

# Direct Democracy

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The rising use of direct democratic procedures within states but also cross-nationally increases the interest in and the relevance of the research on direct democracy. At the theoretical as well as at the empirical level, scholars, who have been participating in the long-standing debate on direct democracy, came up with different conclusions and evidence about the extent and kind of impact that direct democratic procedures have on the political processes and system as a whole. The purpose of the article is to give a thorough picture of major contributions that have helped to advance this dynamic field of research. It will be shown how the theoretical and empirical approaches applied have considerably changed and improved over time, whereas the questions at the heart of the direct democracy debate have basically remained the same.

## Introduction

Shaun Bowler (2002: 285f.) once noted that few other terms in political science generate such heated and hostile debates within the academic community as “direct democracy” – and that it would “raise the blood pressure” not only of political scientists but also of politicians.

There are two basic theoretical views of how direct democracy – or participatory democracy as it is also called – can be understood and defined: either as a variation on the democratic form of regime (e.g. in contrast to representative democracy) or alternatively as the essential form of democracy.

If we define democracy as a concept referring to popular rule in a broad and general sense, direct democracy is used to describe a system, in which the people literally rule themselves directly. Whereas all democracy is to some degree participatory, with some form of an original consent given (e.g. constitution) and periodic popular elections, according to its advocates direct democracy involves, the extensive and active engagement of citizens in the self-governing process. Seen in this light, direct or participatory democracy can be described as democracy itself, properly understood (See *The Encyclopedia of Democracy*, edited by Lipset 1995).

The focus of this article is on empirical studies. When appropriate however, reference will be made to normative models of democracy. In line with the definition above, we consider two broad types, into which the wide range of normative models of democracy can be categorized (Held 1987, 2006). The first; liberal or representative democracy refers to a system in which the citizens’ role is essentially restricted to the election of “officers” in charge of “representing” the interests and views of citizens within a fixed framework of “the rule of law”. The second; participatory or direct democracy corresponds to a situation where citizens are directly and widely included in the political decision-making. From the perspective of the adherents of the participatory model, direct democracy is “strong democracy”. Thus, in Barber’s (1984) words, it is a system of “self-government by citizens rather than representative government in the name of citizens”. Direct democracy’s adherents consider that in order to achieve this self-determination by citizens, democratic rights should not be

restricted to political decision-making, but be extended from the State to all important societal institutions (Pateman 1970).<sup>1</sup>

In practice, direct democracy is a term denoting a variety of processes and institutions, guaranteeing people’s (direct) involvement in political decision-making. These processes include initiatives and referendums. The research on these two direct democratic institutions, which are the most important and widely used direct democratic processes, forms the focus of this literature review article.

At the theoretical, as well as the empirical level, scholars, who have been participating in the long-standing direct democracy debate, have come up with diverging evidence and conclusions on the extent and kind of impact that direct democratic procedures have on the political processes and system as a whole. While the questions at the heart of the debate have basically remained the same, the theoretical and empirical approaches applied have changed considerably and improved over time. As for the questions, Lupia and Matsusaka (2004) have discerned four “old” questions at the center of the direct democracy debate, which are: Are voters competent? What role does money play? How does direct democracy affect policy? Does direct democracy benefit the many or the few?<sup>2</sup> In search of answers to these questions, scholars in the past have mostly taken descriptive or normative approaches. In recent decades, researchers started to use more systematically empirical procedures to test the scientific propositions made in the context of direct democracy. The growing sophistication of econometrics and the introduction of low-cost computing have allowed them to work with large data sets, and make it possible to identify key effects and establish robust empirical relations. Moreover, new theoretical tools, such as formal modelling, have been developed and theoretical approaches have been combined with approaches used in other scientific disciplines. This gives scholars the possibility of a more sophisticated examination of direct democracy’s policy-related, informational, and strategic aspects.

Taking Lupias and Matsusaka’s (2004) four “old” questions as a starting point, the purpose of this review article is to explore the recent literature on direct democracy and to extend the discussion to additional aspects not touched upon by their

<sup>1</sup> For a detailed discussion on the differences between representative and direct democracy, see Kriesi (2005).

<sup>2</sup> See also Matsusaka (2005).

review. Thus, we shall also discuss questions referring to the educative effects of direct democracy. The books and articles are presented in terms of their contributions to one of the four central questions above.

How these questions at the heart of the direct democratic debate are answered depends among other things, on the institutional context, which varies between the countries and geographical regions under study. This becomes evident when considering how diverse the design and use of direct democratic institutions are in different countries. We shall, therefore, begin with a discussion of the country-specific focus of recent literature on direct-democratic procedures (section 2). We then (section 3) turn to the central questions of the debate on direct democracy, and the answers provided by contemporary research. Section 4 concludes.

## **The country-specific focus of direct democracy literature**

The recently observed increase in the use of direct democratic instruments in different regions of the world (i.e., referendums and initiatives), as well as the incorporation of related provisions in a number of new constitutions, explains the growing interest in the subject matter. A classical overview that covers experiences with direct democracy across the world is provided by Butler and Ranney (1994). Like many other scholars, they analyze the spread of direct democracy in terms of how frequently relevant devices are used. Scarrow (2001), by contrast, focuses on institutional changes as indicators to evaluate direct democracy's global spread, and for this purpose studies the experience of 22 OECD-countries in different parts of the world. Cain, Dalton, and Scarrow (2003) further continue this line of research and provide an assessment of the extent of institutional reform in contemporary democracies, including an analysis of how the actors of representative democracies respond to the new structures. In a recent publication, edited by Freitag and Wagschal (2007), the authors take stock of current developments in the well-established direct democratic systems of Germany, Europe, USA, and Switzerland. Further useful insights into the global spread and development of direct democratic institutions are given by LeDuc (2003) or LeDuc et al. (2002).

Other overviews of direct democracy literature have a more regional focus. "Direct Democracy in Europe" has, for instance, been the subject of a recent collection of essays (Pällinger et al. 2007) that comprises theoretical and empirical studies on direct democratic institutions at the local, national, and European level. Compared to earlier writers on direct democracy in the European context, researchers today have access to a wide range of information on the various provisions, practices and trends within Europe (Pällinger et al. 2007: 1) For instance, updated information on direct democratic procedures in Europe is available at [www.iri-europe.org](http://www.iri-europe.org) (Initiative and Referendum Institute). Reflecting the historical path of direct democratic developments in Europe, earlier studies exhibit a clear focus on the direct democratic experience of Western Europe (see e.g. "The Referendum Experience in Europe" by Gallagher and Uleri 1996). In recent times, the post-communist countries of Eastern Europe have undertaken a number of institutional reforms, favourable to direct democracy. Moreover, new procedures, like the referendum, are being used more and more frequently. Except for Bulgaria, all new Eastern European

countries have asked their citizens to vote in a referendum at least once. These recent developments in Eastern Europe attract the interest of many academic researchers (see Auer and Bützer 2001).

The bulk of the literature on direct democracy focuses however, on the established democracies of the North Atlantic region and, in particular, on Switzerland and the USA. In a worldwide comparison, these two countries stand out for their long-standing and extensive experience with direct-democratic procedures. When looking at the specific form of direct democracy that exists in the two countries, we find some important differences: The practice in the member states of the U.S. can be characterized as an unmediated, populist form of direct democracy (Budge 1993, Kriesi 2008). The original purpose of the popular initiative was to circumvent state parliaments controlled by political parties, and today still it is primarily used by social movements and interest groups with the same goal. By contrast, in Switzerland direct democracy is much more organized and more tightly controlled by the political elites; direct-democratic procedures are closely linked to the procedures of representative democracy and parties have a full role to play (Budge 2001). In the Swiss context, two main instruments shape the direct democratic system, i.e. the popular initiative and the referendum. The latter is the earlier form of direct-democracy in Switzerland, and in contrast to the US context, it is the procedure that plays the most important role in Swiss direct democracy, and in all other European varieties of direct democracy (Kriesi 2008).

Switzerland is often portrayed as the country where the roots of direct democracy lie (Kobach 1993, Lloyd 1907, Zimmermann 1999). Depicting direct democracy as having a purely Swiss lineage would, however, be erroneous (see e.g. Auer 1996). Important contributions on the functioning, implications, and consequences of the Swiss direct democratic system include books written by Kirchgässner et al. (1999), Kriesi (2005), Linder (2005), and Papadopoulos (1998). Among the studies that provide a good overview of the direct-democratic institutions as used at the different sub-national political levels in Switzerland, we find the analyses by Bützer (2007), Ladner and Bühlmann (2007), Trechsel (2000), Trechsel and Serdült (1999), and Vatter (2002). Assuming that the mechanisms and logic behind direct democratic voting are not specific to the country, but relevant for all places with direct democratic experience, many authors consider the Swiss case to offer a fruitful basis for the analysis of direct-democratic choice and procedures and to allow for general conclusions on direct democracy.

The most extensive literature in the field of direct democracy, however, covers the American case. In the United States, direct democratic procedures are widely practiced, but their use is restricted to the state and city level (Tolbert and Smith 2006). Bowler et al. (1998), Cronin (1989), Ellis (2002), Magleby (1984), and Sabato et al. (2001) are among the authors who wrote standard works, containing general overviews on the direct democratic system in the USA.

A recent trend, which can be observed in the direct democracy literature, is that more and more countries that had been neglected for studies, have now become the subject of detailed analyses. Examples are the studies of Clarke et al. (2004) or Mendelsohn and Cutler (2000) on Canada, Higley and McAllister (2002) on Australia, Aimer and Miller (2002) or

Parkinson (2001) on New Zealand, Svensson (2002) on Denmark, Sinnott (2002) on Ireland, Freire and Baum (2003) on Portugal, and Denver (2002) on Scotland and Wales. Weixner (2002) wrote an interesting study on Germany, where – after the reunification of the country – an extension and more intense use of citizens' direct participatory rights can be observed. She also contributed to a publication by the Bundeszentrale für politische Bildung (2006) that gives a good overview on the direct democratic system in Germany.

An interesting strand of writings within the general direct democratic literature is concerned with comparative treatments of direct democratic procedures. Von Arx (2002) provides, for instance, a valuable comparison of the Swiss and American institutions. In the European context, Christin and Hug (2002), Hug (2002), and Hug and Sciarini (2000) compare countries' experience with referendums on EU integration. Given the similar context that many (sub-groups of) European countries are facing, these countries lend themselves as a good basis for comparative studies.

Although some of the findings gained from these country- or region-specific studies can be generalized and are not only valid for the specific case (s) under investigation, it is important to put them into context. As a consequence of the different institutional settings and also of the different factors that influence and shape the use of direct democratic instruments in a given country or region, including for example, the economic, social and organizational environment, in which citizens reside and vote (see e.g. Bützer 2007 and Trechsel 2000), the focus and emphasis of the studies, as well as the resulting conclusions differ considerably. For instance, articles and books on the American case generally exhibit a higher interest in the influence of money in direct democratic votes than studies on the Swiss case. The context, in which studies are written, also determines and explains the differences in terms of the answers they provide to the “four old questions”.

## Answers to the key questions of direct democracy research

### Are voters competent?

The increased use of direct democratic procedures in well-established, as well as in newer democracies, has led to a more direct and larger participation by citizens in the decision-making process of these countries. There has, therefore, been a growing interest in the question of whether citizens in direct democratic systems are competent enough to make reasonable decisions.

Contrasting normative positions on this issue are provided by the participatory and the representative model of democracy respectively. Whereas in the participatory model, citizens are seen as sufficiently qualified to participate in political decisions, and consequently should be directly involved in the decision-making process, the representative model of democracy puts citizens' competence into question. Schumpeter (1962) and other adherents of the representative/ liberal model support the view that ordinary citizens lack political interest and the competence to directly participate in decision-making. This explains their skepticism regarding direct democratic procedures and why, according to their view, citizens' participatory rights in the decision-making process should be

restricted to the election of representatives: “The mass of the citizens are not qualified to decide high policy, so they can be allowed to influence it only indirectly, by choosing those who are to decide rather than deciding themselves” (Budge 1996).

By contrast, adherents of the participatory model argue that the inclusion of citizens in the decision-making creates the preconditions for their participation and competent choices. In their view, direct democratic participation has an educative, empowering effect on the citizens engaging in it.

### The competence of the voters

In order to be able to judge on an empirical basis whether voters are competent enough, one needs to know how they arrive at their choices. Techniques that have been developed in recent times, such as specially designed surveys, game theoretic communication models, and laboratory experiments (see Lupia and Matsusaka 2004) allow researchers to more accurately study and empirically assess the context and mechanisms that lead citizens to make a given choice in a direct democratic vote. Particularly important in this regard are the analytical approaches and insights gained from the research in the psychology of attitudes (see e.g. Simon 1957, Tversky and Kahneman 1974). Early empirical work on public opinion in the 1950s and 1960s tended to strongly confirm belief in the ignorance and incompetence of ordinary citizens, and in doing so supported the view of the proponents of the representative model of direct democracy. According to the dominant paradigm of public opinion research at that time, mass publics were distinguished by their minimal levels of political attention and competence (Sniderman 1993). More recently, this traditional “minimalist” view of voters has been challenged by what Sniderman calls “the New Look in Public Opinion Research”. Proponents of this view (including Lupia and Mc Cubbins 1998, Page and Shapiro 1992), while recognizing that most citizens are usually little interested in politics and badly informed about it, argue that voters are nonetheless capable of making reasonable decisions based upon cognitive short-cuts or heuristics. Such “short-cuts” or “cues”, as they are also called, can be provided for instance by political parties, interest groups, or the media. Scholars differ in their presentation of the kinds and number of short-cuts that are available to the voters and in regard to which short-cut(s) they consider to be most relevant.

In one of the first direct empirical examinations in this strand of literature, Lupia (1994) shows that voters can use simple pieces of information as substitutes for more detailed information. On the basis of data drawn from an exit poll, Lupia defines three categories. He distinguishes a first category of voters who know neither the answers to the detailed questions about the propositions to be voted on, nor the preferences of the actor that has launched the initiative. A second category consists of “model citizens” who know the answers to both the detailed questions and the “initiator's” preferences, and a third, middle-range category with respondents who are not able to answer the detailed questions but who know the “initiator's preferences”. The finding that leads Lupia to a positive conclusion about the use of cues is that the “model citizens” as well as voters of the middle-range category vote in very similar ways (see Lupia 2001, Lupia and Matsusaka 2004).

In the same vein as Lupia's (2001) analysis, Bowler and Donovan (1998) conducted a more expansive empirical study, including numerous states and elections (with a focus on

California), using both individual-level survey data and aggregate data. They show how citizens employ cues and heuristics in various contexts, focusing on three elements they consider to be decisive in the voter's decision-making: "avoiding uncertainty by voting no, using instrumental evaluations of propositions, and taking cues from political elites" (Hug 2000: 455). Their finding is that citizens, although not being fully informed about the details of a vote, "appear to be able to figure out what they are for and against in ways that make sense in terms of their underlying values and interests. Failing that, others appear to use a strategy of voting 'no', when information is lacking or when worries about general state conditions are greatest." They note that "just as legislators do, these voters make choices purposefully, using available information" (Bowler and Donovan 1998). How voters cope with informational demands in Swiss referendum voting, is the subject of Christin et al.'s (2002) study.

Following Eagly and Chaiken's (1993) dual process theory, two qualitatively different paths or strategies of individual opinion formation can be distinguished: in addition to the heuristic (shortcut-based) path, there is also a systematic path. Whereas heuristic opinion formation relies on cues, not making any reference to substantive arguments, systematic opinion formation is essentially argument based.

Researchers differ on the questions of what the relative importance of short-cuts or argument-based voting is, and what circumstances make voters choose a specific type of cue or strategy. Applying insights from the psychology of attitudes to the study of direct democracy, many studies – primarily those conducted in the U.S. context – found that people base their choices mostly on relatively simple kinds of information, even when the issue debated is of high relevance and complexity (see Lupia and Matsusaka 2004). The results of Kriesi's (2005) study, which focuses on the Swiss experience, challenge this finding and allow a rather optimistic conclusion with regard to citizens' competence. Kriesi shows that argument-based decisions are generally highly important in direct democratic votes and that citizens are consequently less minimalist than is usually assumed. He finds that citizens who actually participate in the vote prove to be significantly more competent than the electorate overall, i.e. the most incompetent usually do not participate in the vote. This kind of self-elimination mechanism of the incompetent thus leads to a quasi-automatic reduction of the possibility of an unreasonable decision – a finding that has the potential to appease the fears of the critics of direct-democratic procedures.

As a decisive factor in determining citizens' competence, Kriesi (2005) identifies the role played by the political elite during the campaign preceding a vote. Combining individual-level survey data and aggregate data, Kriesi studies the interaction process between citizens and the political elites, and is able to show that the more intense a campaign is, the more information is provided to the average voter, which in turn raises the voters' issue-specific competence and consequently increases argument-based voting. Kriesi demonstrates that the political elite, being in a position to determine the intensity of the campaign that precedes a vote, decisively influences the quality of the vote. Competence as considered in Kriesi's study, is a dynamic concept which is subject to changes that depend, amongst others, on the behavior of the political elite (See also the discussion on Educative effects of direct democracy). Kriesi's study covers a period of almost 20 years and should be

seen as a continuation and extension of the recently emerged direct democracy literature on Switzerland that builds on Zaller's (1992) theory on the nature and origin of public opinion. Previous contributions in this field include studies written by Sciarini (2000) and Sciarini and Marquis (2000), which mainly focus on votes on foreign policy issues. In the same strand of literature, we also find studies that consider a larger set of policy areas and propositions, as for example, Bützer and Marquis (2002).

To conclude, the recent studies considered here on voter competence in direct democratic systems, indicate that citizens are sufficiently competent to make the kinds of decisions they face in direct democratic votes.

### **Educative effects of direct democracy**

The literature on educative effects completes the discussion on the level of voter competency. At the same time it is an extension to the research work on direct democracy's effects on public policy (see *How does direct democracy affect policy?*). Educative effects can be understood as spillover effects of direct democracy (Smith and Tolbert 2007, Tolbert and Smith 2006). The research focus here is not on the substantive policy consequences that result from direct democratic votes, but on how direct democratic voting measures potentially affect the electoral process itself. The focus lays on the changes in citizen attitudes and behavior and includes considerations on changes in the strategies of interest groups and political parties (Tolbert and Smith 2006).

Studies on direct democracy's educative effects conclude that citizens who are exposed to initiatives have more political knowledge (M. Smith 2002, Tolbert and Mc Neal 2003) and interest in politics (Tolbert and Mc Neal 2003). In explaining the mechanism leading to more political knowledge and interest, different authors emphasize the importance of the institutional particularities of a direct democratic system. Kriesi (2005) makes this point with regard to the Swiss system, where direct democratic votes take place in a well-structured context, and where the format of the vote is standardized and well known by the citizens. In such a setting, with regularly and frequently organized votes, voters have been shown to be likely to "accumulate a set of habits allowing them to manage the task of voting with a minimal amount of effort" (Kriesi 2005: 138).

Barankay et al. (2003) also concluded that the educative effect of direct-democratic procedures depends on the institutional specificities. Their focus is on institutional openness, which they measure by the number of signatures necessary to force a ballot and the time limit within which they have to be gathered. Data for ballots in the Swiss cantons for the period from 1970 to 1996 serve as the basis for their empirical analysis. The requirement of a large number of signatures has a positive effect on awareness in the population at large, and generates more information about the issues at hand, which – and this is a key finding of their study – eventually leads more voters to turn out.

### **How does direct democracy affect policy?**

The question of how direct democracy affects policy is crucial. It also pre-structures the possible answers to the other two remaining "old" questions, i.e. the question relating to the role of money, and the question of who the main beneficiaries of a direct democratic system are – "the many or the few".

Direct democratic institutions affect policy in various ways. Researchers generally distinguish between direct and indirect effects. This distinction was already made by early writers on direct democracy (e.g. Key and Crouch 1939, Rappard 1912) and has been further developed by a growing number of recent theoretical models dealing with referendums, such as those proposed by Besley and Coate (2001), Gerber (1996), Hug (2004), Matsusaka and Mc-Carty (2001), and Steunenberg (1994).<sup>3</sup> Direct effects can be defined as the effects engendered by the adoption of a proposition by the voters that would not have found the necessary support in the legislature. Thus, direct effects are the immediate consequences of popular votes. Indirect effects of direct democracy, by contrast, refer to differences in policies that do not depend on the success of a popular vote on a given proposal; they concern the changes in legislative behavior through the anticipation of the possible use of direct democratic procedures (see Bowler and Donovan 2004, Gerber and Hug 2001). Direct and indirect effects of direct democratic institutions often interact in complex and subtle ways and sometimes may even cancel each other out. From an empirical perspective, it is consequently extremely difficult to make a distinction between them and study them separately (Gerber and Hug 2001). We focus here on direct effects and discuss the indirect effects in the next section.

Regarding the study of direct democracy's direct effects, scholars often center their research on the question of whether initiative and referendum lead to better or to worse decisions and outcomes. Is direct democracy desirable or not? This is an essential question that has been extensively addressed in the literature, going to the very heart of the direct democracy debate, dividing the proponents of participatory democracy and proponents of representative democracy into two opposing camps. Among these studies we find those that attempted to assess the quality of public decisions in terms of the economic success that a given political unit has had, i.e. they use economic indicators to measure direct democracy's effect on the political system. For Switzerland, a number of authors have conducted comparisons at the cantonal and local level and found a beneficial effect of direct democratic institutions in that they would – through the more direct control – lead to better macro-economic performance, lower public debt, lower public expenditures in general and lower health expenditures in particular, lower levels of tax evasion, and better public services (Feld and Kirchgässner 2001, Feld and Matsusaka 2003, Feld and Savioz 1997, Kirchgässner et al. 1999, Freitag and Vatter 2000, Pommerehne 1978, Vatter 2002, Vatter and Rüfli 2003, Wagschal 1997). Blomberg et al. (2001) also adopt a macroeconomic approach to studying the differences between American states with and without a direct democratic system. The finding is that states with the initiative system experience faster growth in output per capita than those without, and that the same states perform better in terms of public spending, i.e. public spending in these states is found to be less wasteful (see also Matsusaka 1995).

Studies concluding that direct democracy has an overall beneficial effect on a country's economy are challenged by scholars, such as Borner and Rentsch (1997) whose research focuses on direct democracy's effects on economic growth. According to their theoretical argumentation and empirical findings, direct democratic instruments compromise the conditions that allow an economy to grow successfully. The existence of a direct democratic system would have a negative

<sup>3</sup> For details see Hug and Häfliger (2007).

impact on a country's capacity to innovate and to adapt to changing circumstances; it would give interest groups the power to slow down reform processes and may even enable them to render a coherent and consistent strategy impossible. In this perspective, direct democracy is presented as a danger for stable, foreseeable framework conditions. The primacy of popular sovereignty would lead to arbitrariness in state actions, and hinder the political system in the setting of clear priorities. The uncertainty related to such a political system would also negatively impact on a country's external relations – another factor considered to be vital for the prosperity of a country's economy. As a particularly striking example in this context Borner and Rentsch cite Switzerland's rejection of entering the European Economic Area in 1992, which, according to them, can be traced back to the country's institutional setting, i.e. Switzerland's direct democratic system.

The recent statistics-based research is informed by theoretical models which consider the uncertainty on various aspects of the political process, with which the government and the legislature are confronted in a direct democratic system. Importantly, these models suggest that the effect of direct legislation on policy outcomes crucially depends on voter preferences, which consequently should be taken into consideration when studying direct democracy's effects on public policy. In contrast to the large number of studies focusing on economic outcomes, studies of non-economic policies, which developed more recently, attempt to make this link between preferences and expected changes in policy consequences clearer by employing more direct measures of preferences based on survey results (Gerber and Hug 2001). Gerber's well-known studies (1996 and 1999) on the differences that exist between US states with regard to particular sets of social policies are examples of such studies. Gerber finds that states with direct democratic experience are more likely to require parental notification when minors seek abortion and are more likely to use capital punishment.

Placing the focus on voter preferences also allows us to better understand why effects of direct democratic procedures on public policies may differ considerably depending on the policy area under consideration, i.e. different policy issues may respond to direct democratic institutions in heterogeneous ways. Context factors may play a key role. For the area of defense policy, Bühlmann et al. (2006) identify a number of political, economic, and sociological factors as being of importance in determining policy outcomes. These include; unemployment rate, proportion of foreign population, population density, religion, as well as the composition of the cantonal or municipal government (proportion of women, presence of right-center majority). With regard to foreign policy, Sciarini and Marquis (2000) compare the process of voters' opinion formation in foreign policy with the process in domestic politics in general and find that while the process as such is not intrinsically different, foreign policy appears nevertheless as a particular case concerning the circumstances in which opinion formation takes place (higher level of conflict, higher intensity of campaign, different alignment within the party system).<sup>4</sup>

<sup>4</sup> For a detailed discussion on the particularity of foreign policy in the context of the Swiss direct democracy debate and its comparability and interconnectedness with domestic politics, see Delley (1999). See also: Marquis (2006).

Among the scholars who highlight the importance of institutions in determining policy outcomes, there are those who point to particularities in the institutional framework as being highly relevant. Starting from the criticism that most studies on direct democracy's effect on policy have simply assumed that all initiatives are the same, Bowler and Donovan (2004) show that the impact of the initiative process varies depending on its specific design and use. They find that the initiative has a greater impact where it is easier to get a measure on the ballot, where it can more easily circumvent the legislative process, and where it is used the most. Also interesting in this context is Kriesi's (2005) finding that the two main direct democratic instruments existing in Switzerland, the referendum and the popular initiative, differ in terms of the degree of impact they have; the referendum has been found to be more challenging for the government than the initiative, which is considerably less successful in votes.

The contributions above make it clear that the relationship between policy, voters, legislatures, and institutions is highly complex (Gerber and Hug 2001). Depending on the theoretical model employed and the empirical specification, these factors are attributed different importance in explaining direct democracy's effect on policy. The assessment of whether direct democracy has beneficial effects will therefore differ. This can, for instance, be illustrated by the example of some of the studies cited in this section, which analyze direct democracy's effect on government spending (e.g. Feld and Kirchgaessner (2001), Matsusaka (1995) cited above). Funk and Gathmann's (2006) criticize these studies for omitting voter preferences in their analysis. As a consequence of this omission the impact of institutions on policy-making would be overstated. Funk and Gathmann's results demonstrate that both voter preferences and the institutional framework matter for the size and scope of government (measured in terms of expenditures), but that conditional on voter preferences, the effect of direct democracy declines by 40%. Hug and Tsebelis (2002), further provide an analysis in which this complex relationship between institutions and voter preferences is investigated into depth at the theoretical, as well as the empirical level.

## **How direct democracy affects the political system**

### **Effects on the behavior of the legislature**

The literature explicitly dealing with indirect effects of direct democracy is extensive and well developed for the Swiss case. A standard work on "the institutional logic" of direct democracy is Neidhart's (1970) treatise on the transformation of the Swiss 'plebiscitary democracy' into a 'negotiation democracy'. Neidhart demonstrates how democratic institutions exert strong pressure on political actors to come up with compromise solutions. The veto power given to the people through the referendum forces the legislature to take into account the citizens' preferences and to adapt their policies respectively.<sup>5</sup> The introduction of procedures to consult interest groups about new legislation, as well as the existence of a grand coalition government at the federal level, in which the four major Swiss political parties are represented (since 1959), illustrate the need for bargaining in a direct democratic system.

<sup>5</sup> The empowering effect that direct democratic instruments can have on citizens is highlighted in Frey's (1994) study which portrays, initiatives and referenda as "effective means by which the voters can regain control over politicians"; direct participation would serve to keep the ultimate agenda-setting power with the voters.

Neidhart's argument has subsequently been further developed and refined by other scholars (e.g. Immergut 1992).<sup>6</sup>

Indirect effects of direct democracy may take different forms depending on the specific instrument under consideration. In a comparison of the Swiss cantons, Vatter (2000) shows that optional referendums without a quorum of consent correspond to majoritarian forms of democracy, whereas mandatory referendums and initiatives with a quorum of consent share similarities with forms of power-sharing that are typical for consensus democracies.<sup>7</sup> Other authors, such as Linder (1999), point out the contrasting effects of the two key devices of Swiss direct democracy; the referendum and the initiative. The referendum has been found to be an instrument that preserves the status quo (i.e. having a conservative effect), whereas the initiative has an innovative effect, bringing new issues to the political agenda. Freitag and Vatter (2006) investigate the question of whether direct citizen participation in politics act as a brake or as an accelerator with regard to fiscal expansion in Swiss cantons. On the basis of their pooled time-series analyses they can confirm the expected slowing down effect of the fiscal referendum, but not the postulated accelerating effect of the initiative.

Employing a comparative research design, a number of quantitative studies confirm the qualitative research findings with regard to direct democracy's indirect effects; that the simple threat of initiatives may influence how legislators behave. Evidence in this regard has, for example, been provided by Gerber's (1999) study on the differences between different U.S. states' abortion policies, where it is shown that interest groups can indirectly influence policy outcomes by invoking the threat of an initiative to spur legislators into action. These kind of indirect effects have been found to be relevant in a variety of additional policy areas, including the death penalty (Gerber 1999), tax and spending (Matsusaka 1995, 2000, Schaltegger and Feld 2001), and minority rights (Gerber and Hug 1999).

### **Effects on political organizations**

Political parties have been found to adopt different strategies in response to the challenges in a direct democracy. Smith and Tolbert (2004) demonstrate that the use of initiatives in the United States is, amongst others, linked to mobilizing political parties (see also e.g. Bowler and Donovan 1998, Smith and Tolbert 2001). They investigated political parties' strategic use of direct democracy and found clear evidence that political organizations use the process not only for instrumental ends, but also to change and shape the electoral landscape by mobilizing base supporters, driving wedges into opposing coalitions, and draining the coffers of political opponents (Tolbert and Smith 2006). In an empirical study of the 26 Swiss cantons, Ladner and Brändle (1999) show that direct democracy in Switzerland functions hand in hand with more professional and formalized party organizations. This interesting finding is in opposition to the widely shared view in the literature that direct democracy weakens political parties – a view, for which de Vreese (2006) has provided empirical support in a recent study. De Vreese, investigating the

<sup>6</sup> For a detailed discussion of how direct democracy affects the size and scope of government activity, see Wagschal (1997), Vatter (2000), and Vatter and Freitag (2007).

<sup>7</sup> He thereby is able to establish, theoretically and empirically, the connection between direct democracy and Lijphart's (1999) theory of the two competing democracy types, i.e. the majoritarian democracy and the consensus democracy (see also Vatter and Freitag 2007).

challenges that political parties face in referendums, concludes that their control over outcomes and the electorate is considerably restricted. While political parties are still key actors in a referendum campaign, a number of factors have been found to weaken their position: ambiguous cueing, internal dissidence, electoral volatility and limited impact on citizens' prime information sources all reduce the influence of political parties. Moreover, he shows that smaller parties campaigning with a clear message and supported by a fairly homogeneous electoral segment are successful in aligning their voters with the party, while larger and broader political parties are less successful.

To some extent this latter point is in line with the finding of Papadopoulos (1991) who, in his study explicitly focusing on direct democracy's effect on small parties in Switzerland, shows how right wing parties had been strengthened through the availability of direct democratic procedures. Recent research in the Swiss context confirms from a more general perspective the strengthening effect of direct democracy on political parties (see the studies by Höglinger 2008 and Tresch 2008).

Political parties' behavior during campaigns – and the strategy of the political elite more specifically – has been found to play an important role regarding the outcome of votes, as well as participation rates. The results of Kriesi's (2005) study suggest that a campaign's intensity, which reflects the mobilization effort by the political elite, is very important in view of the quality of the citizens' voting choice. A general finding of various studies is that consensus within the political elite is decisive for the outcome of a vote (e.g. Freire and Baum 2003, Marquis 2006). Consensual strategies by the elite have been found to allow for a certain control over the effects of direct democratic instruments (Treichsel 2000). In the case of a division within the political elite, this control is considerably diminished.

By controlling the intensity of the campaign, the elites determine to a great extent the level of participation by the citizens. Thus, mobilization by the elite during the campaign preceding the vote increases both the citizens' capacity to vote and their motivation to do so (Kriesi 2005). This positive effect that direct democracy can have on voter turnout (see also Barankay et al. 2003 above), which is considered to be a particularly important educative effect, could also be confirmed for the U.S. context (Donovan and Smith 2004, M. Smith 2001). Research finds that the existence of direct democratic procedures, and the presence of the initiative in particular, increases political participation in low-profile mid-term elections (e.g. M. Smith 2001) as well as in higher-profile presidential elections (Tolbert and Smith 2005). In line with Kriesi's (2005) findings Smith (2001) argues that campaign efforts – in combination with salient propositions – can increase the turnout.<sup>8</sup>

Furthermore, citizens living in places with direct democratic experience have been found to be more likely to contribute to citizen interest groups (Smith and Tolbert 2004). According to Boehmke's (2002) findings, the existence of the initiative process potentially increases the number of interest groups active in a state.<sup>9</sup> In his comparative analysis of the 24 Swiss

cantons, Freitag (2006) also arrives at the conclusion that having direct democracy in place promotes a lively associational life. Freitag highlights the importance of this finding with regard to the concept of social capital and the latter's relevance to the functioning of a democracy: direct democratic procedures, together with an inclusive government coalition and a high degree of local autonomy are political institutions that are beneficial to the creation of social capital. He sees in these institutions the basis for a feasible 'top-down' solution to escape the vicious circle of distrust, disengagement and weak democracy, from which entities lacking social capital suffer (see Putnam 1993: 117).

#### **Effects on the general democratic functioning and support**

There are studies demonstrating that political efficacy is enhanced by direct democratic procedures (Bowler and Donovan 2002, Hero and Tolbert 2004, Mendelsohn and Cutler 2000). Moreover, a large number of scholars confirm that democratic procedures have beneficial effects on the political process as a whole. On the basis of the Swiss experience, Papadopoulos (2001) establishes, for instance, that direct democratic institutions have an integrative and legitimizing function. Allowing citizens to directly participate in decision-making appears to lead to the acceptance of collective decisions and in doing so contributes to the stabilization and the legitimization of a democratic polity (see also Papadopoulos 1998).

Related to this legitimization function, Frey and Stutzer (2002) find that people living in Swiss cantons where the direct democratic system is more developed are happier and more satisfied. They argue that this greater satisfaction does not only result from the higher level of public performance, but that it is also a direct consequence of the greater legitimacy of public decisions made in direct democratic procedures. Frey and Stutzer succeed in empirically separating these two effects, the effects of direct-democratic institutions on public performance and their purely procedural effects – and are, thus, able to confirm their hypotheses. They find that the opportunity for direct-democratic participation does indeed have a direct effect on the general life-satisfaction of Swiss citizens - an effect which is highly robust. The relationship between cantonal direct democracy and perceived subjective well-being in Switzerland has been re-evaluated and challenged by different contributions, such studies by Dorn et al. (2008) and Fischer (2005). Fischer shows that the results are problematic since they are not reproducible with other data, and that the empirical analyses themselves cause crucial problems of inference. Using new data from the Swiss Household Panel, Dorn et al. find that once language is controlled for, no robust significant relationship between the extent of direct democracy and life-satisfaction can be observed, and that direct democracy does not affect well-being within language groups in Switzerland.

Furthermore, Vatter (2000) highlights the potential of popular rights as "effective and sensitive instruments for conflict regulation" and their potential contribution to the "general improvement of democratic functioning", which is particularly relevant for highly developed societies, characterized by "heterogeneity and polyvalence of political groups and subcultures" in densely populated urban areas (see also Trechsel and Kriesi 1996, Vatter 2000: 185-87).

<sup>8</sup> Tolbert and Smith (2005), p. 296

<sup>9</sup> For a more detailed overview on the literature on educative effects, see Tolbert and Smith (2005), Tolbert and Smith (2006), or Smith and

Tolbert (2007).

## Does direct democracy benefit the many or the few?

In the scope of the discussion on the beneficial or non-beneficial effect of direct democracy, some scholars focus on the question of whether direct democracy benefits the many, meaning citizens, or the few, meaning special interest groups. A possible way to approach the question, which has been the focus of several studies, is to evaluate how close the correspondence is between citizens' preferences and policy outcomes in political entities with, and without referendums or initiatives. Almost all theoretical models conceived to study direct democratic instruments (including Besley and Coate 2001, Denzau, Mackay and Weaver 1981, Gerber 1996, Hug 2004, Matsusaka and McCarty 2001, Romer and Rosenthal 1979, and Steunenberg 1994) come to the conclusion that if a particular political entity has a system of direct democracy, policy outcomes should reflect more closely the preferences of citizens than in entities without such a system.

The empirical evidence, however, is mixed. Among the scholars who share the view that direct democracy favors special interest groups over the general population, we find the Swiss economist Borner (Borner et al. 1990, Borner and Rentsch 1997), who argues that the referendum as well as the initiative, rather than being instruments of the people as a whole, mainly serve organized interests and promote rent-seeking behavior. According to Borner, through the existence of direct democratic procedures, small interest groups are given a veto power and are in a position to exert direct influence on political processes. As a consequence, the state's capacity to act is considerably restricted or completely blocked. Other scholars that criticize direct democratic institutions for biasing policies toward the preferences of interest groups include Broder (2000), Schrag (1998), and Smith (1998). Broder for instance, not only fears that direct democracy risks being transformed from a tool of the regular citizen to an instrument of special interest groups (see also Gerber's (1999) "populist paradox"), but argues that by opening the door to demagogues and influential and wealthy interest groups and individuals, direct democracy has evolved to become a threat to America's representative democratic system.

Other researchers who challenge the general assumption that direct democratic processes lead to public policy that better reflects mass preferences are scholars, such as Camobreco (1998), Hagen et al. (2001), and Lascher et al. (1996), who empirically show that direct democratic institutions have no significant positive influence with regard to the recognition of citizens' preferences (Matsusaka 2001: 1).

From a theoretical perspective, however – as has been noted by Hug and Häfliger (2007) – very narrow assumptions have to be made in order to obtain models that predict policy outcomes that are biased toward the will of special interest groups (Hug 2004, Matsusaka and McCarty 2001). In the same study, Hug and Häfliger make the observation that despite the wealth of theoretical models which exist on this topic, empirical studies which test for this specific theoretical implication are rather scarce. Among them, we find Gerber (1996), Gerber (1999), Hug (2004), Matsusaka (2004), and Matsusaka (2006). The authors have two explanations for the scarcity of empirical analyses in this specific research area. Firstly, researchers have encountered difficulty in obtaining good information on the preferences of voters in the policy areas under examination, and secondly, sophisticated empirical models are needed that allow

for unbiased inferences and a correct assessment of whether referendums lead to policies more closely reflecting the voter preferences. Regarding the latter point, it is important to distinguish cases where policy outcomes can be measured dichotomously (e.g. presence or absence of a policy), and cases where policy outcomes are continuous. For dichotomous policy outcomes, a simple empirical model can be adequate (such as a correctly specified binary response model or a simple comparison of voter preferences and outcomes), but this is not possible when policy outcomes are continuous. This point was made by Hug (2001) and Matsusaka (2001), who have both proposed possible solutions to this analytical challenge.

In agreement with the large majority of the theoretical models, Matsusaka (2004) finds that it is mainly the many, the citizens, who benefit from the direct democratic process and not the few, i.e. the special interests. After assembling and analyzing tax and spending data to determine initiatives' effects on policies, Matsusaka compared these policies with the expressed preferences of citizens derived from previously examined opinion data.

The question of who benefits from direct democracy presents a special twist with regard to countries with a dominating political majority and one or several minorities. Vatter (2000) presents direct democratic procedures as substitute power-sharing instruments for minorities that are not sufficiently integrated. He provides empirical evidence that optional referendums and initiatives are used more readily by underrepresented minorities where the political system is less consensual, and they therefore serve as alternative instruments of power distribution. In contrast to studies that shine a positive light on direct democracy's integrating function, Gamble (1997) states in her analysis on civil rights initiatives in the United States for the period between 1959 and 1993, that the political majority has repeatedly used direct democracy to put the rights of political minorities to a popular vote, and that anti-civil rights initiatives "have an extraordinary record of success" (Gamble 1997: 261). The question of whether direct democracy is beneficial or detrimental to minorities is also of special interest in ethnically divided societies. Hajnal et al. (2002) respond to critics that "argue that direct legislation allows an electoral majority to undermine the interests and rights of racial and ethnic minorities". They conclude their analysis of direct democracy outcomes in California between 1978 and 2000 by stating that there is "little overall anti-minority bias in the system of direct democracy" (Hajnal et al. 2002: 154, 174). Their study shows that critics have overstated the negative impact of direct democracy by narrowly focusing on one, or a few minority-targeted initiatives. In the debate on how minority rights fare in direct democracy votes (see also Gerber and Hug 1999, Haider-Markel 2007), the jury is still out.

We can now turn to the question of what role money plays in direct democratic votes, since this question can also be linked to the discussion of who benefits from direct democracy.

## What role does money play?

Many scholars have attempted to measure the effect of money on direct democratic votes. Early contributions in this research field, like the study written by Magleby (1984), compare passage rates for small samples of initiatives in which one side clearly outspent the other, to passage rates where spending was roughly equal (see also Lee 1978, Lowenstein 1982, Owens and

Wade 1986, Shockley 1980, and Zisk 1987). The results indicate that heavy spending against a proposition tends to lead to the proposition's defeat, whereas heavy spending supporting a proposition has a minimal effect (Lupia and Matsusaka 2004).

This general finding has been confirmed by more recent studies, which were able to employ more sophisticated techniques. Gerber (1999) for instance, estimates regressions for a sample of 125 propositions in eight American states in order to assess the effect of spending in favor and against a measure on the measure's success (it is controlled for the type of spending and other variables).<sup>10</sup> In line with the earlier contributions, her analysis shows that spending against a proposition has a large and statistically relevant negative effect on its likelihood to be passed, whereas spending in favor of the proposition has a small and rather insignificant effect. Gerber concludes that "the empirical evidence provides further basis for rejecting the allegation that economic interest groups buy policy outcomes through the direct legislation process" – a conclusion that finds further support in a related work by Bowler and Donovan (1998).

In contrast to these studies stands the work by American journalist Broder (2000). Claiming that money has a significant impact both on whether an initiative is passed or fails, Broder argues that interest groups who spend significantly more will win. The results of his descriptive study agree with scholarly research, which has shown that interest group contributions do have an impact on the outcome of ballots (Ellis 2002, Schrag 1998, Smith 1998).

Broder (2000) holds the view that in the past (the Progressive era), citizen groups controlled the process and that democracy was derailed due to the passage of time. Over time, grassroots campaigns turned into a lucrative political industry, with a lot of money involved. In this manner, he promotes an idealized vision of direct democracy as it was in the past. This view has been challenged by the evidence provided in Allswang's (2000) study on the California ballot, in which he evaluates all the initiatives and referendums from 1912 to 1998. By placing the direct democratic instruments into a historical context, Allswang tries to further a better understanding of their contemporary use. He finds that the U.S. direct legislation politics in the past display a strong similarity to those of the present regarding various aspects, including the role that money plays. Based on historical examples he is able to show that the money spent by organized economic interest groups played a crucial role from the beginning.

In a comprehensive review of the contributions to the question of what role money plays in direct democratic votes in the American context, Lupia and Matsusaka (2004) conclude that money matters, but in a nuanced way. They emphasize that the evidence on spending also indicates that the initiative process does not necessarily lead to policies that are contrary to the positions of the majority. In the absence of preexisting public support, the financial resources of business groups would be ineffective in changing the status quo. Moreover, the financial resources of the majority of citizen groups would be too scarce to bring about a decisive change.

<sup>10</sup> In her analysis, she examines the effects of contributions from economic groups who she defined as groups that are rich but have a small membership base, and of citizen groups displaying the opposite characteristics.

A recent study by Stratmann (2006) voices some general criticism regarding the literature that examines the importance of campaign spending in terms of their impact on the success or defeat of ballot measures. He points out that the methods, as for instance used by Gerber (1999), do not control for the endogeneity of interest group campaigning. Groups may spend strategically, depending on the expected outcome of the ballot measure. Stratmann addresses this methodological challenge by suggesting a research design that allows for controlling of voter preferences and initiative particulars, and is thus able to show that not only opposing, but also supporting interest groups' campaigning has a quantitatively important and statistically significant influence on ballot measure outcomes.

In addressing the question of the role of money in direct democratic systems, we have so far concentrated on the studies, written in the context of American politics, which constitute the bulk of the literature with regard to this specific question. In the literature on the Swiss direct democratic system, the role of money, although being an important subject, does not receive the same level of attention. It is still worth mentioning a number of valuable contributions that have been made in this context. Kriesi (2005) for instance, finds that the overall relationship between the direction of campaign spending and the outcome of the vote in Switzerland is rather weak. He explains that this surprising result is partly due to the fact that initiatives, for which the campaigns in Switzerland are much more intensive than for referenda, are almost always rejected by the government and virtually always fail to pass in at the ballot. When anticipating a close vote, the government's camp invests large sums in the campaign against the initiatives, and is in most cases able to impose itself against its challengers. For the referenda, it has been found that the overall relationship between the direction of spending and the outcome of the vote is closer than for initiatives, but is still relatively weak. The reason for this is that the minorities challenging the government's project by an optional referendum invest in their cause, no matter whether they anticipate a close vote or not. In his study, Kriesi has been able however, to discern one situation in which the direction of investment in a campaign becomes decisive. In the case of referenda that are highly contested, the side that is able to mobilize more resources during the course of the campaign will virtually always impose itself against the other camp. This result supports in a very specific context the general conclusion of Hertig (1982), who maintains that money plays a decisive role in influencing the results of a vote, and that in theory, it is possible to buy the outcome of a vote in Switzerland. A note of caution has to be added however on such general statements on the effect of spending in Switzerland, as made by Hertig: in both works cited, it is not information on campaign spending as such that is used, but proxies are employed.

## Conclusion

The literature reviewed in this article included for the most part books and articles written on the American and Swiss experience with direct democracy. This reflects the general research concentration that exists in the field. However, the introduction and more frequent use of direct democratic procedures in more recently established democracies such as in the post-communist countries of Eastern Europe leads to a new dynamic and offers ground for new studies. The insights gained from the direct democratic experience in the "older"

democracies can serve as a useful basis for continuing academic work, as well as for policy-making in these countries.

This review also highlights the need to be cautious with regard to generalizing findings gained in a specific context. By studying the literature on the American and Swiss case more in detail, it was possible to carve out important differences. The study of the role of money in direct democratic votes and the question of who direct democratic systems benefit – the many or the few – are extensively treated in the literature on the American case, whereas we cannot find the same interest in these questions on the part of the authors studying the Swiss direct democratic system. This can be explained by the differences that exist between the direct democratic systems in the two countries. Consequently, for a comprehensive understanding of the functioning and the effects of direct democracy, it does not suffice to narrowly focus on studying the direct democratic instruments as such. It is important to open the scope of research and to take into account the bigger context in which direct democratic procedures are placed, including the general institutional framework, the strategies of political elites, and voter preferences, as well as economic and sociological context factors.

The leading scholars on direct democracy whose books and articles have been reviewed here give an overall picture of direct democratic procedures and their consequences, which is somewhat positive. This optimistic view can be illustrated by the answers the scholars found to the four “old” questions. Recent research has demonstrated that voters are more competent and the relationship between money and power is less nefarious than has been suggested. Furthermore, direct democracy has been found to potentially enhance citizens’ political interest and competence. Other evidence shows that the existence and use of direct democratic procedures lead to public policy that is more responsive to voter preferences. Despite the important number of works highlighting the beneficial effects of direct democracy, the empirical evidence is nevertheless mixed. The sometimes even contradicting results of studies on direct democracy are also a consequence of the fact that the relationship between direct democratic institutions, policy, voter preferences, and further relevant variables is highly complex, and that these factors’ respective roles in determining policy outcomes is difficult to assess. Depending on the approach taken and the emphasis laid on different factors and how they are linked to each other, results may considerably differ.

Reviewing the literature, we have found a general consensus that direct democracy affects policy – directly and indirectly – and furthermore, has an impact on the political system as a whole. As regards direct policy consequences of direct democracy, scholars have identified potentially positive effects, such as better macro-economic performance and better public services etc., as well as less beneficial effects such as slower economic growth, inconsistent and incoherent policies. In contrast, research on direct democracy’s indirect policy consequences generally refers to changes in the attitudes and behavior of political actors, including the legislature, political parties, and citizens. Studies on more general influences on the political system, such as a potentially stabilizing and integrating effect of direct democratic procedures, form an additional strand within the literature. As nature of the research topic is highly complex, the answers to the question of how direct democracy affects policy are often diverse and complex

themselves. Nevertheless, all of the implications resulting from direct democratic institutions prove to be interesting and worth looking into. With the rise of the use of direct democratic procedures within states but also cross-nationally, the study of direct democracy will continue to be a dynamic field of research that is of high relevance and interest.

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