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My Word: Why I'll vote no on Amendment 4

By Mary Hurley

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The Florida Constitution should not be used to circumvent the powers of the duly elected, as this runs counter to the purpose of a constitution.

The purpose is to define the principles of an autonomous political entity, to establish the relationship of its branches and the structure, procedures, powers and duties of a government. The use of our constitution for any other purpose is misuse.

Specifically, I will vote "no" on Amendment 4, called Hometown Democracy by its supporters, because I see it as unconstitutional. I interpret Amendment 4 as imposing the fundamentals of a direct democracy upon the fundamentals of a representative democracy under which this country is governed.

The United States is a republic with a government indirectly controlled by its people, where the power to govern is granted to elected representatives. This is a representative democracy, and representatives are elected by the people to act in their interest; however, these representatives retain the freedom to judge how best to do so.

If the people do not agree with the elected officials, then the officials may be voted out of office. In our political structure, nowhere is an elected official's decision affecting an individual's right subjected to a referendum.

Under a direct democracy without constitutional protections of individual liberties,



individuals would be oppressed by the tyranny of the majority. Civil liberties are protected for personal interests and are not subject to the majority.

Under our constitution, individuals are guaranteed equality and freedom, and, as equals, all citizens are guaranteed equal access to power and have the right to petition elected officials for redress of grievances, due process, civil liberties and human rights, without being subject to a majority vote.

Amendment 4 is not limited to developers; it affects property owners, regardless of the size, location or use of the property.

In the Federalist Papers by James Madison, and others, it is noted that a democracy would become weaker as it becomes larger and would "suffer violently" from the effects of factionalism. A republic would become stronger as it becomes larger to combat faction by its very structure because the rights of an individual are weighted against the majority.

I view Amendment 4 as running contrary to the individual rights guaranteed under our constitution. I believe Amendment 4, if passed, would set a dangerous precedent and could endanger other constitutionally protected rights.

I will always vote to protect the inalienable rights of an individual to retain powers under the constitution as a check against the will of a direct majority, and I will continue to vote to maintain the rightful and legitimate use of our constitution. For these reasons, I will vote "no" on Amendment 4 on Nov. 2.

Mary Hurley of Orlando is 2010 president of NAIOP Central Florida, the Commercial Real Estate Development Association.

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