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Voter Trust and the Power of Direct Democracy:
An Exploration into the Importance of Legitimate Forms of Governing in a Democracy

Emma Brent
Chapman University
Abstract

Legitimacy is the only concept that gives a government control of a population. For a democracy, legitimacy is especially imperative to its function. Current polling in the United States reflects the lowest approval ratings of Congress in history, and a sense of hopelessness in the system. Civil unrest has become a trademark of the 21st century, and much of the unrest has spawned from voters believing their voice is lost in a system that never valued it to begin with. When it comes to direct democracy in the U.S., initiated through ballot measures, many studies point to trust in government, or a lackthereof, as a main factor for predicting voter preference on policy. And yet, there is little research regarding how distrustful voters prefer to participate. Trust in government has been shown to be greatly influenced by ideology, environment, and media exposure, but little is known about how preference in participation can influence trust. Democracies must prove to its constituents that it is legitimate by actively supporting ways for voters to participate freely and equally, or else the democracy will dissolve; therefore, I argue that understanding how voters wish to participate is just as important as knowing how they develop their preferences. I hypothesize that voters that are distrustful of government will approve of the use of ballot measures as a way of determining policy. Relying on the 2012 ANES Direct Democracy Survey, I have found a statistically significant correlation between distrustful voters and preference of ballot measures, and I assert that ballot measures create a sense of accountability and fairness for voters within the U.S. political system. In addition, my research has also pointed to a desire by voters for the ballot measure process to be updated in order to become more user-friendly. By utilizing ballot measures, democratic governments give voters a way to reassert their voice within a system they do not trust listens to them, and thus, restores legitimacy.
I. Legitimacy, Voter Trust and Direct Democracy

What is Government Legitimacy, and How Can Governments Restore and Maintain It?

A main component throughout the research, legitimacy is defined as an integral concept that gives government control of a population, and serves as an especially imperative component in democracies (Useem & Useem 1979). A lack of legitimacy, as explained by the authors, can lead to increased political protest. Contemporary social movements, like Occupy Wall St. and Black Lives Matter, have been picking up steam in the 21st century, and provide as examples of citizen distrust and the predicted effect it has on perceived governmental legitimacy. The Black Lives Matter About page condemns acts of state sponsored violence against members of the Black community (blacklivesmatter.com); the Occupy Wall St. website subtitles their name with: “We kick the ass of the ruling class” (occupywallstreet.org) These are only a few of the motley collection of social movements that have been voices of dissent against current government law. Their central issues range from civil rights, to privacy rights, to climate change, and even to challenges to the 2nd Amendment of the Constitution. United States law is being scrutinized from every angle--and the American people are seeing room for improvement. In a Google Trends analysis, a line chart showed a consistent and increasing peak of Google searches for direct democracy every September since 2007 (Google 2015). Similarly, the search for the term “government corruption” was highly correlated with search terms such as “economic reform,” “freedom of expression,” and most eerily, “benefits of school” with a correlation of r=0.9018. While the Google Trends and Correlation data serves as purely speculative evidence, it accurately exemplifies a recent trend of decreasing trust in the government and increasing desire to learn about direct democracy. I paralleled these results with a similar upward trend over the last decade of distrust felt by Americans towards their government seen in the American National Elections Studies’ Trust in Government Index
DIRECT DEMOCRACY

(1958-2012). The legitimacy of the United States government was determined through testing ANES respondents’ trust in elected officials to create public policy for the citizens. The importance of knowing how voters would like to participate is being evaluated to determine a way in which government can devote resources to help restore legitimacy in U.S. law.

II. Literature Review

Do People Want to Participate More in Government?

Political trust is monstrously important to Democratic Republics. And yet, early work in the United States on the sources of political trust and its consequences on society largely miscategorizes the stem of the problem. For political scientists pre-2000, a growing, healthy economy was the leading factor to maintaining a trustworthy government. Honest candidates received votes from trusting constituents in exchange for an open agreement that the American Dream would be protected by elected legislatures creating policy. Politicians were held accountable for the policies they created, and researchers looked deeply into the preference of policies held by the people versus the state. Their conclusion perpetuated the idea that so long as voters found the policies being passed as favorable, they would trust the government (Citrin 1974). Contemporary research challenged the policy-based explanation for trust, and found that constituents also care deeply about the process by which representatives create policy (Bowler, Donovan, & Karp 2007). Researchers found that US citizens believed that the system was more conservative than they wished it to be, and that government officials were “insufficiently sensitive” to the opinions of the public. And yet, post-2000 research dismisses public appeal for more direct participation, stating that voters do not wish to participate more in the system (Hibbing & Theiss-Morse 2015).
Policy outcome is the most common variable when interpreting government approval ratings. In the mind of Jack Citrin, author of “Comment: The Political Relevance of Trust in Government,” elected officials and other political elites “produce policies; in exchange, they receive trust from citizens satisfied with these policies and cynicism from those who are disappointed” (1974). There are two important z-factors that are not provided for in a policy-based explanation for government approval. Firstly, it assumes an enate transparency between voters and politicians. By defaulting to this type of assumption, policy-based explanations do nothing to account for lack of transparency and knowledge about the system as enabling political trust. Political elites legally manipulate votes in their favor through gerrymandering and Super PAC-funded campaigns. Secondly, cynicism is alluded to having an impact on politicians since the voters have the option to vote for a different candidate or not vote at all. In United States history, for instance, there is a strong correlation between conservative ideologies making their way into the White House and Congress and low voter turnout. Meaning, when Ronald Reagan was elected as President in a “landslide victory,” it is important to note that only half of the eligible population came out to vote (Editorial Board 2014). The consequences of low-voter turnout allowed huge shifts of power into the hands of the very groups citizens across the United States are protesting against. Big banks, multinational corporations, and other monied interests have all benefitted the most from low voter turnout. In terms of elections today, Republicans have made huge gains in the House and the Senate controlling both now, but this has also been accompanied by an uncanny lack of enthusiasm since voter-turnout is at its lowest in over 70 years (Leip 2015). Cynicism leads to a low-turnout rate, which keeps unsatisfactory representatives in office. Focus on policy-based explanations for government approval has discovered a mere edge piece of a much larger puzzle. Hibbing and Theiss-Morse pinpoint prior research emphasizing policy concerns as labeling voters as
impartial judges of government and concluding that voters “are generally ignorant of or indifferent about the methods by which the results are achieved” (2015). Contemporary research has aimed to fill the gaps in the logic of the policy-based explanation through empirical evidence related to procedural concerns.

Arguments favoring policy-based influence on voters fail to recognize the system in place today. With representation so far awry from its intentional position in the current political arena, application of the logic behind policy-based explanations leaves voters either completely disillusioned with government that they do not care at all or ignorant to the processes entirely. I challenge policy-based explanations in my research because I firmly believe voters do want to participate in policy making—they just need an equitable and effective way in which to do so. Policy-based explanations rely on Americans being dumb and apathetic, the research done by Hibbing & Theiss-Morse and Ulbig highlights the gaps in previous research by showing how important the process by which laws come to be is to voters (2015) (2002). New findings show strong evidence that the procedure that creates those policies is an important independent variable. There are certain characteristics in the modern U.S. democracy that are clear indicators of procedural concerns, including the lowest Congress approval rating in history and that voters generally see elected officials as dishonest and untrustworthy. And yet, Hibbing and others still deny that there is a strong desire for direct participation. They claim that while voters do believe that more input from citizens and more importance placed on what the public wants would benefit policy making, but they determine that voters do not want to participate more (Hibbing & Theiss-Morse 2015). Based on the empirical evidence they presented, I would agree that voters did not want to participate more in the current system. However, a recent study has pointed to a possible reason for lack of voter enthusiasm for direct democracy: voters do not think the system is setup to actually work for them. My research concluded that distrustful voters
find ballot measures as a favorable option to determine public policy, it also presents evidence that voters believe that through direct democracy their state has become better off. In addition, my research finds that distrustful voters highly favor the current system of ballot measures in place and do not believe it is flawed, however, due to question wording by the ANES and few other comparable options, it is hard to say whether or not voters truly believe this. A study between 2005 and 2006, titled “Process Preferences and Voting in Direct Democratic Elections,” of ballot measures in California and Washington found that, on the whole, voters favored ballot measures as a way of determining policy, which is similar to my own results. Nevertheless, when asked more probing questions about the ballot measure system itself and how well it was structured, respondents indicated that they would like to see changes made (Dyck & Baldassare 2009). Their displeasure with how ballot measures work and who they generally work for highlights a growing discomfort with how much power and influence special interest groups have in U.S. government, but did not detract from the appeal of direct democracy as a whole. The fact that there is even concern for how special interests may or may not be able to create and manipulate ballot measures in their favor shows how little effort has been made to eliminate governmental corruption in the current system.

My research finds that distrustful voters have favorable opinions about using direct democracy as a way of determining policy. While the question being asked deals with distrustful voters in particular, it is important to note that the majority of respondents in the ANES survey were very distrustful or at least somewhat distrust of the U.S. government and the systems that keep it in place (all charts and tables are shown in Section VI). This is important because it means that the majority of Americans, regardless of other imposing factors, find themselves united under one common banner—the government does not work for the people as it was intended to. Hibbing and Theiss-Morse pose a critical question that I address later, “What are
the consequences when people believe they are not getting the type of government they want?”

For a democratic republic, the consequences of lack of trust is a decrease of perceived legitimacy and, as noted in Hibbing and Theiss-Morse’s research, increased levels of unrest (2015). My findings address how distrusting voters (whom, as I have stated, make up the majority of Americans) would like to participate in government; my conclusion is that direct democracy is a favorable option.

This is not to say that complete direct democracy should be enacted; rather, a hybrid version of direct and representative democracy should be established to restore justice in the checks and balances system and maintain governmental legitimacy. Direct democracy has the potential to be one of the most transparent forms of governing. Adding the transparency and accountability that direct democracy provides as a factor into the current representative model will enable the government to be more efficient and effective at carrying out the wants and needs of the people as they were intended to do. If voters are distrustful that the government is serving for the benefit of all, then the legitimacy of that government is questioned and unrest ensues. If voters are provided with an option that they feel is transparent and fair, then legitimacy will be restored because dissenters of the law will believe that there is an equitable system in place for them to voice their concerns.

Through my literary analysis, I determine that knowing how voters want to participate is at the core of knowing how governments earn legitimacy. The turn of the millennium came in with a roar from political activists, as seen from the Occupy Wall St. and Black Lives Matter movements. My hypothesis derives from the logic that distrustful voters are interested in participating in politics; however, the representative system is not set up in a way that is sufficiently conveying the public’s ideas in a timely manner. Through the literary analysis and my research, I identify three common themes that impact governmental trust and legitimacy: policy
concerns, procedural concerns, and voice and standing in government. Voter participation through ballot measures is likely a way to balance fear and wariness present today with voice and standing in the representative model. I conclude that further research is needed because while there is a correlation between distrustful voters finding direct democracy as a favorable available option to determine policy, it is clear that there is more work to be done to determine how voters view the current system of direct democracy in place. Therefore, in order to provide the voters with the option they believe would aid a failing, corrupted system, more analysis on how direct democratic policy making procedure should be structured and what that type of structure might look like is still needed.

III.  Theories (and Thought Experiments?)

A Fourth Check to Balance

Americans are generally familiar with the checks and balances system. The legislative branch, the executive branch, and the judicial branch ensure accountability and transparency in representative models of government. Yet, despite the fact that the system has worked decently well for the past two and a half centuries, it is becoming apparent that there may be a need for an additional branch of government in this system. Presently, there is no system that truly holds representatives accountable to act as delegates to their constituents. Alternatively, many representatives act instead as trustees working on behalf of their constituents but not beholden to their opinions on policy. Direct democracy, initiated through ballot measures, has the potential to provide the voice and standing for citizens in representative democracies that is currently missing. Political distrust leads to political unrest and public protest; unrest and protest stem from feelings of contempt at not being heard by elected officials. Direct democracy gives
citizens a way to circumvent the stagnation and inaction of representatives by giving them a direct say in government.

Perhaps one could argue that a majority rule might dominate over a reasonable, justified minority opinion. California’s Proposition 8 in 2008 is a good example of a ballot measure that squelched civil rights of the LGBTQ community. Prop 8 stripped gay and lesbian couples of their civil rights. Yet, the topic of gay marriage only escalated from there, with the Supreme Court finally ruling in October of 2014 that gay marriage was legal–overturning Prop 8. In the context of adding a fourth check and balance, direct democracy generated a lot of personal attention around the outcome of Prop 8, and inevitably, enabled a national debate on a topic which empowered the public to challenge the decision. The theory behind much of what I base my research on is that there is a missing fourth branch of government that could allow citizens a direct say in policy making in an effort to help restore transparency and accountability--and thus, legitimacy--to the representative model. Be that as it may, there is still much to be done to fully develop the theory of a fourth branch of government, and this paper only focuses on the macro effect illegitimacy has on government and ways in which a government could restore and maintain its legitimacy.

IV. Research Design and Data Analysis

The present study examines data from the 2012 ANES Direct Democracy Survey, a national survey of some 5,000 respondents, in order to determine the effect that trust in government has on support for ballot measures as a way of determining public policy, and asserts that ballot measures may be used to restore legitimacy in a representative democracy.

For my first hypothesis, I expected to find a strong relationship between the distrustfulness of voters and the favorability of ballot measures. In my literature review, I began
to identify a slowly changing opinion on how the public views of public policy and the processes by which it comes to be. Early work in the pre-2000 era defined voter interest as focused on policy outcomes. Thus, voters were regarded as being unconcerned with the way the policy was made as long as it was favorable for them. Later, researchers reevaluated the policy-based approach and recognized that voters are interested in the process by which the policy has come about. However, researches still emboldened the idea that voters were not interested in participating more in the form of direct democracy. In my experience, citizens were very much so intrigued by the process of policy creation—supported by Dyck and Baldassare’s study—but felt disenfranchised by the system in place. My hypothesis, if proven true, would empower the desire of voters to be heard from directly in policy making decisions. By testing the relationship between distrustful voters and their opinions of ballot measures, the research supports that ballot measures are a policy making process that voters would like to utilize, and thus, may help government to restore and protect its legitimacy.

The distribution of distrustful voters who viewed ballot measures favorably led me to believe my hypothesis was supported (Figure 1). However, after testing the mean and Pearson correlation of the two variables, the results detailed no significance or correlation. By running a regression test on the four main independent variables of my study (crook, govsay, satisf, and flawed), I was able to determine that distrustful voters (crook) did in fact have a significant correlation with the dependent variable: voters opinion on ballot measures as a way of determining public policy (ddfavor) (Figure 3). By controlling for other factors that were influencing the dependent variable, like whether or not voters believed the ballot measure system was flawed or not (flawed), I was able to confirm my hypothesis that distrustful voters favor using ballot measures as a way of determining policy.
Logic leads me to believe that voters who do not feel elected officials take their opinion into consideration will care a great deal about the outcome of ballot measures. In the act of voting directly on a policy, my second hypothesis addresses (Figure 2) whether voters would be highly concerned with the outcome of a ballot measure because they directly impacted its chances. Rather than an elected official acting as your represented vote, you represent your own opinion and your own vote. Disillusionment with representation has been on the rise, and I expected my hypothesis to be proven true because of the broken link studies have shown between which policies voters want and which policies representatives pass. Crosstabs and means testing proved that voters who believe that public officials do not care what they think will care a good deal about the outcome of ballot measures. Nonetheless, the correlation is not particularly strong.

If voters did not favor ballot measures, I expected the reason had more to do with a flaw in the current process than in the concept of determining public policy through direct democracy as a whole. Previous research pointed to a relationship between voters and their idyllic vision of direct democracy, but further analysis of the process entailed voters had a negative opinions about ballot measures' effectiveness and their origin. With the limited questions asked by the ANES survey about how voters felt about ballot measures and the process of ballot measures, I sought out an opportunity to explain what might have held back my first hypothesis from being proven true. The means test and crosstabs for my third hypothesis revealed that voters who think ballot measures give them more of a say in government believe that ballot measures are hardly flawed at all. Disproving my hypothesis, the results of running this test proved that voters are optimistic about the use of ballot measures as a way of determining public policy. However, after analyzing the frequency of answers for a variety of variables to test voters approval of the ballot measure process, I have concluded that further surveying must be done to determine
voters opinions on the ballot measures themselves. As was presented in Process Preferences and Voting in Direct Democratic Elections, voters do see room for improvement on how initiatives make it to the ballot--further studies may wish to explore opinions on the development of ballot initiatives (Dyck & Baldassare 2009).

V. Conclusion

The results for my first hypothesis did not initially show that voters who are distrustful of elected officials favorably viewed ballot measures as a way of determining public policy decisions. However, after running a regression test, the two variables were correlated. It should be noted that in the regression test, the dependent variables addressing voters opinions on whether ballot measures gave them more of a say in government (govsay) and whether they believed the process of determining public policy measures were flawed or not (flawed) had the biggest impact on whether or not respondents favored ballot measures as a way of determining public policy. Unlike previous studies, the results of my second hypothesis point to striking levels of personal attention paid to the outcome of ballot measures particularly when they believe public officials do not care much what they think. Supporting my hypothesis, the conclusion of the tests proved that distrustful voters are correlated with favoring ballot measures as a way of determining policy, and thus, provides the basis of the logical deduction that ballot measures may provide representative democracies with a way of restoring legitimacy.

Especially in the context of the new millennium, the frequency of distrustful voters has been climbing, and at the same time, civil unrest has become a common theme. Much of the unrest has spawned from citizens believing their voice is lost in a system that never valued it to begin with. The favorability of ballot measures determined in the analysis of my third hypothesis leads me to believe that ballot measures can become the tool that citizens wish to use to ensure their
opinion is accounted for within the process of policy making, and is worth expending resources for development in order to restore a balance in government transparency and accountability in an effort to restore legitimacy.
VI. Tables and Graphs

A. Google Trends = Based on the web search interest of the term "direct democracy" in the United States from 2004 to the present. The numbers that appear show total searches for a term relative to the total number of searches done on Google over time.

B. American National Election Studies Graph of Decline Trust in Government
C. Frequencies of Distrustful Voters (1 = Very Distrustful, 2 = Somewhat Distrustful, 3 = Hardly Distrustful at All)

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<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
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<tr>
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<tr>
<td>Total</td>
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D. Graph of distribution of distrustful voters who favor ballot measures

Figure 1: Distribution of opinions on elected officials and ballot measures

- Quite a few
- Not very many
- Hardly any

<table>
<thead>
<tr>
<th>Favor</th>
<th>Neither favor nor oppose</th>
<th>Oppose</th>
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<tbody>
<tr>
<td>1800</td>
<td>1600</td>
<td>1400</td>
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<tr>
<td>1200</td>
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<td>600</td>
<td>400</td>
<td>200</td>
</tr>
<tr>
<td>0</td>
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</table>
E. Figure 2: Graph

Figure 2: Distribution of opinions on how much govt. officials care what voters think and how much voters care about the outcome of ballot measures

- Agree
- Neither agree nor disagree
- Disagree

F. Figure 3: Data table

Figure 3: Regression test of the influence on main dependent variable

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<tr>
<th>Variables</th>
<th>Standardized Coefficients</th>
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<td>.000</td>
</tr>
<tr>
<td>satisfy</td>
<td>.122</td>
<td>.000</td>
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<tr>
<td>flawed</td>
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<td>.000</td>
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R Square = .268
VII. References


OBERGEFELL ET AL. v. HODGES, DIRECTOR, OHIO DEPARTMENT OF HEALTH, ET AL., No. 14-556 (Supreme Court of the United States 2015).

