

The Indirect Effect of Direct Legislation

The Indirect Effect of Direct Legislation

How Institutions Shape Interest Group Systems

Frederick J. Boehmke



The Ohio State University Press
Columbus

Copyright © 2005 by The Ohio State University.
All rights reserved.

Library of Congress Cataloging-in-Publication Data

Boehmke, Frederick J.

The indirect effect of direct legislation : how institutions shape interest group systems / Frederick J. Boehmke.

p. cm.

Includes bibliographical references and index.

ISBN 0-8142-0996-3 (cloth : alk. paper) — ISBN 0-8142-9074-4 (cd-rom)

1. Referendum—United States—States. 2. Direct democracy—United States—States. 3. Pressure groups—United States—States. 4. Lobbying—United States—States. I. Title.

JF494.B64 2005

328.273—dc22

2005002172

Cover design by Dan O'Dair

Type set in Minion

Printed by Thomson-Shore, Inc.

The paper used in this publication meets the minimum requirements of the American National Standard for Information Sciences—Permanence of Paper for Printed Library Materials. ANSI Z39.48–1992.

9 8 7 6 5 4 3 2 1

Contents

List of Tables	vii
List of Figures	ix
Acknowledgments	xi
Chapter 1 Introduction	1
Chapter 2 Modeling the Initiative Process	14
Chapter 3 Interest Group Mobilizations	51
Chapter 4 State Policy Adoptions	71
Chapter 5 Interest Group Resources and Lobbying Tactics	94
Chapter 6 Interest Group Lobbying Strategies	122
Chapter 7 Interest Groups and the Initiative Process	144
Appendices	165
A: Rules and Regulations for Initiatives and Referendums	165
B: Derivation of Formal Results	167
C: Survey Instrument	172
Notes	183
Works Cited	199
Index	211

List of Tables

2.1. Summary of Utilities	25
3.1. Average Size of State Interest Group Populations and Subpopulations	55
3.2. Negative Binomial Regression Results for Total Registered Interest Groups per State in 1975, 1980, and 1990	61
3.3. Negative Binomial Regression Results for Total Economic and Citizen Groups per State in 1975, 1980, and 1990	65
3.4. Average Number of Groups by Alternative Categorization in 1990	67
3.5. Effect of the Initiative on Alternative Categorization of Groups in 1990	68
4.1. Years of Policy Adoptions by State	81
4.2. Event History Analysis of Timing of Capital Punishment Adoptions	85
4.3. Effect of the Initiative on the Probability of Adopting Capital Punishment	87
4.4. Event History Analysis of Timing of Indian Gaming Adoptions	89
4.5. Effect of the Initiative on the Probability of Adopting Indian Gaming	91
5.1. Interest Group Characteristics by Initiative Possibility	103
5.2. Importance of Lobbying Tactics by Initiative Possibility	105
5.3. Reasons for Issue Involvement by Initiative Possibility	109
5.4. Reasons for Deciding Which Legislators to Contact by Initiative Possibility	111
5.5. Interest Group Characteristics by Initiative Involvement	114
5.6. Importance of Lobbying Tactics by Initiative Involvement	115
5.7. Reasons for Issue Involvement by Initiative Involvement	117
5.8. Reasons for Deciding Which Legislators to Contact by Initiative Involvement	119
6.1. Factor Analysis of Lobbying Tactics: Principal Components' Eigenvectors	129

6.2.	Average Lobbying Strategy Scores by Initiative Possibility and Involvement	133
6.3.	Determinants of Lobbying Strategies: Group Factors and Initiative Possibility	139
6.4.	Determinants of Lobbying Strategies: Initiative Possibility and Involvement	141
7.1.	Importance of Interest Groups' Issue Concerns by Initiative Possibility	155
A.1.	Initiative and Popular Referendum Provisions by State	165
A.2.	Years of Initial Initiative or Popular Referendum Adoption	166
A.3.	Signature Requirements for Initiative Provisions (%)	166
C.1.	Rankings of Selected States' Interest Group Populations	172
C.2.	Response Frequencies and Survey Weights	173

List of Figures

2.1. Equilibrium Outcome and Interest Group's Utility (Case 1: $\beta \leq 1$)	31
2.2. Equilibrium Outcome and Interest Group's Utility (Case 2: $\beta > 1$)	32
3.1. Estimated Increase in Interest Group Populations Due to the Initiative Process	70
4.1. Total Capital Punishment and Indian Gaming Policy Adoptions by Year	84
4.2. Estimated Effect of the Initiative Process on the Probability of Policy Adoption	93
5.1. Frequency Distribution of Group Revenue by Initiative Possibility	102
5.2. Estimated Effect of the Initiative on Interest Group Characteristics and Behavior	120
6.1. Distribution of Inside and Outside Lobbying Scores by Initiative Possibility	132
6.2. Estimated Effect of Initiative Possibility and Involvement on Interest Group Lobbying Strategies Relative to Noninitiative State Groups	142

Acknowledgments

The realization of this book is the product of two different processes. The first came during my years of graduate study at the California Institute of Technology when the faculty taught us how to ask questions and do the research necessary to answer them. Most important in this education was my dissertation adviser, R. Michael Alvarez, who taught me much of what I know about political science and helped instill my love of politics. Indispensable advice and feedback were provided by the other members of my dissertation committee; I thank Jeff Banks, Rod Kiewiet, and Bob Sherman. Other faculty at Caltech were helpful, including Lance Davis, Matt Jackson, Jonathan Katz, Richard McKelvey, Tom Palfrey, and Simon Wilkie. I had the great fortune of being surrounded by a particularly large group of graduate students who helped me navigate not only the program, but eventually the discipline as well. I thank all of them individually and collectively; specific thanks go out to John Patty, Valentina Bali, and Garrett Glasgow. My best friend from college, Chris Meissner, may have stuck with economic history but still provided much-needed inspiration and colloquy over the years.

The second stage of this project started when I arrived at the University of Iowa. In the Department of Political Science, I found excellent colleagues and students who offered a great atmosphere to rework my dissertation into a book. Discussions with Chuck Shipan and Doug Dion were essential over the course of this process. Shipan read through an entire draft of the manuscript and provided excellent comments. Additional feedback came from other members of the faculty and graduate students at departmental seminar presentations. I want to thank Gary Segura, Dave Redlawsk, Denise Powers, Chris Ball, Rick Witmer, Al D'Amico, Mike Lewis-Beck, John Nelson, and Kedron Bardwell for their advice. Throughout this project, Karen Stewart, Carole Eldeen, and Wendy Durant provided valuable secretarial assistance.

Along the way, I also had the assistance of various visiting faculty members at these two institutions who were willing to spend part of their time working with me. I had the rather propitious opportunity to walk down the

hallway and talk to Frank Baumgartner for an entire year while I was planning and developing my survey of state interest groups. I thank him for all the time he spent guiding me through the process. Also at Caltech, Roger Klein provided invaluable assistance helping me work out the details of the statistical method that forms the basis for the analysis in chapter 7. At Iowa, I got to know Rick Witmer during the year he was visiting. His knowledge of Native American politics has been irreplaceable for all of the work we have done together and has made the analysis of Native American gaming activities in chapter 4 much more thorough and informed.

In addition to individuals at Caltech and Iowa, I also received valuable feedback at various professional presentations and seminars I have given. The comments of many individuals over this period were helpful, including Neal Beck, Shaun Bowler, John Brehm, Todd Donovan, Elisabeth Gerber, Jeff Gill, Paul Gronke, Brad Jones, Laura Langer, Beth Leech, David Lowery, John Matsusaka, Chris Mooney, Jonathan Nagler, Caroline Tolbert, and Dan Smith.

In more practical matters, a variety of scholars have provided data and assistance in gathering the data used in this book. Rod Kiewiet shared his data on state government finances used in chapter 4. All of the interest group data used in chapter 3 was graciously provided by David Lowery and Virginia Gray. Beth Leech was kind enough to allow me to use her survey of national groups as a starting point for my questionnaire and she and Frank Baumgartner answered numerous questions as I fine-tuned it. Resources and funding for the survey were provided by Mike Alvarez and the Division of Humanities and Social Sciences at Caltech. Organizing, formatting, printing, and mailing out the 2,000 surveys was tough going. I gratefully acknowledge the assistance of Laurel Auchampaugh and Gail Nash during that endeavor. In addition, I thank my dog, Quintin, for sacrificing much of the floor in my room during that period without engaging in any vengeful acts against the stacks of envelopes. I also thank the hundreds of groups that took the time to respond to the survey.

Some of the work done here was made possible by funding from other sources. Development of the survey was conducted while I received funding in 1998–99 from the John Randolph Haynes and Dora Haynes Foundation in the form of an intermediate graduate student fellowship. I was pleased to learn of Dr. Haynes's key role in bringing the initiative process to California almost a hundred years ago. Some of the work in developing the statistical model used in chapter 6 was performed with funding from an Old Gold Fellowship at the University of Iowa.

During the final step of turning my manuscript into a book, I received excellent comments and assistance from Malcolm Litchfield at The Ohio

State University Press. The comments of two anonymous reviewers were also very helpful.

Finally, none of this would have been possible without my family—Fred, Jen, Marcia, and Melissa—who provided love and support and helped keep me positive along the way. Because my father, Fred Boehmke, gave me everything, I dedicate this book to him.

Introduction

The debate on direct legislation, by the press and from the platform, produced no lasting contributions to political theory. It consisted of pictures of the promised land by the advocates and forecasts of chaos by the opponents, and both prophecies were liberally spiced with personal denunciations approaching dangerously on libel.

—V. O. Key Jr. and Winston W. Crouch (1939)

In many ways, little has changed in the sixty-six years since Key and Crouch wrote this in 1939. The debate about the initiative process, a form of direct democracy through which ordinary citizens can submit potential legislation to a state's voters for approval, still focuses on gloom and doom predictions about the end of democracy in books with titles like *Paradise Lost* (Schrag 1998), *Democracy Derailed* (Broder 2000), *Dangerous Democracy* (Sabato, Ernst, and Larson 2001), and *Democratic Delusions* (Ellis 2002). Yet at the same time, it is still staunchly defended by its supporters as the best remedy for the ills of state government. The critics generally argue that the growing importance of money in initiative campaigns restricts use of the initiative process to an elite set of interest groups. The ironic part of this criticism is that the Populist and Progressive reformers who fought for its adoption almost one hundred years ago intended it as a recourse against wealthy economic interests that had seized control of state legislatures. Even recent instances of grassroots uprisings like the hallowed tax revolt of the late 1970s and early 1980s have come under attack as a “*faux* populist moment” (Smith 1998).

In many ways, these negative assessments of direct legislation, specifically the initiative process, result from the failure of scholars to meet the first criticism leveled by Key and Crouch: there have been few advances in our theoretical understanding of how the initiative process influences politics. Evidence of the failure of the initiative process is often a handful of

select initiatives chosen to highlight its shortcomings rather than systematic studies that assess the impact of the initiative on state politics. Observing that a few initiative campaigns are costly or that narrow interests occasionally prevail does not by itself constitute a valid reason to condemn the entire process.

Further, because most of the criticisms focus on specific initiative campaigns, they offer no sense of the extent of the problem. Notably, over the last century, the average initiative state passed about one initiative every two years. Even in California, the state now upheld as the poster child for the ills of the process, only two initiatives passed per year during of the peak usage decade of the 1990s. At the very least, these figures suggest that narrowly focusing on a few high-profile ballot measures may overemphasize the direct consequences of the initiative process.

Concomitant with an overemphasis on the potential negative consequences of direct legislation is an underappreciation of the many indirect effects that it has on state and interest group politics. Reformers saw the initiative process not just as a way to influence legislatures that they perceived as overly responsive to the interests of wealthy businesses, but they also expected it to spur the common citizen to increased levels of participation. Today, the emphasis has been predominantly on the negative effects, but there is no reason to expect that the hoped-for indirect effects have either failed to materialize or have since dissipated. An institution that allows ordinary citizens and interest groups the opportunity to propose legislation on their own, often with no input from the legislature whatsoever, should have myriad consequences for the political process. When groups seeking new policies are no longer at the mercy of elected officials, one would expect a collective change in how groups operate. Potential groups that before saw no hope for their proposals may now decide that they should become active. Legislators who thought they could keep a lid on the demands of some groups may now be faced by groups emboldened by the possibility of proposing an initiative. Legislators must take their potential irrelevancy into account when arbitrating between competing interests, leading previously unfavored groups to rise in prominence.

The initiative process is not just about what happens on election day; it is a fundamental twist on the institutions of representative democracy. To assess its impact, then, one must ask a broader question: how does the ability of citizens and organized interest groups to circumvent the legislative process alter traditional state and interest group politics? The answer to this question is crucial to understanding how the initiative process affects representation and influence in state politics. Changing the institutional structure that individuals and groups face alters which interests and characteristics are rewarded.

Because the initiative process does not function in the same way as the legislative process, the interests that benefit from its presence are different from those that thrive in the statehouse. Passing initiatives requires persuading a majority of voters to support the group's proposed policy over the status quo. Swaying voters is decidedly different from approaching legislators and lobbying them to introduce and vote for or against new bills. Legislatures are deliberative bodies with a host of checks and balances built in. This makes them conservative in terms of their tendencies toward policy change, particularly compared to all-or-nothing initiatives that are often conceived and drafted entirely by proponents. Groups with broad memberships and public support have a greater advantage with voters than with legislators, so the presence of the initiative process should increase their influence in state politics. And because legislators have to pay more attention to these groups in order to avoid losing their say on policy, the benefits to these groups extend beyond the ballot box.

The nature of the initiative process therefore suggests that it should continue to have multiple indirect effects on state and interest group politics. One of its most important indirect effects is to increase the influence of certain types of groups relative to others. This shift is particularly important because it works in favor of traditionally disadvantaged, broader-based membership groups that help represent a wider segment of the public interest. These groups have generally been less successful, compared with the narrow economic interest groups that find it easier to mobilize and represent their interests before government. As documenting and understanding this bias has been one of the major accomplishments of scholars of interest groups over the past half century, the fact that the initiative process ameliorates that bias increases its significance as a political institution.

The goal of this book, then, is to explicitly make the argument that the consequences of direct legislation extend far beyond the relatively few initiatives that make the ballot and the even fewer that actually pass. The incentives that access to the initiative process offers to existing and potential interest groups produce important differences between interest group populations in initiative and noninitiative states. Foremost among these differences, I show that initiative states have almost 30 percent more interest groups and over 40 percent more citizen groups, making them more representative than noninitiative states. In addition, groups in initiative states have more members and fewer financial resources, leading them to emphasize lobbying approaches that favor the former over the latter. Groups in initiative states are more likely to rely on membership-intensive lobbying tactics like organizing protests and electioneering rather than traditional approaches such as contacting legislators or agencies and testifying before committees. A complete evaluation of the initiative process

must account for these indirect ways in which ballot access permeates and structures interest group politics.

To demonstrate the nature of the indirect effect, I rely on a model of interest group influence that incorporates both legislative lobbying and access to the initiative process. The model is used to predict specific ways in which the initiative process influences interest groups and state politics. The bulk of the book is devoted to testing these predictions and demonstrating the magnitude of the indirect effect of the initiative process. These tests are performed using a variety of different political phenomena, including policy adoption, policy diffusion, interest group mobilizations, interest group characteristics, and interest group lobbying behavior. That the initiative process influences each of these demonstrates the scope of its indirect effect on state politics.

Interest Groups and Initiatives

The Story of Medicinal Marijuana

The story of the recent successes of the medicinal marijuana movement is an excellent example of how the initiative process creates and influences interest groups. One of the objectives of this movement is to allow sufferers of chronic pain the opportunity to manage their discomfort by obtaining prescriptions for marijuana. The movement has met with widespread resistance from both state and federal governments. It has found some success in the last decade, however, by turning to the initiative process. So while the first statewide success of the movement occurred through the legislature in Ohio in 1995, almost every success since then has been through the ballot. In fact, even in Ohio the initiative process played an important role in keeping the legislation in place. In 1995, the legislature attached a provision to a state crime bill that allowed medicinal use of marijuana, which Governor George Voinovich apparently only discovered after the bill became law. When he found out, he declared that he would fight to repeal the provision. In response to his plan of attack, Americans for Medical Rights (AMR) threatened to place an initiative on the 1996 ballot if necessary (Americans for Medical Rights 1996). The threat of a ballot measure caused the governor to back down and helped secure the advocates' victory in Ohio.

Other groups were also involved in the drive for medicinal marijuana legislation in Ohio. One of these groups, Coalition for a Better Ohio, was formed in summer 1995. It started as a student group at Columbus State Community College, holding protests and using its expertise on the issue

to get press attention (Coalition for a Better Ohio 1998). At the same time, similar groups in other states were also fighting for reform. In every case where the movement succeeded in passing medicinal marijuana legislation, the initiative process played a key role. Success at the ballot in many states demonstrates that political leaders in Ohio had to take AMR's threat to propose an initiative seriously; without this threat they may have felt comfortable overturning the law.

Besides its role in influencing policy, the initiative process also influenced interest group behavior, as evidenced by the history of Americans for Medical Rights. Originally, AMR did not begin with such a national focus. In fact, it started as Californians for Medical Rights and was more narrowly concerned with seeking reform in one state. Success came in 1996 when the group helped pass Proposition 215 in California, spending about \$650,000 in the process. Only after early success in an initiative state did the group branch out and target other states. The campaign for Proposition 215 not only launched Americans for Medical Rights, it also served as a catalyst for other initiative mobilizations. The signature gathering campaign for 215 led to the founding of the Sonoma Alliance for Medical Marijuana, a group that sponsors speakers and provides information at various public events (Miller 1997). Nor did these groups disband with the passage of Proposition 215. Many of them remained organized and battled to make sure it was implemented in the face of government resistance. Groups such as the Alliance for Medical Marijuana attempted to work with district attorneys and the police to establish cultivation and distribution systems (Miller 1997), which posed a challenge because of marijuana's federal status as a controlled substance with no therapeutic value.

With the success of Proposition 215, some of these groups decided to expand their focus beyond California and began to target other states. In 1998, for example, Americans for Medical Rights was behind the campaign for Amendment 19 in Colorado. In the process, it helped spur yet another initiative mobilization by helping to found another initiative state interest group, Coloradans for Medical Rights. Even though Amendment 19 was largely symbolic in nature, Coloradans for Medical Rights still fought for its passage to send what they believed would be an important message to state legislators (Colorado Citizens for Compassionate Cannabis 1998). Other groups had also formed around the issue in Colorado, including the Colorado Hemp Initiative Project. Although the group had been in existence since about 1990, it was not directly involved with Amendment 19.

Besides Colorado, many other states across the nation experienced similar campaigns in 1998, including Washington, Oregon, Nevada, Alaska, and the District of Columbia. As with the Colorado attempt, all of these

passed.¹ AMR provided much logistic and financial support for many of these efforts, including \$30,000 for the Washington campaign.² In many cases, AMR started state chapters for these campaigns in initiative states, including Mainers for Medical Rights, Coloradans for Medical Rights, Floridians for Medical Rights, Arizonans for Medical Rights, Oregonians for Medical Rights, and Alaskans for Medical Rights.

After the success of these efforts, many groups decided to push for even greater permissiveness in marijuana laws. In 2002, two initiatives sought to decriminalize possession of small amounts of the drug. In Nevada, citizens voted on a constitutional initiative, Question 9, to decriminalize possession of small amounts of marijuana for personal use. Nevada's regulations require constitutional initiatives to pass in two successive elections, but Question 9 failed to pass on the second vote. Arizona's failed Proposition 203 would have increased the ease of distributing medicinal marijuana and also would have reduced punishments for possession to a civil fine. So while voters appear to be sympathetic to medicinal uses for marijuana, attempts to expand its acceptance beyond such needs have met with much less success. This suggests that voters pay at least some attention to the substance of the issue at hand and are not duped by campaigns.

The story of medicinal marijuana provides excellent examples of the direct and indirect effects of the initiative process. The direct effect is manifested by the many states that adopted more lenient legislation through the ballot. The indirect effect includes the large number of groups that formed during the campaigns. These groups fought for the passage of specific ballot measures in the past, but they also continue to lobby for enforcement and additional reforms today. After Californians for Medical Rights formed to fight for the issue and pass an initiative in California in 1996, it became national in focus, as indicated by the name change to Americans for Medical Rights. The group then fought in other states and left established interest groups in its wake, including Coloradans for Medical Rights, Floridians for Medical Rights, Mainers for Medical Rights, and the Sonoma Alliance for Medical Marijuana.

What happens to groups such as these after they mobilize—either to win specific initiative campaigns or merely in response to the apparent increased potential for success that the initiative process provides? Is medicinal marijuana an unusual case, or are there other issues that involve similar stories of interest groups mobilizing, expanding, and continuing their work after successful initiatives? What, then, are the consequences of these indirect effects for interest group populations and state politics in initiative states? If there are more issues and groups like these, the indirect effects of the initiative process in terms of interest group mobilizations and lobbying behavior are likely large enough to warrant more attention than

they currently receive. These are some of the questions and issues that I attempt to address in this book.

Initiative Mobilizations

The foundation for the differences between interest groups in initiative and noninitiative states can be summarized through the concept of initiative mobilizations. I use this term to mean the formation of interest groups that results directly or indirectly from the incentives that the initiative process offers. They occur directly when specific initiative campaigns lead to the formation of new interest groups. They occur indirectly when groups form because of the potential to propose an initiative, which might provide enough leverage to push the legislature into enacting their policy without actually resorting to a ballot proposal. These are groups such as the Sonoma Civil Rights Action Project, which most likely would not have successfully mobilized in noninitiative states because the incentives were not strong enough. Access to the initiative process, by offering an alternate avenue for policy influence, provides the additional incentives required to engender the group's mobilization. The process of initiative mobilization is the reason that direct legislation states have more interest groups.

The differences are likely to be much more than a simple increase in the number of interest groups. Because certain groups are better equipped to use the initiative process, groups that are born out of initiative mobilizations are different from groups that would have mobilized anyway. Thus, the process changes the mix of interests that are represented as well as the distribution of resources and legislative lobbying methods among state interest group populations. Additionally, since campaigning for initiatives is unlike lobbying the legislature directly, the experiences of groups in initiative campaigns shape their lobbying strategies. These groups may learn to rely on or discover that they are more successful with lobbying tactics that are emphasized in initiative campaigns and carry these approaches over even when lobbying the legislature.

Ultimately, the consequences of initiative mobilizations for state politics and representation depend crucially on which types of groups are better able to use the process to further their goals. In fact, recent theoretical and empirical work suggests that citizen groups are better suited to use the initiative process to change policy, whereas economic groups generally use it to preserve policy (Gerber 1999). Combining this important finding with the logic of initiative mobilizations allows one to more specifically understand the differences between initiative and noninitiative states and to more fully evaluate the consequences of direct legislation.

In short, the model's predictions can be summarized as follows. Because of initiative mobilizations, initiative states should have interest group populations that are larger and more representative. Given this shift in interest group composition, interest groups in initiative states should have different resources, including more members and less revenue, at their disposal. If groups base their lobbying decisions on the resources at their disposal, this shift in resources should be reflected by a related shift in the lobbying style of groups in initiative states. In general, scholars have made an important distinction between inside and outside lobbying (Walker 1991; Kollman 1998). Inside lobbying involves direct legislative contact on the part of interest groups through such tactics as testifying at hearings, organizing legislative coalitions, and providing information; outside lobbying consists of attempts to indirectly influence legislative action by shaping public opinion and grassroots activity. The model predicts two ways that interest groups' choice of which lobbying strategy to use are affected by the initiative process. First, because of the shift in group resources, initiative states experience a greater amount of outside lobbying than non-initiative states. Second, because of their experience in initiative campaigns, which tend to generate more experience with outside lobbying strategies than inside lobbying strategies, groups in initiative states rely more heavily on outside lobbying even when they are not involved in initiatives. This difference should hold even after controlling for resource differentials caused by distributional shifts.

Beyond interest mobilizations and lobbying strategies, the model also makes predictions about state policy adoption and how policies diffuse from state to state. Because the initiative offers groups an additional avenue of influence if they fail in the legislature, it should lead initiative states to adopt policies more quickly than noninitiative states. And because of the information that adoption in initiative states provides about voters' preferences, the model also predicts that initiative state adoptions should be more influential and informative when other states are considering adopting the same policy.

These findings have important implications for state politics. If systematically different interests are being represented in initiative states, then policy outputs should represent these differences. If different styles of lobbying are used and rewarded, then the process of determining policy outcomes may also be different. The indirect effect of the initiative process encompasses all of these changes in interest group characteristics and behavior. Studying it is necessary for evaluating whether the initiative process is beneficial in the main and for understanding how institutions shape interest group systems.

Critiques of the Initiative Process

Before moving on to demonstrate the broader effects of the initiative process, it is important to review some of the criticisms leveled against it. This offers a sense of some of the negative effects that direct legislation may have on state politics, which can later be compared to the indirect effects that I highlight. Perhaps because of the increased number of initiatives over the last three decades, the number of critiques of the process has grown.³ Chief among these complaints is that the process has become yet another tool of wealthy economic interests that can merely buy legislation at the ballot box (Broder 2000; Smith 1998, 2002). Other concerns include the lack of flexibility that initiatives offer—once they are on the ballot it is impossible to make changes if potential problems or constitutional issues are raised. Furthermore, initiatives may attempt to deal with complex issues in an overly simplistic fashion (Zimmerman 1986). On the other hand, proposals may be so complicated that it is unreasonable to expect voters to comprehend what effect an initiative would have on policy if it were to pass.

Critics have also argued that the existence of too many initiatives in any one year leads to ballot clutter. In 1996, for example, California and Oregon had seventeen and sixteen citizen-initiated propositions on their respective ballots. This may make it more difficult for voters to understand each of them, reach an informed decision about how to vote, and then remember what conclusions they had arrived at when faced with the actual ballot. In addition, situations like this may merely create more opportunities for advertising by wealthy interest groups and individuals to affect the final vote.

Another objection to the process is that it leads to tyranny of the majority. Examples include California's Proposition 187, which sought to deny aid to illegal immigrants (although it passed, it was eventually ruled unconstitutional) and Proposition 209, which prohibited public universities from using race as a determining factor in admissions, thereby undermining affirmative action efforts.⁴

And, leaving all of these concerns aside, the argument has also been made that the initiative process stands in opposition to the form of representative democracy that the United States was founded on. Not only do successful initiatives take legislative power away from representatives, but they can often bind representatives' hands by making it harder to pass future laws. Such is the case with tax and expenditure limits set forth by Proposition 13 (which capped the rate at which property taxes could be increased and required the legislature to consult the voters for new levies

and often created supermajority requirements), which has been blamed for the decline of California's educational system, among other things (Schrag 1998).⁵ Haskell (2001) argues that direct democracy fails to provide a valid form of government because of difficulties in establishing the true will of the majority and, even if that could be established, because direct democracy institutions do not provide for the extensive array of checks and balances embedded in representative government.

Perhaps because of these criticisms, and perhaps because the initiative process takes power away from them, legislators have consistently attempted to make it harder for citizens to successfully place initiatives on the ballot. Various states have attempted to forbid groups from using paid signature gatherers (though the courts have ruled this unconstitutional—see Ellis [2003] or Lowenstein and Stern [1989] for discussion of this issue) and have also attempted to raise the signature requirements or impose harsh distribution requirements. In a report released by the National Conference of State Legislatures I&R Task Force on the current state of the initiative process (National Conference of State Legislatures 2002), the main conclusion was that states without the initiative process should not consider adopting it and that

... [t]he initiative has evolved from its early days as a grassroots tool to enhance representative democracy into a tool that too often is exploited by special interests. The initiative lacks critical elements of the legislative process and can have both intended and unintended effects on the ability of the representative democratic process to comprehensively develop policies and priorities. (National Conference of State Legislatures 2002, vii)

Despite these criticisms and repeated attempts to make it more difficult to use the initiative process, public support for it is still high.⁶ Surveys show that citizens in initiative states believe that they are competent to decide on ballot questions and that they believe that the initiative process is no less problematic or corrupted than the legislative process. Cronin found that 76 percent of respondents thought that voters should have a direct say on some public policy issues, whereas only 18 percent trusted elected officials to make laws (Cronin 1989, 80). Additionally, the initiative process creates the opportunity to regulate government activity in cases where elected officials might be resistant. Tolbert (1998) discusses the emergence of a New Populism since the tax revolt era in the late 1970s and early 1980s, when initiative states were more likely to adopt government reform legislation like term limits and restrictive tax increase regulations.

Interest Groups

The central argument of this book concerns the effect of the initiative process on interest groups' decisions regarding mobilization and lobbying. The initiative process is therefore the key variable that is used to further knowledge of interest groups. So while my findings have direct import for understanding direct legislation, they are primarily intended to advance understanding of how interest groups respond to incentives offered by political institutions.

The link between political institutions and structure and representation through organized interests has been discussed in previous work, particularly in Walker's important study (1991) of the effect of patronage on membership organizations. One of the few studies to follow up directly on Walker's speculation regarding the effect of political institutions on interest groups is Gais's study (1996) of the effect of government regulations on political action committee (PAC) formation. Neither of these studies, however, directly examines the role that variation in political institutions plays for interest groups. Yet it stands to reason that they would respond to differences in their environment as fundamental as direct legislation. In short, this book adds to the theoretical understanding of the initiative process by focusing on those that are most influenced by its presence: interest groups seeking to influence policy.

An important advantage of studying the effect of direct legislation on interest groups is that it is an avenue of approach available only in certain states, with almost half of them having some form of direct initiative provisions.⁷ This variation allows me to study the differences in interest group populations and interest group behavior in these two types of states. Studies of the Washington, D.C., lobbying community, including those cited above, rarely have the opportunity to compare interest group behavior across different institutional arrangements. Additionally, while studies of state interest group populations, including Gray and Lowery's population ecology approach (1996), offer important theoretical and empirical insight into the factors that influence interest group populations, they do not consider the role of variation in political institutions.

A second advantage of studying state interest groups is that most of the groups that exist today were not around when direct legislation provisions were enacted. Almost all states that adopted institutions of direct democracy did so around the turn of the twentieth century. Because of this separation, I can reasonably treat the presence of these institutions as independent of the groups that exist today, meaning that I can reject the possibility that characteristics of state interest group populations determine which states have the initiative process rather than the other way around.

If there are, as I expect, important differences between interest group populations in initiative and noninitiative states, these findings are important for understanding how citizens' preferences are translated in public policy. If initiative mobilizations do lead to increased representation for broad-based citizen groups vis-à-vis narrow economic interests, then the type of policies that are brought up for debate and the ultimate decision on what policy changes to make are likely to differ as well. Similar differences could be brought about by changes in lobbying strategies caused by initiative mobilizations and the legislature's response to the threat of initiatives. Further, changes in interest group politics along these lines are likely to lead to increased opportunities for citizen participation in state politics, thus ameliorating decades of decline in citizen participation.⁸ In the end, then, it may be that initiative state politics is closer to the Pluralist ideal of equal representation of all interests (Dahl 1961).

Plan of the Book

In this introduction, I have outlined the basic predictions of the theory that I develop fully in the next chapter. These theoretical results are used to generate three specific predictions about the effect of direct legislation on interest groups, and with the addition of three assumptions, I am able to generate additional implications. The second half of chapter 2 lays out the predictions of the model and explains how these three assumptions are incorporated to generate additional empirical implications of the model.

The remainder of the book tests the hypotheses derived from the model. Since the model generates predictions about many aspects of group behavior, different sources of data are required to test different predictions. Chapter 3 uses aggregate state-level data on total interest group mobilizations to test my model's prediction that access to the direct initiative process increases overall interest group mobilization. I then use data on the size of various interest group subpopulations in each state to show that these additional mobilizations are concentrated among traditionally underrepresented citizen groups, which are expected to benefit the most from direct legislation opportunities.

The next step is to analyze the extent to which groups are able to translate access to the initiative process into policy change. Chapter 4 therefore examines state adoptions of both capital punishment and Indian gaming agreements, demonstrating that interest groups can use the initiative process both directly and indirectly to effect policy change. These data are also used to test the model's prediction about the role of the initiative process in state-to-state policy diffusion.

Having demonstrated support for the model's predictions about both aggregate interest group populations and state policy outcomes, chapters 5 and 6 utilize survey data to evaluate the predictions of the model at the level of individual interest groups. In chapter 5, I use these data to provide another perspective on how initiative mobilizations change the characteristics of interest groups, including the size of their membership and the amount of financial resources available. These data are also used to test the model's predictions about the effect of access to the initiative process and the effect of involvement in specific initiative campaigns on interest group lobbying behavior.

While chapter 5 allows me to show the differences between interest groups and lobbying tactics in initiative states and noninitiative states, the model also has implications for how interest group lobbying strategies evolve in initiative states. Chapter 6 uses the survey data to construct indices of inside and outside lobbying, which are then used to test the effect of access to and involvement with direct initiatives on general lobbying strategies, controlling for resource differences. I find that interest groups in initiative states rely more on outside lobbying strategies and less on inside lobbying strategies, relative to groups in noninitiative states. I also find, however, that involvement in specific initiative campaigns increases the ability of groups to use inside lobbying strategies.

Overall, then, I find persuasive support for each of the model's predictions and implications. Although some can only be tested with one type of data, many are tested on multiple sources of data. The repeated support for many predictions using different types of data provides compelling evidence in favor of my theory of initiative mobilizations. It also makes a strong statement about the difference between interest group politics in initiative and noninitiative states. Interest groups in initiative states are more representative and rely less on inside lobbying and more on outside lobbying strategies. These findings demonstrate that direct legislation institutions have broader consequences for representation than earlier work suggests and that more work examining the indirect effects of institutions on interest groups is in order.

Appendices

Appendix A: Rules and Regulations for Initiatives and Referendums

Table A.1
Initiative and Popular Referendum Provisions by State

State	Provisions	State	Provisions
AL		MT	S,C,PR
AK	S,PR	NE	S,C,PR
AZ	S,C,PR	NV	IS,C,PR
AR	S,C,PR	NH	
CA	S,C,PR	NJ	
CO	S,C,PR	NM	PR
CT		NY	
DE		NC	
FL	C	ND	S,C,PR
GA		OH	IS,C,PR
HI		OK	S,C,PR
ID	S,PR	OR	S,C,PR
IL	C	PA	
IN		RI	
IA		SC	
KS		SD	S,C,PR
KY	PR	TN	
LA		TX	
ME	IS,PR	UT	S,IS,PR
MD	PR	VT	
MA	IS,IC,PR	VA	
MI	C,IS,PR	WA	S,IS,PR
MN		WV	
MS	IC	WI	
MO	S,C,PR	WY	S,PR

Source: Gerber (1999), Zimmerman (2001), National Conference of State Legislatures (2002).

S = Direct Statutory, C = Direct Constitutional, IS = Indirect Statutory, IC = Indirect Constitutional, PR = Popular Referendum.

Table A.2
Years of Initial Initiative or Popular Referendum Adoption

State	Year Adopted	State	Year Adopted
SD	1898	NE	1912
UT	1900	OH	1912
OR	1902	WA	1912
ND	1905	MI	1913
MT	1906	NV	1914
OK	1907	KY	1915
ME	1908	MD	1915
MO	1908	MA	1918
AZ	1910	AK	1956
CO	1910	FL	1968
AR	1911	WY	1968
CA	1911	IL	1970
NM	1911	MS	1992
ID	1912		

Sources: Matsusaka (2004), state documents, Initiative and Referendum Institute.

Table A.3
Signature Requirements for Initiative Provisions (%)

State	Direct		Indirect		State	Direct		Indirect	
	Stat.	Const.	Stat.	Const.		Stat.	Const.	Stat.	Const.
AL					MT	5	10		
AK	10				NE	7	10		
AZ	10	15			NV		10	10	
AR	8	10			NH				
CA	5	8			NJ				
CO	5	5			NM				
CT					NY				
DE					NC				
FL		8			ND	2	4		
GA					OH		10	3+3	
HI					OK	8	15		
ID	6				OR	6	8		
IL		8			PA				
IN					RI				
IA					SC				
KS					SD	5	10		
KY					TN				
LA					TX				
ME			10		UT	10		10	
MD					VT				
MA			3+0.5	3	VA				
MI		10	8		WA	8		8	
MN					WV				
MS			12		WI				
MO	5	8			WY	15			

Source: Gerber (1999), Zimmerman (2001).

Note: In Massachusetts and Ohio the first number is the signature requirement for putting an indirect statutory initiative before the legislature. If it is not adopted the second number indicates the extra signatures needed to qualify it for the ballot. Stat. = statutory, Const. = constitutional

Appendix B: Derivation of Formal Results

Assume a binary policy space with elements 0 and 1. Let the status quo be at 0.¹ Assume the legislature and the interest group have opposite ideal points: the legislature's ideal point is 0, and the interest group's is 1. Denote the probability that an initiative passes in state i as λ_i , and the cost of a proposal as c . The utilities to the two actors of the possible outcomes are as follows:

$$\begin{aligned} u_L(0) &= 0, \\ u_L(1) &= -\beta, \\ u_G(0) &= -1, \\ u_G(1) &= 0. \end{aligned}$$

Assume $\beta > 0$ and $0 \leq c \leq 1$. If $c > 1$ the interest group will never propose an initiative and the results will be equivalent to those in states without the initiative process. The sequence of moves is as follows. The interest group can offer the legislature contributions in exchange for the legislature's moving policy from 0 to 1. The legislature can agree or disagree with this proposal. If it agrees, the two actors enter a Nash bargaining game to determine the exact amount of money that will change hands. If it disagrees, or if the group does not offer contributions, the group then has the option of proposing an initiative to move policy to 1. If it does propose, the initiative passes and policy moves to 1 with probability λ_p , after which the game ends. If it does not propose an initiative, policy stays at 0 and the game ends.

Proposition 1: The subgame perfect equilibrium in the game depends on β . When $\beta \leq 1$, the legislature and the interest group successfully bargain to move policy. When $\beta > 1$ the outcome depends on the value of λ_i .

1. $\lambda_i < \lambda_i^*$ The group does not propose an initiative and cannot bargain with the legislature.
2. $\lambda_i^* \leq \lambda_i < \lambda_i^B$ The group proposes an initiative.
3. $\lambda_i^B \leq \lambda_i$ The interest group and the legislature successfully bargain to move policy.

Proof. The legislature has to decide, based on β and the probability of an initiative's passing, whether to agree to bargain. If it does, it accepts the group's contribution (determined by applying the Nash bargaining solution) and moves policy. Otherwise, the group is left to potentially propose an initiative.

The group has to decide if it wants to propose an initiative, which will depend on the cost c and the probability of passage λ_i , and then, given this information, it determines if convincing the legislature to move policy by making contributions is more cost-effective. The interest group is willing to use the initiative when it has an expected utility greater than or equal to -1 . This happens when

$$\begin{aligned}\lambda_i u_G(1) + (1 - \lambda_i) u_G(0) - c &\geq -1, \\ (1 - \lambda_i)(-1) - c &\geq -1, \\ \lambda_i &\geq c.\end{aligned}$$

Call the value of λ_i that meets this condition with equality λ_i^* . For values greater than this, the initiative will have expected utility greater than or equal to the status quo.² Now I derive the Nash bargaining solution for the contributions subgame.

Denote the transfer t and let u_i^b be the utility to $i \in \{L, G\}$ of bargaining and u_i^r be the reservation utility of not bargaining. First I look at the case where $\lambda_i < \lambda_i^*$.

$$\begin{aligned}u_L^b &= -\beta + t, \\ u_L^r &= 0, \\ u_G^b &= -t, \\ u_G^r &= -1.\end{aligned}$$

The two actors will only agree to the contributions arrangement if it offers greater utility than leaving policy where it is. This implies

$$\begin{aligned}u_L^b &> u_L^r, \\ -\beta + t &> 0,\end{aligned}$$

and

$$\begin{aligned}u_G^b &> u_G^r, \\ -t &> -1.\end{aligned}$$

This bounds the possible set of transfers:

$$\beta < t < 1.$$

One of the features of the Nash bargaining solution is that if the two bargainers have the same utility function (up to a scale factor), they will split the surplus generated by the bargain, which in this case is $1 - \beta$.³ The Nash

Bargaining Solution therefore dictates that the equilibrium transfer is

$$t^* = \frac{1+\beta}{2}. \quad (1)$$

In the other case, when $\lambda_i \geq \lambda_i^*$ only the reservation utilities change:

$$\begin{aligned} u_L^r &= -\beta\lambda_i, \\ u_G^r &= -1 + \lambda_i - c. \end{aligned}$$

This alters the bounds on the possible transfers:

$$-\beta\lambda_i < t < 1 - \lambda_i + c.$$

Splitting the difference again,

$$t^* = \frac{c + (1 + \beta)(1 - \lambda_i)}{2}. \quad (2)$$

There are two cases to consider in determining when the group will choose to propose an initiative rather than bargain with the legislature. In the first case ($\beta \leq 1$), the group can always persuade the legislature to move policy for contributions. In the second case ($\beta > 1$), the group cannot compensate the legislature for its utility loss unless it has a high probability of success at the ballot.

These two cases are outlined in figures 2.1 and 2.2.

Case 1: $\beta \leq 1$

The group and the legislature always bargain. The interest group prefers to bargain when

$$-t^* \geq -1 + \lambda_i - c, \quad (3)$$

$$-\frac{c + (1 + \beta)(1 - \lambda_i)}{2} \geq -1 + \lambda_i - c, \quad (4)$$

$$\beta(1 - \lambda_i) \leq 1 - \lambda_i + c \quad (5)$$

$$\lambda_i(1 - \beta) \leq 1 - \beta + c. \quad (6)$$

When $\beta = 1$ this condition is always met, since $c \geq 0$. When $\beta < 1$, one additional step shows that the inequality in 6 is always met:

$$\lambda_i \leq \frac{1 - \beta + c}{1 - \beta}. \quad (7)$$

Call the value of λ_i that meets this at equality λ_i^B . Taking the same steps for the legislature indicates that it bargains under the same conditions. Since it is obvious that $\lambda_i^B \geq 1$ (since $c \geq 0$ bargaining will always occur in this case.

Case 2: $\beta > 1$

In this case, the group is not able to fully compensate the legislature for its utility loss associated with moving policy when the probability of an initiative's passing is low. As the probability increases, however, the legislature may become willing to bargain. The difference occurs because the inequality in 7 switches directions when $1 - \beta < 0$. The group and the legislature bargain whenever $\lambda_i \geq \lambda_i^B$, and the group proposes an initiative whenever $\lambda_i < \lambda_i^B$.

In this case, bargaining is always a possibility, since $\lambda_i^B \leq 1$. Initiatives are not always a possibility, however, since $\lambda_i^B \leq \lambda_i^*$ for some combinations of β and c . This gives the equilibrium outcome as outlined in the proposition 1. QED

Proposition 2: The presence of the initiative process makes the proposing interest group weakly better off in expectation.

Proof. If the interest group proposes an initiative, it must provide higher expected utility than the status quo, which is at the legislature's ideal point by proposition 1.

All that is needed is to show that it also does better in the bargaining game. The interest group's utility of bargaining is $u_G^b = -t'$. If there is no expected utility gain from the initiative ($\lambda_i < \lambda_i^*$) the transfer is the same, so the possibility of proposing an initiative has no effect on the group's utility.

When $\lambda_i \geq \lambda_i^*$, the ability to propose an initiative can make the group better off. This can be shown by comparing the transfers made with and without the initiative process (equations 1 and 2):

$$\frac{c + (1 + \beta)(1 - \lambda_i)}{2} \leq \frac{1 + \beta}{2} \quad (8)$$

$$c + (1 + \beta)(1 - \lambda_i) - (1 + \beta) \leq 0 \quad (9)$$

$$c \leq \lambda_i(1 + \beta). \quad (10)$$

I now substitute $\lambda_i^* = c$ into 10 and use the fact that the transfer is only reduced by access to the initiative when $\lambda_i \geq \lambda_i^*$.

$$\lambda_i^* \leq \lambda_i(1 + \beta) \quad (11)$$

$$\frac{\lambda_i^*}{\lambda_i} \leq 1 + \beta \quad (12)$$

Since $\beta > 0$ the last inequality always holds. When there exists a utility-increasing initiative for the interest group, either it makes the reduced equilibrium transfer to the legislature, or it proposes an initiative. Because the group would only decline contributions in favor of an initiative if the initiative offered greater expected utility, it is always weakly better off with the initiative.

Proposition 3: If voters' preferences are positively correlated, neighbors' adoptions increase policy adoptions in initiative states, but not in noninitiative states, and only if the neighboring state is also an initiative state.

Proof. Given that λ_i is drawn according to some distribution at the start of the game, the actors' best guess is just the mean of this distribution, $E[\lambda_i]$. When there is correlation between the two states' draws, $\rho = \text{Corr}(\lambda_r, \lambda_j)$, then the outcome in state j is useful for estimating λ_r , which can be written as $E[\lambda_i | \lambda_j, \rho]$. When ρ is positive, $E[\lambda_i | \lambda_j, \rho > 0] \geq E[\lambda_i | \lambda_j, \rho = 0]$; when ρ is negative, the opposite relationship holds.

Actors do not directly observe their neighbor's realization of λ_j , however—just whether the policy was adopted or not. This information can be used to update their beliefs about the realization of λ_j , though, since the players in state i know that initiative states will only adopt for certain values of this variable.⁴

Appendix C: Survey Instrument

Selection of Sample

I set out to survey groups in four states, two with the initiative and two without. A pretest was also conducted, which added a fifth state. In choosing the states, I tried to generate variation in the characteristics of their interest group populations, location, and use of the initiative process. Drawing on Gray and Lowery's (1996) state-level interest group population characteristics from 1990, I compiled the set of states shown in table C.1.

Table C.1
Rankings of Selected States' Interest Group Populations

	Initiative	Total Groups	Density	Diversity
Arizona	Yes	17	30	49
Minnesota	No	7	32	32
New Mexico	No	26	44	28
Oregon	Yes	16	36	25
South Dakota	Yes	37	45	27

Source: Gray and Lowery (1996)

Numbers are for 1990.

Data Sources and Procedures

After adjusting the survey instrument using the results of a pretest of 50 groups in Minnesota and South Dakota (which had a response rate of 28 percent), I obtained lists of groups registered to lobby in the four main survey states (Arizona, Minnesota, New Mexico, and Oregon) from the secretary of state for each state. I then randomly selected five hundred groups in each state, as many as finances would allow, to receive a copy of the mail survey and assigned each group a unique identification code to ensure anonymity. Groups in initiative states received an extra section requesting information about their involvement with the initiative process. After the surveys were sent, I waited ten days and sent a postcard reminding them to return the survey and including information about how to get another if they had misplaced the first. A final reminder card was sent in another ten days. Of the 2,000 surveys mailed, about 200 were returned to me by the post office as "addressee not found," and of the remaining 1,800, 292 were returned at least partially completed by the

Table C.2
Response Frequencies and Survey Weights

	Mail Survey	Phone Survey	Weight
Trade associations	0.16	0.13	0.85
Professional associations	0.18	0.08	0.44
Labor unions	0.04	0.07	1.72
Business firm or corporation	0.10	0.33	3.42
Government association	0.10	0.08	0.82
Social organization	0.04	0.00	0.25
Charity	0.03	0.00	0.25
Non-profit research group	0.01	0.00	0.25
Foundation	0.00	0.04	0.00
Other	0.34	0.27	0.77
Number of Groups Sampled	2000	100	
Number of Responses	292	73	

The categories with zero cells in the phone survey were assigned weights of 0.25 since they have non-zero frequencies in the mail survey. Since there were no foundations in the mail survey responses, they received a weight of zero, though it does not matter.

groups for a response rate of 16 percent. Because of the relatively low response rate in the main survey, I added the responses from the pretest (adjusting the responses to account for slight differences in wording and response categories). These responses comprise the data set for the analysis in chapters 5 and 6.

The sample for the telephone portion of the survey, used to construct the sampling weights, was drawn randomly from the set of groups not selected to receive the mail survey. Fifty groups in each state were drawn. Phone calls were then placed to groups in Oregon and New Mexico, who were asked four identical questions. Of the one hundred numbers drawn, about seven groups were not found at their listed number or any other number, though efforts were made to track down groups through the phone book or on the Internet. Responses were given by seventy-three groups for a response rate of 78 percent.¹ Their responses on these questions were used, along with the frequencies of responses in the mail survey, to compute the weights used in the analysis, as outlined in table C.2.

Survey Instrument

Following is a copy of the survey questionnaire mailed to two thousand

groups in the winter of 1999. Copies of this survey were sent to groups in Arizona, Minnesota, New Mexico, and Oregon. A pretest version of this survey was sent to fifty groups in Minnesota and South Dakota. Minor modifications were made to the wording of questions and the response categories based on the pretest results; otherwise the content was quite similar. Note that this is a copy of the survey used in initiative states. The version for groups in noninitiative states omitted references to the initiative process and did not include questions 23–31.

STATE-LEVEL SURVEY OF GROUP ACTIVITIES

The purpose of this survey is to learn more about how groups such as yours are represented at the state level. Your response is very important to us in accomplishing this goal.

To help us understand the different ways in which organizations make themselves heard, it is important that we get information from all types of groups, including those that may not view government and policy-related activities as an important part of their overall functions. This will help us get a more accurate view of what the typical group does.

In the following survey you will be asked questions about the general characteristics of your group as well as questions relating to different types of activities that organizations engage in at the state level. Your response will be kept **completely confidential**, and the results of this survey will only be reported in statistical formats that will prevent individual organizations from being identified.

.....

Please answer all questions as well as you can. If you do not know the answer, or do not have access to the relevant information for a particular question, please move on and answer as many of the others as you can. When asked to choose from a set of responses, please mark the one that best describes your answer. If there are no boxes available for your response, please check the one that best applies and indicate your answer in the margin.

Your organization has been contacted due to its activities in the state of Oregon. Please answer all questions with respect to your resources or activities in that state only.

Background Information

The following series of questions is to provide background information on your organization and its activities.

1. Which best describes your organization? Please check one.

Trade association
 Professional association
 Labor union
 Business firm or corporation
 Government association
 Social organization
 Charity
 Nonprofit research group
 Foundation
 Other (Please indicate) _____

2. How many years has your organization been active in Oregon?

3. What was the approximate total (national) revenue for this organization from all financial sources, including grants and contracts, during the last fiscal year?

Less than \$50,000 \$500,001–\$1,000,000
 \$50,001–\$100,000 \$1,000,001–\$10,000,000
 \$100,001–\$500,000 \$10,000,001 or more

4. Does your organization have an affiliated political action committee?

Yes No

If yes, what is the name of that PAC, and how much money did it contribute to candidates' last election cycle?

Name _____
 \$ _____

5. Does your organization accept individuals as members?

Yes No

If you answered yes, please indicate how many individual members your organization has, otherwise please skip to the next question.

0–50 501–1,000
 51–100 1,001–5,000
 101–250 5,001–10,000
 251–500 More than 10,000

6. How many full time equivalent employees does your organization have? How many full-time equivalent volunteers does it have in Oregon?

Paid staff		Volunteers	
None	<input type="checkbox"/>	None	<input type="checkbox"/>
1	<input type="checkbox"/>	1	<input type="checkbox"/>
2–5	<input type="checkbox"/>	2–5	<input type="checkbox"/>
6–20	<input type="checkbox"/>	6–20	<input type="checkbox"/>
21–50	<input type="checkbox"/>	21–50	<input type="checkbox"/>
51–100	<input type="checkbox"/>	51–100	<input type="checkbox"/>
More than 100	<input type="checkbox"/>	More than 100	<input type="checkbox"/>

7. How often is your group active in government relations, including monitoring government activities, preparing reports or comments about proposed policies, mobilizing citizens regarding proposed policies, or contacting government officials?

Daily	<input type="checkbox"/>	Several times a year	<input type="checkbox"/>
Weekly	<input type="checkbox"/>	Once a year or less	<input type="checkbox"/>
Monthly	<input type="checkbox"/>	Never	<input type="checkbox"/>

8. The diversity of interests varies across groups. For each of the following policy areas, please indicate how active your group is. A 1 indicates that you are not active in that policy area (no resources expended on it in the last two years), while a 5 indicates that you are very active in that area.

	Not active in this area		Very active in this area		
Agriculture	1	2	3	4	5
Civil rights and civil liberties	1	2	3	4	5
Crime and law enforcement	1	2	3	4	5
State economy (money supply, taxation, and regulations affecting business, insurance, labor, or banking)	1	2	3	4	5
Education	1	2	3	4	5
Energy and natural resources	1	2	3	4	5
Environmental policy	1	2	3	4	5
Health policy	1	2	3	4	5
Government operations (including state personnel policy, administrative organization, and elections)	1	2	3	4	5
Social welfare	1	2	3	4	5
Sports, entertainment, and recreation	1	2	3	4	5
Technology (e.g., space, science, or communications policy)	1	2	3	4	5
Transportation	1	2	3	4	5
Other (please specify) _____	1	2	3	4	5

9. Please answer the following questions with respect to legislative bills in Oregon from the last year.

To how many did you considered devoting any resources?

Of those, to how many did you actually devote some resources (staff time, money, etc.)? _____

Of those, to how many did you devote a large amount of resources? _____

10. From the previous question, when choosing from the bills that you considered devoting some resources to, how important were the following in determining which you devoted a large amount of resources to?

	Not very			Very	
Total resources available	1	2	3	4	5
Importance of policy	1	2	3	4	5
Member support	1	2	3	4	5
Public support	1	2	3	4	5
Legislative activities on that issue	1	2	3	4	5
Lack of other groups' activity	1	2	3	4	5
Lack of opposition	1	2	3	4	5

Particular Issue

One method that organizations have at their disposal to change public policy in Oregon is the direct initiative process, whereby groups can place legislation directly on the ballot for voters to decide on. If your organization was involved with an initiative or a potential initiative within the last two years, please use the issue that it concerned in answering the following questions. It is not necessary that your involvement ended with an initiative on the ballot, or that if it did, your group was still involved in the effort. If you were involved in a campaign against an initiative, please use that issue.

If you were not involved with any initiatives within the last two years, please choose the most recent public policy issue (including state rulemaking procedures) in which this organization has been involved and with which you are familiar. It is not necessary for the issue to be directly tied to a particular bill or regulation. If your organization stays in contact with government officials to advise them about the general problems facing members of your organization or your industry, you may use that as your issue.

11. What was that issue? Please note general policy area and specific details if possible.
12. Was this organization for or against changes on this issue?
13. For how many years has this organization been involved in this issue in Oregon?
_____ years
14. Does this organization plan to register to lobby next year (1999–2000)?
Yes No
15. Besides this organization, about how many organizations were active on this issue?

None	<input type="checkbox"/>	16–25	<input type="checkbox"/>
1–5	<input type="checkbox"/>	26–50	<input type="checkbox"/>
6–10	<input type="checkbox"/>	51 or more	<input type="checkbox"/>
11–15	<input type="checkbox"/>		
16. If you answered none in the previous question, please skip to the next question; otherwise, please indicate approximately how many of those groups fall into the following categories.

About how many of those were in agreement with you? _____

Of the groups that were in agreement with you, how many did you interact directly with? _____

Of those groups that you interacted directly with, how many did you share information with? _____

Of those groups that you shared information with, how many did you coordinate activities with? _____

17. In general, organizations often engage in the following activities in their attempts to make their voices heard. Different groups, however, use different methods. For each of the following activities, please indicate how important it was for your group in this instance.

	Not very			Very	
Contacting legislators or staff	1	2	3	4	5
Policy research	1	2	3	4	5
Press releases	1	2	3	4	5
Litigation	1	2	3	4	5
Testifying before committees	1	2	3	4	5
Mobilizing members	1	2	3	4	5
Making campaign contributions	1	2	3	4	5
Paid advertisements	1	2	3	4	5
Responding to requests for information	1	2	3	4	5
Asking influential citizens to contact legislators	1	2	3	4	5
Drafting legislation	1	2	3	4	5
Contacting agency officials	1	2	3	4	5
Public opinion information	1	2	3	4	5
Monitoring policy	1	2	3	4	5
Organizing mail/phone campaigns	1	2	3	4	5
Pointing out other policy implications	1	2	3	4	5
Election campaigning	1	2	3	4	5
Public demonstrations or protests	1	2	3	4	5
Seeking elected officials' endorsements	1	2	3	4	5
Building support among groups of legislators	1	2	3	4	5

18. Organizations often express their views directly to legislators when trying to influence public policy. If you contacted any regarding this particular issue, please indicate the importance of the following in determining whom you contacted. Otherwise, please skip this question.

	Not very			Very	
Committee membership	1	2	3	4	5
Historical issue involvement	1	2	3	4	5
Previous interaction	1	2	3	4	5
Constituent characteristics/concerns	1	2	3	4	5
Similar policy opinions	1	2	3	4	5
Dissimilar policy opinions	1	2	3	4	5
Other groups already contacted	1	2	3	4	5
Request for information	1	2	3	4	5

19. How important were the following factors in motivating your involvement on this issue?

	Not very			Very	
Legislative connections	1	2	3	4	5
Increasing number of supporters	1	2	3	4	5
Increasing total resources available	1	2	3	4	5
Importance of issue to group	1	2	3	4	5
Historical involvement	1	2	3	4	5
Public duty	1	2	3	4	5
Detailed technical knowledge	1	2	3	4	5
Opposition groups' actions	1	2	3	4	5
Need for current information on policy	1	2	3	4	5

20. Were any other types of governmental actors, such as courts, the state governor, state or local governments, etc., active in this issue?

Yes No

About how many?

Please list them.

21. Relative to your most desired outcome, when your group got involved on this issue where did you expect government policy to be when it was resolved, compared to where it was then?

Much closer A little farther
 A little closer Much farther
 No change Don't know

22. At the present moment, how has government policy moved on this issue, relative to your most desired outcome, compared to where it was when your group became involved?

Much closer A little farther
 A little closer Much farther
 No change Don't know

If you were not involved in an initiative on this issue, please skip to the concluding section on page eleven. If you were involved in an initiative, please continue with question twenty-three.

23. With respect to this initiative or initiative attempt, please check all of the following activities in which your group was directly involved.

- Drafting the initiative
- Doing technical research about implications
- Paid advertisements
- Preparing press releases
- Gathering signatures
- Legal research/advice
- Mobilizing members
- Gauging public opinion

- Providing funds to supporting groups
- Providing funds to opposing groups
- Public endorsement
- Testifying before committees
- Testifying before agencies
- Seeking elected officials' or candidates' endorsements
- Other (Please indicate): _____

24. If your group was involved in the drive for a potential initiative, what forces led you to consider its use?

- Check here if not involved
- Public support
- Legislative unresponsiveness
- Organized opposition
- Focus election on this issue
- Increase voter turnout
- Opposition's lobbying power
- Another initiative
- Other (Please indicate): _____

25. Before the initiative was drafted, did you engage in any of the following activities on this issue? Please check all that apply.

- Contacting legislators
- Research/Providing information
- Litigation
- Media campaign
- Gauging public opinion
- PAC contributions
- Testifying before committees
- Working with other groups
- Other (Please indicate): _____

26. Besides those that you sought out, did any other politicians take a public stand:

- Opposing your position on this issue? Yes No
- Supporting your position on this issue? Yes No

27. If you responded that politicians took a stand supporting your position on this issue in the previous question, please indicate whether you publicized their support, otherwise please skip to the next question.

- Publicized Did not publicize

28. If you began to gather signatures for qualification, what percentage of volunteer signature gatherers did you use?

- If no signature gathering started, check here**
- Zero percent 26–50 percent
 - One to ten percent 51–75 percent
 - 11–25 percent 76–100 percent

29. Did the initiative reach the ballot?

Yes No

If not, please check all reasons that apply. Otherwise, please skip to the next question.

- Monetary
- Lack of public support
- Legislative action
- Organized opposition
- Not enough signatures
- Not reflective of your policy desires
- Legal concerns
- Other (Please indicate): _____

30. What were your group's total expenditures on the initiative campaign?
\$ _____

31. Were any bills drafted and introduced in the legislature on this issue? If so, please indicate when the first action occurred.

Check here if no bills introduced or drafted

- Before signature collection began
- During signature collection
- After ballot qualification
- After placed on ballot
- After election

Concluding Section

To help us in our analysis, the final few questions concern you, the person who completed this survey.

Who completed this survey?

- Director of this organization
- Director of government relations
- Public relations director
- Public relations staff member
- Government relations staff member
- Other (Please indicate) _____

33. How long have you been with this organization? _____
34. Are there any topics not treated in this questionnaire that you feel are important for understanding how organizations like this one are represented? Are there any comments that you would like to make about this study? Please give us any reactions you may have. Use the back of this questionnaire or attach additional sheets if necessary.

We would welcome other information that you think might help us

understand your organization or the policy issue that you discussed above. Examples of things you might enclose when returning the survey include this organization's annual statement, organizational newsletters, or recent press releases.

May we have permission to contact you by phone, if necessary, to learn more about your organization or clarify an answer? If you are willing to be contacted by phone, please list your name and telephone number below.

Name _____ Phone _____

Thank you for your help and cooperation in completing this survey.

If your organization would like to request a copy of the survey results in statistical form only, please include a phone number and a mailing address for this to be sent to.

Notes

Chapter 1

1. The initiatives in Colorado and the District of Columbia were nullified for procedural reasons, however. The Colorado ballot measure was nullified as a result of a judge's ruling that the initiative had not mustered enough signatures. Initially, it was unclear whether the District of Columbia measure had passed, because the results were held up by the U.S. Congress in light of previous legislation that prohibited federal funds to be used on any district initiative that would legalize drugs (Shinkman 1998).

2. A significant amount of financial contributions for these and other medicinal marijuana initiatives came from George Soros, including \$400,000 for Washington's I-685 and I-692 (some of which also came from Lewis and Sperling) (George 1998), as well as over \$1 million combined for Proposition 215 and in Arizona (Miller 1996).

3. For examples, see Schmidt's (1989) list of ten common criticisms leveled against the initiative process.

4. Gerber, Hajnal, and Louch 2002 perform an extensive test of whether ethnic minorities find themselves on the wrong side of initiatives and conclude that this is the case in only a very small number of initiatives. See also Gamble (1997) and Bowler and Donovan (1998).

5. Though see chapter 15 in Gerber, Lupia, McCubbins, and Kiewiet (2001) for evidence that the effects of Proposition 13 have been overstated.

6. For a counterargument to the existence of an initiative golden age in the early 1900s, see Ellis (2002) or Smith and Lubinski (2002).

7. A systematic discussion of the variation in initiative provisions and regulations across states is contained in the next chapter and in Appendix A.

8. See Smith and Tolbert (2004) for an extended study and review of findings regarding the effect of the initiative process on citizen participation.

Chapter 2

1. Quoted from the Initiative and Referendum Institute's Web site: <http://www.landrinstitute.com/New%201R%20Webwite%201Info>

/drop%20Down%20Boxes/Quick%20Facts/Almanac%20-%20I&R%20Quotes%20Regarding%20the%20I&R%20Process.pdf, taken from a letter to M. Dane Waters, president of the Initiative and Referendum Institute, 1999.

2. Ibid.

3. Both Alaska and Wyoming have forms of the direct initiative that are similar to the indirect initiative, since they require that proposals cannot be placed on the ballot until the legislature has met and had an opportunity to act. Because the measures are not formally submitted to the legislature, I list these as direct forms of the initiative process.

4. See table A.1 in appendix A for complete listings.

5. Furthermore, there are only two states with popular referendums that do not have some form of initiative, which would make it difficult to distinguish its effect.

6. Eight states added provisions in 1834 that prevented their constitutions from being amended without voters' approval, and after 1857 Congress required all new states to submit their constitutions to a popular vote (Initiative and Referendum Institute).

7. See Cain and Miller (2001) for a discussion of the different goals of Populists and Progressives.

8. See table A.2 in Appendix A for a complete list of years of adoption.

9. Although Mississippi originally adopted the initiative and referendum in 1914, its state Supreme Court overturned the process in 1922 (Matsusaka 2004).

10. These bans were overturned when the Supreme Court ruled in *Meyer v. Grant* [486 U.S. 414 (1988)] that they violate the First Amendment and that there is not a sufficient state interest in regulating the process to reduce fraud to warrant such an infringement (Ellis 2003; Lowenstein and Stern 1989; Tolbert, Lowenstein, and Donovan 1998). See Lowenstein and Stern (1989) for an extended discussion of this decision.

11. Minnesota has actually had a majority of votes cast for the initiative and referendum three times during the twentieth century, but each time the measure failed to garner the required majority of all voters who voted on any item on the ballot (Schmidt 1989).

12. George Pataki, Governor of the State of New York, in a March 12, 2002, press release announcing his support for an initiative and referendum constitutional amendment. Quoted on the Initiative and Referendum Institute's Web site: <http://www.iandrinstitute.com/New%20IRI%20Website%20Info/Drop%20Down%20Boxes/Quick%20Facts/Almanac%20-%20I&R20Quotes%20Regarding%20the%20I&R%20Process.pdf>, January 9, 2005.

13. Initiative usage data taken from the Initiative and Referendum's Web site: <http://www.iandrinstitute.com/New%20IRI%20Website%20Info/Drop%20Down%20Boxes/Quick%20Facts/Almanac%20-%20I&R20Quotes%20Regarding%20the%20I&R%20Process.pdf>

0Down%20Boxes/Historical/Statewide%20Initiatives%201904–2000.pdf, January 9, 2005. See Banducci (1998), Matsusaka and McCarty (2001), and Boehmke (2003b) for studies that seek to explain variation in statewide initiative use across states and over time.

14. At various times, some of these examples were, in fact, controversial. When daylight saving time first appeared on California's ballot in 1930, it was the most voted-on measure and was defeated with 76 percent voting against it. After five attempts in the legislature, the issue reappeared on the ballot ten years later and was again defeated with opposition coming from movie theaters, labor organization, agricultural interests, religious interests, and women's groups. Only nine years later, however, with opposition in decline, the issue passed with 55 percent of the vote. See Allswang (2000) for more information on this issue in California. Similar turnarounds on this issue occurred in Colorado and Washington.

15. See table A.3 in appendix A for more details on signature requirements. Boehmke and Alvarez (2004a) study how demographic and economic factors influence the number of signatures gathered across California counties for eight different petitions.

16. A fact that it turns out the sponsors were probably aware of long before election day.

17. See Gerber, Lupia, McCubbins, and Kiewiet (2001) for a broad study of initiative implementation; see Bali (2003) for a study of countywide variation in the implementation of California's antibilingual education Proposition 227.

18. For introductions to the use of game theory in political science, see Morrow (1994) or Ordeshook (1992). This approach is not without its critics, however. See Green and Shapiro (1994) for one critique.

19. This assumption is made in many studies of interest groups. See, for example, Schlozman and Tierney (1986), Walker (1991), or Gerber (1999).

20. One could easily add a governor with veto power to the model, but it would not substantively change the effect of the initiative process on interest groups; it would just make it more difficult to achieve success through the legislature.

21. These models are variations on those developed by Romer and Rosenthal (1978, 1979) to study the effect of referendums on budgetary and expenditure issues; these models also assume a monopoly setter.

22. If the interest group and the legislature are in agreement about whether to adopt a policy, the initiative process has no effect on the outcome, since the legislature will adopt and the group will concur. By configuring the preferences of the actors in the model to be in opposition, I focus on the case where the initiative influences the outcome. As long as there is one policy or (potential) interest group that satisfies this condition, the predictions of the model all hold. I attempt to control for these preferences in the empirical tests whenever possible.

23. I assume that $\beta > 0$.

24. See Baumgartner and Leech (1998) for a discussion of the various findings.

25. See, for example, Grenzke (1989), Wright (1990, 1996), and Austen-Smith and Wright (1994).

26. Of course, the magnitude of this effect will depend on the allocation. If the group gets to keep the entire surplus, then it has less to gain from proposing initiatives; if the legislature gets to keep it all, the group has much to gain from the initiative.

27. This solution is often used in game theoretic models and is known as the Nash Bargaining Solution. It is characterized by the fact that none of the surplus is wasted and that if the bargainers have linear utility functions, as they do in this case, they divide the surplus in half. For more on Nash Bargaining, see Morrow (1994).

28. The equilibrium transfer is $t^* = (1 + \beta)/2$.

29. But see Lupia (1992), Bowler and Donovan (1998), and Boehmke and Patty (2003) for common types of information that rationally uninformed voters can use to make better decisions in initiative campaigns.

30. This uncertainty marks one of the important differences between my model and that of Gerber (1999), which assumes a continuous policy space and perfect information about which initiatives will pass. The combination of uncertainty and a continuous policy space is studied in Matsusaka and McCarty (2001). I treat the binary case for the reasons outlined previously, but also because the addition of bargaining can create difficulties in a continuous model: the interest group will almost always wish to make a proposal even after it successfully negotiates with the legislature, making any agreements tenuous at best. The current framework is more appropriate for my objectives, as it allows me to make specific predictions about the effect of the initiative process on interest group lobbying.

31. Briefly, applying the Nash Bargaining Solution with the initiative process leads to an equilibrium transfer amount $t^* = [c + (1 + \beta) \times (1 - \lambda)]/2$, which is less than $(1 + \beta)/2$.

32. It follows that $\lambda^b > \lambda^*$, because the definition of λ^b requires $\lambda > \lambda^*$.

33. An interesting implication of this result is that neither high nor low probability initiatives actually reach the ballot.

34. Note that the group may be worse off in the end if it proposes an initiative and it fails. However, this loss is compensated on average by the fact that the initiative passes often enough to make proposing it worthwhile.

35. It would not be difficult to show, however, that the model predicts more initiatives will be proposed when campaign contribution limits are small. In effect, contribution limits make some of the potential Nash Bargaining outcomes impossible to implement, leading groups to end up at the ballot when they would prefer to bargain.

36. By better off, I mean that policy outcomes are closer to the median voter's

ideal point, not that all voters or even the average voter is better off.

37. A similar outcome obtains in the model with uncertainty developed by Matsusaka and McCarty (2001), who find that the initiative process can make voters worse off in the presence of an extreme interest group and a legislature that worries about its own interests more than its duty to represent voters.

38. I use the term *hypothesis* to encompass both implications and predictions.

39. This is not intended to create the impression that I make only these assumptions. There are, of course, many assumptions made in the model. I highlight these additional assumptions to underline the link between the model's mathematical predictions and what I feel are its broader implications for interest group politics.

40. Even if the group successfully lobbies the legislature, the size of the contribution is the same as without the initiative process, since both actors know the group will not propose an initiative if the legislature ignores it.

41. To the extent that implication 1 is true, however, it may not be the case that the cost of mobilization is the same in initiative states. If there are additional groups that have formed in response to the initiative process, then it may be more costly to form an additional group. Potential members may already be tapped out in terms of making either monetary or temporal contributions to other groups, making it more costly to attract and retain members. Additionally, groups may find it more difficult to access the legislature, especially when they wish to mobilize around issues that have existing interest group activity and representation. These additional costs are only incurred after extra interest groups have mobilized as a result of the initiative process, however, so they should be interpreted as merely limiting the number of additional mobilizations, just as they do in noninitiative states.

42. See Chavez (1998) for a detailed discussion of the individuals, parties, and groups involved in Proposition 209.

43. Neither the model nor the empirical tests assume that the correlation is positive, but since it is probably more reasonable than the alternative, I use this language for the purpose of explication.

44. But see Glick and Hays (1991), Hays (1996), and Boehmke and Witmer (2004) for studies that focus on how diffusion changes over time.

45. Studies that focus on social learning include Walker (1969), Glick and Hays (1991), Mooney (2001), and Mooney and Lee (1995). Examples of studies that focus on economic competition include Berry and Berry (1990) and Eadington (1999). Boehmke and Witmer (2004) attempts to distinguish between the two and find that both influence the extent of states' adoption of Indian gaming.

46. Investigated first by Schattschneider (1960), the first broad empirical studies were performed by Schlozman (1984) and Schlozman and Tierney (1986), and their findings have been repeated by Walker (1991), Heinz, Laumann, Nelson, and Salisbury (1993), and Baumgartner and Leech (2001) in the Washington, D.C., lobbying community and by Gray and Lowery (1996) at the state level.

47. While Walker (1983, 1991) examines the effect of patrons, including the government, on interest group mobilization, a more closely related study by Gais (1996) shows how government regulations influence PAC formation. In addition, Berry and Arons (2003) provide a detailed study of the consequences of tax-exempt [501(c)(3)] status for interest groups.

48. Furthermore, there is evidence that citizens in initiative states are more politically active, providing groups a broader base from which to draw potential members (M. Smith 2001; Tolbert, McNeal, and D. Smith 2003).

49. This type of signaling would parallel that in Kollman (1998): instead of using outside lobbying to signal salience, groups would be attempting to demonstrate how much the policy is worth to them or whether they could raise enough money to sponsor (or pass) an initiative.

50. Of course, whether the legislature should believe these signals is another question. A model of asymmetric information would be required to precisely lay out the role that signaling could play.

51. Note that this is different from campaign contributions, because although contributions not made appear to be 0 (despite the fact that the group would have liked to have made them), passed-up opportunities for inside lobbying would be perceived by the group as an indication of infinite unresponsiveness on the part of the legislature. This is why the prediction is worded in terms of the group's perception rather than the observed level of lobbying.

Chapter 3

1. The analysis in this chapter builds on previous work that examines the effect of the direct initiative process on state interest group populations (Boehmke 2002).

2. Investigated first by Schattschneider (1960), the first broad empirical studies were performed by Schlozman (1984) and Schlozman and Tierney (1986), and their findings have been repeated by Walker (1991), Heinz, Laumann, Nelson, and Salisbury (1993), and Baumgartner and Leech (2001), among others, at the federal level and by Gray and Lowery (1996) at the state level.

3. For example, Chong (1991) argues that interest groups attempt to structure the interest group's success as hanging on an all-or-nothing situation to increase the incentives to cooperate—if all potential members must join to achieve success, there is no incentive to free ride.

4. See McAdam (1988) for the role that interpersonal relationships can play in increasing the chances that individuals join a political activity.

5. In fact, if registration is more costly in initiative states, it just increases the hurdle that groups must overcome and makes any findings of greater mobilization that much more persuasive. Given that many of the reforms adopted in conjunction with direct legislation were good-government reforms, if any-

thing, one might suspect that the costs of lobbying would be greater in initiative states.

6. The economic category is formed by combining the groups in agriculture, mining, construction, finance, trade, service, transportation, and manufacturing, while social and government groups are combined into the citizen category.

7. Gray and Lowery (1996) also combine the social and government categories into what they call the not-for-profit category, asserting that “it is this balance . . . that motivates much of the debate in the literature over the diversity of interest organization populations” (101).

8. Because of missing data, there are six states for which these numbers are not available in 1975 and 1980 (Alabama, Hawaii, Nevada, Rhode Island, Utah, and West Virginia).

9. For example, 71.1 percent of the groups with Washington, D.C., representation in Schlozman’s study (1984) are domestic or foreign corporations or trade associations; an additional 6.9 percent are professional associations. Seventy-five percent of the groups in Schlozman and Tierney’s study (1986) are businesses, trade, or professional associations. Sixty-three percent of organizations in Washington, D.C., in 1995; 62 percent of lobbying firm clients in 1996; and 72 percent of lobbyists in 1996 represent groups that fall into these categories (see table 1 in Baumgartner and Leech [2001]).

10. While the hypothesis being tested is that there are more groups in initiative states, I report the results for two-tailed tests to maintain consistency throughout the book. In addition, however, I also indicate when differences are significant with a one-tailed test at the 0.10 level (since significance at the 0.10 level with a two-tailed test is equivalent to significance at the 0.05 level with the appropriate one-tailed test).

11. See Opheim (1991) for a study that measures the stringency of lobbying regulations. Gray and Lowery (1998) find almost no evidence that regulations influence registrations overall and in six different issue areas, with one exception in the case of agricultural registrations.

12. The data on government expenditures are taken from the *Statistical Abstract of the States* (U.S. Bureau of the Census, various years) and represent nominal state and local general expenditures. The data on gross state product are taken from the State Politics and Policy Quarterly Data Resource Web site (<http://www.unl.edu/sppq>, accessed August 26, 2001) and are then deflated to 1983 dollars. CPI and divided government variables also are taken from the *Statistical Abstract of the States*.

13. This measure is constructed from data in the *Statistical Abstract of the States* (U.S. Bureau of the Census, various years).

14. I use the Erikson, Wright, and MacIver (1993) measure of the difference between the percentages of state liberal identifiers and state conservative identifiers. Including this variable leads to the loss of observations on Alaska

and Hawaii, though Hawaii is already missing in 1975 and 1980. I also tried to control for regional effects by including an indicator variable for the South in an alternative specification, but it did not have a significant effect and does not influence the interpretations of the other variables.

15. Common models for count data include the Poisson, negative binomial, and generalized event count regression models. The latter two relax the Poisson assumption that the variance equals the mean. I estimate my models using the negative binomial with mean overdispersion, though the results were similar to those obtained using a linear regression model or a Box-Cox specification. See King (1988, 1989a, 1989b), Long (1997), and Cameron and Trivedi (1998) for more information on count models.

16. There are two other specifications that I am not able to estimate. First, while I have panel data, I cannot estimate a fixed-effects model, which would allow for state-specific variation. This model is not identified because of the inclusion of the initiative indicator, which is constant for each state over the time period studied.

17. The costs of proposal were measured in the usual fashion, using the signature requirement to obtain ballot access. For states that allow multiple forms of the initiative (direct statutory or constitutional and indirect statutory or constitutional), I used the minimum of the different requirements.

18. An alternative approach would involve using only the cost variable. Yet this approach is incorrect, since it forces the effect of the initiative process to be 0 if the signature requirement is 0. This could lead to a positive coefficient on the signature variable, because it picks up both the costs of proposal and the fact that any proposals are allowed at all.

19. For discussions of the role and importance of assumption tests in political science, see Dion (1997) or Morton (1999).

20. The average passage rate for initiatives may vary for different types of interests, depending on whether there is systematic differences in key parameters of the model for these interests, such as β and λ . If, on average, citizen groups tend to be involved in issues with higher average values of λ^* , then their initiatives will have a higher overall passage rate. Boehmke and Patty (2003) provide a theoretical perspective on initiative passage rates in the context of voter cue-taking.

21. See appendix C for more details on the survey, which will be discussed in chapter 5.

22. The paper incorrectly reports the opposite finding for the lobbying frequency variable—the reported estimates are correct, but for the lobbying frequency variable, larger values correspond to less frequent lobbying.

23. I only report results for the model with the Florida in 1990 variable, but the conclusions from the model without it are the same. The main difference is that excluding it increases the estimated effect of the initiative process.

24. These data are taken from table 5.5 in Gray and Lowery (1996, 105).

25. See Gray and Lowery (1996, 104). This may reduce the effect because it is less clear what role the initiative will play in the tendency of existing groups to join together as a group, such as with peak associations.

Chapter 4

1. I focus on studies of discrete policy adoption, since they relate most directly to my prediction and empirical tests, but other approaches exist. Matsusaka (1995, 2004) studies state expenditures and revenues and finds that initiative states spend less than noninitiative states in the latter half of the twentieth century. Similar results obtain in Swiss cantons that require voter approval of new government spending (2003).

2. This approach is used by Gerber (1999) and Lascher, Hagen, and Rochlin (1996). One problem is that the results ultimately depend upon which year is chosen to make the comparison, particularly if initiative states adopt faster. Even if all initiative states adopt before any noninitiative states, the estimated impact of the initiative will vary if different years are used. The effect of the initiative will be 0 in the first and last years of adoption, because all states have either not adopted or adopted at those two points in time. As the number of initiative states that adopt increases, the estimated effect of the initiative process on adoption will also increase, reaching a maximum once all initiative states have adopted and before noninitiative states begin to adopt. Then as the number of noninitiative states adopting increases, the estimated effect of the initiative will decrease until it reaches 0 when they have all adopted.

3. There are other ways to overturn the results of an initiative, however, including the courts and through the legislature. Smith (2001) examines cases where the legislature voted on statutes that had previously passed via the initiative process.

4. See Box-Steffensmeier and Jones (1997, 2004) and Allison (1984) for a discussion of the event history approach.

5. These variables are created by adding up the number of contiguous states that have adopted the policy in question prior to the current year, using only states of the appropriate dyad type. The contiguity coding is taken from Berry and Berry (1990).

6. Inclusion of the continuous preference variable means that the initiative indicator need not be positive since it merely serves as an intercept for when preferences and the other variables are 0.

7. Specifically, the model predicts that $\delta \Pr(\text{adopt}_{i,t}) / \delta \text{Initiative}_{i,t} > 0$. As the model predicts that initiative states are more likely to adopt these policies than noninitiative states, I do not have the problems outlined by Matsusaka (2000). He correctly observes that while most empirical tests of the effect of the initiative process on policy attempt to demonstrate that actual policy is

closer to the median voter's preferred policy, this is generally impossible to verify unless policy outcomes and preferences are measured on identical scales.

8. The impact is so great that including other variables does not improve on the predictive power of a simple cross-sectional model that predicts adoption based solely on the presence of the initiative (Tolbert 1998).

9. See Sears and Citrin (1982) or Smith (1998) for a discussion of the tax revolt.

10. The basic change that states made was to separate the assessment of guilt and the punishment imposition phases of the trial. In its 1976 decision in *Gregg v. Georgia*, the Court ruled that the death penalty was not unconstitutional per se and upheld the current format.

11. IGRA defined Class I, Class II, and Class III gaming. Only Class III gaming requires state approval through compacts. See Getches, Wilkinson, and Williams (1998), chap. 9, for an overview of the provisions of and legal challenges to the Indian Gaming Regulatory Act.

12. Mason (2000) provides a good study of Native American gaming; Pierce and Miller (2004) study the politics of legalized gambling in general.

13. See Boehmke and Witmer (2002) for a study of senators' Native American gaming campaign contribution receipts; Boehmke and Witmer (2003) for a study of Native American nations' expenditures on hard money, soft money, and federal lobbying; and Skopek, Engstrom, and Hansen (2004) for a study of Native American campaign contributions in Texas.

14. Proposition 5 was ruled unconstitutional because it was only a statutory initiative and gaming was outlawed by the state constitution. The tribes and the state eventually agreed to modified terms that resulted in Proposition 1A being put on the ballot by the legislature in March 2000 to modify the constitution accordingly. Proposition 1A passed with 64.5 percent of the vote (California Secretary of State's Web page: <http://www.ss.ca.gov>, accessed October 25, 2001). Although this is an example of tribal use of the initiative process, it is important to note that the first compact with California was signed in 1990.

15. The analysis uses only the 48 contiguous states, and Mississippi did not adopt the initiative process until 1992.

16. Twenty initiative states have tribes, and the average initiative state has 11.8 tribes. Fourteen noninitiative states have at least one tribe, and the average number is only 2.7.

17. I also estimated a cubic spline to control for changes in the probability of adoption over time (Beck, Katz, and Tucker 1998). Data sources are state income, budget deficit, long-term debt, and partisan control of government measures taken from the *Statistical Abstract of the States* (U.S. Bureau of the Census, various years).

18. Public Law 280 states were granted criminal and civil jurisdiction over Native American nations by the federal government in 1953 (Goldberg 1975).

These six states may have a greater history of interaction with these nations and may be able to reach agreements more quickly. Data on the number of federally recognized Native American nations in a state are taken from the Bureau of Indian Affairs current listing (December 1998). Murder rates per capita are taken from the *Statistical Abstract of the States* (U.S. Bureau of the Census, various years).

19. Note that I do not, and should not, exclude states with no federally recognized Native American tribes. An important feature of the compacting process is that Native American nations can negotiate with any state in which they have land in trust, whether or not they presently have reservation lands in that state. Even for states in which no tribe holds land in trust, IGRA provides guidelines for tribes to purchase land and place it in trust in a relatively short amount of time (McCulloch 1994; Getches, Wilkinson, and Williams 1998). A recent example is the state of New York's agreement to allow the Seneca nation to obtain trust land in downtown Niagara Falls and Buffalo for the purpose of building tribal casinos.

20. Recall that the ideology variable measures the difference between the percentage of liberal and the percentage of conservative identifiers and is negative in all states.

21. The simulations were done using Clarify (King, Tomz, and Wittenberg 2000), which accounts for estimation uncertainty by calculating the mean and standard deviation of the change in probability by taking multiple draws of the estimated coefficient vector.

22. Significance is assessed by whether the appropriate level confidence interval includes 0, rather than using a z-score. I use this approach because nonlinearities in the model's functional form result in asymmetric confidence intervals.

23. Because of this finding, I present the results with the uninteracted ideology variable to facilitate evaluation of the effect of the initiative process relative to other states. I omitted the religion variable because it had no effect and correlation with the ideology variable ($\rho = -0.7$) reduced the latter's significance. Otherwise, the results are substantively the same.

24. Because the effect of ideology is significant in noninitiative states in these results (unlike the capital punishment results), I first change its value for all states for each simulation before assessing the impact of the initiative process, as the effect of the initiative process is calculated relative to a hypothetical state that is identical in all ways except that it does not have the initiative process.

25. The changes in probabilities do not successively increase with ideology for a given number of neighbors' adoptions because the probability of adoption for the state before adding the initiative process is increasing because of the changes in the overall effect of ideology.

26. To be precise, their second model produces a positive coefficient for initia-

tive states that is significant with a one-tailed test at the 0.107 level (Boehmke and Witmer 2004).

Chapter 5

1. The selection of states was also limited somewhat by the availability of lobbying registration information from the states. See table C.1 in appendix C for characteristics of the states chosen.

2. Initiative totals taken from the Initiative and Referendum Institute's Web page: <http://www.iandrinstute.org/usage/byyear.html>.

3. See Appendix C for the questions that were included in the questionnaire.

4. Aggregation bias occurs when groups give responses that are averages across all their issue involvements. This can be problematic when attempting to make inferences, since the variables may be measured at different levels of aggregation. For example, the relationship between the level of conflict and strategic choices by the group may not be the same averaged across all issue involvements as it is in each particular one.

5. Groups were encouraged to discuss recent issues that featured potential initiatives to ensure sufficient observations in this category to make meaningful comparisons with groups not involved in initiatives.

6. Before the full survey was conducted, a pretest was carried out by sending questionnaires to twenty-five groups in both South Dakota and New Mexico, resulting in fourteen responses. Since only minor revisions were subsequently made, I include these fourteen responses in the analyses to follow.

7. For an introduction to issues of response and selection bias in political science, see Achen (1986) or Brehm (1993).

8. The data suggest this is not a concern, as the response rates are almost the same for the initiative and noninitiative states.

9. Specifically, in a regression setting, response bias is a problem if the unmeasured factors that induce response are related to the unmeasured factors that determine the phenomenon being studied.

10. For comparison, Gerber's (1999) survey of state interest groups achieved a response rate of 26 percent and Nownes and Freeman's (1998) a response rate of 41 percent, which they note is unusually high compared with previous studies of state interest groups. The low response rate I obtained was particularly surprising given that the fifty-group pretest I conducted yielded a 28 percent response rate.

11. Table C.2 in appendix C contains detailed information about the response frequencies for different types of groups in the two surveys and how these data were used to correct the analyses that follow. In short, I used the frequency of responses by different types of groups in the two samples to construct weights for each type of group. These weights are then used when analyzing the mail

survey data to make the averages representative of the population being studied.

12. The one exception is the lobbying frequency question, for which larger values correspond to less frequent lobbying.

13. The categories generally have a rough correspondence to a logarithmic scale.

14. Although a total of 306 surveys were returned, the number of valid responses for each question varies somewhat. For the revenue question there are 290 responses; the other resource measures typically have more than 300 responses.

15. These results are not shown, but a *t* test of the null hypothesis that the probability of having members is the same for these two types of states produces a test statistic of 5, which is significant well beyond conventional levels.

16. Since this was an open-ended question rather than one that provided specific response categories, there is no χ^2 statistic to present. This is the case for all variables that do not have a χ^2 value listed. I list both one- and two-tailed results for consistency and discuss both in the text as applicable. For most variables, the predicted direction of the differences is obvious, but for some it is not. Rather than differentiate these cases, I instead report the two-tailed results and also indicate which variables are significant with the appropriate one-tailed test at the 0.10 level.

17. Recall that for this question alone, higher responses indicate less frequent lobbying.

18. One measure of this failure is the fact that in California from 1912 to 1998 only 26 percent of initiatives that are titled actually qualify for the ballot (Donovan, Bowler, and McCuan 2001; Shelley 2002). Obviously, there are many more potential initiatives that do not even get titled.

19. This approach may also overlook groups relying on the indirect effect, but only if they do not need to signal their intention to use the ballot to pressure the legislature. While this is entirely consistent with models of the initiative process, most of the researchers expect that groups may have to take steps to make the threat credible, such as beginning the process of proposing an initiative. Even if some groups are able to exert this extreme form of indirect influence—essentially being able to whisper to the legislature that they could propose an initiative if they do not get what they want—the set of groups studied here still includes a broader range of groups than previous studies.

20. This number is probably an overestimate of the true incidence of initiative involvement given that groups were encouraged to choose a recent issue that involved a potential initiative, though a recent survey by Alexander and Nownes (2004) finds that although 65 percent of groups in California and Michigan have publicly supported or opposed a ballot initiative, only 23 percent have ever attempted to draft an initiative.

21. Recall that the average number of government officials is the average given that at least one is involved.

Chapter 6

1. Kollman (1998) finds evidence that groups tend to lock in to certain strategies and consistently return to them.

2. One of the original studies of iron triangles, also referred to as issue subsystems is by Griffith (1939). This approach lost its popularity over time and was supplanted by the study of broader issue networks (Hecklo 1978). See Browne (1990, 1995) for studies of the agricultural issue network and Baumgartner and Leech (1998, esp. 120–25) for an extended discussion.

3. In their survey of Washington, D.C., interest groups, one of the features of the responses that Scholzman and Tierney (1986) note is how many different lobbying tactics groups report using. Asking groups if they do something at all may therefore gloss over important differences in how important each of those activities is. Thus, the approach taken in my survey of asking groups to rate the importance of each tactic on a five-point scale may find continued evidence of more than one lobbying strategy.

4. See Kim and Mueller (1978) for more information on factor analysis.

5. I allowed for more than two dimensions when I did the analysis. I found some evidence of a third dimension, which appeared to correspond to what I term an “issue entrepreneur” strategy that loaded heavily on purely inside tactics like contacting legislators, testifying before committees, and building legislative coalitions, but unlike the modern inside dimension, loaded negatively on tactics like monitoring public opinion, pointing out other policy implications, and mobilizing members. I interpret this as relating to the rise of single-issue groups, nonlegislative government actors, or issue entrepreneurs such as Ron Unz, Ward Connerly, Reed Hastings, or George Soros. Since the model makes no clear predictions about how the initiative might influence this strategy, I omit it from the rest of the discussion.

6. Note that Walker (1991) also finds that working with the mass media loads relatively highly on both of his dimensions as well.

7. This is distinct from the argument that groups that use the initiative have resources consistent with outside lobbying strategies, as I am already controlling for those resources.

8. I separate groups that were for the initiative proposal from those that were opposed to it, since very different lobbying approaches may be involved and since implication 6 is specifically concerned with the effect of proposing initiatives on the ability to inside-lobby. Groups that are opposing initiatives should not see this benefit and in fact may be good at inside lobbying because they probably helped defeat the initiative’s supporters in the legislature. While groups were encouraged to use an issue involving a potential initiative whether they were in favor of or opposed to it, four times as many groups indicated they supported an initiative than indicated they opposed one. This discrepancy is likely due to the fact that I asked about potential initiatives,

many of which may have not have reached the point of attracting opposition from other groups.

9. The omitted baseline category is therefore businesses and corporations.

10. This mirrors Hansen's argument (1991) that groups must demonstrate not only the existence of public support, but also that the issue is likely to recur.

11. See Heckman (1979) for a discussion of this problem in general and Achen (1986) or Brehm (1993) for a discussion of selection bias in political science.

12. A common misperception with regard to selection bias is that it is present whenever the sample of respondents is not representative of the population being studied. This is false. As long as a regression analysis includes variables that control for the differences between the sample and the population being studied, the regression estimates are accurate (unbiased and consistent). Selection bias occurs when omitted factors influence both whether a group is observed and its use of lobbying strategies. Thus, the fact that there are fewer businesses in my primary survey responses than in my telephone survey responses is not necessarily evidence of the potential for selection bias.

13. These are known as models with stochastic truncation and are discussed by Bloom and Killingsworth (1985), Maddala (1983), and Brehm (1999). Boehmke (2003a) contains a discussion of the difficulty of estimating these models when the dependent variable is dichotomous rather than continuous and Brehm (1999) reports failure to converge in about 10 percent of his cases.

14. The regression results reported are calculated using multiple imputation to account for item nonresponse on the part of groups. The multiple imputation was implemented in Amelia (Honaker, Joseph, King, Scheve, and Singh 2000) after calculating the factor scores for groups on which data are available and then imputing those that could not be directly calculated (due to missing observations for at least one of the twenty activities) since it is recommended that all transformations should be carried out before imputation (King, Honaker, Joseph, and Scheve 2001).

15. Recall that larger values for the lobbying frequency variable correspond to less frequent lobbying.

16. The effect of initiative involvement is relative to the effect of being in an initiative state, meaning that initiative involvement significantly increases groups' scores relative to all groups in initiative states. The effect relative to groups in noninitiative states is the combination of these two effects. While the combined effect is positive, it is not significant.

17. These effects are calculated using the regression coefficients in tables 6.3 and 6.4. The effects for involvement represent the combined effects of the possibility and use of the initiative process. To obtain to the percentage increases, I normalized both lobbying strategies so that the smallest value was 0.

Chapter 7

1. I discount the differences in the “other” category, because only groups that were active in this category gave a response and it is difficult to interpret what greater activity in other areas means.

2. See Walker (1983, 1991) for an in-depth study of the role of patrons in interest group mobilization and maintenance.

3. Information taken from the Oklahoma Coalition against Cockfighting’s Web page (<http://www.bancockfighting.org/index.htm>), the Oklahoma legislature’s Web page (<http://www.lsb.state.ok.us>), the Humane Society’s Web site (<http://www.hsus.org/ace/14670>), the Oklahoma State Election Board (<http://www.state.ok.us/~elections/02result.html>), and an article on the American Veterinary Medical Association’s Web site, <http://www.avma.org/onl-news/javma/apr03/030415e.asp> (Kuehn 2003).

4. This is not to imply that the process could not benefit from some types of reform, particularly those that increase the transparency of sponsorship and funding. See Gerber (2001) for a discussion of various proposed reforms.

5. As a comparison, Gray and Lowery (1996) report an average of 4,194 bills introduced in each state during 1990 and 1991 combined, with a total of 876 passing. Note that these data exclude resolutions.

6. See Walker (1991) and Baumgartner and Leech (1998) for a discussion of changes in the composition of the Washington, D.C., lobbying community, particularly during the 1960s and 1970s. Berry (1999) also discusses the rise of postmaterial concerns and the rise of groups representing these concerns at the national level over the same period.

Appendix B

1. I could allow the status quo to be either 1 or 0 and then give the legislature the option to move it, but the results would not change. Given the equilibrium in the rest of the game, the legislature would always choose to move policy to 0 initially.

2. The group may prefer to propose an initiative at indifference, since it may give the legislature an incentive to bargain and make the group strictly better off.

3. For a discussion of Nash bargaining, see Morrow (1994, 112–16).

4. To utilize this information, they need to know and the legislature’s utility loss of adoption, or at least have prior distributions over them.

Appendix C

1. For two groups that refused to respond, I filled in answers using information from their Web site.

Works Cited

- Achen, Christopher H. 1986. *The Statistical Analysis of Quasi-Experiments*. Berkeley: University of California Press.
- Ainsworth, Scott. 1993. "Regulating Lobbyists and Interest Group Influence." *Journal of Politics* 55(1): 41–56.
- Alexander, Robert, and Anthony Nownes. 2004. "Organized Interests and Direct Democracy in the States." Paper presented at the Fourth Annual Conference on State Politics and Policy Section of the American Political Science Association, Kent State University, Kent, OH.
- Allison, Paul D. 1984. *Event History Analysis: Regression for Longitudinal Event Data*. Sage University Paper Series on Quantitative Applications in the Social Sciences, no. 07–046. Beverly Hills, CA: Sage Publications.
- Allswang, John M. 2000. *The Initiative and Referendum in California, 1898–1998*. Stanford, CA: Stanford University Press.
- Americans for Medical Rights. 1996. "Repeal of New Ohio Medical Marijuana Law Could Lead to Ballot Initiative in 1998." Press release, December 3.
- Associated Press. 2002. "Class-size Amendment Worries Jeb Bush: Governor Says Fla. Doesn't Have Enough Money for Plan." November 7. From CNN's Web site, <http://www.cnn.com/2002/EDUCATION/11/07/election.class.size.ap>.
- Austen-Smith, David. 1987. "Interest Groups, Campaign Contributions, and Probabilistic Voting." *Public Choice* 54: 123–39.
- . 1993. "Information and Influence: Lobbying for Agendas and Votes." *American Journal of Political Science* 37: 799–833.
- , and John R. Wright. 1994. "Counteractive Lobbying." *American Journal of Political Science* 38: 25–44.
- Bali, Valentina A. 2003. "Implementing Popular Initiatives: What Matters for Compliance?" *Journal of Politics* 65(4): 1130–46.
- Banducci, Susan A. 1998. "Direct Legislation: When Is It Used and When Does It Pass?" In *Citizens as Legislators: Direct Democracy in the United States*, edited by Shaun Bowler, Todd Donovan, and Caroline J. Tolbert, 132–48. Columbus: Ohio State University Press.
- Baumgartner, Frank R., and Beth L. Leech. 1998. *Basic Interest: The Importance of Groups in Politics and Political Science*. Princeton, NJ: Princeton University Press.
- . 2001. "Issue Niches and Policy Bandwagons: Patterns of Interest Group Involvement in National Politics." *Journal of Politics* 63: 1191–1213.

- Beard, Charles A., and Birl E. Schultz. 1912. *Documents on the State-Wide Initiative, Referendum and Recall*. New York: MacMillan.
- Beck, Nathaniel, Jonathan N. Katz, and Richard Tucker. 1998. "Taking Time Seriously: Time-Series-Cross-Section Analysis with a Binary Dependent Variable." *American Journal of Political Science* 42: 1260–88.
- Berry, Frances Stokes, and William D. Berry. 1990. "State Lottery Adoptions as Policy Innovations: An Event History Analysis." *American Political Science Review* 84: 395–415.
- Berry, Jeffrey M. 1999. *The New Liberalism: The Rising Power of Citizen Groups*. Washington, DC: Brookings Institution Press.
- , and David F. Arons. 2003. *A Voice for the Nonprofits*. Washington, DC: Brookings Institution Press.
- Billingsley, K. Lloyd. 1998. "Silicon Valley Pushes California into School-Reform Action." Editorial, *Washington Times*, May 3.
- Black, Duncan. 1958. *The Theory of Committees and Elections*. Cambridge: Cambridge University Press.
- Bloom, David E., and Mark R. Killingsworth. 1985. "Correcting for Truncation Bias Caused by a Latent Truncation Variable." *Journal of Econometrics* 27: 131–35.
- Boehmke, Frederick J. 2002. "The Effect of Direct Democracy on the Size and Diversity of State Interest Group Populations." *Journal of Politics* 3: 827–44.
- . 2003a. "Using Auxiliary Data to Estimate Selection Bias Models, with an Application to Interest Groups' Use of the Direct Initiative Process." *Political Analysis* 11: 234–54.
- . 2003b. "Sources of Variation in Statewide Use of the Initiative Process: The Role of Interest Group Populations." Paper presented at the 2003 meetings of the American Political Science Association, Philadelphia, PA.
- , and R. Michael Alvarez. 2004a. "Where the Good Signatures Are: Variation in the Number and Validity of Initiative Petition Signatures across California Counties." Typescript, University of Iowa.
- . 2004b. "The Influence of Signature Gathering Campaigns on Political Participation." Typescript, University of Iowa.
- , and John W. Patty. 2003. "Size Matters: Information and Inference in the Initiative Process." Working paper, University of Iowa.
- , and Richard C. Witmer. 2002. "Resource Growth and Indian Lobbying: Gaming Revenue and the Empowerment of Native Americans." Paper presented at the annual meeting of the American Political Science Association, Boston, MA.
- . 2003. "Hard Money, Soft Money, or Direct Lobbying Expenditures? The Emergence and Growth of American Indian Lobbying." Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, IL.
- . 2004. "Disentangling Diffusion: The Effect of Social Learning and

- Economic Competition on State Policy Innovation and Expansion.” *Political Research Quarterly* 57: 39–52.
- Bowler, Shaun, and Todd Donovan. 1998. “Direct Democracy and Minority Rights: An Extension.” *American Journal of Political Science* 42: 1020–24.
- . 2002. “Democracy, Institutions, and Attitudes about Citizen Influence on Government.” *British Journal of Political Science* 32: 371–90.
- Box-Steffensmeier, Janet M., and Bradford D. Jones. 1997. “Time Is of the Essence: Event History Models in Political Science.” *American Journal of Political Science* 41: 1414–61.
- . 2004. *Event History Modeling: A Guide for Social Sciences*. Cambridge: Cambridge University Press.
- Boyle, James. 1912. *The Initiative and Referendum: Its Follies, Fallacies and Failure*. Columbus, OH: A. J. Smythe.
- Brasher, Holly, David Lowery, and Virginia Gray. 1999. “State Lobby Registration Data: The Anomalous Case of Florida (and Minnesota Too!)” *Legislative Studies Quarterly* 24: 303–14.
- Brehm, John. 1993. *The Phantom Respondents: Opinion Surveys and Political Representation*. Ann Arbor: University of Michigan Press.
- . 1999. “Alternative Corrections for Sample Truncation: Applications to the 1988, 1990, and 1992 Senate Election Studies.” *Political Analysis* 8: 147–65.
- Broder, David S. 2000. *Democracy Derailed: Initiative Campaigns and the Power of Money*. New York: Harcourt Brace.
- Browne, William P. 1990. “Organized Interests and Their Issues Niches: A Search for Pluralism in a Policy Domain.” *Journal of Politics* 52: 477–509.
- . 1995. *Cultivating Congress: Constituents, Issues, and Interests in Agricultural Policymaking*. Lawrence: University of Kansas Press.
- Cain, Bruce E., and Kenneth P. Miller. 2001. “The Populist Legacy: Initiatives and the Undermining of Representative Government.” In *Dangerous Democracy: The Battle over Ballot Initiative in America*, edited by Larry J. Sabato, Howard R. Ernst, and Bruce A. Larson, 33–61. Lanham, MD: Rowman and Littlefield.
- “The California Ballot.” *The Economist*, March 4, 2004.
- Cameron, A. Colin, and Pravin K. Trivedi. 1998. *Regression Analysis of Count Data*. Cambridge: Cambridge University Press.
- Chavez, Lydia. 1998. *The Color Bind: The Campaign to End Affirmative Action*. Berkeley: University of California Press.
- Chong, Dennis. 1991. *Collective Action and the Civil Rights Movement*. Chicago: University of Chicago Press.
- Coalition for a Better Ohio. 1998. www.ohiohemp.org (discontinued)
- Colorado Citizens for Compassionate Cannabis. 1998. “Amendment 19: Medical Marijuana Ballot Initiative in Colorado: Is It Good Medicine?” Press release, December 10.

- Cornell, Stephen, Joseph Kalt, Matthew Krepps, and Jonathan Taylor. 1998. "American Indian Gaming Policy and Its Socio-Economic Effects." A Report to the National Gambling Impact Study Commission. Cambridge, MA: Economics Resource Group.
- Coughlin, Peter J., Dennis C. Mueller, and Peter Murrell. 1990. "Electoral Politics, Interest Groups, and the Size of Government." *Economic Inquiry* 28: 682–705.
- Cronin, Thomas E. 1989. *Direct Democracy: The Politics of Initiative, Referendum, and Recall*. Cambridge, MA: Harvard University Press.
- Dahl, Robert A. 1961. *Who Governs? Democracy and Power in an American City*. New Haven, CT: Yale University Press.
- Dion, Douglas. 1997. *Turning the Legislative Thumbscrews: Minority Rights and Procedural Change in Legislative Politics*. Ann Arbor: University of Michigan Press.
- Dombrink, John, and William N. Thompson. 1990. *The Last Resort: Success and Failure in Campaigns for Casinos*. Reno: University of Nevada Press.
- Donovan, Todd, Shaun Bowler, and David McCuan. 2001. "Political Consultants and the Initiative Industrial Complex." In *Dangerous Democracy: The Battle over Ballot Initiative in America*, edited by Larry J. Sabato, Howard R. Ernst, and Bruce A. Larson, 80–108. Lanham, MD: Rowman and Littlefield.
- , and Ken Fernandez. 1998. "Contending Players and Strategies: Opposition Advantages in Initiative Campaigns." In *Citizens as Legislators: Direct Democracy in the United States*, edited by Shaun Bowler, Todd Donovan, and Caroline J. Tolbert, 80–108. Columbus: Ohio State University Press.
- Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper and Row.
- Eadington, William R. 1999. "The Economics of Casino Gaming." *Journal of Economic Perspectives* 13: 173–92.
- Ellis, Richard. 2002. *Democratic Delusions: The Initiative Process in America*. Lawrence: University of Kansas Press.
- . 2003. "Signature Gathering in the Initiative Process: How Democratic Is It?" *Montana Law Review* 64: 35–97.
- Erikson, Robert S., Gerald C. Wright, and John P. McIver. 1993. *Statehouse Democracy: Public Opinion and Policy in the American States*. Cambridge: Cambridge University Press.
- Ernst, Howard R. 2001. "The Historical Role of Narrow-Minded Interests." In *Dangerous Democracy: The Battle over Ballot Initiative in America*, edited by Larry J. Sabato, Howard R. Ernst, and Bruce A. Larson, 1–25. Lanham, MD: Rowman and Littlefield.
- Everson, David. 1981. "The Effects of Initiatives on Voter Turnout: A Comparative State Analysis." *Western Political Quarterly* 34: 415–25.
- Feld, Lars P., and John G. Matsusaka. 2003. "Budget Referendums and Government Spending: Evidence from Swiss Cantons." *Journal of Public Economics* 87: 703–24.

- Gais, Thomas. 1996. *Improper Influence: Campaign Finance Law, Interest Groups, and the Problem of Equality*. Ann Arbor: University of Michigan Press.
- Gamble, Barbara S. 1997. "Putting Civil Rights to a Popular Vote." *American Journal of Political Science* 41: 245–69.
- George, Hunter T. 1998. "Marijuana Initiative on Track for Ballot." Associated Press, July 2.
- Gerber, Elisabeth R. 1996. "Legislative Response to the Threat of Popular Initiatives." *American Journal of Political Science* 40: 99–128.
- . 1999. *The Populist Paradox: Interest Group Influence and the Promise of Direct Legislation*. Princeton, NJ: Princeton University Press.
- . 2001. "The Logic of Reform: Assessing Initiative Reform Strategies." In *Dangerous Democracy: The Battle over Ballot Initiative in America*, edited by Larry J. Sabato, Howard R. Ernst, and Bruce A. Larson. 143–71. Lanham, MD: Rowman and Littlefield.
- , Zolton Hajnal, and Hugh Louch. 2002. "Minorities and Direct Legislation: Evidence from California Ballot Proposition Elections." *Journal of Politics* 64(1): 154–77.
- Gerber, Elisabeth R., and Arthur Lupia. 1995. "Campaign Competition and Policy Responsiveness in Direct Legislation Elections." *Political Behavior* 17: 287–306.
- , D. McCubbins, and D. Roderick Kiewiet. 2001. *Stealing the Initiative: How State Government Responds to Direct Democracy*. United States of America. Upper Saddle, NJ: Prentice Hall.
- Glick, Henry R., and Scott P. Hays. 1991. "Innovation and Reinvention in State Policymaking: Theory and Evolution of Living Will Laws." *Journal of Politics* 53: 835–50.
- Goebel, Thomas. 2002. *A Government by the People: Direct Democracy in America, 1890–1940*. Chapel Hill: University of North Carolina Press.
- Goldberg, Carole. 1975. "Public Law 280: The Limits of State Jurisdiction over Reservation Indians." *UCLA Law Review* 22: 535–39.
- Gray, Virginia, and David Lowery. 1996. *The Population Ecology of Interest Representation*. Ann Arbor: University of Michigan Press.
- . 1998. "State Lobbying Regulations and Their Enforcement: Implications for the Diversity of State Interest Communities." *State and Local Government Review* 30(2): 78–91.
- Green, Donald P., and Ian Shapiro. 1994. *Pathologies of Rational Choice Theory: A Critique of Applications in Political Science*. New Haven, CT: Yale University Press.
- Grenzke, Janet M. 1989. "PACs and the Congressional Supermarket: The Currency Is Complex." *American Journal of Political Science* 33: 1–24.
- Griffith, Ernest S. 1939. *The Impasse of Democracy*. New York: Harrison-Hilton.
- Hall, Richard L., and Frank W. Wayman. 1990. "Buying Time: Moneyed Interest

- and the Mobilization of Bias in Congressional Committees." *American Political Science Review* 84: 797–820.
- Hansen, John Mark. 1991. *Gaining Access: Congress and the Farm Lobby, 1919–1981*. Chicago: University of Chicago Press.
- Haskell, John. 2001. *Direct Democracy or Representative Government: Dispelling the Populist Myth*. Boulder, CO: Westview Press.
- Hays, Scott P. 1996. "Controversy and Reinvention in the Diffusion of State Policy Innovation." *Political Research Quarterly* 49: 613–32.
- Heckman, James J. 1979. "Sample Selection Bias as a Specification Error." *Econometrica* 47:153–61.
- Hecl, Hugh. 1978. "Issue Networks and the Executive Establishment." In *The New American Political System*, edited by Anthony King, 87–124. Washington, DC: American Enterprise Institute.
- Heinz, John P., Robert O. Laumann, Robert L. Nelson, and Robert L. Salisbury. 1993. *The Hollow Core*. Cambridge, MA: Harvard University Press.
- Honaker, James, Anne Joseph, Gary King, Kenneth Scheve, and Naunihal Singh. 2001. *Amelia: A Program for Missing Data (Windows Version)*. Cambridge, MA: Harvard University. <http://gking.harvard.edu>.
- Hsiao Cheng. 1990. *Analysis of Panel Data*. Cambridge: Cambridge University Press.
- Key, V. O., Jr., and Winston W. Crouch. 1939. *The Initiative and Referendum in California*. Berkeley: University of California Press.
- Kim Jae-On and Charles W. Mueller. 1978. *Factor Analysis: Statistical Methods and Practical Issues*. Beverly Hills, CA: Sage Publications.
- King, Gary. 1988. "Statistical Models for Political Science Event Counts: Bias in Conventional Procedures and Evidence for the Exponential Poisson Regression Model." *American Journal of Political Science* 32: 838–63.
- . 1989a. *Unifying Political Methodology: The Likelihood Theory of Statistical Inference*. Ann Arbor: University of Michigan Press.
- . 1989b. "Variance Specification in Event Count Models: From Restrictive Assumptions to a Generalized Estimator." *American Journal of Political Science* 33: 762–84.
- , James Honaker, Anne Joseph, Kenneth Scheve, and Naunihal Singh. 2001. "Analyzing Incomplete Political Science Data." *American Political Science Review* 95: 49–69.
- , Michael Tomz, and Jason Wittenberg. 2000. "Making the Most of Statistical Analyses: Improving Interpretation and Presentation." *American Journal of Political Science* 44: 341–55.
- Kollman, Ken. 1997. "Inviting Friends to Lobby: Interest Groups, Ideological Bias, and Congressional Committees." *American Journal of Political Science* 41: 519–44.
- Kollman, Ken. 1998. *Outside Lobbying: Public Opinion and Interest Group Strategies*. Princeton, NJ: Princeton University Press.

- Kuehn, Bridget M. 2003. "Oklahoma Cockfighting Ban Faces Legal Challenges." *Journal of the American Veterinary Medical Association News*, March 15. <http://www.avma.org/onlnews/javma/apr03/030415e.asp>
- Lascher, Edward L., Jr., Michael G. Hagen, and Steven A. Rochlin. 1996. "Gun behind the Door? Ballot Initiatives, State Policies, and Public Opinion." *Journal of Politics* 58: 760–75.
- Lohmann, Susanne. 1993. "A Signaling Model of Informative and Manipulative Political Action." *American Political Science Review* 87: 319–33.
- Long, J. Scott. 1997. *Regression Models for Categorical and Limited Dependent Variables*. Newbury Park, CA: Sage Publications.
- Lowenstein, Daniel Hays, and Robert M. Stern. 1989. "The First Amendment and Paid Initiative Petition Circulators: A Dissenting View and a Proposal." *Hastings Constitutional Law Quarterly* 17: 175–224.
- Lowery, David, Virginia Gray, Matthew Fellowes, and Jennifer Anderson. 2004. "Living in the Moment: Lags, Leads, and the Link between Legislative Agendas and Interest Advocacy." *Social Science Quarterly* 85(2): 463–77.
- Lupia, Arthur. 1992. "Busy Voters, Agenda Control, and the Power of Information." *American Political Science Review* 86: 390–403.
- Maddala, G. G. 1983. *Limited Dependent and Qualitative Variables in Econometrics*. Cambridge: Cambridge University Press.
- Magleby, David B. 1984. *Direct Legislation: Voting on Ballot Propositions in the United States*. Baltimore: Johns Hopkins University Press.
- Mason, W. Dale. 2000. *Indian Gaming*. Norman: University of Oklahoma Press.
- Matsusaka, John G. 1995. "Fiscal Effects of the Voter Initiative." *Journal of Political Economy* 103: 587–623.
- . 2000. "Problems with a Methodology Used to Evaluate the Voter Initiative." *Journal of Politics* 63: 1250–56.
- . 2004. *For the Many or the Few: The Initiative Process, Public Policy, and American Democracy*. Chicago: University of Chicago Press.
- , and Nolan M. McCarty. 2001. "Political Resource Allocation: Benefits and Costs of Voter Initiatives." *Journal of Law, Economics, and Organization* 17: 413–48.
- McAdam, Doug. 1988. *Freedom Summer*. New York: Oxford University Press.
- McCuan, David, Shaun Bowler, Todd Donovan, and Ken Fernandez. 1998. "California's Political Warriors: Campaign Professionals and the Initiative Process." In *Citizens as Legislators: Direct Democracy in the United States*, edited by Shaun Bowler, Todd Donovan, and Caroline Tolbert, 55–79. Columbus: Ohio State University Press.
- McCulloch, Anne. 1994. "The Politics of Indian Gaming: Tribe/State Relations and American Federalism." *Publius* 24: 99–112.
- Meltsner, Michael. 1973. *Cruel and Unusual: The Supreme Court and Capital Punishment*. New York: Random House.

- Miller, Carol. 1997. "Implementing Prop. 215." Sonoma Civil Rights Action Project press release, March 25. http://www.sonomacountyfreepress.com/scrap/implementing_215.html
- Miller, Judith. 1996. "A Giver's Agenda: A Special Report: With Big Money and Brash Ideas, a Billionaire Redefines Charity." *New York Times*, December 17. http://www.sororstrading.com/art12_16_96.html
- Mintrom, Michael. 1997. "Policy Entrepreneurs and the Diffusion of Information." *American Journal of Political Science* 41: 738–70.
- , and Sandra Vergari. 1998. "Policy Networks and Innovation Diffusion: The Case of State Education Reforms." *Journal of Politics* 60: 126–48.
- Mitchell, William C., and Michael Munger. 1991. "Economic Models of Interest Groups: An Introductory Survey." *American Journal of Political Science* 35: 512–46.
- Moe, Terry M. 1980. "A Calculus of Group Membership." *American Journal of Political Science* 24: 593–632.
- Mooney, Christopher Z. 2001. "Modeling Regional Effects on State Policy Diffusion." *Political Research Quarterly* 54: 103–24.
- , and Mei-Hsien Lee. 1995. "Legislative Morality in the American States: The Case of pre-Roe Abortion Regulation Reform." *American Journal of Political Science* 39: 599–627.
- . 1999a. "Morality Policy Re-Invention: Death Penalty Policy in the American States." Working paper.
- . 1999b. "The Influence of Values on Consensus and Contentious Reform Policy: U.S. Death Penalty Reform, 1956–82." Working paper.
- . 1999c. "The Temporal Diffusion of Morality Policy: The Case of Death Penalty Legislation in the American States." Working paper.
- Morrow, James D. 1994. *Game Theory for Political Scientists*. Princeton, NJ: Princeton University Press.
- Morton, Rebecca. 1999. *Methods and Models*. Cambridge: Cambridge University Press.
- Mowry, George E. 1951. *The California Progressives*. Chicago: Quadrangle Books.
- Mueller, Dennis G., and Peter Murrell. 1986. "Interest Groups and the Size of Government." *Public Choice* 48: 125–45.
- National Conference of State Legislatures. 2002. "Initiative and Referendum in the 21st Century: Final Report and Recommendations of the NCSL I&R Task Force." <http://www.ncsl.org/programs/press/2002/pr020725I&R.htm>
- Nownes, Anthony J., and Patricia Freeman. 1998. "Interest Group Activity in the States." *Journal of Politics* 60: 86–112.
- Olson, Mancur, Jr. 1965. *The Logic of Collective Action*. Cambridge, MA: Harvard University Press.
- . 1982. *The Rise and Decline of Nations*. New Haven, CT: Yale University Press.
- Opheim, Cynthia. 1991. "Explaining the Differences in State Lobbying

- Regulation." *Western Political Quarterly* 44: 405–21.
- Ordeshook, Peter C. 1992. *A Political Theory Primer*. London: Routledge.
- Pierce, Patrick A., and Donald E. Miller. 1999a. "Variations in the Diffusion of State Lottery Adoptions: How Revenue Dedication Changes Morality Politics." *Policy Studies Journal* 27: 696–706.
- . 1999b. "Roll the Dice: Internal Diffusion of Gambling Policy in the American States." Working paper.
- . 2004. *Gambling Politics: State Government and the Business of Betting*. Boulder, CO: Lynne Rienner Publishers.
- Rogers, Everett. 1995. *Diffusion of Innovations*. 4th ed. New York: Free Press.
- Romer, Thomas, and Howard Rosenthal. 1978. "Political Resource Allocation, Controlled Agendas, and the Status Quo." *Public Choice* 33: 27–44.
- . 1979. "Bureaucrats versus Voters: On the Political Economy of Resource Allocation by Direct Democracy." *Quarterly Journal of Economics* 93: 563–88.
- Rothenberg, Lawrence S. 1992. *Linking Citizens to Government: Interest Group Politics at Common Cause*. Cambridge: Cambridge University Press.
- Salisbury, Robert H. 1984. "Interest Representation: The Dominance of Institutions." *American Political Science Review* 78: 64–76.
- Salt Lake Tribune*. 2003. Editorial, "A Thousand Cuts." February 13.
- Schattschneider, E. E. 1960. *The Semi-Sovereign People*. New York: Holt, Rinehart and Winston.
- Schildkraut, Deborah. 2001. "Official-English and the States: Influences on Declaring English the Official Language in the United States." *Political Research Quarterly* 54: 445–58.
- Schlozman, Kay Lehman. 1984. "What Accent the Heavenly Chorus? Political Equality and the American Pressure System." *Journal of Politics* 46: 1006–32.
- , and John T. Tierney. 1986. *Organized Interests and American Democracy*. New York: Harper and Row.
- Schmidt, David D. 1989. *Citizen Lawmakers: The Ballot Initiative Revolution*. Philadelphia: Temple University Press.
- Schrag, Peter. 1998. *Paradise Lost: California's Experience, America's Future*. New York: New Press.
- Sears, David O., and Jack Citrin. 1982. *Tax Revolt: Something for Nothing in California*. Cambridge, MA: Harvard University Press.
- Shelley, Kevin. 2002. "A History of California Initiatives." Report prepared by the California Secretary of State's Office.
- Shinkman, Ron. 1998. "Voters Back Pot Rights: Medicinal Use of Marijuana Approved in Four States." *Modern Healthcare* 28 (November 9): 6.
- Simon, Herbert A. 1976. *Administrative Behavior*. New York: Free Press.
- Skopek, Tracy A., Rich Engstrom Jr., and Kenneth N. Hansen. 2004. "All That Glitters . . . : The Rise of American Indian Tribes in State Political Behavior." Paper presented at the 2004 meetings of the Western Political Science Association, Portland, OR.

- Smith, Daniel A. 1998. *Tax Crusaders*. London: Routledge.
- . 2001. "Homeward Bound?: Micro-Level Legislative Responsiveness to Ballot Initiatives." *State Politics and Policy Quarterly* 1: 50–61.
- . 2002. "Direct Democracy and Its Critics." In *American Politics: Core Argument/Current Controversy*, edited by Peter Woolley and Albert Papa. 2nd ed. Englewood Cliffs, NJ: Prentice Hall.
- . 2003. "Overturning Term Limits: The Legislature's Own Private Idaho?" *PS: Political Science and Politics* 36: 215–20.
- , and Joseph Lubinski. 2002. "Direct Democracy during the Progressive Era: A Crack in the Populist Veneer?" *Journal of Policy History* 14: 349–83.
- , and Caroline J. Tolbert. 2004. *Educated by Initiative: The Effects of Direct Democracy on Citizens and Political Organizations in the American States*. Ann Arbor: University of Michigan Press.
- Smith, Mark A. 2001. "The Contingent Effects of Ballot Initiatives and Candidate Races on Turnout." *American Journal of Political Science* 45(3): 700–706.
- Tolbert, Caroline J. 1998. "Changing Rules for State Legislatures: Direct Democracy and Governance Policy." In *Citizens as Legislators: Direct Democracy in the United States*, edited by Shaun Bowler, Todd Donovan, and Caroline J. Tolbert, 171–90. Columbus: Ohio State University Press.
- , John Grummel, and Daniel A. Smith. 2001. "The Effects of Ballot Initiatives on Voter Turnout in the United States." *American Politics Research* 29: 625–48.
- . 2003. "Enhancing Civic Engagement: The Effect of Direct Democracy on Political Participation and Knowledge." *State Politics and Policy Quarterly* 3: 23–41.
- Tolbert, Caroline J., Daniel H. Lowenstein, and Todd Donovan. 1998. "Election Laws and Rules for Initiatives." In *Citizens as Legislators: Direct Democracy in the United States*, edited by Shaun Bowler, Todd Donovan, and Caroline J. Tolbert, 27–54. Columbus: Ohio State University Press.
- Tomz, Michael, Jason Wittenberg, and Gary King. 2001. CLARIFY: Software for Interpreting and Presenting Statistical Results. Version 2.0. Cambridge, MA: Harvard University. <http://gking.harvard.edu>.
- Truman, David B. 1951. *The Governmental Process: Political Interests and Public Opinion*. New York: Knopf.
- U.S. Bureau of the Census. Various years. *Statistical Abstract of the United States*. Washington, DC: U.S. Government Printing Office.
- Walker, Jack L. 1969. "The Diffusion of Innovations among the American States." *American Political Science Review* 63: 880–99.
- . 1983. "The Origin and Maintenance of Interest Groups in America." *American Journal of Political Science* 77: 390–406.
- . 1991. *Mobilizing Interest Groups in America: Patrons, Professionals, and Social Movements*. Ann Arbor: University of Michigan Press.

- Wright, John R. 1990. "Contributions, Lobbying, and Committee Voting in the U.S. House of Representatives." *American Political Science Review* 84: 417–38.
- . 1996. *Interest Groups and Congress*. Boston: Allyn and Bacon.
- Zimmerman, Joseph F. 1986. *Participatory Democracy: Populism Revisited*. New York: Praeger Publishers.
- . 2001. *The Referendum: The People Decide Public Policy*. Westport, CT: Praeger Publishers.

Index

- affirmative action initiative. *See*
Proposition 209
- agriculture policy, 154
- Alaska, 184n. 3; and medicinal marijuana, 5
- Alaskans for Medical Rights, 6
- Alexander, Robert, 195n. 20
- Alliance for Medical Marijuana, 5
- Alvarez, R. Michael, 154, 160, 185n. 15
- Amendment 19 (Colorado), 5, 39
- American Civil Rights Institute, 39, 157. *See also* Ward Connerly
- American Veterinary Medical Association, 198n. 3
- Americans for Medical Rights, 4, 5, 39, 74, 156. *See also* Californians for Medical Rights
- animal rights: initiatives on, 159; and signature requirements, 160
- Arizona, 6, 124; medicinal marijuana initiative in, 183n. 2; and survey of interest groups, 98
- Arizonans for Medical Rights, 6
- Arons, David F., 188n. 47
- associations, 66–68
- astroturf lobbying, 127. *See* outside lobbying
- auxiliary survey. *See* survey of state interest groups
- Bali, Valentina A., 185n. 17
- Bally's, 37
- Baumgartner, Frank R., 99
- Beard, Charles A., 17
- beer tastings, 100
- Berry, Jeffrey M., 188n. 47, 198n. 6
- beverage container deposits, initiatives on, 19
- billboards, initiatives on, 19
- Boehmke, Frederick J., 63–64, 93, 137, 154, 160, 161, 185n. 15, 187n. 45, 190n. 20, 197n. 13
- Bowler, Shaun, 21, 62–63, 183n. 4
- Broder, David S., 1
- Buffalo, 193n. 19
- Bureau of Indian Affairs, 192–93n. 18
- Bush, Jeb, 22
- businesses, 136, 137, 189n. 9
- Cain, Bruce E., 184n. 7
- California v. Cabazon Band of Mission Indians*, 80, 82
- California: affirmative action initiative, 159; and charter school reform, 73; cigarette tax initiatives, 76; daylight savings initiatives in, 185n. 14; early initiative campaigns in, 18; frequency of initiatives in, 2, 9, 162; indirect initiatives in, 15; initiative petitions qualified in, 22; lottery initiative, 37; and medicinal marijuana, 5; qualification rates of titled initiatives, 195n. 18; signature gathering in, 160; Southern Pacific Railroad and, 42
- Californians for Medical Rights, 5, 37, 38–39, 144. *See also* Americans for Medical Rights
- campaign consultants, 21
- campaign contributions: amount in equilibrium, 30; effect of initiative process on, 30, 34, 48; effect of initiative's probability of passing on, 31, 152; effect of limitations on initiative proposal, 186n. 35; in formal model of policymaking, 25

- capital punishment, 79, 145; effect of initiative process on, 87–88; empirical model of, 84; history of, 80–83; state adoptions of, 83
- charities, 136
- charter schools, 73, 126. *See* Reed Hastings
- Chavez, Lydia, 187n. 42
- Chong, Dennis, 188n. 3
- cigarette taxes, initiatives on, 76
- circulation title, 20
- citizen groups: ability to propose initiatives, 42–43, 62–64; asymmetric effect of initiative on, 41–42, 62, 162; effect of initiative process on, 64; and initiative mobilizations, 7; measurement of, 54, 189n. 6; number of, 56; use of initiative process, 7, 62–64
- citizen ideology: effect on interest group populations, 58, 60, 66; and state capital punishment adoptions, 85, 87–88; and state Indian gaming adoptions, 90
- civil rights policy, 154
- Coalition for a Better Ohio, 4
- cockfighting, 19, 159–60
- collective action dilemma, 52
- Coloradans for Medical Rights, 5, 6, 39
- Colorado Hemp Initiative Project, 5
- Colorado, 5, 183n. 2
- Common Cause, 53
- Connerly, Ward, 39, 157, 196n. 5
- corporations, 136, 189n. 9
- count models, 59, 190n. 15
- crime policy, 154
- Cronin, Thomas E., 10, 28
- Crouch, Winston W., 1
- dairymen, 18
- Dangerous Democracy* (Sabato, Ernst, and Larson), 1
- daylight savings, initiatives on, 19, 185n. 17
- death penalty. *See* capital punishment
- Democratic Delusions* (Ellis), 1
- density dependence, 58, 60. *See also* Energy-Stability-Area model
- direct democracy: history of, 16–18
- direct effect: definition of, 33; evidence of, 33. *See also* initiative process
- direct initiatives, 15; effect on interest group populations, 188n. 1
- direct legislation: forms of, 15
- distribution requirement, 21, 160; effect on initiative use, 161
- District of Columbia, and medicinal marijuana, 5
- Donovan, Todd, 10, 21, 62–63, 183n. 4
- Economic competition. *See* policy diffusion
- economic groups: ability to propose initiatives, 42, 62–64; asymmetric effect of initiative on, 41–42, 62; and collective problem, 62; dominance of, 42, 44, 52, 97; and early use of initiative, 17; measurement of, 54, 189n. 6; effect of initiative process on, 64; number of, 56
- education, 100
- election reform, 100
- Ellis, Richard, 1, 183n. 6
- Energy-Stability-Area model, 58, 60
- English-only instruction, initiatives on, 185n. 17
- entertainment policy, 155
- Erikson, Robert S., 189n. 14
- event history approach, 76–77, 191n. 4
- expressive benefits, 53
- factor analysis, 128, 196nn. 5–6
- Fernandez, Ken, 21, 62–63
- Florida: interest group population in, 56
- Floridians for Medical Rights, 6
- Fordice, Kip, 14
- formal model: benefits of, 14, 22, 149–50; testing assumptions of, 190n. 19. *See also* model of initiative process
- foundations, 136
- free rider problem, 52. *See also* collective action dilemma
- Freeman, Patricia, 97, 127, 128, 130, 136
- Furman v. Georgia*, 80

- Gais, Thomas, 11, 43, 188n. 47
- Gamble, Barbara S., 183n. 4
- gaming, 100, 192n. 12; initiatives on, 22; lotteries, 37. *See also* Indian gaming
- Gerber, Elisabeth R., 34, 42, 62, 98, 112, 125, 183nn. 4–5, 185n. 17, 186n. 30
- government associations, 136
- government operations, 154
- government spending, effect of initiative process on, 158, 191n. 1
- Gray, Virginia, 11, 36, 53, 54, 58, 60, 66, 98, 189n. 7
- Gregg v. Georgia*, 191n. 10
- Hansen, John, 196n. 10
- Haskell, John, 10
- Hastings, Reed, 73, 126, 196n. 5. *See also* charter schools
- Haynes, John Randolph, xii
- health care, 100
- health policy, 154
- Heckman, James J., 137. *See also* selection bias
- Hendrick, B. J., 17
- horse meat, initiatives on, 19
- Humane Society, 198n. 3
- hunting, initiatives on, 19
- Idaho, 160
- Immigration initiatives. *See* Proposition 187
- Indian Gaming Regulatory Act, 80, 82, 192n. 11, 193n. 19
- Indian gaming, 79, 145; effect of initiative process on, 87, 90–91; empirical model of, 84; history of, 82–83, 192n. 12; state adoptions of, 83; state-tribal agreements, 93, 158
- Indian nations, 80, 84; incidence in initiative states, 192n. 16; rights to negotiate gaming agreements, 193n. 19; and trust land, 193n. 19
- indirect effect, 112; definition of, 33, 73; effect of ballot access on, 161, 195n. 19; evidence of, 33, 93, 116; Gerber and, 34. *See also* initiative process
- indirect initiatives: constitutional versus statutory, 15; definition of, 15
- indirect modifying strategy, 125
- Initiative 685 (Washington), 183n. 2
- Initiative 692 (Washington), 183n. 2
- initiative involvement: effect on interest group resources, 113–14; effect on issue involvement, 117–18; effect on legislative interaction, 118; effect on lobbying tactics, 115–16; frequency of, 113, 195n. 20; and interest group resources, 113
- initiative mobilizations, 104, 146; consequences of, 7, 151, 157–58; consequences for lobbying, 107–8; cross-state effects of, 156; effect on government process, 158–59; definition of, 7; and interest group survival, 151
- initiative process: adoption of, 1; compared to legislature, 3; criticisms of, 1, 9–10, 161–62; direct consequences of, 2, 149, 162; direct effect of, 33; effect on interest group lobbying, 96, 106–7, 111, 138–40, 146; effect on interest group resources, 95, 102–4, 146; effect on inside lobbying, 106, 139–40; effect on outside lobbying, 8, 45–47, 106–7, 122–23, 125, 138–40; effect on policies raised, 156; impact of, 2; indirect effects of, 2, 6, 8, 33, 148, 162; legislative attempts to reform, 10, 159, 160; model of, 14, 23–35; indirect benefit of, 29; and policy adoption, 8, 19, 72–75, 147; potential reforms of, 198n. 4; public support for, 10; and representation, 12, 44, 53, 152
- initiatives: advantages for interest groups, 15; constitutional versus statutory, 15; cost of proposing, 21, 42; definition of, 1; frequency of, 2, 64, 162; frequency of use, 19, 185n. 13; implementation of, 185n. 13; opposition spending and passage of, 142; repeal of, 77, 191n. 3; requirements for proposing, 20–22, 161; threat of proposing, 5; types of groups that propose, 63; uncertainty over passage, 27–28

- inside lobbying, 97; construction of scale, 131; effect of initiative involvement on, 116, 123, 139–40; effect of initiative process on, 106, 138–40; tactics, 106; threat of proposing an initiative and, 48–49, 125–26
- institutions, 66–68
- interest group populations, 153; effect of initiative process on, 60, 69; effect of lobby registrations on, 189n. 11; empirical model of, 59; evolution over time, 151, 198n. 6; measurement of, 53–57, 187n. 46, 188n. 2; theories of, 57–58
- interest groups: and choice of lobbying strategy, 124; costs of mobilizing, 36; effect of initiative process on, 3; and history of initiative, 1; individual's membership in, 152, 188n. 48; and influence on legislature, 25–26; interaction with legislature, 108, 109–11, 118; and lobbying, 8, 11, 45–49; mobilizations, 11, 36, 52–55, 146; objectives of, 23; reasons for issue involvement, 107–9; representation and, 44, 53, 69, 95, 97, 152, 153, 162; and resources, 8, 45, 47; survival of, 151; use of initiative process by, 112; utility of policy adoption, 24–25; in Washington, D.C., 11, 55, 97, 153, 189n. 9
- iron triangles, 126, 196n. 2
- issue networks, 196n. 2
- Jefferson, Thomas, 16
- Johnson, Hiram, 17
- Key, Jr., V. O., 1
- Kiewiet, D. Roderick, 183n. 5, 185n. 17
- Kollman, Ken, 127, 128, 130, 136, 196n. 1
- labor unions, 136
- Lee, Mei-Hsien, 76
- Leech, Beth L., 99
- legislature: model of policymaking, by, 23; preferences of, 24; and campaign contributions, 25; threat of initiative and, 29, 46, 73, 125–26, 139–40, 143, 163
- light rail, 100
- lobbying environment: conflict in, 104, 113, 136, 138
- lobbying strategies: calculation of, 128–29; definition of, 123–24; effect of initiative involvement on, 134, 139–40, 142; effect of initiative process on, 131–32, 138–40, 142; effect of interest group resources on, 136; empirical model of, 135–36; inside and outside strategies, 124, 126–28; interest group choice of, 124; measurement of, 126–27
- lobbying, 151; effect of initiative involvement on, 113, 115–16, 118; effect of initiative process on, 45–49, 95–96, 106–7, 146; inside versus outside, 8, 43, 45, 97; interest group resources and, 45–46, 95; legislators characteristics and, 109–11, 118; motivations for, 107; registration, 53–54, 98, 188n. 5; tactics, 45, 106. *See also* lobbying strategies
- Logic of Collective Action* (Olson), 52
- Lowenstein, Daniel H., 10, 184n. 10
- Lowery, David, 11, 36, 53, 54, 58, 60, 66, 98, 189n. 7
- Lubinski, Joseph, 183n. 6
- Lupia, Arthur, 183n. 5, 185n. 17
- Magleby, David B., 28
- Maine, indirect initiatives in, 15
- Mainers for Medical Rights, 6
- Massachusetts, 16; indirect initiatives in, 15
- Matsusaka, John G., 158, 186n. 30, 187n. 37, 191n. 1, 191n. 7
- McAdam, Doug, 188n. 4
- McCarty, Nolan M., 186n. 30, 187n. 37
- McCuan, David, 21, 62–63
- McCubbins, Mathew D., 183n. 5, 185n. 17
- McIver, John P., 189n. 14
- Measure 16 (Oregon), 156
- median voter theorem, 24
- median voter, 186n. 36, 191n. 7

- medicinal marijuana, 75, 78, 79, 145, 152, 156; history of, 3–7
 membership groups, 66–68
Meyer v. Grant, 184n. 10
 MGM Grand, 37
 milk prices, initiatives on, 19
 Miller, Kenneth P., 184n. 7
 Minnesota, 100; attempts to adopt initiative process in, 184n. 11; and survey of interest groups, 98
 Mississippi, 184
 mobilization: costs of, 187n. 41; effect of initiative on, 36–37, 44; and effect on policy adoption, 74; theories of, 52–53. *See also* collective action dilemma
 model of initiative process, 23–35, 150; adding initiative process, 27–35; additional assumptions and, 35–36, 42, 48; effect of initiative on voter welfare, 34–35; equilibrium of, 27, 30; and interest group lobbying, 26; implications of, 36, 41–49; policy adoption and, 24; predictions of, 35–41; probability of initiative passing, 27–28; utility of policy outcomes, 24–25; when group proposes an initiative, 29; without initiative process, 26–27. *See also* formal model
 modern inside lobbying, 129–30. *See also* inside lobbying; lobbying strategies
 Montana, 160
 Mooney, Christopher Z., 76
 multiple imputation, 197n. 14
 murder rates, 84, 192–93n. 18

 Nash Bargaining Solution, 186n. 27, 186n. 31, 186n. 35, 198n. 3
 National Conference of State Legislatures, 161
 Native American campaign contributions, 192n. 13. *See also* Indian nations
 Nevada: and medicinal marijuana, 5, 6
 New Hampshire, 16
 New Mexico, and survey of interest groups, 98

 New Populism, 10
 New York, 193n. 19
 Niagara Falls, 193n. 19
 nonprofit research groups, 136
 Nownes, Anthony J., 97, 127, 128, 130, 136, 195n. 20

 Ohio, and medicinal marijuana, 4
 Oklahoma Coalition against Cockfighting, 159, 198n. 3
 Oklahoma, 159; Legislature, 198n. 3; Senate Bill 189, 159; State Election Board, 198n. 3; State Supreme Court, 159
 Olson, Mancur, Jr., 52, 57, 60, 70
 Opheim, Cynthia, 189n. 11
 Oregon: frequency of initiatives in, 9, 162; and medicinal marijuana, 5; and physician-assisted suicide, 156; and survey of interest groups, 98
 Oregonians for Medical Rights, 6
 outside lobbying, 96, 97; construction of scale, 131; effect of initiative involvement on, 116, 139–40; effect of initiative process on, 45–47, 106–7, 122–23, 125, 138–40, 147; example of, 124, 131; as an indication of public support, 46, 147; measurement of, 130; and salience, 188n. 49; tactics, 106–7, 115; use in passing initiatives, 43, 45. *See also* lobbying strategies

Paradise Lost (Schrag), 1
 Pataki, George, 18, 184n. 12
 patron, 162, 156, 188n. 47, 198n. 2
 patronage, 11. *See also* patron
 Patty, John W., 190n. 20
 peak associations, 191n. 25
 physician-assisted suicide, initiatives on, 156
 pluralism, 12
 policy adoption, 150; binary nature of, 24, 186n. 30; effect of initiative on, 8, 37, 38, 72–75, 86, 92–93; empirical model of, 76–78, 191n. 2
 policy diffusion, 40, 150; change in process of, 187n. 44; economic competition and, 187n. 45; effect of

- initiative on, 39–40, 74–75, 86, 90–91, 147; social learning theory and, 40–41, 74
- political action committees, 11, 152, 163; individual contributions to, 154, 157; interest group formation of, 188n. 47. *See also* campaign contributions
- political efficacy, 154, 157
- political knowledge, 154, 157
- population ecology model, 11
- Populist movement, 16
- Populists, 1, 184n. 7
- professional associations, 136, 189n. 9
- Progressive movement, 16–17
- Progressives, 1, 42, 184n. 7
- Proposition 1A (California), 22, 192n. 14. *See also* Indian gaming
- Proposition 5 (California), 22, 83, 192n. 14. *See also* Indian gaming
- Proposition 10 (California), 76. *See also* cigarette taxes; Proposition 10
- Proposition 13 (California), 2, 19, 80, 183n. 5. *See also* tax revolt
- Proposition 28 (California), 76. *See also* cigarette taxes; Proposition 10
- Proposition 187 (California), 9
- Proposition 201 (Arizona), 93. *See also* Indian gaming
- Proposition 203 (Arizona), 6. *See also* medicinal marijuana
- Proposition 209 (California), 9, 39, 157, 187n. 42
- Proposition 215 (California), 5, 39, 79, 183n. 2. *See also* medicinal marijuana
- Proposition 227 (California), 185n. 17. *See also* English-only instruction
- Public Law 280, 84, 192–93n. 18
- public opinion: outside lobbying as a signal of, 125, 135; resolving uncertainty over, 39; shifts in, 28. *See also* citizen ideology
- purpose benefits, 53
- Question 687 (Oklahoma), 159. *See also* cockfighting
- Question 698 (Oklahoma), 159. *See also* cockfighting
- Question 9 (Nevada), 6
- recall, 17
- referendums: legislative, 15; popular, 15
- regression analysis, 135
- religious fundamentalism and state capital punishment adoption, 85, 87–88
- response bias, 99, 194n. 7, 194n. 9. *See also* selection bias
- response rate, 100; of other surveys, 194n. 10
- roll-off, 154
- Romer, Thomas, 185n. 21
- Rosenthal, Howard, 185n. 21
- Rothenberg, Lawrence S., 53
- sample selection. *See* selection bias
- Schattschneider, E. E., 158
- Schlozman, Kay Lehman, 97, 196n. 3
- Schmidt, David D., 183n. 3
- Schrag, Peter, 1
- Schultz, Birl E., 17
- Scientific Games of Atlanta, 37
- seat belts, 100
- selection bias, 99, 194n. 7, 197nn. 11–12; controlling for, 137. *See also* response bias
- selective incentives, 52
- Seneca Nation, 193n. 19
- signature gathering, 160; ban on paid gatherers, 18; firms, 20; use of paid signature gatherers, 10, 18
- signature requirement, 20–21; and animal rights initiatives, 159, 160; certification of submitted signatures, 21; effect on initiative use, 161
- single-subject rules, 20
- Smith, Daniel A., 183n. 6, 183n. 8
- Smith, Mark A., 28
- Social learning theory. *See* policy diffusion
- social organizations, 136
- social welfare policy, 154
- solidary benefits, 53
- Sonoma Alliance for Medical Marijuana, 5, 6
- Sonoma Civil Rights Action Project, 7
- Soros, George, 183n. 2, 196n. 5

- South Dakota: indirect initiatives in, 15
- Southern Pacific Railroad, 42
- sports policy, 155
- Statistical Abstract of the States* (U.S. Census Bureau), 189n. 12–13, 192n. 17
- Stern, Robert M., 184n. 10
- stochastic truncation, 197n. 13
- Supreme Court, 80, 82, 160
- survey of state interest groups, 97–100; auxiliary survey, 137; characteristics of states included, 172; pretest of, 194n. 6; procedure for, 172–73; telephone survey, 99–100, 178
- Swiss cantons, 191n. 1
- tax revolt, 1, 10, 191n. 9
- taxation, 100
- telephone survey. *See* survey of state interest groups
- term limits, 10, 19, 74, 78, 79, 145, 152
- The Population Ecology of Interest Representation* (Gray and Lowery), 53, 58
- The Populist Paradox* (Gerber), 62
- The Rise and Decline of Nations* (Olson), 57
- Tierney, John T., 97, 196n. 3
- Tolbert, Caroline J., 10, 79, 183n. 8
- tort reform, 100
- trade associations, 136, 189n. 9
- transportation policy, 155
- tribes. *See* Indian nations
- U.S. Congress, 183n. 1, 184n. 6
- Unz, Ron, 196n. 5
- Utah, 160; indirect initiatives in, 15
- Virginia School, 58, 60
- Voinovich, George, 4
- voter turnout, 154, 157. *See also* voters
- voters: informedness of, 28, 186n. 29; turnout and, 28. *See also* voter turnout
- Walker, Jack L., 11, 43, 45, 97, 124, 126–27, 136, 153, 188 n. 47
- Washington, medicinal marijuana initiatives in, 5, 183n. 2
- Waters, M. Dane, 184n. 1
- Whitaker and Baxter, 18. *See also* campaign consultants
- Wilson, Pete, 73
- Witmer, Richard C., 93, 187n. 45
- Wright, Gerald C., 189n. 14
- Wyoming, 160, 184n. 3
- year 2000 computer bug, 100