

THE REFERENDUM

The People Decide Public Policy

JOSEPH F. ZIMMERMAN

Referendum The People Decide Public Policy

Louis Freeland Post



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The Referendum Joseph F. Zimmerman, 2001-07-30 Examines and evaluates 16 types of referenda and offers model provisions to make them more effective *The Encyclopedia of Civil Liberties in America* David Schultz, John R. Vile, 2015-04-10 Driven by the growing reality of international terrorism the threats to civil liberties and individual rights in America are greater today than at any time since the McCarthy era in the 1950s At this critical time when individual freedoms are being weighed against the need for increased security this exhaustive three volume set provides the most detailed coverage of contemporary and historical issues relating to basic rights covered in the United States Constitution The Encyclopedia of Civil Liberties in America examines the history and hotly contested debates surrounding the concept and practice of civil liberties It provides detailed history of court cases events Constitutional amendments and rights personalities and themes that have had an impact on our freedoms in America The Encyclopedia appraises the state of civil liberties in America today and examines growing concerns over the limiting of personal freedoms for the common good Complete with selected relevant documents and a chronology of civil liberties developments and arranged in A Z format with multiple indexes for quick reference The Encyclopedia of Civil Liberties in America includes in depth coverage of freedom of speech religion press and assembly as outlined in the first amendment protection against unreasonable search and seizure as outlined in the fourth amendment criminal due process rights as outlined in the fifth sixth seventh and eighth amendments property rights economic liberties and other rights found within the text of the United States Constitution Supreme Court justices presidents and other personalities focusing specifically on their contributions to or effect on civil liberties concepts themes and events related to civil liberties both practical and theoretical court cases and their impact on civil liberties

Constitutional Ratification without Reason Jeffrey A. Lenowitz, 2022-03-10 This volume focuses on constitutional ratification the procedure in which a draft constitution is submitted by its creators to the people or their representatives in an up or down vote determining implementation Ratification is increasingly common and routinely recommended by experts Nonetheless it is neither neutral nor inevitable Constitutions can be made without it and when it is used it has significant effects This raises the central question of the book should ratification be recommended Put another way is there a reason for treating the procedure as a default for the constitution making process Surprisingly these questions are rarely asked The procedure's worth is assumed not demonstrated while ratification is generally overlooked in the literature In fact this is the first sustained study of ratification To address these oversights this book defines ratification and its types explains the procedure's effects conceptual origins and history and then concentrates on finding reasons for its use Specifically it builds up and analyzes the three most likely normative justifications These urge the implementation of ratification because the procedure enables the constituent power to make its constitution fosters representation during constitution making or helps create a legitimate constitution Ultimately these justifications are found wanting leading to the conclusion that ratification

lacks a convincing context independent justification Thus until new arguments are developed experts should not give recommendations for ratification as a matter of course practitioners should not reach for it uncritically and more generally one should avoid the blanket application of concepts from democratic theory to extraordinary contexts such as constitution making

The Initiative, Second Edition Joseph F. Zimmerman, 2014-10-08 Examines the origins spread and effectiveness of the initiative The initiative is the product of the populist movement which in the late nineteenth century sought to increase voter control of what were viewed as unrepresentative state and local governments Today twenty four states allow registered voters to place proposed state laws on the referendum ballot and eighteen states authorize voters to place proposed state constitutional amendments on the referendum ballot by collecting a specified number of valid voter signatures Numerous local governments have a charter provision or a state law provision allowing voters to employ the popular lawmaking device In *The Initiative Second Edition* Joseph F Zimmerman traces the origin and spread of the initiative in the United States The initiative has been a controversial device since first being introduced in South Dakota in 1898 with arguments both in support and in opposition Zimmerman examines and evaluates both the legal foundation of the initiative and the arguments against its use He then concludes with a chapter that develops model constitutional statutory and local government charter provisions to assist jurisdictions and their voters contemplating adoption of the initiative or amendment of already existing constitutional statutory and charter initiative provisions

Handbook on the Politics of Small States Godfrey Baldacchino, Anders Wivel, 2020-03-28 Comprehensive and timely this Handbook identifies the key characteristics challenges and opportunities involved in the politics of small states across the globe today Acknowledging the historical legacies behind these states the chapters unpack the costs and benefits of different political models for small states

Exploring Initiative and Referendum Law Beth Williams, 2013-10-18 Researching ballot measures can be one of the most daunting types of legal research *Exploring Initiative and Referendum Law Selected State Research Guides* offers legal researchers an easy to use guide that provides thorough overviews of I R initiative and referendum laws within twenty three states This unique resource provides state specific guidance about both forms of I R law those state laws permitting I R and those state laws enacted as a result of the I R process Any legal researcher beginning a project or needing to know just where to go for the right resources will get helpful general and specific information on practical research strategies and resources Up to now finding the literature to research the state specific history of a law passed by initiative or referendum has been extremely difficult This book fills this gap by providing top researchers with brief overviews of the individual state processes while providing important primary and secondary sources including Web sites The guide s chapters are separated alphabetically by state for fast and easy reference Annotated bibliographies of books articles and Web sites are provided along with instructions about what documents one can expect to find on the Web and how to use free databases Because of this useful volume s unique focus the book may well become an essential resource for law librarians attorneys law faculty law

students and Political Science scholars This book was published as a special issue of Legal Reference Services Quarterly

The Federal Nation I. Morgan, P. Davies, 2008-12-08 This volume gathers contributors from both the US and UK to provide a comparative examination of federalism in the Bush era a period of huge change in national politics but also one of significant shifts in US federalism in relation to social and socioeconomic issues **The Government and Politics of New York State** Joseph F. Zimmerman, 2008-03-27 In this updated edition of his classic text Joseph F Zimmerman offers a balanced presentation of the institutions and political processes of the Empire State He begins with an overview of the state and offers chapters on federal state and interstate relations state local relations the constitution political parties elections and interest groups the state legislature the governor the fourth branch the departments and agencies of the executive branch the judiciary and state finance including state local fiscal relations Zimmerman emphasizes the legal foundations of the state as they influence greatly the behavior of leading public officers and interest groups Most importantly constitutional restrictions on the state legislature and local governments are examined as well as the ingenious ways by which several restrictions upon the state legislature have been circumvented **Interstate Water Compacts** Joseph F. Zimmerman, 2012-12-01 This groundbreaking work is the first to devote itself to interstate and federal interstate compacts pertaining to controversies including the abatement of water pollution apportionment of river waters economic development flood control inland fisheries marine fisheries and restoration to rivers of anadromous fish such as salmon and shad The process for entering into interstate and federal interstate compacts is explained in detail as is the exercise of original jurisdiction by the US Supreme Court to resolve intractable interstate controversies involving interpretation of provisions of compact water apportionment and water pollution abatement Provided by publisher **Towards Consensus?** Peter Aimer, 2013-11-01 Based on a nationwide survey of voters this is a study of the historic 1993 New Zealand general election and referendum It seeks to explain why New Zealanders made the choices they did an extremely narrow majority for the National Party and a decision to shift to MMP representation *The People's Mandate* J. Patrick Boyer, 1992 A mood of anger with the political system has been stirring across Canada yet rather than turning away from the system many Canadians are actually seeking a greater say in matters that affect them they want to become more effective participants in the political process In this timely book Patrick Boyer examines the important role that direct democracy through the occasional use of referendums plebiscites and initiatives can play in concert with our existing institutions of representative democracy This concept is not alien to our country says Boyer pointing to the two national plebiscites on prohibition of alcohol in 1898 and conscription for overseas military service in 1942 some sixty provincial plebiscites on everything from sovereignty association to abortion medicare to women's suffrage prohibition to ownership of power companies and several thousand at the municipal level Direct voting is an important instrument in a truly democratic society Boyer argues and it has a more important role in the current reformation of Canada than some in the comfortable growing governing classes want to

admit In addition to clarifying an issue it is an educational tool as the plebiscite campaign becomes a national teach in Canadians can become participants rather than mere spectators in the major changes and transcending issues that affect the future of our country The People's Mandate is a helpful guide to understanding the distinctions between plebiscites and referendums in a purely Canadian context It addresses some of the concerns about this unparliamentary practice and makes a powerful and logical statement about democracy In sum Boyer believes it is essential to govern with the trust of the people

Young V. Old Susan Macmanus, 2018-02-12 Arguing that an inter generational war is brewing in the United States this book paints a picture of the ageing of America and what it means for politics and policy questions including social security health care crime jobs social welfare defence and foreign affairs Differences between older and younger citizens are examined in the light of voting and registration patterns ideological and party preferences and varieties of political activism Contemporary media and new technologies are highlighted as sources of disparities and bridges between the generations how they watch politics how they prefer to solve social problems and how inter generational understanding may be improved through communication and education

Comparative Politics Daniele Caramani, 2020 Comparative Politics provides a comprehensive introduction to political systems around the world It covers methods and theories the nation state institutions actors and processes policies and recent changes

The SAGE Handbook of Governance Mark Bevir, 2010-12-14 The study of governance has risen to prominence as a way of describing and explaining changes in our world The SAGE Handbook of Governance presents an authoritative and innovative overview of this fascinating field with particular emphasis on the significant new and emerging theoretical issues and policy innovations The Handbook is divided into three parts Part one explores the major theories influencing current thinking and shaping future research in the field of governance Part two deals specifically with changing practices and policy innovations including the changing role of the state transnational and global governance markets and networks public management and budgeting and finance Part three explores the dilemmas of managing governance including attempts to rethink democracy and citizenship as well as specific policy issues such as capacity building regulation and sustainable development This volume is an excellent resource for advanced students and researchers in political science economics geography sociology and public administration Mark Bevir is a Professor of Political Science at the University of California Berkeley

The Strategic Use of Referendums M. Walker, 2003-08-02 The strategic use of referendums by leaders often confers legitimacy but it may also reflect the power struggle between leaders groups and institutions and in doing so not provide a democratic result for the citizenry of a country

Participatory Constitutional Change Xenophon Contiades, Alkmene Fotiadou, 2016-10-04 This book explores the recent trend of enhancing the role of the people in constitutional change It traces the reasons underlying this tendency the new ways in which it takes form the possibilities of success and failure of such ventures as well as the risks and benefits it carries To do so it examines the theoretical aspects of public participation in constitutional decision making offers an analysis of the

benefits gained and the problems encountered in countries with long standing experience in the practice of constitutional referendums discusses the recent innovative constitution making processes employed in Iceland and Ireland in the post financial crisis context and probes the use of public participation in the EU context New modes of deliberation are juxtaposed to traditional direct democratic processes while the reasons behind this re emergence of public involvement narratives are discussed from the aspect of comparative constitutional design The synthetic chapter offers an overview of the emerging normative and comparative issues and provides a holistic approach of the role of the people in constitutional change in an attempt to answer when where and how this role may be successfully enhanced The work consists of material specifically written for this volume and authored by prominent constitutional scholars and experts in public participation and deliberative processes

State-Local Governmental Interactions Joseph F. Zimmerman, 2012-04-02 Relations between state governments and their respective local governments are of crucial importance yet they have remained largely unexplored by scholars This neglect is all the more surprising in light of the fact that most public services are provided directly to citizens by general purpose local governments who are themselves subject to varying degrees of control by their respective state governments In *State Local Governmental Interactions* Joseph F Zimmerman builds on work conducted for the US Advisory Commission on Intergovernmental Relations pertaining to local government discretionary authority intergovernmental service agreements state and federal mandates and voluntary and state mandated transfers of functional responsibility He demonstrates that the degree of control states exercise over their political subdivisions varies greatly from very tight control in Vermont to relatively little control in Maine Particular emphasis is placed on the legal relationships between a state and its various types of political subdivisions The volume concludes with recommendations for the establishment of a state local governmental partnership

Congressional Preemption Joseph F. Zimmerman, 2012-02-01 Congressional Preemption provides an in depth account of the use of preemption powers by Congress to either partially or completely remove regulatory authority from state and local governments in a wide variety of fields Author Joseph F Zimmerman exposes the inadequacies of the two current theories of United States federalism dual and cooperative by exploring the impact of Congress frequent use of its preemption powers since 1965 While the dual and cooperative federalism theories retain a degree of explanatory power Zimmerman considers why they do not explain the profound systemic changes produced by congressional preemption Other topics covered include congressional use of conditional grants in aid crossover sanctions tax credits tax sanctions and partial and complete redemption the theory of political safeguards of federalism and the Blackmun Thesis which encourages states to seek relief from preemption statutes in Congress and not the courts The book concludes with postulates of a broader theory of federalism and recommendations addressed to Congress to reinvigorate the federal system

Congressional Record United States. Congress, 1995 **The Public** Louis Freeland Post, 1905

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