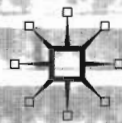
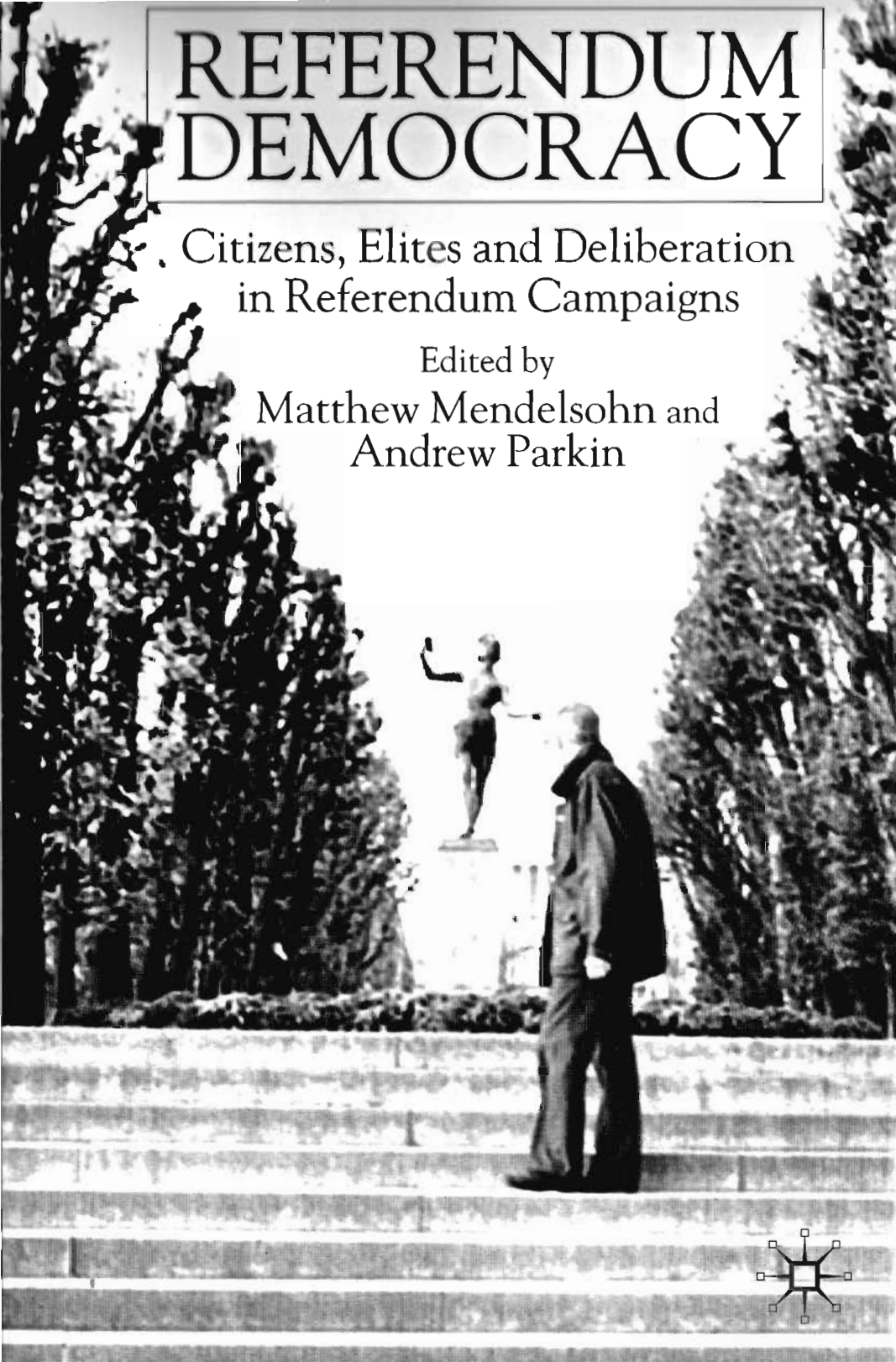


REFERENDUM DEMOCRACY

Citizens, Elites and Deliberation
in Referendum Campaigns

Edited by
Matthew Mendelsohn and
Andrew Parkin





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our analysis have pointed to important areas of commonality between elections and referendums, in particular the role of party identification and enduring political cleavages in influencing the vote. One difference, however, is that during referendums voters are more likely to switch positions on an issue in order to follow a party's cue, whereas during elections voters are more likely to shift parties to reflect their issue positions.

We must keep in mind that the three EU referendums in Finland, Sweden, and Norway in 1994 give us a very limited basis for generalizations, which leads us to recommend that scholars follow the path of the recent study by Hug and Sciarini (2000) and work on strengthening the cumulative research on referendums across nations and over time. Under what circumstances will parties have their greatest effect and why are some parties more successful than others in mobilizing their supporters? A larger database on referendums would allow us to systematically compare the effects of small and large parties, of parties in power and parties in opposition, and of parties that are united or split on the issue.

Note

- 1 A full description of the three studies, including design, fieldwork, funding, etc. is given by Moen et al. (1996). In all three countries representative samples of the adult population were interviewed before and after the referendum. In the Norwegian study respondents were interviewed three times, twice in the Swedish and Finnish studies. To ensure identical wording, the group of researchers involved in the project (cf. Jenssen et al., 1998) closely coordinated the national studies. Data and full documentation is available from Norwegian Social Science Data Services, Hans Holmboesgate 22, N-5007 Bergen.

9

Are Voters to Blame? Voter Competence and Elite Maneuvers in Referendums

Arthur Lupia and Richard Johnston

The history of referendums is one of triumph and tragedy. For some, referendums were the platform from which new and important political freedoms were launched. For others, referendums ended important freedoms or were critical in the dismantling of democracy itself.

What is the proper lesson to draw from the history of referendums? Many opponents of direct democracy claim the lesson to be that voters cannot be trusted. Some supporters of the process claim the reverse, seeing referendums as necessary checks on elites. In reality, both arguments are problematic.

To help clarify the implications of policy making by referendum, we present an essay that addresses two questions:

1. Are referendum voters as incompetent as commonly portrayed?
2. Are the real villains of the piece in history's most pernicious plebiscites the elites who made the reference in the first place, chose the wording of the ballot question, and controlled the subsequent interpretation of the vote?

Our answer to the first question is that referendum voters are not as incompetent as commonly portrayed. Our answer to the second question is that elite maneuvers are a critical part of the referendum process and that elites are far from blameless for its foibles. Together, these answers provide a different vision of the referendum process and imply a different set of remedies to some of the processes' perceived imperfections.

We begin with voter competence. Voters are not well informed as a rule, even about basic facts that seem relevant to connecting political

means and ends. We take as fact the characterization of voters as commonly ignorant of political facts, for the burden of evidence is overwhelming. We then explore the relationship between information and competence. The relation proves to be remarkably loose. In the referendum context, voters are typically given only two choices: vote yes or vote no. This aspect of the process simplifies the voters' decision significantly. It makes much of the information available to voters superfluous with respect to their ability to cast the same vote they would have cast if they were so well informed as to resemble walking political encyclopedias. As a result, we find that the conditions for competent performance – properly defined for referendums – are not as difficult to satisfy as much commentary suggests. Certainly competent performance does not require that voters be fully informed about all of the minute details of a ballot question.

From a historical perspective, however, some referendum electorates clearly made catastrophic choices, to the point of undermining the very democratic values in whose name referendums are conducted. The plebiscitarian rises to power of Napoleons I and III come to mind, as does that of Adolph Hitler. To be certain, results such as these are often the result of accounting fraud, not to be held against voters themselves. Sometimes, however, anti-democratic accusations stick, in the sense that unsavory referendum results appear to be an authentic expression of popular will.

Are voters to blame? Our research exposes voter incompetence, the traditional and easy answer to this question, as one for which evidence is sparse. Our search for a more plausible explanation brings us to elite actions. Political elites play an important role in the referendum process. For in the typical referendum, someone must choose to send a question to the people, someone must choose the wording of the question, and someone must choose the timing of the referendum. The actors in question are political elites who, in addition to taking the actions just listed, are in a privileged position to affect the plebiscite's subsequent interpretation after the election (that is, they make claims about what the vote really meant). That elites take these actions is neither random nor accidental. Substantial and multiple elite maneuvers are a necessary component of the referendum process. To clarify the extent to which elite maneuvers affect voter liability in the referendum process, we explore the role of referendums in the fall of the French First and Second Republics – examples that commonly fuel antipathy to the institution. While we find that the extent to which voters are to blame for these low points is quite limited, our efforts do not suggest

that the referendum process can survive any degree of voter ignorance. They do, however, suggest that when voters use referendums to main basic democratic virtues, elites are usually close by, making victims and sharp instruments readily available.

Together, the account of voter competence in the first part of the paper and the historical reconstruction of a referendum low point in the second part provide a picture of the referendum process that defies convention. It portrays referendum outcomes not as the rash acts of an incompetent populace, but as the product of elites and citizens seeking simplicity in the face of complex choices. Accordingly, we hope that our examination of referendums' informational requirements and our recounting of the elite moves that precede referendums serve to replace two fruitless caricatures of the referendum process. The first caricature involves disparaging referendums because voters lack information. This caricature is flawed because it conflates information and competence. The second caricature is to support referendums as mechanisms guaranteeing control of elites. It is flawed because it assumes that referendums can somehow occur independently of elite initiative and influence.

The question of competence

Do referendum voters know enough to make competent decisions? A common answer to these questions evokes an image of voters who cannot be trusted with important matters. Supporting this idea is the ever-expanding body of survey evidence on citizen ignorance, about which Somin (1999, p. 417) draws a representative judgment:

Overall, close to a third of Americans can be categorized as "know-nothings" who are almost completely ignorant of relevant political information; (Bennett, 1988) – which is not, by any means, to suggest that the other two-thirds are well informed. Three aspects of voter ignorance deserve particular attention. First, voters are not just ignorant about specific policy issues, but about the basic structure of government and how it operates (Neumann, 1986; Delli Carpini and Keeter, 1991 and 1996, chapter 2; Bennett, 1988). Majorities are ignorant of such basic aspects of the US political system as who has the power to declare war, the respective functions of the three branches of government, and who controls monetary policy (Delli Carpini and Keeter, 1996, pp. 707–71). This suggests that voters not only cannot choose between specific competing policy programs,

but also cannot accurately assign credit and blame for visible policy outcomes to the right office-holders.

In addition to lacking information, voters commonly substitute simple, potentially misleading cues for the information they lack. This fact does not go unnoticed by the high-priced firms behind modern media campaigns, most of whom earn their keep by reducing debates to bumper sticker sized slogans and the slick imagery of 30-second television advertisements.¹

But is information the same thing as competence? More to the point, does competence require that voters mobilize encyclopedic information about politics? To answer these questions we must be precise about what we mean by *competence*.

For the referendum context, we define the term as follows. A voter's choice is competent if it is the same choice that she would make given the most accurate available information about its consequence. Would she make the same decision if fully informed about the consequences of her actions? If yes, then her choice is competent.²

Far from requiring that the voter actually be fully informed, however, the definition stipulates only that the voter chooses *as if* she were. It specifically leaves open the possibility that the information itself is not required. This definition stands at odds with prevailing definitions of competence in political science – definitions that demand levels of knowledge which are encyclopedic in character and focus on attentiveness to political detail (for example, Luskin's (1987) political sophistication). For something like sophistication or knowledge of details to be a necessary condition for competence, the following must also be true: people can make reliable predictions about the consequences of their actions *only if* they know a particular, detailed set of facts about these actions. But this assumption is false. Citizens can and regularly do use limited amounts of information to make the same decisions they would have made if they knew the consequences.

Suppose, for example, that knowledge of a particular set of facts is sufficient for a competent choice (for example, suppose that knowing Bill Clinton's position on 100 political issues is sufficient for a competent vote in the 1996 US presidential election). Then, if a person does not know these facts, and cannot access any other facts that allow her to make the same choice, then she cannot choose competently. If, however, there exists another, perhaps simpler, set of facts that leads her to make the same choice (that is, Bill Clinton is endorsed by the Sierra Club), then knowing the initial set of facts is not a prerequisite for

competence. When a few, simple pieces of information can lead citizens to make the same choices as many, complex pieces of information, citizens can be competent without detailed knowledge.

Competence and information are different. Competence is the ability to make accurate predictions; information is data. Competence requires information because accurate predictions require data – at a minimum you need some data to verbalize the prediction you are making. By contrast, you can know a long list of facts and fail to put them together in a way that allows you to make accurate predictions. Thus, while competence requires information, you can have information without being competent.

What does competence – as we have defined it – mean in the referendum context? The answer to this question lies in an almost universal attribute of referendums – of the thousands of initiatives held around the world, nearly all ask voters to make a binary choice. The typical referendum allows voters to choose one of two alternatives – the piece of legislation described on the ballot or the pre-existing status quo.

For the typical referendum and from our previous definition, a voter is competent when she chooses the same alternative that she would choose given the best available information about the consequences of doing so. Therefore, all that the voter needs to do, regardless of how complex the referendum, is to figure out whether the policy described on the ballot is *better* or *worse* than the policy entailed by the status quo. Even if both alternatives are very technical, it is sufficient just to know the difference. Therefore, questions pertaining to voter competence in referendums can be restated as: can voters choose the better of two alternatives?

Evidence

Answering questions about competence is problematic because competence is not easy to observe. For example, it is often the case that a decision-maker who seems competent to one observer (say, a Conservative) seems foolish to another (for example, a Liberal). There are, however, ways to determine the extent to which individuals or groups can emulate the behaviors they would have engaged in if they were better informed. If we believe that better-informed people make accurate predictions, then the ability of lesser-informed people to emulate their behavior bespeaks their competence as well.³

In what follows, we describe research that is relevant to the question of voter competence in the referendum context. This research clarifies

the extent to which referendum voters are able to adapt to the information they lack. It shows that many people who look stupid when asked standard political survey questions are nonetheless competent when acting as referendum voters.

We know that referendum voters usually fail to read the fine print on the ballot paper. As a result, we should not be surprised when they cannot recount the details of important ballot measures. For instance, in the days immediately following Canada's intense 1992 referendum on the Charlottetown Accord, respondents in the post-referendum survey reported in Johnston et al. (1996) struggled to recall so much as one element in the package. Does this lack of attention to detail imply incompetence?

It does not. To see why, first note that each of us makes thousands of decisions each day but consciously works through the details of only a few. If asked detailed questions about many of our decisions, we tend to find ourselves at a loss for words. However, we come to regret relatively few of the decisions we make. How can this be?

The secret is information short cuts. We look for quick and effective cues about the likely consequences of our actions. Traffic lights, brand names, and personal reputations are all types of information short cuts that allow us to make complex decisions quickly and effectively. Indeed, this mode of reasoning is not something that we turn on and off, but a fundamental characteristic of how we live (Churchland and Sejnowski, 1992; Pinker, 1998). A consequence of this cognitive truth is that a voter's ignorance of a referendum's details is sufficient for incompetence only if no short cut allows her to make the same choice she would have made given the details in question.

Of course, short cuts are no panacea. If used incorrectly, reliance on short cuts can lead to grave errors. Since research into human cognition has settled that people will use devices such as short cuts in contexts such as referendums, the key to understanding referendum voters' competence is to determine *how* they use the short cuts available to them. In what follows, we show how a particular information short cut allowed less-informed voters to emulate the behavior of voters who were like them in all other respects save for the fact that they could answer more detailed political survey questions.

Lupia (1994) reports on the result of an exit poll whose purpose was to determine the extent to which relatively uninformed voters could use information short cuts to cast the same votes they would have cast if better informed. The exit poll was of 339 California voters who were confronted by five distinct and complex propositions regarding the

regulation of the insurance industry. Three of the propositions were placed on the ballot by the insurance industry, while one each was put on the ballot by trial lawyers and consumer activists.

Lupia's pollsters asked respondents how they voted on the propositions, some socioeconomic and insurance rate related questions, and a series of questions designed to elicit their knowledge of the propositions. These latter questions were designed to learn not only what respondents knew about the content of the insurance reform debate but also to gauge respondent beliefs about the preferences of persons or groups who took a public stand on the initiatives during the campaign.

Figure 9.1 depicts the study's central finding, identifying a class of voters who, while possessing relatively low levels of information about the content of insurance reform initiatives, used an information short cut that allowed them to emulate the behavior of well-informed voters. It shows that relatively uninformed voters who could correctly identify the insurance industry's official position on a particular proposition were more likely to emulate the behavior of relatively well-informed voters on that proposition than were similarly uninformed voters who did not know the insurance industry's position.

Figure 9.1 divides voters into three categories. In the first category are voters who knew neither the answers to the detailed questions about the propositions nor the insurance industry's preferences. The second category contains 'model citizens' – voters who consistently gave correct answers to detailed questions about the insurance initiatives and knew the insurance industry's preferences. The third category of the table contains respondents who, unlike the model citizens, could not consistently answer questions about the propositions' details but, like the model citizens, knew the insurance industry's preference.

The conclusion that knowledge of the insurance industry's preferences provided an effective short cut for voters who lacked encyclopedic information comes from a comparison of Figure 9.1's three voter categories. Voters in the second and third categories look very much like each other, while voters in the first category (who were ignorant of the endorsements) look very different from the other voters. Voters in the second category voted as if they were 'model citizens.'

Why should the insurance endorsement work in this way? The answer to this question is quite clear. First, the insurance industry spent over \$65 million attempting to pass the three initiatives sponsored by its members and to defeat the other two. Second, the campaign made the insurance industry's position on each issue widely known. Consumer activist Ralph Nader, in particular, made frequent public appearances.

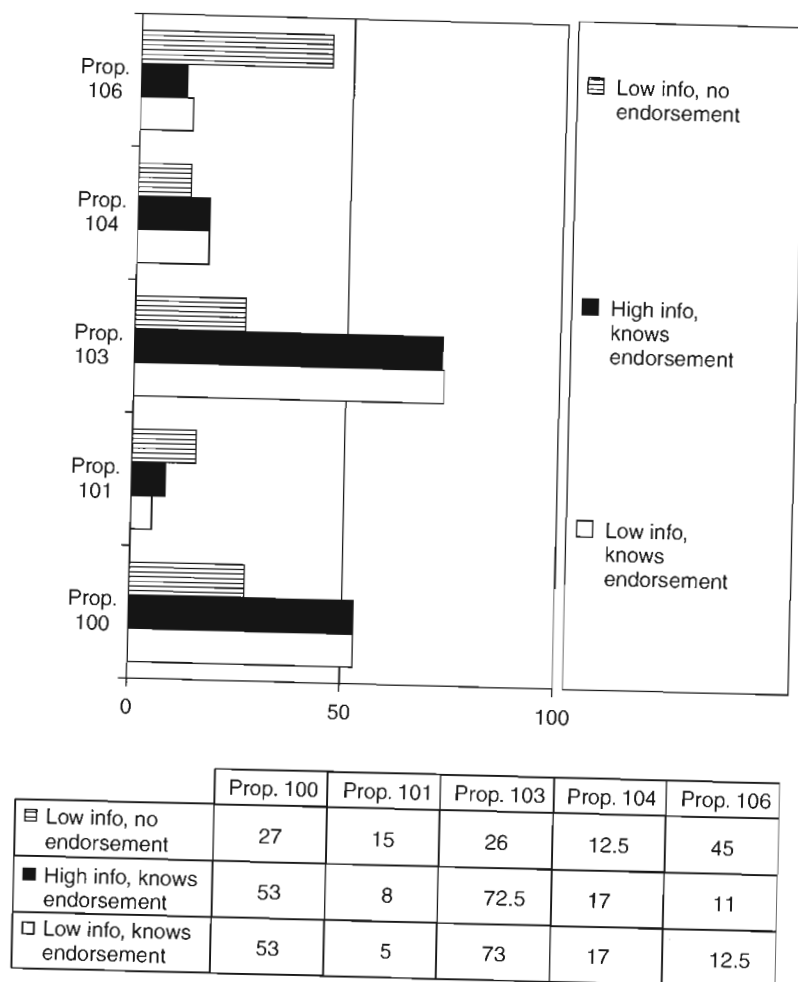


Figure 9.1 Percentage of each group voting for the named initiative.

His efforts generated substantial media coverage of the fact that the insurance industry was pouring unprecedented amounts of money into the campaign. Third, most voters had prior interactions with the insurance industry and believed that their future insurance rates were at stake. In particular, the initiatives sponsored by insurance companies (Propositions 101, 104, and 106) would allow insurance companies to raise premiums and lower benefits, while the initiative sponsored by activists (103) restrained the industry's ability to make these moves. As

Table 9.1 Figure 9.1 voters in 'low info, no short cut' group

Proposition	%
100	13.8
101	15.5
103	11.4
104	10.9
106	20.9

a result, when many less-informed people learned the insurance industry's preferences, they voted against them. While we cannot be certain that this was an optimal move for the less-informed voters, the fact that the best-informed voters acted the same way is suggestive of the prior group's competence.

This finding provides support for the claim that low-information voters used an information short cut to emulate the voting behavior they would have exhibited if they were as informed as the best-informed persons in the survey. Subsequent and more rigorous analyses in Lupia (1994) demonstrate that this result is robust to the introduction of a wide variety of contextual and socioeconomic factors.

Not everyone made use of short cuts. Table 9.1 shows the percentage of the respondent pool who fell into the 'low information, no short cut' category. The size of this group ranges from a low of 11.4 percent for Proposition 103 to 20.9 percent for Proposition 106.

As Figure 9.1 indicates, these voters tended to vote in very different ways from the rest of the sample. Consistent with a broader set of findings in Bowler and Donovan (1998), uninformed voters tend to vote no. The direction of the differences in each case is also consistent with messages in insurance industry campaign advertisements. Indeed, these figures may be evidence that their massive media campaign influenced this portion of the electorate. It is important to note, however, that despite outspending consumer activists by a ratio of over 30 : 1, only the activists' initiative was victorious: it received 51.1 percent of the vote. The industry's three initiatives, by contrast, failed decisively – Propositions 101, 104, and 106 received 13.3 percent, 25.4 percent, and 46.9 percent of the vote respectively. And in each of these four cases, the outcome of the election was the same as it would have been had voting privileges been extended to only the more informed subset of respondents.

Is this example part of a general pattern, a spurious correlation, or a unique phenomenon? It is quite possible that voters who rely on short

cuts are regularly or easily misled, despite appearances to the contrary. Related research on binary decision making suggests that the exit poll's results are an example of more general phenomena.

In large campaigns, many claims are made and many opinions are available. No voter can attend to all of them; each voter must choose to whom and to what they will listen. Moreover, competitive campaigns produce contradicting claims. As a result, voters must make choices about which to believe and which to dismiss. To supplement our argument about the competence of referendum voters, we describe research that addresses two questions:

- How do people choose among bits of the information available to them?
- Do they choose in ways that enhance their competence?

Lupia and McCubbins (1998, chapter 7) ran a series of experiments on how people choose whom to believe. Their experiments placed subjects in an environment that replicates important aspects of referendums – they were faced with a binary choice, they were initially given little information about the consequences of their choice. The key experimental variations were on the availability of short cuts and the conditions under which the short cuts were available. The experiments reveal people who are systematic in how they choose whom to believe and who make these choices in ways that improve their competence in referendum contexts.

In the experiments, each subject was randomly assigned one of two roles. Some subjects played the role of a voter, while others played the role of an information provider (that is, endorser). The voter's job was to choose one of two alternatives, while the endorser's job was to advise the voter. Specifically, Lupia and McCubbins asked each voter to predict whether a tossed coin, hidden from their view, landed on heads or tails. At the same time they asked the endorser to advise the voter about the best choice.

Lupia and McCubbins paid all subjects for their actions. They paid the voter a fixed amount, usually \$1, for a correct prediction of the coin toss. They tested hypotheses about how people use short cuts by varying the endorser's information and incentives. In some trials, the endorser also earned \$1 when the voter made a correct prediction. In other cases, the endorser earned \$1 when the voter made an *incorrect* prediction. In still other cases, Lupia and McCubbins made the voter uncertain about how the endorser earned money and, in particular,

whether the endorser gained or lost from the voter errors. Lupia and McCubbins also varied whether or not the endorser actually witnessed the coin toss as well as the voter's beliefs about what the endorser knew.

The experiment's central hypothesis concerned conditions for persuasion (Lupia and McCubbins, 1998, chapter 3). They proved that for an endorser to persuade a voter in the experimental environment, the following conditions are individually necessary and collectively sufficient:

- Absent incentive-altering external forces, persuasion requires perceived common interests and perceived endorser knowledge.
- In the presence of such forces, these requirements can be reduced. In other words, with respect to persuasion, external forces can be substitutes for common interests (and for each other).

Lupia and McCubbins use a game theoretic model to prove that voters in situations exemplified by the experiment should base their vote on the endorser's advice if the voter perceives the speaker to have the relevant *knowledge* and an *incentive* to reveal that knowledge truthfully. In a context where there are no outside pressures on their communication act, these requirements translate into the voter's perception that the speaker is knowledgeable and shares common interests. Otherwise, Lupia and McCubbins identify a list of incentive-altering external forces that offer alternative bases for one person to trust what another person says. The forces they describe include penalties for lying (for example, a loss of reputation for saying false things, penalties for perjury) and the threat that claims will be verified. These forces are present in culture, markets, and, most importantly for our argument here, the political contexts in which many referendums are held. These forces affect competence by altering what people *choose* to say and what people *choose* to believe.⁴

Because the point about external forces is important to the question of voter competence, we take a moment to elaborate on it. How external forces such as penalties for lying affect competence in situations where voters rely on endorsers for advice should be familiar to any member of an advanced industrial economy. Every day, millions of people buy goods from, and sell goods to, people about whom they know little or nothing. Each of these transactions requires some degree of trust (for example, that the currency offered as payment is legitimate and that a good has its advertised characteristics). Since buyers and sellers do not know each other well, they must have an alternative and effective means for evaluating credibility. One such means is the external forces

that substitute for unobservable personal characteristics. For example, laws and customs realign strangers' incentives making them transparent to others and giving people a basis for trust in billions of situations where it would not otherwise exist. These external forces are the substitutes that make advanced economies possible. Lupia and McCubbins (1998, chapters 7–9) show how political institutions supply analogous substitutes that make it possible for people to learn from others in modern democracies.

Lupia and McCubbins' experiments provide a consistent picture of how experimental subjects chose whom to believe. In over 2500 cases, their experimental subjects consistently and systematically chose to follow the advice of people whom they perceived to be knowledgeable about the consequences of their actions and for whom they had a reason to trust what they heard. Indeed, when subjects placed in experimental conditions in which Lupia and McCubbins predict competent performance, subjects predicted the coin toss correctly over 86 percent (1443/1669) of the time. These subjects neither believed everything they heard nor did they choose whom to believe at random. By contrast, when placed in experimental conditions where the speaker's knowledge or interests could not be assessed accurately, subjects performed as expected – operating only at the rate of chance (1039/2057).

People employ information short cuts for nearly every conscious decision they make. We collapse complex phenomena into simple categories that we can later use and process quickly. We do not take these actions randomly, but when we observe aspects of the environment that have systematic and similar properties, we convert them into short cuts, some of which are better known as brand names, reputations, or party ideologies.

Short cuts are such a fundamental aspect of our being that it is not surprising that we take them for granted. We should be careful not to forget this fact when assessing voter competence. Indeed, improving voter competence will be better served by focusing the debate on voter competence away from whether or not citizens can answer survey designers' political trivia questions and towards whether or not voters have sufficient information about the quality of the short cuts they will inevitably use.

In sum, the theory and evidence presented above reveal that common stereotypes about voter competence rely on shaky foundations. If there are people who are willing to provide short cuts to voters and sufficient competition for voters to learn the motives or reliability of the short

cuts they receive, then voters can approximate the decisions they would have made if better informed.

Of course, it may be true that polities encounter issues for which experts are themselves not well informed. In this case there are two possible scenarios. In the first scenario, no one in the polity is sufficiently well informed – including the experts on whom professional legislators rely. As a result, the informational advantages of a professional legislature relative to a referendum are non-existent. In the second scenario, the professional legislature's experts are knowledgeable, but the electorate's experts are not. In a closed society, where the channels of communication are centrally controlled or in a society where effective channels of communication do not exist, the second scenario is imaginable. In such a situation, it is unlikely that uninformed voters could overcome their problems and it is likely that putting the referendum in their hands could do damage. European and North American states, however, are not closed societies. Each has access to modern forms of communication and competitive political environments in which referendums occur. If someone has the opportunity to expose the opposing side's weaknesses, the competitive nature of politics gives them a strong incentive to go public. In such cases, it is possible, but unlikely, that competing elites will conspire to withhold important information from potential supporters in the electorate.

Elite footprints: Bonapartist examples

The distinctive characteristic of referendums, as opposed to most other forms of policy making, is the electorate's direct participation. When pundits and scholars discuss referendums, they often focus on the voters' role while underplaying or ignoring the role of elites. However, every public referendum is preceded by a series of elite machinations. Political elites, and not voters, determine whether or not to hold a referendum, when to hold it, and the wording of its question. They are also in a privileged position to influence interpretations of the event's meaning, *ex post*.

When pundits and scholars criticize the use of referendums, their preoccupation with the role of voters often leads them to blame voter incompetence for the more disturbing episodes in the history of mass democracy. But are voters to blame? In this section, we shift our focus from the mechanics of voter competence to a search for elite footprints in some of history's most notorious experiences with referendums.

For our case study we turn to France and the fall of the First and Second Republics. The French Revolution yielded in less than fifteen years to Bonapartism. A mere four years were required to repeat that tragedy, in the rapid transition from the Second Republic to Second Empire. Referendums played a key role in each episode and give the impression of the people using referendums in a rush back to their chains.

In what follows, we examine the validity of this impression. We find some truth to it, but even more fiction. It is not clear that the referendums were examples of mass incompetence, if by incompetence we mean that French voters chose what they should have known would be oligarchic and anti-liberal institutions over a reasonably justifiable status quo. Indeed, the evidence suggests, first, that opinion was commonly divided and that the collective outcome was arguably the superior one under the circumstances.

The cases

Three referendums marked the death of the French Revolution, and each contributed to the consolidation of the regime of Napoleon Bonaparte. The rise of Louis Napoleon's Second Empire from the ashes of the Second Republic involved two referendums. As a result, the referendums of that era are remembered as effective tools for those who desire consolidation of executive power and as the enemy of those whose conception of the proper republic emphasizes parliamentarism.⁵

But did the French rush to their chains in these imperial episodes? The record in each case is remarkably ambiguous. It seems undeniable that most voters preferred consolidation of the executive to the alternative, and that both times the popularity of Napoleon the person or Bonapartism the idea was a factor. There can also be no denying that authoritarian rule ensued, each time combining secret police at home with adventurism abroad. But what were the circumstances under which the plebiscites were held? What can we say about how elite decisions about the structure, wording, and timing of the votes affected what voters chose or why they chose what they did?

The first relevant referendum was the vote to approve the constitution proposed in the aftermath of the coup, the '18th Brumaire,' that ended rule by the Directory.⁶ The vote proclaimed on 7 February 1800 involved male citizens signing the local register, for or against. The new constitution replaced the five-person Directory with a three-person consulate. The politically central fact was that the First Consul was the heroic general and Brumaire conspirator, Bonaparte. In Cobban's sardonic words, 'the people performed what was to become its customary

role in dictatorships in exemplary fashion: 3 011 007 voted for and 1 562 against.' (Cobban, 1961, p. 113).

The problem with leaving the account there is that, even accepting the official figures, the total vote represents less than half the eligible electorate.⁷ And it is now clear that the official figures were massively falsified, that turnout was about half that reported (Lyons, 1975, p. 235). This hardly seems like a democratic people rushing back to the chains of empire. The margin for the consular constitution was still wide, of course, but undoubtedly wider than true sentiment in the country, as the *non-secret* ballot left dissidents exposed to public pressure and perhaps worse.

The next referendum, in 1802, made Napoleon consul for life – the key vote in consolidating his personal rule. Voting once again was by open register and this time registers were open for three weeks. Turnout this time was genuinely higher than in 1800, again though undoubtedly partly as a reflection of social pressures. The one-sidedness of the result is almost certainly a misleading gauge of opinion.

The last in this first series of major referendums, held in 1804, endorsed Napoleon as Emperor. Once again, the result was nearly unanimous. However, even official returns suggest dramatic drops in turnout, and the record again suggests considerable correlated fraud in the direction and turnout figures. Enthusiasm for the final step to absolute rule was clearly less than for the earlier, less obviously anti-republican steps.

But if the margin was inflated, few doubt that executive consolidation around the person of Bonaparte was what most French voters wanted. So the French may have sauntered rather than ran. Were they, in fact, embracing chains? This seems like an exaggeration, fueled by Bonaparte's own propaganda together with our subsequent knowledge of his actual regime and eventual megalomania. The vote in 1800 was arguably for energy in the executive, something with which the Hero of the Nile was amply endowed. It was probably a rejection of the Directory, but not as much as Bonapartist propaganda painted it. The 1800 constitution is not hard to portray in a republican light, and the coup it ratified was arguably no worse than the 'self-coups' (to use a late twentieth-century term) that the incumbent Directors themselves had perpetrated against their legislature. The Directory itself seemed to inspire no more than indifference, dogged as it was by economic hard times and military embarrassments. And the unsatisfactory Directorial constitution was almost impossible to amend within its own terms. The 1800 vote was followed by a display of, first, military energy and, then, successful peacemaking, even as Napoleon nudged his fellow Consuls

aside. The constitution left consular succession an open question, but then no earlier constitution had come up with a workable mechanism. In that context, the 1802 proposal, 'consul for life,' seems less sinister than it does with hindsight. The 1804 imperial vote is more mystifying, but with its low turnout, it is also the least credible as an indication of true opinion. Besides, the First Empire left much of the institutional and social legacy of the Revolution intact.⁸

The second imperial episode of the mid-nineteenth century also involved referendums. It was quicker and truly more farcical than the first episode, but no less ambiguous. After much debate, the Second Republic's constitution provided for direct election of a President. Although advocacy of direct election was not simply a Bonapartist ruse, the runaway victor was Louis Napoleon. The Republic lurched from crisis to crisis, until on 2 December 1852, Napoleon declared himself President for life and secured popular ratification for this later that month. Two years and another referendum later, he was Napoleon III, Emperor of the French.

In one sense, these results speak clearly. Although balloting was still open and fraud was rampant, turnout was clearly higher than in the first Napoleonic episodes (Butler and Ranney, 1994, appendix A) and each time the yes vote seems a reasonable gauge of French opinion. But opinion on what?

In the 1852 instance, it was not clear who was closer to the side of liberalism and democracy – Louis Napoleon, or his opponents. The assembly, dominated by royalists, was preoccupied with *narrowing* the franchise. The 1852 referendum may have signaled authoritarian consolidation but it also saw restoration of universal manhood suffrage. Campbell (1978, p. 10) argues that a coup was widely expected almost from the moment Louis Napoleon took office, and that the real question was whether he was tough enough to see it through. Oddly, he was the first Emperor anywhere to have campaigned for the job, as he published widely before 1848, associating Bonapartism with Saint-Simonian schemes to promote industrial growth.⁹

It seems fair to conclude that Bonapartist schemes enjoyed real support at their outset and that some, if not all, of the relevant referendums correctly indicate the direction of opinion, if not the exact balance. Does this record then indicate incompetence, in the sense that voters would have chosen differently had they known the authoritarian consequences? The answer may be yes, but only if you allow evidence from more than a decade after the event. And if we admit evidence from still later, the picture actually muddies. In a post-*ancien régime* period of

intellectual confusion about how to constitute executive power, Bonapartism was arguably as plausible a program as any other. Even Victor Hugo, who made a celebrated break with Napoleon III, admitted a certain fondness for the first emperor (Cobban, 1961, p. 149). The Second Empire itself is now coming to be seen not so much as a temporary betrayal of France's republican destiny but as a vital period in the development of civil society and a regime which deepened the idea of citizenship (Hazareesingh, 1998). This paper is not the place to take positions on such issues. It suffices to observe that on key questions embedded in Bonapartist authoritarianism, French elites were no more clear-headed than French voters. This fact clouds the claim that incompetent voters, rather than many competent voters in non-secret ballot elections together with maneuvering elites and some incompetents in both groups, were responsible for the events of the nineteenth century in France.

Through the haze of fraud and propaganda, then, the following seem to be true. First, among the referendums, the more obviously authoritarian the choice the less one-sided its genuine support appears to have been. Voters sensed the magnitude of departure from the status quo and responded accordingly, by sitting on their hands. Second, the status quo was not the unequivocally superior alternative to Bonapartism, not even with hindsight. And binary choice, of course, is what French voters were asked to make, not the relative merit of a regime whose final trajectory was tragic versus some idealized regime combining democracy with energy. If these episodes are supposed to constitute the most disturbing evidence for voters' incapacity, then the case seems at best not proved. Most of the mud, we submit, sticks to elite actors who, together with historical circumstance, framed the choices.

Conclusion

Referendums are a story of elites who seek simplicity by attempting to narrow fundamental political issues to a single question, and of voters who seek simplicity by attempting to determine what the question means. Risk and error are associated with both simplifying moves. If we want to remedy problems with the referendum process, then we should understand where that risk and error lie.

To that end, we have argued the following:

- The informational requirement for competence in referendum contexts is minimized by the fact that most referendums entail binary choices.

- When short cuts are available, competence requires some information, but less than is commonly claimed.
- Elites – and not voters – determine the wording, timing, and often the subsequent interpretation of referendums. As a result, they must be held at least partially responsible for the consequences of referendum usage.
- Many of the perceived problems with referendums, both past and present, have less to do with voter competence than is commonly assumed; even if electorates contained only competent voters, it is likely many of history's most notorious plebiscite outcomes would have nevertheless occurred.

This view of the referendum process implies different solutions to some of its perceived problems. Suppose, for example, there are concerns about voter competence on certain types of question. A common remedy suggested for this is to give voters as much detailed information as possible. On the one hand, there is nothing wrong with this suggestion as it is better than intentionally withholding information. On the other hand, if a polity wants to use scarce resources to boost voter competence, it is better served by attempting to improve the quality of information rather than the quantity. For we know that voters use short cuts and that when they are available they will attend to them, leaving many details aside. As a result, a polity that wants to enhance competence should direct its efforts towards making it easier for voters to choose effective short cuts. This effort should include the following steps:

- If well-known interests take learned positions on referendums, make it easier for voters to access these endorsements.
- For position-taking interests that are less well known, make sure that they can be held accountable for what they say, perhaps by ensuring that both sides in a referendum battle have access to public airwaves.
- If there is money involved in the promotion of, or opposition to, a referendum, make it easier for others to follow the money, for money trails are great places for learning about others' true interests.

While remedies to voter competence problems are easy, remedies to the troubles caused by elite maneuvers are more difficult. They are difficult because bringing a question to the people requires that it be stated in some fashion. While one could attempt to restrict the dominant role of elites by requiring them to offer multiple alternatives to voters (for

example, give them many choices instead of only two), the logistics of such an option makes it impossible. Not only are the informational requirements for a multiple choice more demanding than that of a binary choice, but declaring a winner is problematic (for example, the choices include a series of run-off elections – which is very inefficient – or a plurality counting rule – where an alternative can be declared a winner even though far less than a majority of voters chose it). As a result, if we feel that referring questions to the voters is an important democratic virtue, then we must accept the fact that elites will play a large role in deciding what the questions are.

Having said this, we notice a tendency in the study of referendums to hold voters, rather than voters *and* elites, responsible for the outcomes of the process. This is a mistake. In both the study of referendums and the practice of a referendum campaign, it can be constructive to raise questions about elite decisions. It is in these decisions that much of the history of referendums has been determined.

Notes

- 1 Not every scholar accepts this characterization of the electorate. Some findings of voter ignorance seem to be the product of error in measures (Achen, 1975). Sniderman et al. (1991) usefully point out that the debate touched off by Achen turns as much on ontological assumptions as on statistical demonstration. Yet no scholar has made findings about the lack of factual knowledge go away.
- 2 Our defense of this competence definition follows from a similar argument by Lupia and McCubbins (2000) in defense of the concept of a reasoned choice. This definition of competence also has parallels to definitions of competent performance in cognitive science (see, for example, Newell, 1990).
- 3 This approach is increasingly common in the study of voter competence. Bowler and Donovan (1998) is a particularly instructive and carefully crafted example of such research.
- 4 The conditions they identify augment earlier insights such as those in Aristotle's *Rhetoric*, by social psychologists of the 1950s (for example, Hovland, Janis, and Kelley, 1953), the philosopher Jürgen Habermas (1984) and by economic signaling theorists of the 1980s (for example, Crawford and Sobel, 1982; Sobel, 1985).
- 5 See the discussion in Morel (1996). Parliamentary rule was reinstated in 1870 by referendum, but no other question was referred in the Third Republic's 70 years. Four referendums were required to launch the Fourth Republic, but once that Republic was launched no other referendum was conducted until the 1958 vote, which ended it.
- 6 This referendum also represented a procedural departure from earlier ones, which was conducted in local assemblies, and so combined some deliberation with face-to-face social pressure.

7 See Appendix A in Butler and Ranney (1994).

8 Our sense of the times owes much to the synthesis in Crook (1998).

9 Ironically so, for Napoleon's initial political base was in the peasantry, exactly as Marx described it. See Campbell (1978), chapter 1, and Cobban (1961), pp. 146–7.

10

The News Media and Referendums

Richard Jenkins and Matthew Mendelsohn

The way the news media cover referendums is crucial to a proper understanding of what we can expect from these exercises in democratic decision making. Yet the question of how the news media cover referendums has not been systematically considered.¹ Proponents of referendums who idealize their deliberative possibilities may forget that political discourse will be mediated through the news values of media organizations, which are often inimical to collective deliberation. Opponents of referendums who are concerned about voter competence during referendums may forget how much useful information citizens can in fact pick up by watching the evening news.

We begin by providing a brief review of how the news media cover elections. We then outline the theoretical differences between elections and referendums, and underline how these should matter for news coverage. Nonetheless, we hypothesize that news values and institutional imperatives will supersede the differences between elections and referendums, creating coverage of referendums that closely mirrors that of elections. We then examine news coverage of the 1995 Quebec referendum on secession and find that our suspicions are borne out. In the end, we conclude that media coverage of referendums looks much like that of elections, despite the fundamental differences between the two kinds of consultations. We suggest that this has normative implications for evaluations of referendum democracy: the way the news media cover referendums may help citizens in voting in a manner consistent with their pre-existing opinions, but it does not facilitate a process of democratic deliberation in which citizens can constructively challenge one another's beliefs in a search for understanding. The news media therefore help encourage a kind of referendum democracy which amounts to an elaborate means of measuring public opinion, but not of collective will formation.