left	0.70	61	Left	0.71	58	Left	0.76
OH2006	5	334	Centre	0.03	183	Left	0.14	97	Left	0.42
OR2002	25	47	Left	0.70						
OR2004	36	579	Right	2.11	228	Right	2.15	96	Right	2.15
OR2004	37	102	Right	1.34	72	Right	1.42	52	Right	1.64
OR2006	44	273	Left	4.53	52	Left	1.73			
OR2012	79	40	Right	1.72						
WA2004	297	94	Left	1.07	86	Left	1.10	65	Left	1.14
WA2004	872	113	Centre	0.09	81	Centre	0.12	58	Centre	0.02
WA2006	937	1071	Left	0.94	839	Left	0.96	606	Left	1.01
WA2008	1000	5905	Left	0.70	4087	Left	0.73	2520	Left	0.80
WA2010	1053	725	Right	0.99	581	Right	1.03	411	Right	1.07
WA2012	1185	593	Right	1.38	445	Right	1.39	298	Right	1.51
WA2012	1240	147	Centre	0.21	112	Centre	0.14	81	Centre	0.08
WA2012	502	455	Left	0.57	341	Left	0.57	232	Left	0.60

## D Robustness tests: Bootstrapped difference-in-means estimates

To compute the bootstrapped difference-in-means for an initiative’s distribution of support (of size  $n$ ) and a party’s distribution of support (of size  $m$ ), I merge the two groups into a single cumulative distribution. I then take two random samples *with replacement* of sizes  $n$  and  $m$  and calculate the means of both sampled groups. I subtract one from the other to produce a hypothetical difference-in-means estimate ( $\hat{x}$ ), and repeating this process 10,000 times to generate a null distribution. I then rank these calculated differences and assess the position of the *actual* difference-in-means ( $\hat{x}^*$ ) with respect to this distribution, to estimate a p-value for the difference-in-means, calculated as:

$$p = \frac{\sum_{i=1}^{10000} (|\hat{x}^*| > \hat{x}_i)}{10000} \quad (1)$$

Table D1 displays the results of this procedure. The results are substantively unchanged compared to the results in the main text. The four initiatives that fail to reach statistical significance in the Mann-Whitney tests also have statistically insignificant differences between their mean support and that of the closest party. All other initiatives (when projected donors are included) exhibit statistically significant difference-in-means to both parties, even when the absolute distance between the two groups is relatively small.

As the stringency of donor exclusion criteria increases, fewer initiatives reach statistical significance. For instance, when the number of distinct donations required is  $n \geq 2$ , we cannot reject the null hypothesis that mean support for Proposition 64 (California 2004) is different from the mean of successful Republican legislators. In general, those initiatives which become insignificant are those closest to the party means. Even when the number of distinct donations required is  $\geq 8$ , however, the vast majority of initiatives are statistically distinguishable from their legislative counterparts.

Table D1: Non-parametric bootstrapped difference in means test, by number of distinct donations.

<i>Min. donations</i>		$n \geq 1$		$n \geq 2$		$n \geq 4$		$n \geq 8$	
<b>Cycle</b>	<b>No.</b>	<b>Dem. Diff.</b>	<b>Rep. Diff.</b>	<b>Dem. Diff.</b>	<b>Rep. Diff.</b>	<b>Dem. Diff.</b>	<b>Rep. Diff.</b>	<b>Dem. Diff.</b>	<b>Rep. Diff.</b>
AZ2004	200	2.047***	1.289***	1.585***	0.919***	1.351***	0.74***	1.262***	0.705***
AZ2006	201	-0.335***	-1.185***	-0.247***	-1.009***	-0.192*	-0.902***	-0.411***	-1.057***
AZ2006	203	0.557***	-0.293***	0.277***	-0.486***	0.2**	-0.51***	0.1	-0.547***
AZ2006	204	-0.728***	-1.578***	-0.528***	-1.29***	-0.465***	-1.175***	-0.636***	-1.283***
AZ2006	207	1.587***	0.737***	1.394***	0.632***	1.325***	0.615***	1.231***	0.585***
AZ2010	203	0.01	-1.168***	-0.068	-1.127***	-0.127	-1.082***	0.623***	0.023
CA2000	35	0.838***	0.04***	0.726***	0.004	0.656***	-0.007	0.215***	-0.385***
CA2000	39	0.213***	-0.585***	0.24***	-0.482***	0.218***	-0.446***	0.806***	0.09**
CA2002	49	0.952***	0.054**	0.894***	0.05	0.835***	0.041	0.168**	-0.548***
CA2002	50	0.159***	-0.738***	0.185***	-0.659***	0.189	-0.605***	-0.361***	-1.076***
CA2004	63	-0.538***	-1.435***	-0.519***	-1.355***	-0.419***	-1.208***	0.678***	-0.037
CA2004	64	0.836***	-0.061*	0.79***	-0.047	0.75***	-0.038	0.039	-0.676***
CA2004	71	0.05	-0.847***	0.056	-0.78***	0.055	-0.734***	1.073***	0.416***
CA2006	83	1.245***	0.424***	1.167***	0.393***	1.114***	0.389***	0.133*	-0.523***
CA2006	84	0.097*	-0.724***	0.096*	-0.678***	0.103	-0.621***	0.691***	0.001
CA2008	11	0.742***	-0.13***	0.702***	-0.115***	0.675***	-0.089**	-0.536***	-1.226***
CA2008	2	-0.734***	-1.606***	-0.737***	-1.554***	-0.553***	-1.317***	1.813***	1.123***
CA2008	8	2.524***	1.652***	2.377***	1.56***	2.025***	1.261***	0.135	-0.525***
CA2010	20	0.884***	0.012	0.236***	-0.578***	0.193***	-0.557***	-0.423***	-1.082***
CA2010	22	0.259***	-0.613***	-0.309***	-1.123***	-0.361***	-1.111***	0.665***	0.005
CA2010	25	-0.279***	-1.151***	0.779***	-0.035	0.734***	-0.015	-0.309***	-0.918***
CA2010	26	0.814***	-0.058	-0.456***	-1.196***	-0.324***	-1.005***	-0.298***	-0.907***
CA2012	30	-0.53***	-1.322***	-0.521***	-1.26***	-0.284***	-0.965***	-0.903***	-1.512***
CA2012	35	-0.512***	-1.304***	-0.504***	-1.244***	-0.999***	-1.681***	-0.139***	-0.872***
CA2012	36	-0.478***	-1.27***	-1.22***	-1.959***	-0.118***	-0.931***	-0.238***	-0.971***
CA2012	39	-1.208***	-1.999***	-1.22***	-1.959***	-0.999***	-1.681***	1.482***	0.884***
MA2008	2	-0.129***	-1.101***	-0.139***	-1.014***	-0.118***	-0.931***	1.269***	0.672***
MA2008	3	-0.379***	-1.351***	-0.195***	-1.07***	-0.25***	-1.064***	0.917***	0.884***
MA2010	1	0.633***	-0.469***	0.578***	-0.417***	1.588***	0.917***	1.269***	0.672***
MA2012	3	-0.101**	-1.206***	-0.182**	-1.172***	1.278***	0.608***	-0.643***	-1.563***
OR2002	25	-0.321***	-1.152***	-0.353***	-1.117***	-0.857***	-1.402***	0.91***	-0.01
OR2004	36	1.939***	1.15***	1.653***	0.925***	-0.621***	-1.651***	-0.585***	-1.414***
OR2004	37	1.473***	0.685***	1.317***	0.589***	0.959***	-0.07	-0.46***	-1.368***
OR2006	44	-2.612***	-3.241***	-2.25***	-2.83***	1.808***	0.612***	1.685***	0.621***
OR2012	79	1.57***	0.85***	1.362***	0.688***	2.102***	0.864***	1.985***	0.9***
WA2004	297	-0.651***	-1.797***	-0.593***	-1.688***	1.15***	-0.088	1.035***	-0.05
WA2004	872	1.157***	0.011	1.041***	-0.053	-0.317***	-1.556***	-0.341***	-1.426***
WA2006	937	-0.551***	-1.632***	-0.548***	-1.554***	0.959***	-0.07	0.91***	-0.01
WA2008	1000	-0.429***	-1.568***	-0.407***	-1.505***	-0.561***	-1.497***	-0.585***	-1.414***
WA2010	1053	1.92***	0.544***	1.879***	0.597***	-0.425***	-1.455***	-0.46***	-1.368***
WA2012	1185	2.285***	0.859***	2.204***	0.871***	1.808***	0.612***	1.685***	0.621***
WA2012	1240	1.056***	-0.371***	1.204***	-0.13*	2.102***	0.864***	1.985***	0.9***
WA2012	502	-0.303***	-1.73***	-0.308***	-1.642***	1.15***	-0.088	1.035***	-0.05
WA2012	502	-0.303***	-1.73***	-0.308***	-1.642***	-0.317***	-1.556***	-0.341***	-1.426***

\*\*\* =  $p < 0.001$ , \*\* =  $p < 0.01$ , \* =  $p < 0.05$ . All initiatives have  $n \geq 40$ ; blank entries indicate initiatives that drop below this threshold.

## E Kernel density plots

This section includes the complete set of kernel density plots for each ballot initiative per state-legislative cycle. Blue-shaded distributions depict the ideological distribution of donors to the Democratic Party. Red-shaded distributions depict the same but for the Republican party. The black line draws the distribution of ideological support for the specific initiative in question.

Figure E1: Arkansas kernel density plots of initiative and legislative party donors' ideology

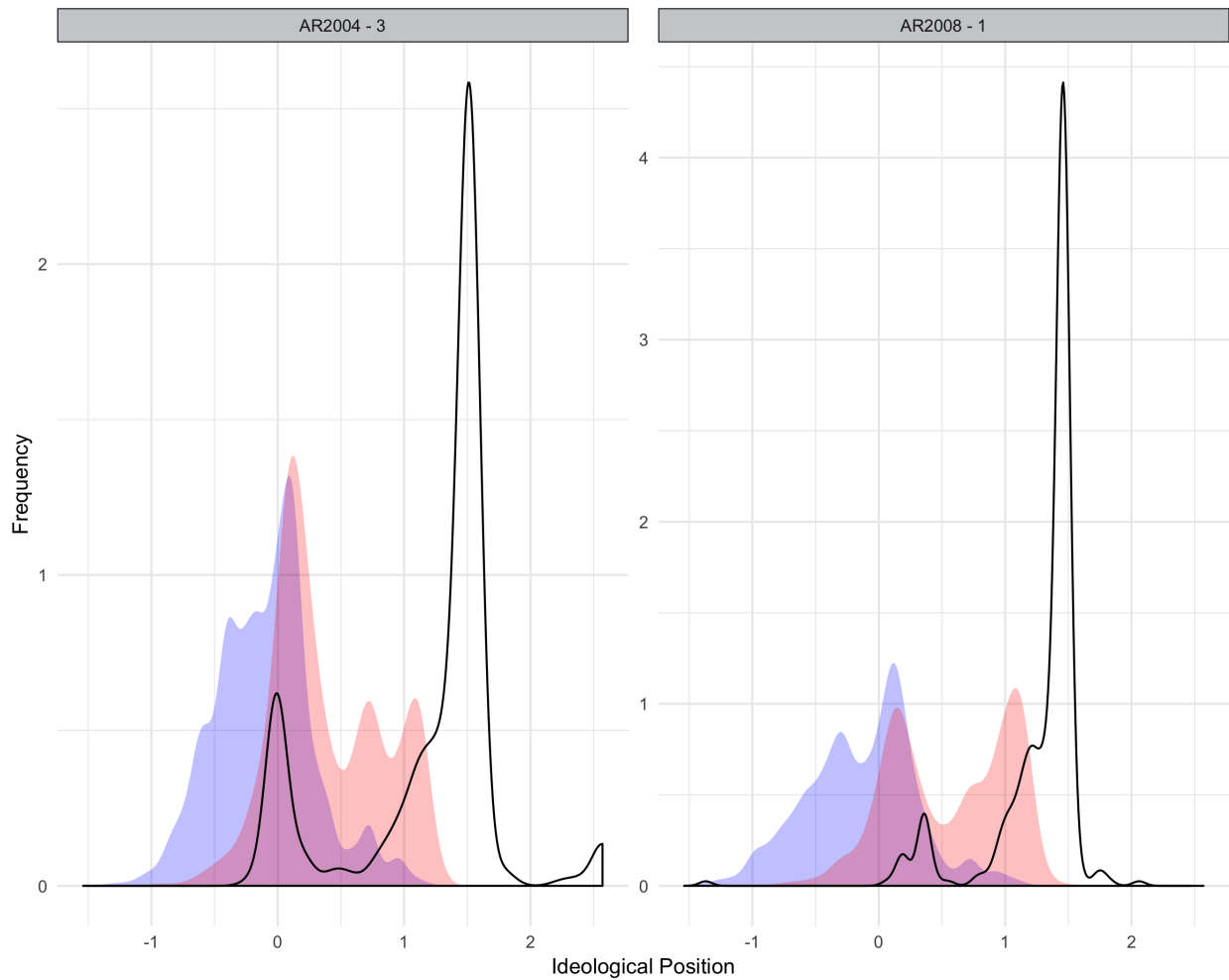


Figure E2: Arizona kernel density plots of initiative and legislative party donors' ideology

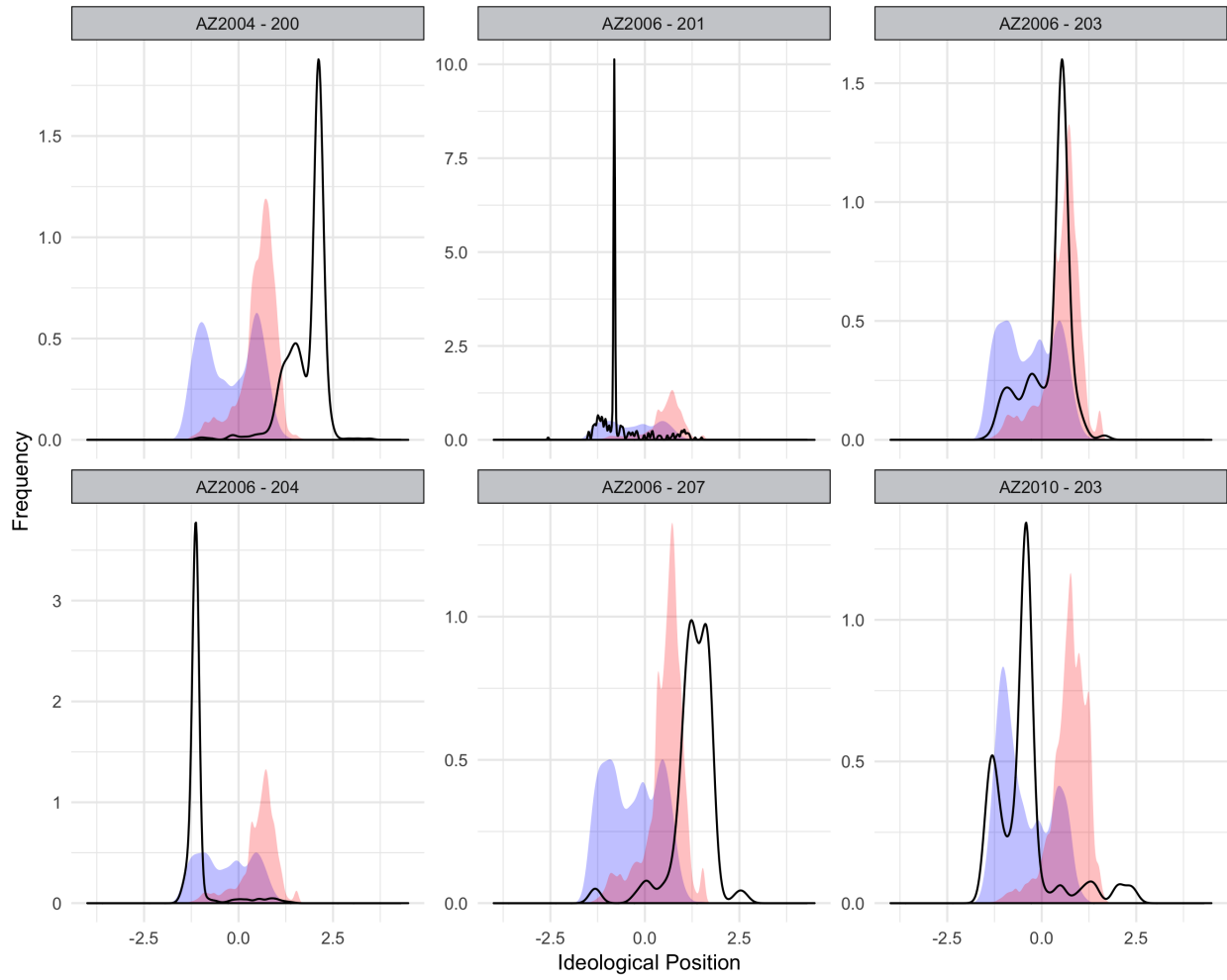




Figure E3: California kernel density plots of initiative and legislative party donors' ideology

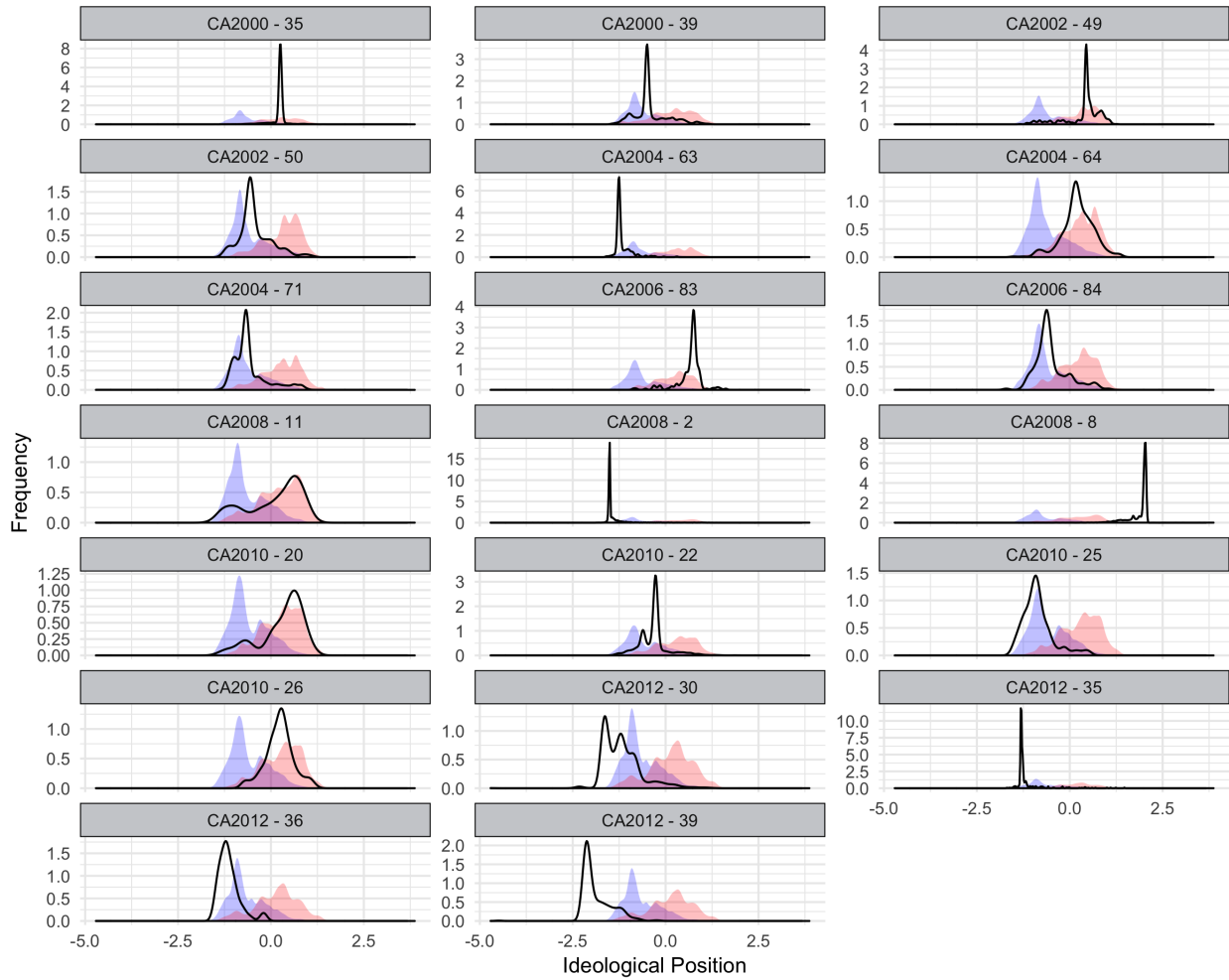


Figure E4: Colorado kernel density plots of initiative and legislative party donors' ideology

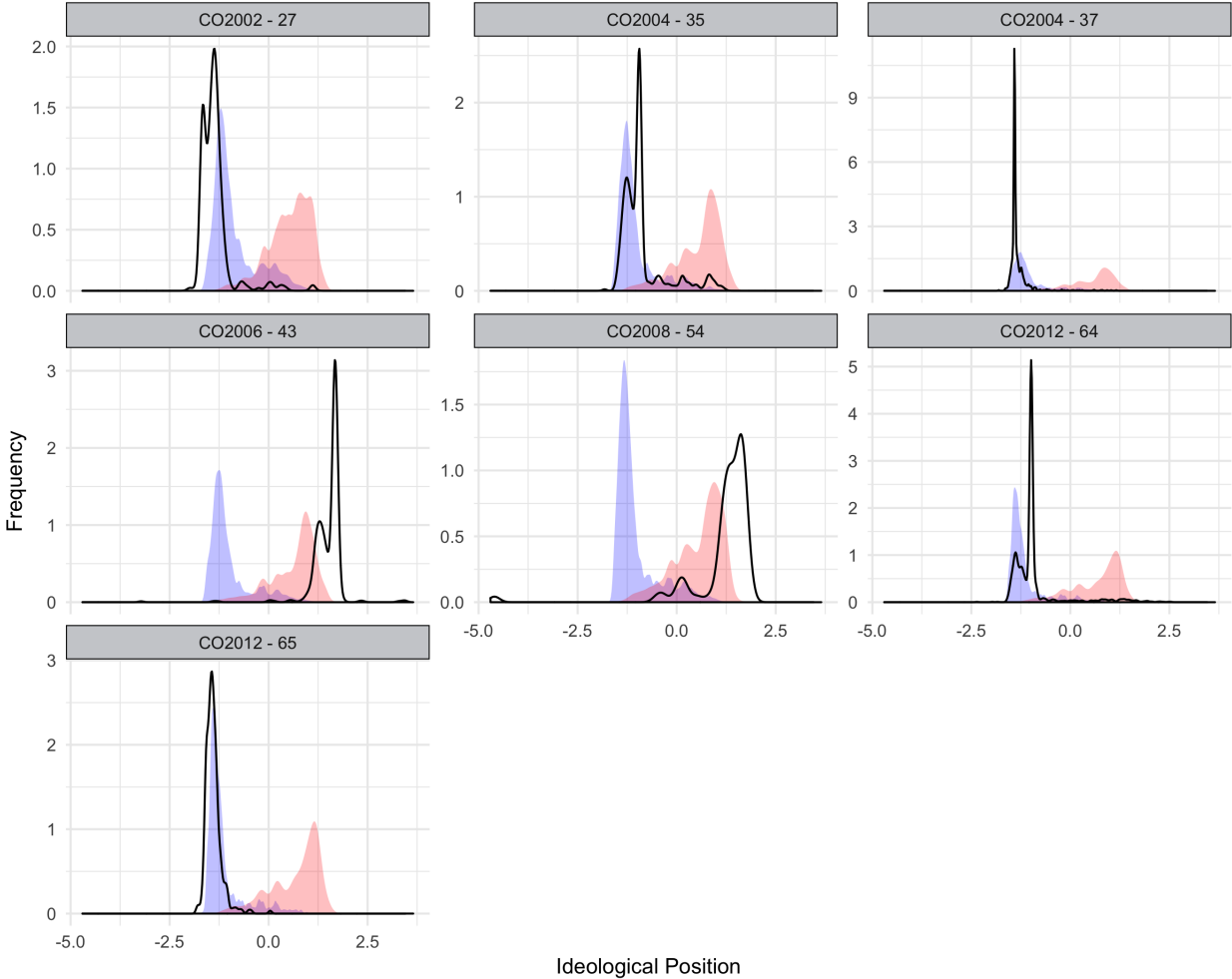


Figure E5: Florida kernel density plots of initiative and legislative party donors' ideology

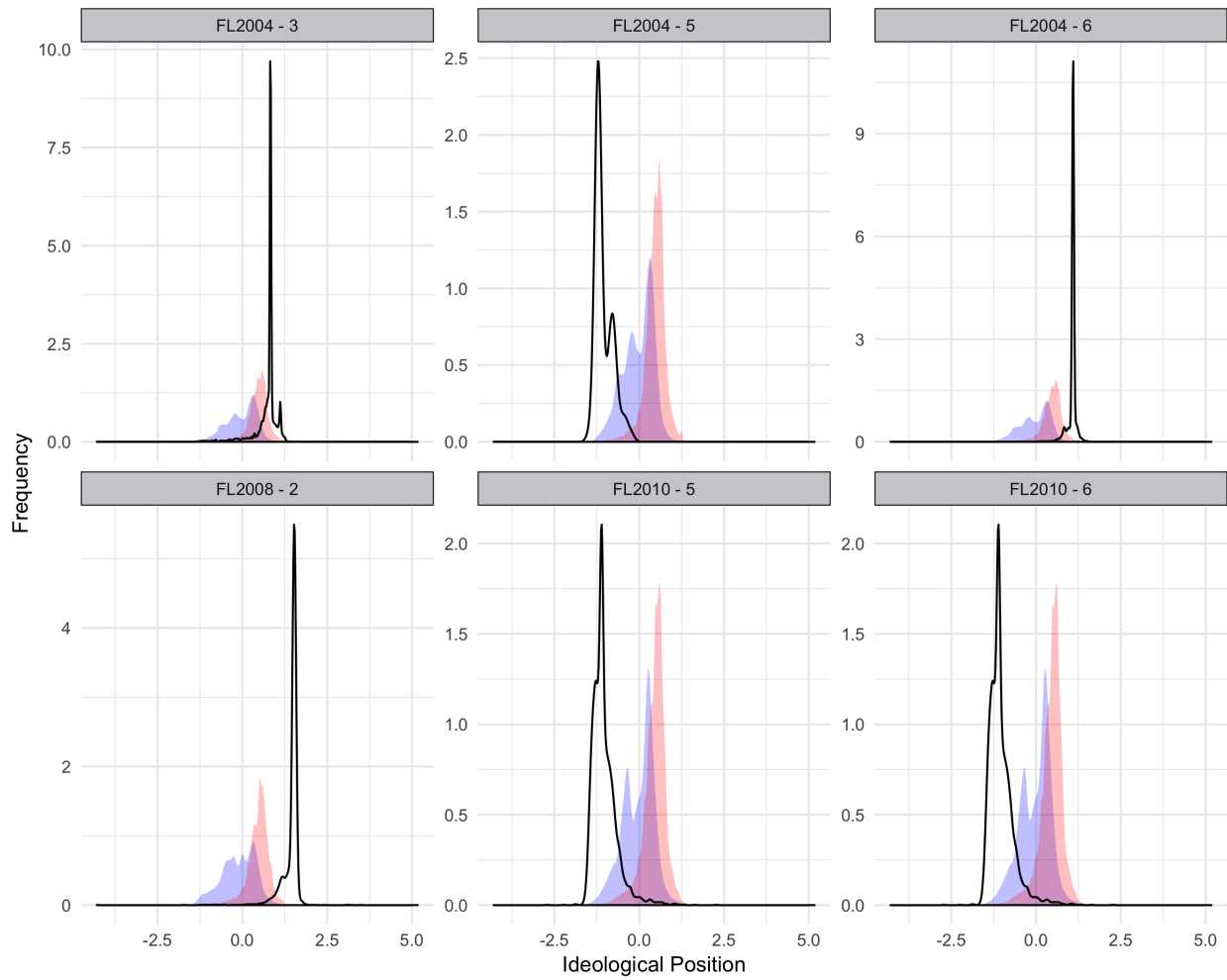


Figure E6: Massachusetts kernel density plots of initiative and legislative party donors' ideology

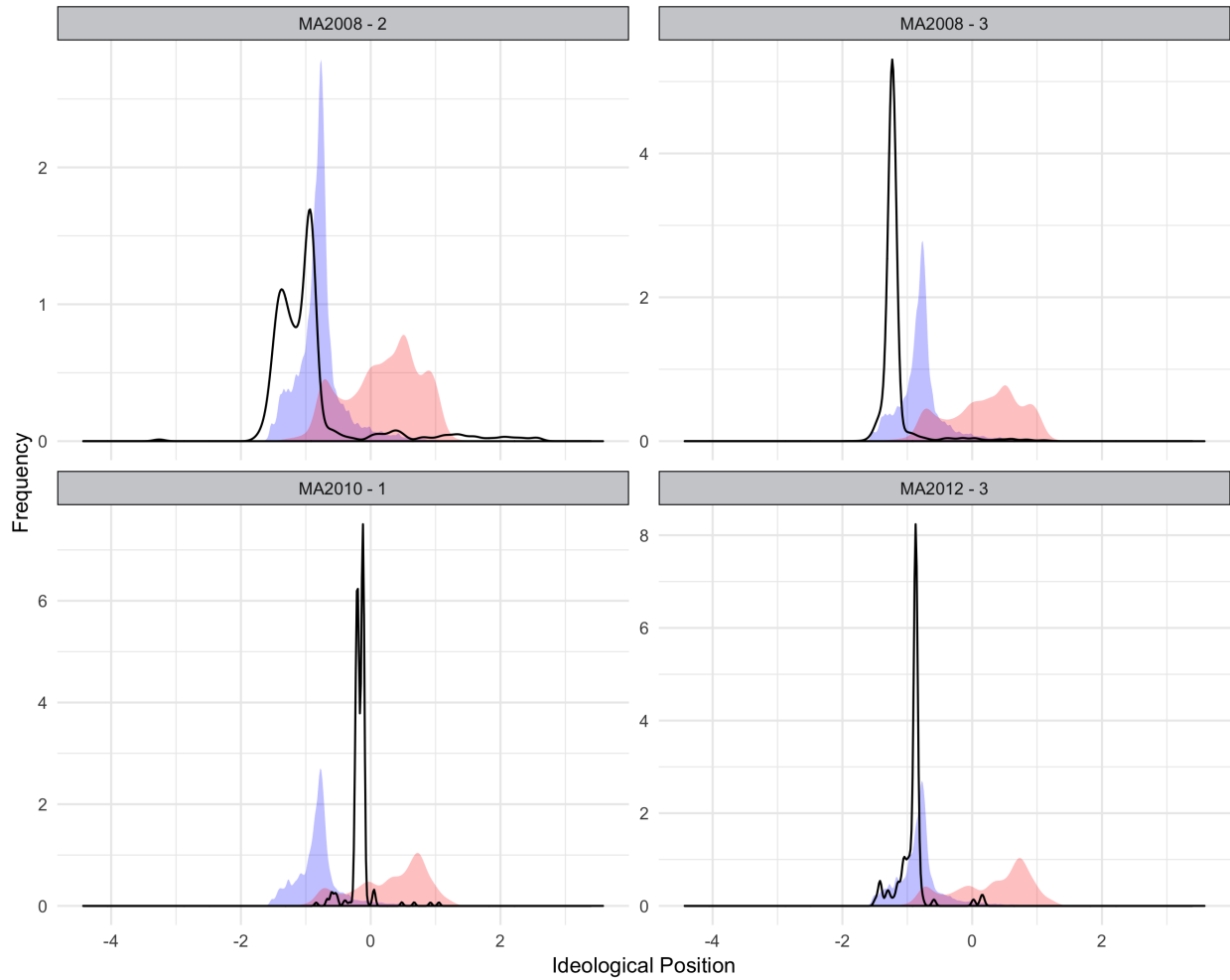


Figure E7: Maine kernel density plots of initiative and legislative party donors' ideology

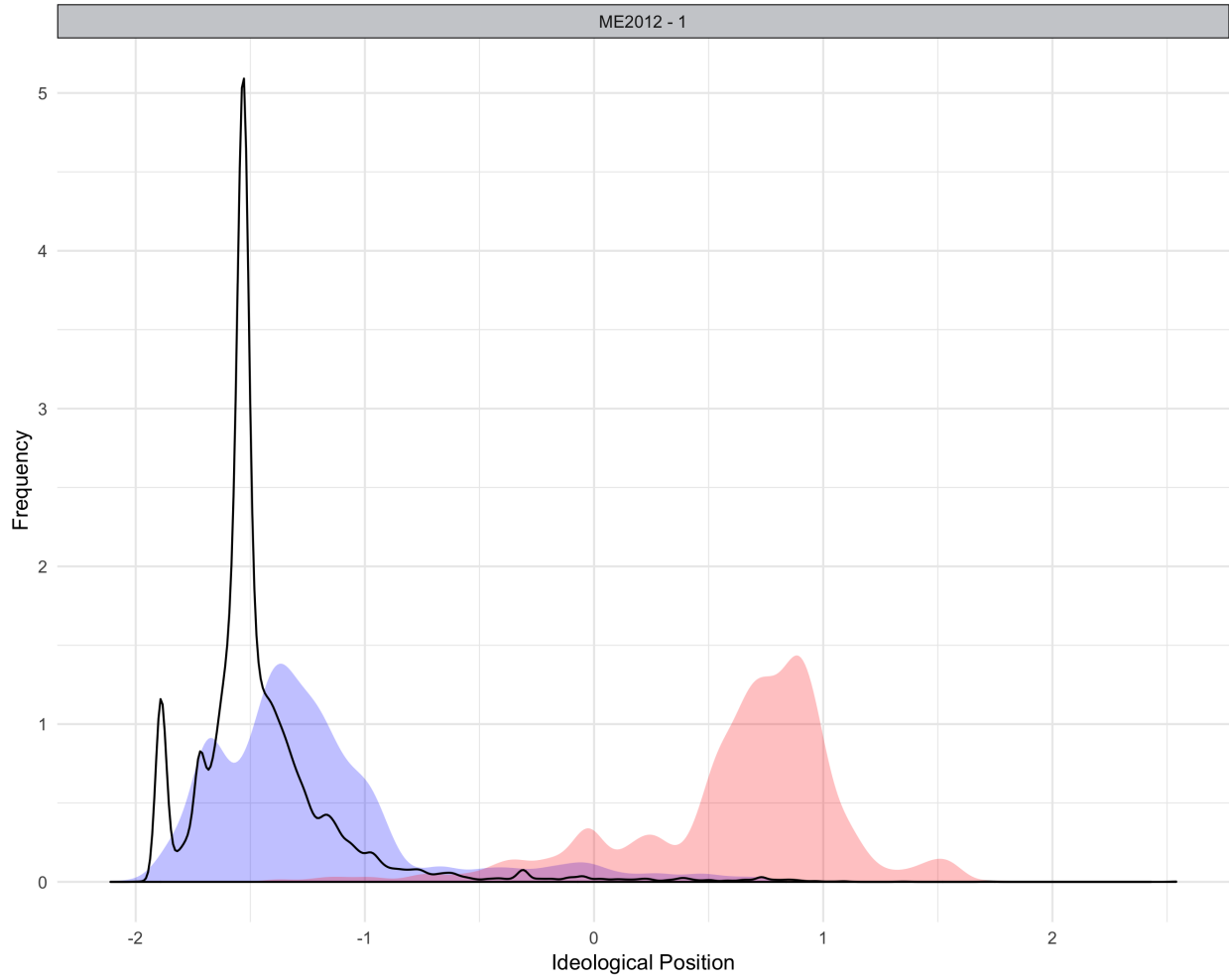


Figure E8: Michigan kernel density plots of initiative and legislative party donors' ideology

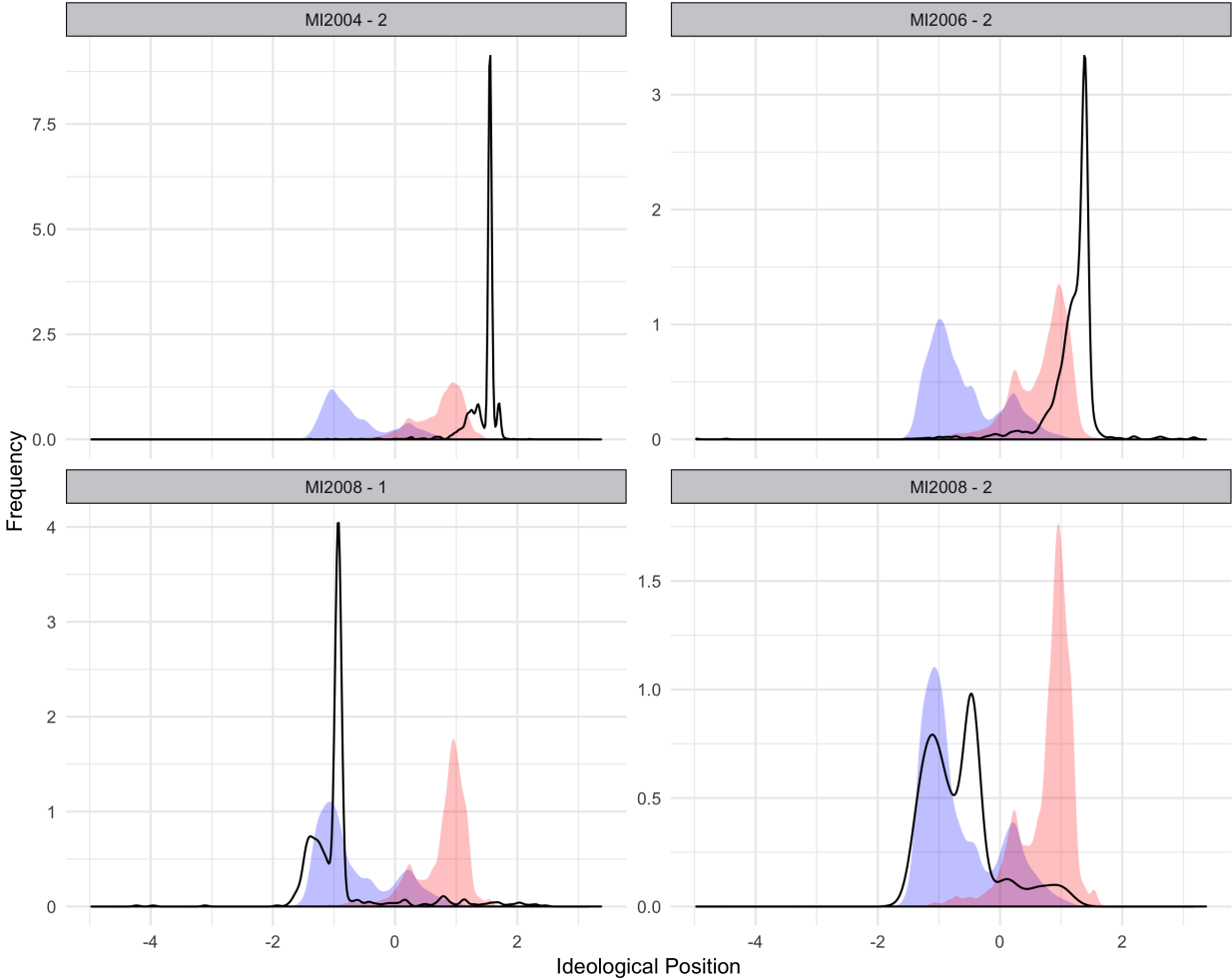


Figure E9: Montana kernel density plots of initiative and legislative party donors' ideology

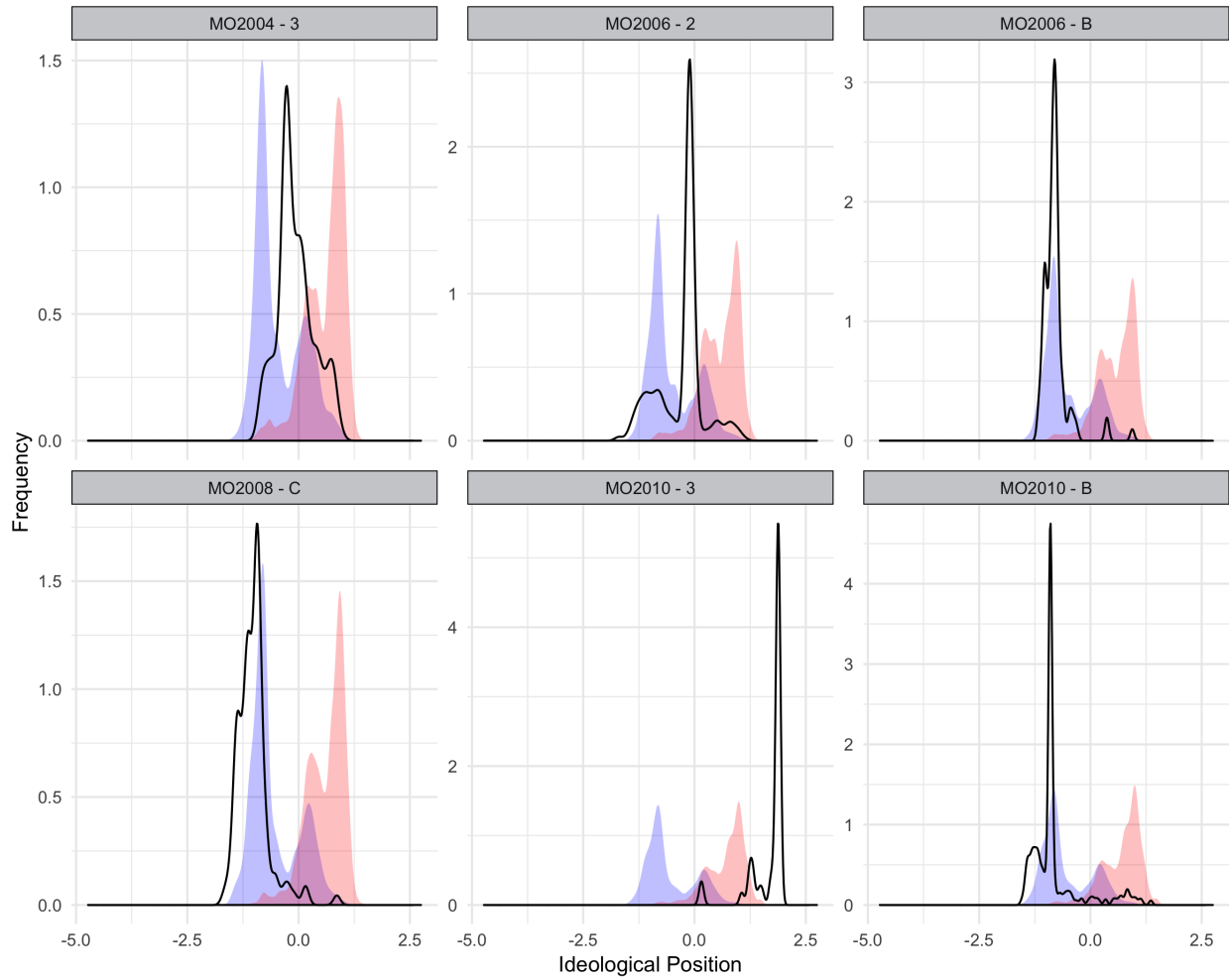


Figure E10: Nevada kernel density plots of initiative and legislative party donors' ideology

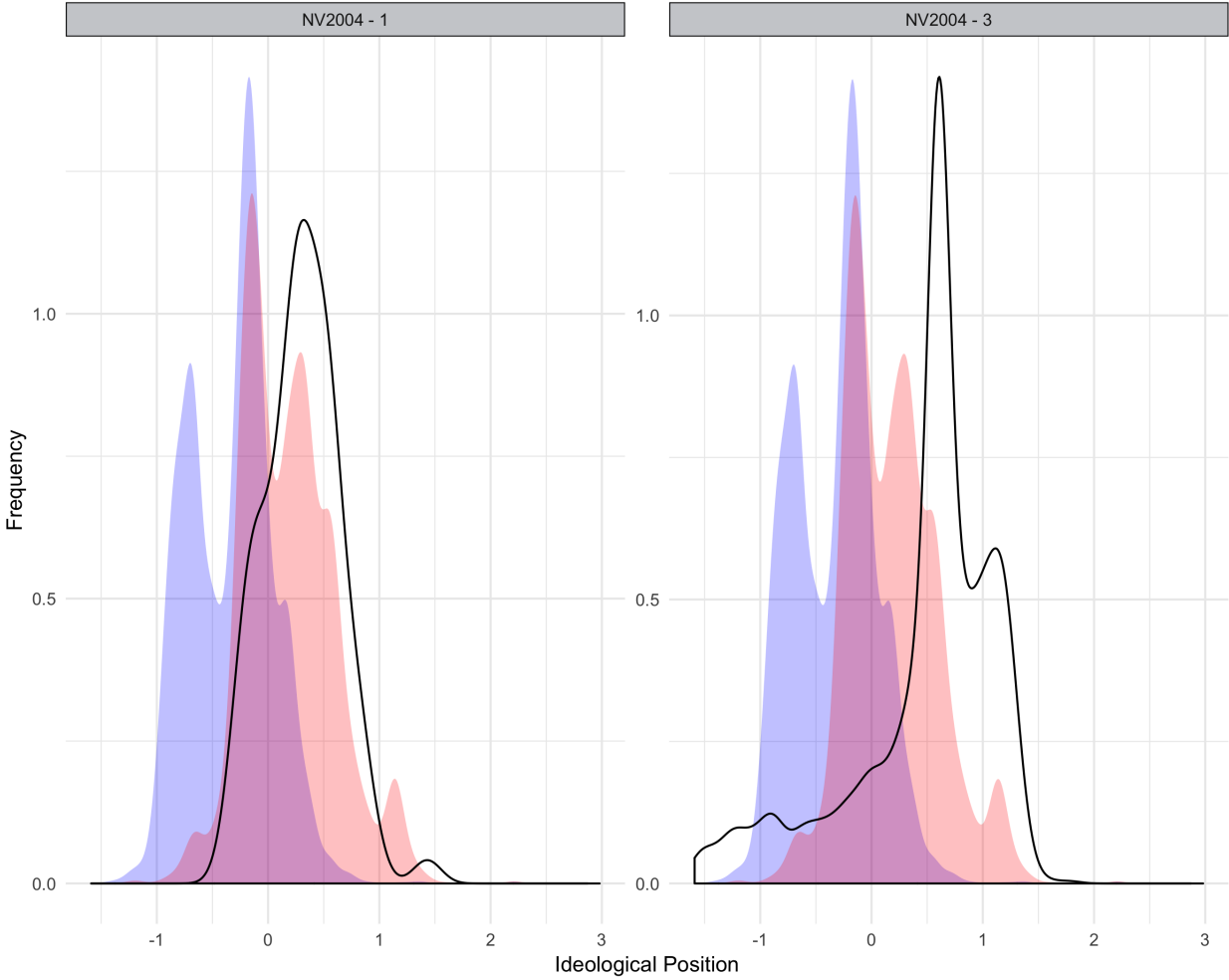




Figure E11: Ohio kernel density plots of initiative and legislative party donors' ideology

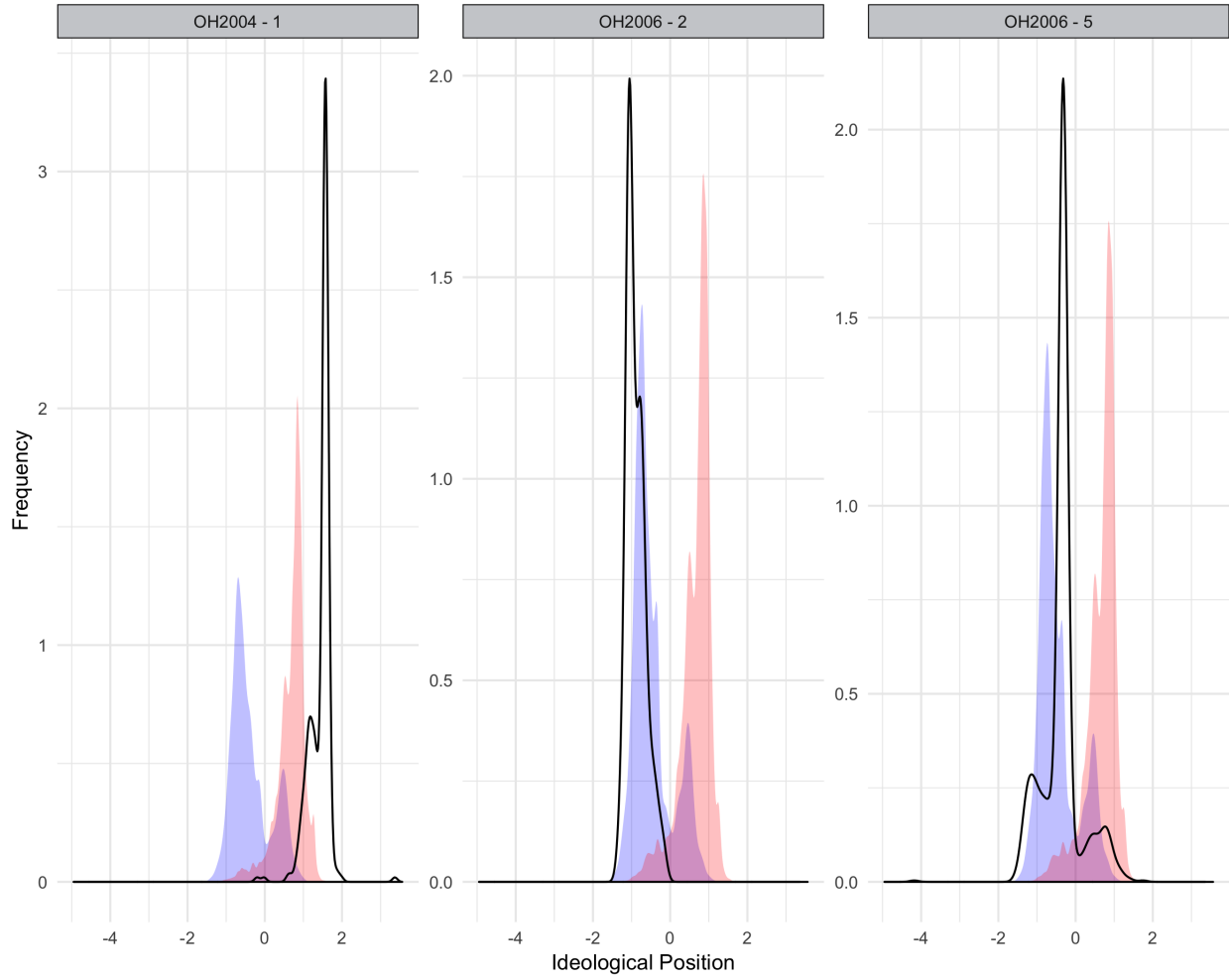


Figure E12: Oregon kernel density plots of initiative and legislative party donors' ideology

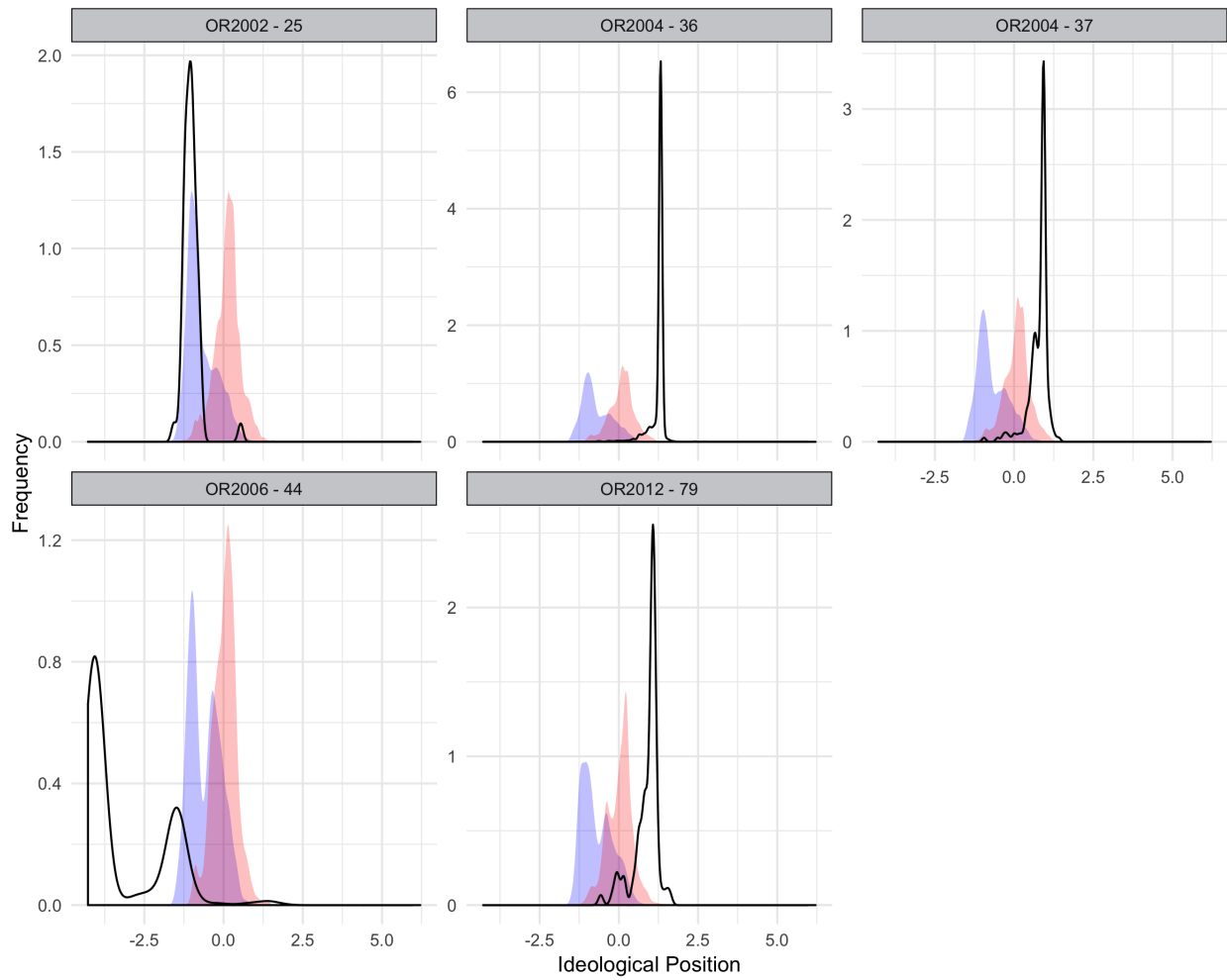
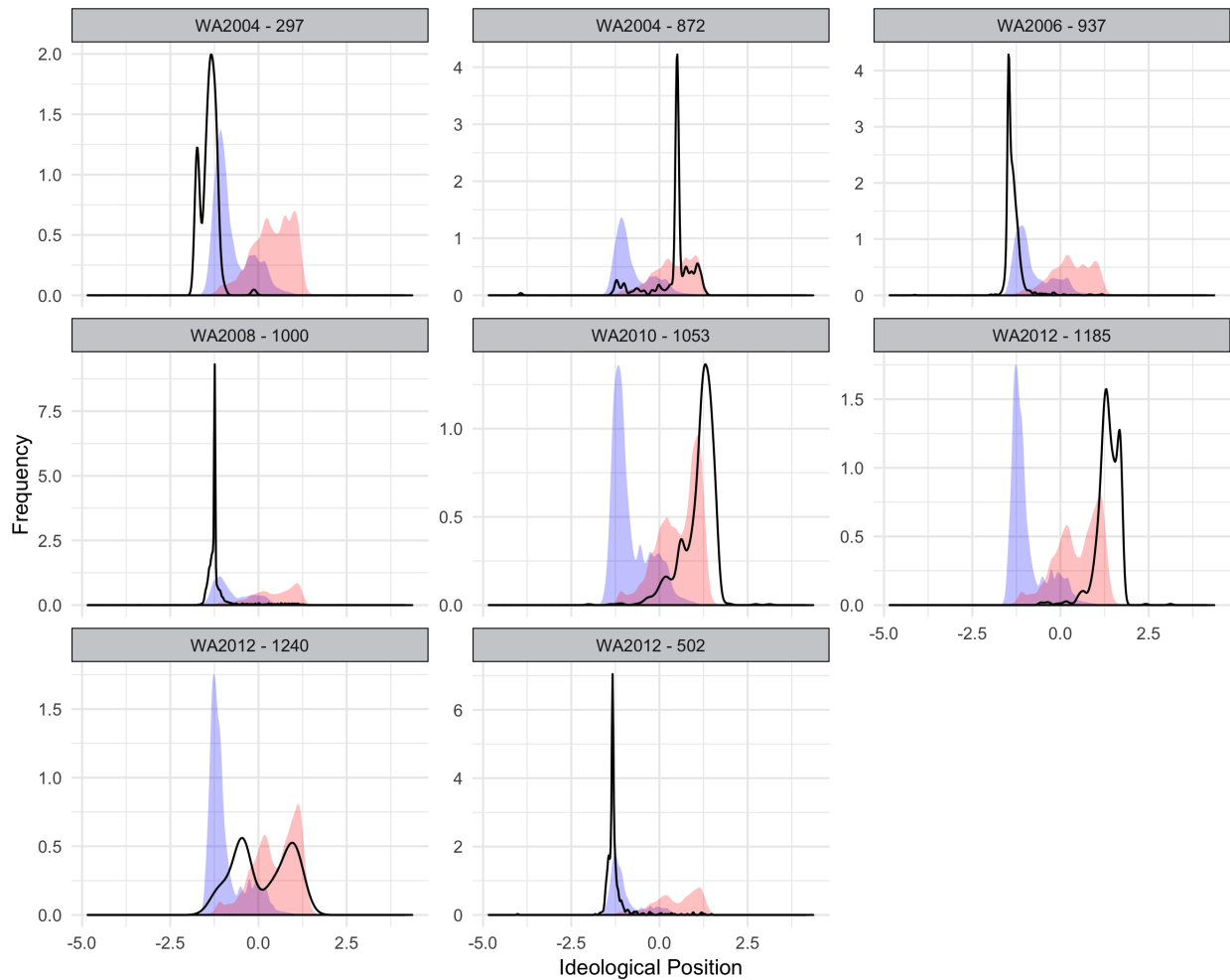


Figure E13: Washington kernel density plots of initiative and legislative party donors' ideology



## F Legislator survey: further analysis

Table F1: Legislator survey: mean importance of factors for deterring legislative action, by issue area

	Bad Policy	Econ. Costs	Interest Groups	Policy Sensitivity	Stalemate	Time	Uncertainty
Drugs	2.67	3.67	5.22	6.00	4.90	1.56	3.30
Elections	2.75	2.29	5.00	3.88	4.11	2.29	4.00
Environment	3.00	3.60	5.60	3.20	4.00	2.60	2.25
Guns	3.25	0.25	5.00	6.33	6.00	2.40	2.75
Taxes	4.56	4.88	5.33	5.00	3.25	0.88	2.38
Wages	2.13	2.80	5.07	3.47	4.13	2.33	1.93