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# Direct Democracy in Europe: Potentials and Pitfalls

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Research Article

## Abstract

Diagnoses of a democratic recession or 'hollowing out' of democracy are numerous and varied but usually encompass the following symptoms: a decline in turnout and other forms of political participation; policy making that is increasingly detached from ordinary citizens and their preferences; and an erosion of trust in government and satisfaction with democracy among citizens – all of which ultimately challenge the legitimacy of democratic institutions. Direct democracy is one of the most prominent, far-reaching and popular remedies proposed in response to such diagnoses. It, by allowing citizens to directly vote on questions usually decided by representatives, seems intuitively appealing as an obvious extension and deepening of democracy. In this article I survey the potentials but also pitfalls of an increased institutionalization of direct democracy and use thereof in the countries of the EU focusing on the three key aspects identified above: representation, turnout and citizens' political support.

Concerns exist about democratic developments in Europe and beyond. Diagnoses of a democratic recession usually display at least the following three symptoms: a decline in turnout and other forms of political participation, policy making that is increasingly detached from ordinary citizens and their preferences, and an erosion of trust in government and satisfaction with democracy among citizens, all of which ultimately challenge the legitimacy of democratic institutions.

Direct democracy is probably the most popular and far-reaching remedy proposed in response to such diagnoses (Altman, 2012; LeDuc, 2003). Few introductory texts on direct democracy fail to make reference to the diagnosis described above – also, the remedy metaphor is frequently invoked.

In this article I provide an assessment of the potentials but also pitfalls of an increased institutionalization and use of direct democracy in the countries of the EU focusing on the three key aspects identified above.

Optimism about the development of democracy, the 'third wave' of democratization, in Europe particular after the fall of the wall, has given way to concerns that the ensuing expansion of democracy has been followed by a democratic recession (Diamond, 2008) in both new and established democracies. These developments said to have taken place on a global scale during the past decades have been described by scholars of democracy as among others a 'rollback' (Diamond, 2008), 'hollowing out' (Mair, 2013) of democracy or establishment of 'postdemocracy' (Crouch, 2007).

While Diamond (2008) focused on the crumbling and failure of newly established democracies others have been more concerned with developments in established democracies (e.g. Mair, 2013; Crouch, 2007; Dalton, 2004). It is the latter for which many hope direct democracy can be a remedy. There, the formal institutions of democracy remain intact but a process is said to take place that can be described as a mutual retreat of parties and citizens.

Two concurrent developments are commonly identified as driving the democratic decline. First, a process of dealignment whereby societal cleavages dissipate giving way to greater individualism is said to have taken place. Such cleavages used to structure party competition in that parties would be seen as representatives of certain segments of society. Citizens within these segments held strong attachments to the corresponding parties, and were encouraged by strong class-based organizations to vote. As these cleavages disappear the link between citizens and parties and therefore politics more generally weakens. Second, globalization and increased supranational governance as for instance embodied by the EU have challenged the efficacy of national policy making, so that governments find it increasingly difficult to be responsive to their citizens and citizens become less trusting in their governing institutions.

While certain aspects of these diagnoses like decreasing turnout are undisputed, although their interpretation may be, others are more controversial. Yet, my aim here is not to assess the merits of these diagnoses but rather to provide an assessment of the likely effects of an

increased institutionalization and use of direct democracy in Europe.

While satisfaction with and trust in institutions and actors of politics is in decline citizens remain committed to democratic norms and principles (Dalton, 2004). Part of the rise in discontent could thus be explained by increased expectations on the side of citizens. Direct democracy then appears to be a straightforward way of tackling citizens' disaffection by providing more participatory opportunities to 'critical citizens' (Norris, 2011). When asked, citizens in polities with and without direct democracy consistently voice support for direct democracy in substantial majorities, in fact such popular majorities exist in all countries of the EU.<sup>1</sup>

Improved education and advances in communication technology are said to have increased citizens' capacity and demand for participation. They are often invoked to explain the spread and increase in the institutionalization and usage of direct democracy around the world in recent decades (Altman, 2010; Butler and Ranney, 1994). Support for direct democracy is especially strong among the young and politically interested according to Donovan and Karp (2006), yet a number of studies find political dissatisfaction to be a strong determinant of support for direct democracy. This also resonates with a continued emphasis of participation in the political theory literature whether it be participatory democracy, strong democracy, or deliberative democracy.

But such appeal is not without corresponding fears about detrimental effects of direct democracy. It offers opportunities for political participation beyond the conventional means. Yet, turnout in referendums most often is even lower and therefore prone to be more unequally distributed among segments of the population than in elections. Direct democracy promises citizens the possibility to correct unpopular decisions made by representatives and to make policy makers pay greater heed to public opinion. However, it can also open up a new venue for populists and special interests to influence politics. Participation is known to breed trust but what effect can it have in the aggregate if those who are most unsatisfied are already the least likely to participate? There are many well-argued hopes and fears. The question is what evidence there is to support some and dispel others.

This article based on a comprehensive review of the literature on initiatives and referendums assesses the potentials and pitfalls for an increased institutionalization and use of direct democracy to address the symptoms of a 'hollowing out' – or, put more sanguinely, how it might affect participation, particularly turnout, representation as well as trust in government and satisfaction with democracy.<sup>2</sup> Although focused on Europe I provide a transatlantic perspective as I draw heavily from experiences with direct democracy in the US as well as, obviously, Switzerland and the scholarly work that has been developed in that context.

## Direct democracy in Europe

The term direct democracy as used in this article refers to citizens directly voting on substantive issues elected representatives normally vote on. An important distinction is to be made between the citizens' initiative and the referendum. The initiative is the most far-reaching form of direct democracy – it entails citizens proposing as policy and voting on it. If a group of citizens registers a proposal and collects a given number of signatures in a predetermined time frame its proposal is put to a vote. Initiatives may be used to amend the constitution, change or propose laws, or both. A facultative referendum, also called popular or abrogative referendum, is similar to the initiative in that is initiated by citizens through the collection of signatures to repeal a law passed by the legislature, not to propose new legislation.

A referendum more narrowly signifies the process of citizens voting on a policy. It can be triggered by a citizens' initiative, initiated by the legislative or executive branches of government or required by the constitution for the final passage of certain laws like changes to the constitution.

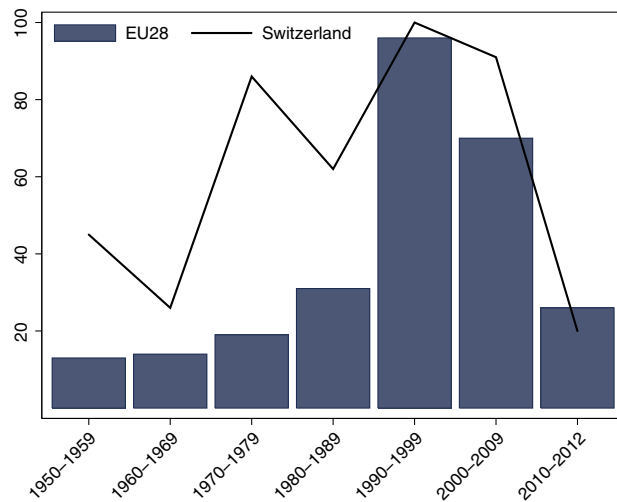
A simple typology of direct democracy can be drawn up along the answers to, first, the questions of who triggers the referendum, and second, whether the vote will be binding.<sup>3</sup> In keeping with the literature I focus on binding forms of direct democracy as consultative referendums (also called plebiscites) are either considered to be of lesser importance because governments are not legally bound to follow the citizens' decision (Altman, 2010) or just as consequential as binding votes because of the political ramifications of ignoring a popular vote (LeDuc, 2003).

Then there are also regulations common to all types of direct democracy which are participation or approval quorums and super-majority requirements for some polities. Specific to the initiative and also the facultative referendum are requirements concerning the number and geographical distribution of signatures as well as the time frame in which they are to be collected, all of which determine the effectiveness of the instrument. Some polities also limit the range of topics that can be addressed through an initiative, for instance by excluding budgetary issues.

Yet, the crucial defining aspect of direct democracy is that the process must lead to a vote by the citizens. Other forms of citizen involvement that might share certain aspects of direct democracy like petitions, agenda initiatives or mini-publics should not be referred to as direct democracy as they lack the aspect of voting on policy. The European Citizens' Initiative despite its name is therefore not a form of direct democracy.

The usage and institutionalization of direct democracy, so defined, has increased all around the world.<sup>4</sup> It is most

**Figure 1.** Number of national referendums per decade in the 28 EU member states and Switzerland (as comparison).



Source: own visualization using data from Centre for Research on Direct Democracy (2014) and Universität Bern (2014).

prominent in Switzerland and the US. In the latter which is the origin and focus of much of the recent work on direct democracy new states are adopting it at a rate of one state per decade while there has been a rise in the number of initiatives in the past decades (Matsusaka, 2005a). The number of national referendums held in Switzerland has also increased steadily since the 1950s – with peaks of usage in the 1970s and 1990s. The pattern is similar to that in the EU (Figure 1). Beyond the US and Switzerland the number of countries providing mechanisms of direct democracy has increased as has the usage of those mechanisms in all parts of the world. Among 58 democracies with a population above three million in the world 39 have conducted at least one referendum between 1975 and 2000 – yet, among countries that never saw a referendum at the national level are also established democracies like the US, India, Japan and Germany (Altman, 2010, p. 29).

Twenty-seven member states of the EU have held referendums on the national level since the Second World War. A total of 286 national referendums have been held in EU member states since the Second World War, compared to 186 in Switzerland in the period 1990–2009 on the national level alone. The US state of California alone has in the same time seen 123 referendums. The use of direct democracy in the EU has increased although not continuously since the 1970s (Figure 1). Usage of the initiative is most frequent in Italy (72 referendums since 1945), followed by Ireland (36) while a number of countries have held only one referendum.

Twenty-three EU member states have some institutionalized form of direct democracy on the national level. Nine

countries have the initiative, the arguably most potent form of direct democracy, while 23 allow for government initiated referendums making it the most common form of direct democracy at the national level in the EU. Lastly, 14 countries have constitutional provisions making the holding of referendums on certain policy issues mandatory (most commonly changes to the constitution).

Belgium, Cyprus, the Czech Republic, Germany and the Netherlands are the only EU members to not have provisions for direct democracy at the national level. Of these only Germany never saw a referendum at that level since the Second World War. Yet, it has provisions for referendums at the regional and municipal level, like many other European countries do (Table 1). While this overview is focused on direct democracy at the national level most of the theoretical arguments and empirical evidence discussed here also apply to the subnational level. In fact, much of the empirical scholarly research discussed in the following sections focuses on subnational politics.

One of the attractions of direct democracy is that referendums can potentially settle political issues more decisively than the representative process. Not surprisingly then, it is used for far-reaching and potentially contentious issues like accession to the EU. However, a referendum can only fulfil that function if its result is sufficiently clear. If referendum outcomes are close, they might even worsen societal cleavages. Of the 279 national referendums held in Europe since 1945 for which the data is available<sup>5</sup> 39 (14 per cent) had an outcome where the majority was within five percentage points of 50 per cent.

The EU itself has been the subject of referendums in a number of countries. Fifteen member states have decided on their accession to the EU by means of a national referendum (Table 1). What is striking is that while support for accession was relatively strong in the ten Eastern European countries that joined in 2004 turnout in the respective referendums that were held in eight of them was very low. In these countries there was broad political and popular consensus about the desirability of EU membership, whereas EU membership was much more controversial in for instance Malta, Sweden, Finland or the UK as evidenced by smaller majorities for accession in these countries' referendums (Szczerbiak and Taggart, 2004). Indeed, turnout and contestation, measured by the share of yes votes, – see Table 1 – are negatively related as indicated by a correlation coefficient of -0.62.

## Turnout

The fact that there has been a secular decline in turnout in all major established democracies in Europe and elsewhere at least since the early 1980s is an undisputed finding in the political science literature (Gray and Caul, 2000). Postwar turnout in current EU member states has declined over the years – by roughly one percentage

**Table 1.** Institutionalization and use of direct democracy in the EU member states

Country	(1) Accession	(2) EU referendum Yes % (Turnout %)	(3) National referendums	(4) Types of referendum	(5) Levels of government	(6) Avg. turnout (%)
Austria	1995	66.58 (82.35)	4	G, C	N, R, L	36.6
Belgium	1952	–	1	–	R	92.92
Bulgaria	2007	–	4	I, G	N, L	70.7
Croatia	2013	66.27 (43.51)	7	I, G	N	30.1
Cyprus	2004	–	1	–	–	89.2
Czech Republic	2004	77.33 (55.21)	1	–	–	55.2
Denmark	1973	63.29 (90.41)	18	G, C	N, L	70.7
Estonia	2004	66.83 (64.06)	4	G, C	N, L	70.1
Finland	1995	56.88 (70.40)	1	G	N, L	70.8
France	1952	–	11	G, C	N, R, L	65.3
Germany	1952	–	–	–	R, L	–
Greece	1981	–	5	G	N	78.1
Hungary	2004	83.76 (45.62)	12	I, G, C	N, L	47.2
Ireland	1973	83.10 (70.88)	36	G, C	N	47.8
Italy	1952	–	72	F, G	N, R, L	53.8
Latvia	2004	67.00 (72.50)	10	I, G, C	N, L	45.5
Lithuania	2004	90.97 (63.37)	20	I, G, C	N	50.1
Luxembourg	1952	–	1	F, G, C	N	90.4
Malta	2004	53.64 (90.86)	3	I, G, C	N, R, L	57.8
Netherlands	1952	–	1	–	R, L	63.3
Poland	2004	77.45 (58.85)	12	G	N, R, L	55.7
Portugal	1986	–	3	I, G, C	N, R, L	41.2
Romania	2007	–	6	G, C	N, R, L	37.8
Slovakia	2004	93.71 (52.15)	15	I, G, C	N, R, L	21.2
Slovenia	2004	89.64 (60.44)	21	I, G	N, R, L	40.2
Spain	1986	–	4	G, C	N, R, L	49.1
Sweden	1995	52.74 (83.22)	13	G	N, R, L	70.6
United Kingdom	1973	67.23 (64.03)	2	G	N, R, L	53.1

Note: (1) year of accession to the EU, (2) outcome of and turnout in EU referendum, (3) number of postSecond World War referendums held since the country became a democracy, (4) types of direct democracy available at the national level (I = citizens' initiative, F = facultative referendum, G = government or parliament sponsored referendum, C = constitutionally mandated referendum), (5) levels of government at which direct democracy is available (N = national, R = regional, L = local), (6) average turnout in national referendums.

Sources: Centre for Research on Direct Democracy (2014), Initiative and Referendum Institute Europe (2014), IDEA (2013), *Szczerbiak and Taggart (2004)*.

point per electoral cycle. While there is a small level difference between countries that have held more than one referendum since 1950 and those that have not there is no significant difference in time trends (Figure 2). Apparently, there is no obvious relationship between direct democracy and turnout – this section explores which relationship there is, if any.

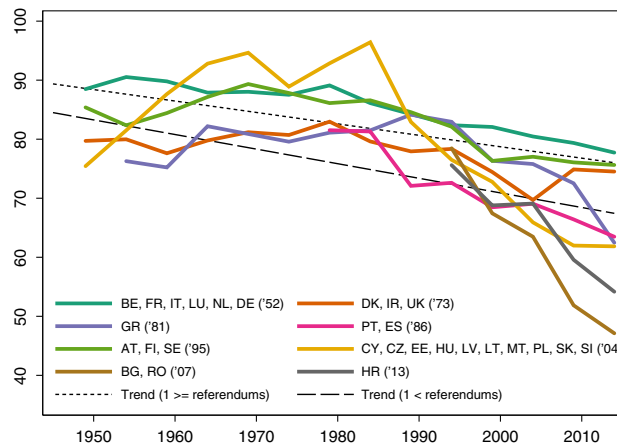
In the 1950s turnout in national parliamentary elections in 28 member states was 81.9 per cent compared to 67.5 per cent in the 2000s – differences in turnout between countries have also widened as the standard deviation of the distribution of turnout across elections has almost doubled from 7 percentage points in the 1950s to 13 percentage points in the 2000s. However, there is a disagreement on normative evaluations of that trend. Particularly for countries that see their turnout

levels decrease from above average levels to more average levels there is debate as to whether this trend constitutes a worrisome decline or just a process of normalization. It remains to be seen whether turnout decline will extend into the future or whether turnout will stabilize at a certain point. Yet, the fact remains that current levels of turnout are seen by many as unsatisfactorily low.

Direct democracy relates to turnout in at least two important ways. First, there is the question 'whether direct democracy fosters or undermines the representative game through enlightening citizens or alienating them from participating at representative elections' (Altman, 2012, p. 1). Second, direct democracy is criticized for often seeing lower turnout than elections held on the same level of government which raises questions



**Figure 2.** Turnout (five-year averages, per cent) in national parliamentary elections for 28 EU member states, grouped by year of accession.



Note: Trend lines indicate linear time trend in turnout in states with one or no referendum since 1950 (short dashes) and states with more than one referendum since 1950 (long dashes) controlling for level differences in turnout between states (based on OLS regression with country fixed-effects) as for instance some states have compulsory voting.

Source: IDEA (2014), Centre for Research on Direct Democracy (2014).

about the representativeness and legitimacy of direct democratic votes.

In the EU, turnout varies considerably across referendums and countries. In Italy for instance, which with 72 referendums since 1945 has seen the most referendums among all EU members, turnout ranged from 23.5 per cent in a 2009 referendum on electoral reform to 89.1 per cent in a 1946 referendum on the future form of government. Across all referendums average turnout is lowest in Slovakia with 21.2 per cent and highest in Belgium with average turnout of 92.9 per cent – yet Belgium has only held one referendum.<sup>6</sup>

On one hand, referendum campaigns and corresponding media coverage thereof can provide additional information to citizens, potentially raising their interest in politics in general and the election in particular. Referendums can stimulate debate among citizens, leading to increased political efficacy. Lastly, the regular holding of referendums could contribute to a participatory culture where voting is considered a value in itself.

On the other hand, referendums take decision over policies out of the hands of parliament which could make elections seem less important. Furthermore, the holding of many referendums could lead to electoral fatigue among voters that would depress turnout. The available evidence suggests that both arguments have some truth to them. In the short term referendums do

indeed stimulate turnout but in the long term they seem to contribute to electoral fatigue.

Studies on the referendum in US states suggest that holding a referendum in the two years prior to, or on, election day increases turnout in mid-term elections (Altman, 2012; Tolbert et al., 2009; Tolbert and Smith, 2005). Estimates of average effects range from one to seven percentage points. For highly salient referendums, as measured by newspaper coverage, the induced increase in turnout can be as high as 30 percentage points (Lacey, 2005). Effects on presidential elections, where election campaigns are more intense and turnout higher, are much lower with some studies reporting null results (Schlozman and Yohai, 2008). It seems that referendums have a greater effect on less salient so-called second-order elections. For instance, a study of Californian local elections found that if municipalities hold a local referendum in parallel this increased turnout by about four percentage points (Hajnal and Lewis, 2003).

These are all effects for actual referendums; the simple presence of direct democracy turns out to be inconsequential for turnout. Some studies include a squared term to account for possible decreasing marginal effects of referendums and indeed find the effect of an additional referendum to decrease in the total number of referendums, again lending support to electoral fatigue arguments.

Evidence from Switzerland, where referendums are even more important relative to elections than in the US, supports this intuition. Here, referendums are associated with lower turnout in elections (Altman, 2012). Interestingly, a study distinguishing between referendums held up to six months prior to the general election and referendums held in preceding years finds the latter, more long-term factor to have a stronger negative effect on turnout (Freitag and Stadelmann-Steffen, 2010).

An important question in its own right is not only how many but also who turns out to vote in referendums, as who participates might affect the outcome of such votes (see section on Representation). Critics of direct democracy are quick to point to low turnout in referendums. They fear that if turnout in a referendum is lower than in elections the voting population will likely be even more unrepresentative of the population at large. Obviously, this problem is attenuated if a referendum is conducted in conjunction with an election. Butler and Ranney (1994) found that mean turnout in national referendums in 12 established democracies conducted between 1945 and 1993 was up to 30 percentage points lower than turnout in general elections in these countries. In Switzerland where referendums are frequent and a regular part of politics, 192 of 273 (70.3 per cent) referendums held between 1980 and 2012 saw a turnout that was lower than turnout in the preceding national elections. Yet, turnout in Swiss referendums is also subject to

high fluctuation, ranging from 30 per cent to 80 per cent. Turnout in national elections is very low, too – mean turnout between 1979 and 2011 was 46.3 per cent, never surpassing 50 per cent. However, research shows that only between 15 and 20 per cent of the Swiss voting population never vote in referendums, whereas around 60 per cent of citizens vote selectively (Marques de Bastos, 1993).

A unique study by Dyck and Seabrook (2010) on referendum-only special elections in the US reveals that partisans are more likely than independents to vote in referendums raising doubts whether those more distant to politics will be drawn back to it by direct democracy. The salience of the referendum is important. Kriesi (2007) finds that an individual's awareness of the referendum issues are a strong determinant of the decision to turn out to vote which is itself strongly influenced by referendum campaigns. A cursory glance at Table 1 also suggests that turnout for salient referendums like EU membership is most often close to and sometimes even surpasses turnout in elections. Again, short-term forces like referendum campaigns are more important determinants of individual turnout than long-term forces like the 'participatory fervor' of citizens.

Participation in referendums follows similar patterns to voting in an election – with citizens of high socioeconomic status, as well as older and politically interested citizens more likely to vote in referendums (Kriesi, 2007). Surprisingly, unlike in elections there seems to be no gender gap in referendums as evidence from Switzerland and EU referendums in various countries suggests (Treichsel, 2007) – women seem just as likely as men to vote in referendums.

Another important point regarding turnout in referendums concerns the effect of participation quorums which define a total turnout that needs to be reached for the policy to pass in case of a yes vote. Participation quorums provide incentives for opponents of a yes vote to campaign for abstention to make the referendum fail the participation quorum. This is considerably easier than mobilizing a majority to vote no (Altman, 2010). Indeed, in an analysis of all referendums conducted in current EU countries between 1970 and 2007 Aguiar-Conraria and Magalhães (2010) find that participation quorums decrease turnout by on average 11 percentage points. Approval quorums have no such effect – these simply require the number of yes votes to surpass a threshold for the vote to pass and therefore provide no such perverse incentives for proponents of a no vote.

What these findings suggest is that referendums do indeed have an effect on turnout. That effect seems to be stronger in less salient elections. Also, such an effect is driven by short-term mobilization through campaigns. In the long term having too many referendums can actually depress turnout. Turnout in referendums is highest

when held in conjunction with an election or the topic of the referendum is highly salient. In polities where referendums occur frequently turnout is on average lower than in national elections. As turnout in referendums follows similar patterns as turnout in elections this raises the specter of unrepresentative referendum outcomes, when small minorities win low turnout referendums against the interests of an inactive majority.

## Representation

Diagnoses of a democratic decline rest on claims that representation, however conceived, has gotten worse. They contend for instance that parties have become less distinguishable on positional issues and that policy and ideology play a lesser role in elections. Representation refers to the extent and means in which governments, parliaments or legislators represent the preferences or interests of their constituents. Representation is fundamental to democracy as, clearly, a democratic government should provide a correspondence between the positions it takes and policies it enacts and the preferences of voters. It is a concept that is, unlike turnout, very difficult to measure – and therefore many different ways to operationalize it are used for empirical work. Consequently, diverging opinions about the performance of different institutions, particularly electoral systems, in providing it and about the existence of time trends exist (Golder and Stramski, 2010; Thomassen and van Ham, 2014).

The introduction of particularly citizen-initiated forms of direct democracy seems especially attractive to give greater prominence to policy again. In the US where the initiative has brought issues like marijuana legalization, gay marriage or term limits to the fore 'policy innovation [in the states] is now being driven as much by voter initiatives as by legislatures and governor' Matsusaka (2005b, p. 162) contends. Yet, the crucial question is whether these changes in policy brought about by the initiative have been in the interest of a majority of citizens.

Direct democracy has appeal because it seems to allow for an unmediated expression of the will of the people. Therefore, by intuition, successful initiatives should by the nature of majority rule lead to outcomes a median voter would prefer to the status quo. However, it is far from clear whether referendums really do improve representation.

Consider the fact that on election day citizens in polities with the referendum are not just confronted with a number of representatives to elect but also a number of ballot propositions. This puts high cognitive demand on voters who might not possess the information necessary to make an informed decision. Although, a number of studies find that voters can use cues from parties or interest groups to reach the decisions they would have taken had they had more information (Lupia, 1994).

Initiatives are often launched by moneyed industries that use paid signature collectors to obtain the required number of signatures to put their proposition on the ballot. States with heavy initiative use like California have developed a veritable initiative industry. Special interests can also outspend their opponents in referendum campaigns. In a study of 168 referendum campaigns in eight US states Gerber (1999) finds that wealthy interests like industry groups are quite effective in campaigning against unwanted initiatives but are ineffective in staging successful ones themselves.

Turnout for referendums is lower if they are not held in conjunction with regular elections. In this case an unrepresentative minority might impose legislation on a silent majority that would have opposed the proposition were it better informed or the referendum held on an election day.

Whether referendums lead to unrepresentative outcomes is an important question regarding the normative desirability of direct democracy. Yet, little systematic evidence to answer this question exists. One study of 60 Swiss national referendums held during the 1980s finds that in 13 referendums the majority of nonvoters would have voted differently from how the majority of voters voted: in six, 10 per cent of all the referendums in this period, full turnout would have changed the outcome of the referendums (Di Giacomo, 1993). These are all referendums with a very slim majority, and with especially low levels of participation – around 50 per cent. Lutz (2007) who studies a greater number of national referendums finds that for half of the referendums voter and nonvoters had significantly different opinions on the referendum issues. His econometric simulations suggest that full turnout would have changed the outcome of the referendum by 0 to 10 percentage points. More research is needed in this area before a more complete picture of the representativeness of referendum outcomes can emerge.

However, even if the referendum is not subverted by vocal and powerful minorities, critiques argue that this essentially majoritarian device tends to work to the disadvantage of minorities. Citizens unlike elected politicians lack accountability and need for public justification of their decisions. As such they are free to follow their prejudices. For instance, Gamble (1997) in an analysis of referendums in the US finds that referendums against minorities pass more often than referendums on other topics.

The impact of direct democracy on minorities is possibly the most contested issue in the scholarly literature on direct democracy consisting of a wealth of studies. Unfortunately little is known about the issues addressed in referendums. Investigating whether certain issues are more likely to be subjected to a referendum than others is a promising avenue for future research. While this question is still unresolved in the literature, it seems to be a straightforward safeguard to exclude fundamental rights, in

particular those of minorities, from the set of policies that can be decided through direct democratic institutions.

Although the number of propositions put on the ballot can sum up to over a dozen a year in very active states that number is still small compared to the number of laws emanating from the legislature. Scholarly work on the topic has invoked game theoretic models that suggest that direct democracy also has an indirect influence through the behaviour of forward-looking legislators who factor the possibility of initiatives into their decisions (Hug, 2004; Matsusaka and McCarty, 2001; Gerber, 1996).

The intuition of such models is that the initiative, that is the possibility of a citizen initiated referendum, makes legislators more attentive to public opinion on individual issues. They will, to prevent a measure from being proposed in an initiative and adopted, prefer to pass legislation of their own, meeting potential sponsors of an initiative halfway. For instance, it is the Swiss government's stated objective to only put forward 'referendum proof' legislation that is unlikely to be challenged by means of a facultative referendum or citizens' initiative.

Empirical evidence on the effects of direct democracy on representation is still limited, mixed in its conclusions and subject to discussions (see for instance the exchange between: Matsusaka, 2001; Hagen et al., 2001). Much of the disagreement in the literature centres on the question how to attain valid and comparable measures of public policy and opinion, a longstanding issue in representation research.

Focus here is on the studies with a strong claim to internal validity. For instance, Gerber (1996) studies so-called parental consent laws which require parents to consent to their underage children to have an abortion which is regulated at the state level in the US. She finds popular approval or disapproval of the measure is more likely to be matched by a corresponding policy in initiative states. Similar results for abortion policy and the death penalty are provided by Hug (2004) and Burden (2005). The most comprehensive evidence is provided by Matsusaka (2010) who assembled a data set of ten binary issues over 50 states collected from multiple waves of the American National Election Survey. As these studies focus on one or a small set of highly salient issues, as survey items are only fielded for minimally salient issues, it remains to be seen whether the findings hold beyond the narrow subject area they study.

It is safe to say that the most tangible effect of direct democracy is the direct effect through referendums. One example is California's Proposition 13 that limited the tax raising power of the state and sparked a number of tax cutting propositions as well as legislative activity in other states.

Term Limits for state legislatures are another example. They have been introduced by the initiative in all but



one of the 16 states that have them. Although politically significant the occurrence of such influential referendums is too irregular and infrequent to be statistically significant in most systematic empirical studies.

In conclusion, the empirical evidence neither supports the great hopes nor the great fears about direct democracy and their respective views. With regards to representation, disagreement over concepts and measurements translates to disagreement over trends and effects. Representation is probably the most dubious aspect of diagnoses of democratic decline as they in this regard rely at least as much on subjective impressions as on systematic evidence. Yet, how people perceive to be represented is more tangible and also possibly more consequential as disputed 'objective' measures of representation. It is also a significant determinant of citizens' satisfaction with democracy (Aarts and Thomassen, 2008), the topic I now turn to in the following section.

### Citizens' attitudes

Democratic regimes rely on the consent of their citizens rather than coercive power to ensure the rule of law. Therefore, citizens' attitudes towards the political system are of key importance to the legitimacy and continuation of a political system (Almond and Verba, 1963).

Citizens' often complex and multifaceted attitudes towards politics are summarized under the term political support which conceptually has different levels and objects. It ranges from diffuse support for the political community and political regime to more specific support for political actors such as parties, courts or parliament (Dalton, 2004). Satisfaction with democracy is one the most often used indicators. In practice, it is the support for the regime performance, located on a medium level of this typology, whereas trust is specific support for actors.

A number of indicators of trust indicate a gradual decline in specific support among citizens for parties, parliaments and governments (Dalton, 2004). Citizens seem to become increasingly critical of key actors of the political system. Although this development is often summarized as a rise in discontentment or disaffection, satisfaction with the way democracy works and other measures of diffuse support have actually been remarkably stable showing just weak signs of decline, if at all (Norris, 2011; Wagner, Schneider and Halla, 2009). However, during the financial crisis satisfaction with the way democracy works and trust in parliament have decreased across nearly all European countries, though with some exceptions like Germany or Poland (Armingeon and Guthmann, 2014).

Disillusionment with conventional politics is frequently cited as a key reason for the popularity of direct democracy. If referendums are regarded as the most authoritative expression of 'the' popular will, allowing for them might increase popular support for the political system.

Frey and Stutzer (2000) suggest that direct democracy should increase citizen satisfaction for two reasons: because it offers them more control over policy and thereby improves representation, as well as more participation which citizens should value for itself independent of political outcomes. As Bowler and Donovan (2002, p. 376) hypothesize 'both the opportunity to participate, as well as the act of participation on policy decisions, can be expected to promote more positive views about the efficacy of individual political activity.'

However, direct democracy might on the contrary lead to traditional institutions and actors of democratic politics to be looked upon even less favourably – particularly if a government loses a referendum. Also, populists might use it to further their causes and portray political elites as unresponsive to the people. Hence, direct democracy might also further erode the standing of other democratic institutions like parties, parliaments and governments in public opinion.

There are few studies to investigate the link between direct democracy and political support. Some studies rather focus on the political efficacy of citizens. For instance, two studies find that citizens' political knowledge (Smith, 2002) and internal efficacy (Bowler and Donovan, 2002) to be positively associated with initiative usage. However, the former effect only occurs for voters. This might be explained by voters having been more exposed to referendum campaigns than nonvoters. In a unique study using a rolling cross-section conducted before the 1992 referendum on the Charlottetown Constitutional Accord in Canada Mendelsohn and Cutler (2000) find that political knowledge among citizens increased during the campaign.

Studies using data from the American National Election Study (ANES) find that citizens who are exposed to a greater number of referendums are more likely to perceive government as responsive (Hero and Tolbert, 2004; Bowler and Donovan, 2002). Again it is actual referendums rather than the mere presence of the institution that matters.

Whether citizens feel that governments are responsive to them should also influence their political support. Indeed, in Switzerland citizens of cantons with more intense usage of referendums are more satisfied with the way democracy works (Stadelmann-Steffen and Vatter, 2012). Institutional rules themselves, again, are insignificant. Hug (2005) analyses cross-sectional and panel data on 19 Eastern and central European countries finding that citizens in countries with institutions of direct democracy show more confidence in parliament and government and that the introduction of direct democracy raised confidence. Bernauer and Vatter (2012) who study an even broader sample of 26 established democracies rate these along a parties-interest groups, a federal-unitary and a cabinets-direct democracy scale. They find larger coalitions

and direct democracy to be positively associated with satisfaction with democracy.

Yet, as with most observational studies these studies face problems of endogeneity. One might just as well hypothesize that citizens that are more efficacious and content participate more in politics, including supporting initiatives. A noteworthy experimental study conducted in 49 Indonesian villages evades this problem (Olken, 2010). The experiment randomly designated villages to choose a development project through a representative assembly or a referendum. Citizens in villages that held a referendum showed greater knowledge of, as well as satisfaction with, the development projects. Due to its experimental setup the study provides high internal validity but it remains to be seen whether the results carry over to other contexts like national referendums where outcomes are less tangible than in the case of local public goods provision.

Direct democracy seems to affect citizen's attitudes from diffuse to specific support. However, the evidence is still limited. There are also indications that referendums are associated with citizens being or feeling more competent to participate in politics. As for turnout and representation the actual holding of referendums shows significant effects in some studies, while there is only little evidence for an effect of the institution itself. The mechanism linking direct democracy to citizens' political efficacy is likely the informational effect of referendum campaigns. How direct democracy impacts on diffuse and specific aspects of political support, particularly in the long-term, is less clear and merits further research.

## Conclusions

Taking note of diagnoses of a democratic decline I asked what the likely effects of direct democracy would be on the most commonly attested symptoms: a decline in turnout, deteriorating representation, and an erosion of trust in government and satisfaction with democracy among citizens – all of which ultimately challenge the legitimacy of democratic institutions.

As regards the political participation of citizens, the moderate use of referendums can indeed serve to increase turnout, particularly when elections and referendums are held simultaneously. Turnout in standalone referendums tending to be lower than in elections provides another reason for holding them concurrently.

As the already politicized are more likely to vote in referendums one should have no false hopes for the potential of direct democracy to re-politicize disaffected citizens.

If referendums occur too frequently a long-term negative effect on turnout might set in. However, this is not an immediate concern as no European country is likely to reach the levels of usage of direct democracy

seen in Switzerland or California within the foreseeable future.

Institutional details matter. For direct democracy to be an effective instrument it needs to be used by citizens. Therefore, the barriers to its use should not be set too high, but for it to be legitimate participation in it should not be too low. Participation requirements are therefore necessary to give legitimacy to direct democratic decisions and are best defined in terms of an approval quorum.

It seems advisable to set medium to high signature requirements but to allow for long collection periods and not too restrictive rules for signature collection to allow grass-roots organizations to use the instrument. The popular support of an initiative should be measured in terms of the number of people who supported it, not by the effort individuals exerted to sign the petition.

While there is hardly any disagreement on time trends in turnout – although normative assessments might differ – diagnoses of representation are much more ambiguous. An indirect 'threat' effect should not be overstated as there still is very little convincing evidence. However, the citizens' initiative can be an instrument to bring new but salient topics on the political agenda. Direct democracy can sometimes serve as a vehicle for political reform, even against the will of the political elite, as the case of term limits for US states legislatures illustrates.

Referendum outcomes do not seem to be more unrepresentative than outcomes under representative democracy. There is no strong evidence that direct democracy gives even more influence to vocal and powerful minorities than they already possess in representative democracy.

Yet, what about the spectre of a tyranny of the majority? Whether direct democracy disadvantages minorities is a contested issue in the literature. My answer to this question is that any reform of direct democracy must exclude fundamental rights, in particular those of minorities, from the set of policies that can be decided by that institution. In some political systems, such as Germany's, which have a strong constitutional system this might be sufficient to prevent discriminatory policies. Yet, in other cases where such constitutional safeguards do not exist, the rules of direct democracy need to be specified to exclude these issues.

Trends in citizens' political attitudes are not as clear-cut as some diagnoses of democratic recession suggest. Nevertheless, direct democracy could affect both diffuse and specific political support. Here it is again the actual use of the institutions rather than its mere presence that matters.

Referendum campaigns have the potential to politicize and educate citizens. Yet, governments will be reluctant to stage information campaigns and encourage citizens to vote if a vote is to be held on an initiative directed against the government's policy.

On the individual level, the educational and attitudinal effects of direct democracy seem to particularly impact upon voters. These tend to be those who already participate in regular elections. While direct democracy might on average improve citizens' political abilities and attitudes towards the political system it is ill-suited to reach those already distant to politics.

Given the available evidence it seems justified to agree with David Altman's (2010, p. 14) assessment that '[d]irect democracy does not constitute a panacea for solving problems of current democracies, nor is it something intrinsically wrong to be avoided at any price.' The benefits of direct democracy are not to be overstated – at the same time there is little evidence for drastic detrimental effects of direct democracy. Institutional details play an important role as the careful design of direct democratic institutions can prevent or make less likely some of the possible negative effects.

## Notes

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1. Popular support ranges from 78 per cent approving of direct democracy in the Netherlands and Slovenia to around 89 per cent in Poland, Spain and Cyprus (own calculations based on data from round 6 of the European Social Survey).
2. For a more comprehensive introduction to direct democracy covering a greater number of possible ramifications of the instrument see for instance Butler and Ranney (1994) or Altman (2010).
3. For a more exhaustive definition and typology of direct democracy interested readers are referred to Altman (2010) and Hug (2004).
4. More detailed descriptions of this trend can be found in among others Altman (2010); LeDuc (2003); Butler and Ranney (1994).
5. The C2D data lacks data on vote shares for seven referendums.
6. In 1950 Belgians were asked to vote in a referendum on the return of King Leopold III.

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