

A foundation for understanding...

# LET THE PEOPLE DECIDE?

## City Council, not the voters, should decide whether to expand HRO protections.

Some have argued that updating Jacksonville's HRO should be decided directly by the voters, not the City Council. This argument sounds reasonable but diverts attention from the real issues — and falls apart under scrutiny.

- Jacksonville's charter expressly forbids binding referenda on issues unrelated to taxation.
- Our republican form of government calls for elected representatives to conduct the public's business specifically because the founders sought to protect minority rights, which would be threatened in a popular democracy. Both slavery and women's suffrage faced opposition by popular majorities when first established.
- More than three quarters of all civil rights and human rights questions put to voters in recent decades have had outcomes adverse to the minorities affected<sup>1</sup>.
- Jacksonville's existing HRO was enacted by the City Council, not a popular vote. Updating the ordinance is the Council's responsibility.

## City Council must update Jacksonville's HRO.

Jacksonville's transgender community urgently needs protection from discrimination in housing, employment and public accommodations. No amount of reasonable-sounding distraction can change that. Updating the existing HRO to include sexual orientation, gender identity and gender expression accomplishes this goal.



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1. Gamble, Barbara S. "Putting Civil Rights to a Popular Vote" (January, 1997); *American Journal of Political Science*, Vol. 41, No. 1