

# Literature on Referendums and Direct Democracy

By Matt Qvortrup<sup>1</sup>

## Introduction

Referendums have been defined as popular votes on bills before they become laws. However, referendums can also be held on existing laws or constitutions (as in the cases of the British referendum on membership of the European Union in 2016 or the Irish vote on abortion in 2017). In addition to these types, there are initiatives, defined as ‘popular votes on laws proposed by the citizens’, and ‘plebiscites’, which are votes by the whole population in authoritarian states. Scholars have sometimes disagreed as to the definition of referendums. Some have adopted the general umbrella term MDD (Mechanisms of Direct Democracy) to cover all these different types of institutionalised direct or semi-direct democracy. But generally, the word referendum has been used as the general signifier.

## The Early Studies of Referendums

While some major thinkers, such as Max Weber, Morsei Ostrogorski and Hans Kelsen made passing reference to the referendum these did not amount to analyses. Admittedly some of the greatest philosophers of the Western tradition wrote approvingly about mechanisms that allowed the citizens to approve or reject policy proposals put forward by the elected representatives, in other words, what we would call referendums. The writers include Aristotle, Machiavelli and Rousseau. However, it was not until After the French Revolution that the term referendum was used, and that researchers began to reflect on the institution, See Suksi 1993 and Qvortrup 2018. The French mathematician Condorcet proposed that constitutions should be ratified by the people in national votes. This idea was further developed by the Swiss politician and utopian socialist Karl Bürkli. His writings were translated into English and inspired both British and American reformers. One of the ideas espoused by Bürkli, 1869, was that the referendum could provide a ‘veto’ against decisions made by the politicians. The idea that the referendum could perform the function of a ‘people’s veto’, was also the thrust of the writings of constitutional lawyer, Albert Venn Dicey 1890. Dicey was overtly political. His interest in the referendum was based on a desire to stop Home Rule for Ireland. Yet, his political activism – like that of Lenin (to take an example from the other end of the ideological spectrum) – spurred him to consider the theoretical justifications for and effect of political institution. John St Loe Strachey was an English intellectual who shared many of Dicey’s conservative views. Following on from Dicey’s articles, Strachey wrote the book *The Referendum*, which was the first monograph in English on the subject of referendums. For Strachey too, the referendum was a “a veto”, which would ensure that “the people as a whole must have the final word” (Strachey 1924, 26). Many of the ideas that inspired the referendum came from Switzerland. That was not only true in the United Kingdom, but also in the United States. From

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the 1890s and onwards a number of books appeared which combined activism with scholarship. Thus, Sullivan, 1893, an American who had travelled in Switzerland, inspired the political movement that led to the adoption of the initiative and the referendum in several US states, mainly in the West. The experiences with direct democracy were analysed in essays collected by William B. Munro, 1920 While Dicey and Munro made some references to the practical use of referendums, it was the research by Sarah Wambaugh, 1920 and later her follow study, Wambaugh 1933, which inaugurated the systematic, critical and empirical study of referendums, which, in some regards, is yet to be surpassed, or even matched by later scholars. A somewhat shorter work, covering the same ground, but with a focus on referendums on independence and national sovereignty is Johannes Mattern, 1921.

Karl Bürkli (1869) *Direct Legislation by the People, versus representative Government*, translated from the original Swiss Pamphlets by Eugene Oswal, Cherry & Fletcher, London 1869. An immensely influential collection of writings on direct democracy which inspired American and British politicians

Dicey, Albert Venn (1890) 'Ought the Referendum to be Introduced into England?' *The Contemporary review*, 24 (4): 489-511. A seminal article that established the modern idea of the referendum as a 'people's veto', though written in a somewhat polemical tone.

Johannes Mattern (1921) *The Employment of the Plebiscite in the Determination of Sovereignty*, Baltimore MD, Johns Hopkins University. A well-written and concise history on referendums on sovereignty and border disputes covering the period from 1400-1920.

Munro, William B. (1920) *The Initiative, Referendum and Recall*, New York, D. Appleton and Company. A comprehensive anthology of the major articles written about and in favour of initiatives and referendums, including an early article by Woodrow Wilson, a Princeton Political Scientist who later became the 28<sup>th</sup> president of the United States.

Qvortrup, Matt (2018) *Referendums around the world*. Basingstoke Palgrave Macmillan, This edited volume is divided into chapters on different continents rather than countries, though there is a special chapter on Switzerland. It provides an overview of the philosophy of the referendum, its history and the politics of its use by some of the leading writers on the topic.

Suksi, Markku (1993) *Bringing in the people: A comparison of constitutional forms and practices of the referendum*. Dordrecht, Martinus Nijhoff Publishers. A legal treatise that provides a comprehensive overview of the constitutional provisions for referendums. The focus is on developed West European countries.

Sullivan, J. W. (1893). *Direct Legislation by the Citizenship through the Initiative and Referendum* New York True Nationalist Publishing Company. A largely activist book that covered the use of the referendum as a check on organised capitalist interests.

Wambaugh, Sarah (1920). *A monograph on plebiscites: with a collection of official documents*. New York, Oxford University Press. A truly revolutionary study of the theory and practice of referendums until 1920. The first treatise on the comparative study of referendums, which covered all votes until the end of the First World War.

Wambaugh, Sarah (1933). *Plebiscites since the world war: With a collection of official documents*. Vol. 1. Carnegie endowment for international peace. This work complemented Wambaugh's earlier work and provided empirical evidence on referendums held after the First World War, with parallel translations of important documents. A Tour de Force!

## **Switzerland**

Direct Democracy in general – and referendums in particular – are associated with Switzerland to the same degree as Emmental Cheese and the Cuckoo Clock. It is not surprising therefore that there is a considerable literature on referendums in Switzerland. A good starting point is Binder, Kaufmann and Braun Binder Büchi, 2010, which provides a guide to Swiss direct democracy with helpful references to neighbouring countries. In addition, there are historical studies such as Papadopoulos 2001, which provide context for the unique circumstances under which the Swiss model emerged. In addition, there are several empirically studies look at the consequences of direct democracy on the political system of the country, above all Papadopoulos 2001 but also, more recently, studies of a more generalised nature. These incorporated more advanced theories and debates from political science. For example, the Christin, Hug and Sciarini, 2002, have analysed interests and information in referendum voting. Some of this research has extended to analyses of innovative methods of direct democracy such as e-voting in referendums, covered by Germann and Serdült 2017.

Braun Binder, N., Kaufmann, B., & Büchi, R. (2010). *Guidebook to direct democracy: in Switzerland and beyond*. Bern: Initiative & Referendum Institute Europe. A thorough overview of the practices and constitutional provisions in the individual cantons of Switzerland

Christin, T., Hug, S., & Sciarini, P. (2002). 'Interests and information in referendum voting: An analysis of Swiss voters'. *European journal of political research*, 41(6), 759-776. A largely theoretical study that incorporates the 'reasoning voter'-paradigm to understand voting behaviour.

Germann, M and Serdült, U. (2017). 'Internet voting and turnout: Evidence from Switzerland' *Electoral Studies*, 47, 1-12. An innovative study of the pioneering experiences of e-voting in Switzerland but with useful references to the comparative literature.

Papadopoulos, Yannis. (2001) 'How does direct democracy matter? The impact of referendum votes on politics and policy-making' *West European Politics* 24, no. 2, 35-58. A study of Swiss referendums that uses largely empirical data to gauge the effect of voters' opportunity to veto legislation.

## **The United States**

USA has never had a national referendum. However, at the state and local level the number of votes and the opportunities for citizens to initiate the process of direct democracy surpass even that of Switzerland. Not surprisingly, this has resulted in a proliferation of literature on the process. Waters, 2018, provides a very comprehensive overview of the history of the initiative from the populist era in the 1890s through the re-discovery of the process in the 1970s when especially the 'New Right' rediscovered initiatives as a means of reducing taxes. The most recent history of the institution is covered in Matsuzaka, 2020. Generally, the American literature on the Initiative and Referendum Process (sometimes known as the 'I&R Process') can be divided into studies with a historical focus, of which Cronin, 1989 is a foremost example. Many writers on direct democracy were critical and questioned the voters' competence. Magleby 1984 was an early example of this, and Broder, 2000. However, more quantitative research has suggested that voters are able to use 'information short-cuts, and that they, as a result are relatively well informed. An early study in this tradition is Gerber and Lupia, 1995. This study showed that voters often were able to make rational decisions by inquiring who was behind a measure. Thus, rather than acquiring costly encyclopaedic knowledge, they would ask 'who is behind it?' Thus, Democrat voters would tend to vote against initiatives if they it was revealed that they were sponsored by Conservative interests. Subsequent research that further corroborated this view. In an edited volume Waters 2001, contributors showed that US states with provisions for direct democracy had moderately higher levels of political engagement and that voter competence high. While some critics, such as Broder, cit. op, suggested that provisions for direct democracy had negative consequences for public finances, Matsusaka 2008, in a comprehensive study found that, "States with the initiative spent and taxed less than states without the initiative, they decentralized spending from state to local government, and they raised more money from user fees and less from taxes" (Matsuzaka p. 8). The extensive use of mechanisms for direct democracy in America has also led to studies on the political consultants in the process. Waters 2001 provides a good primer for this. Being a litigious society, it is not surprising that the provisions for and results of initiatives and referendums has led to legal challenges. The literature on this is considerable, Miller 2009 provides a comprehensive overview of this aspect of the process, which is also covered in a chapter by the author of this bibliographical essay in Waters 2002.

Broder, D. S. (2000). *Democracy derailed: Initiative campaigns and the power of money*. New York, Houghton Mifflin. A critical exposition of the practice of direct democracy written by a veteran political journalist. Largely based on reportage.

Cronin, Thomas. E. (1999). *Direct democracy: The politics of initiative, referendum, and recall*. Cambridge MA: Harvard University Press. A study of the history and practice of referendums, initiatives and recalls in the United States. Largely empirical and theory-free, the book provides context and history rather falsifiable theories.

Gerber, Elizabeth R., & Lupia, Arthur. (1995). 'Campaign competition and policy responsiveness in direct legislation elections' *Political Behavior*, 17(3), 287-306. The first in a series of papers by different authors, which showed that voters use cues and information short-cuts to make rational decisions when they vote in referendums in the United States.

Magleby, David B. (1984). *Direct Legislation: Voting on Ballot Propositions in the United States*. Baltimore MD, Johns Hopkins University Press. A very critical study of the referendum and initiative process in America. Based mainly on data from the 1970s, the book took a dim view of the process from a liberal perspective.

Matsusaka, John G. (2008). *For the many or the Few: The initiative, public policy, and American democracy*. Chicago: University of Chicago Press. A largely empirical study that looks at the political consequences of referendums and initiatives on public policy in the United States. The study provides statistical corroboration of the largely conservative effect of initiatives in the 1990s and the early years of the 21<sup>st</sup> Century.

Matsusaka, J. G. (2020). *Let the People Rule: How Direct Democracy Can Meet the Populist Challenge*. Princeton University Press. Part historical, part theoretical, this study considers how provisions for direct democracy have contributed to reducing populism by providing an outlet for citizens' grievances.

Miller, K. P. (2009). *Direct democracy and the courts*. Cambridge: Cambridge University Press. A comprehensive study of the role of the courts in the direct democracy process in the United States. While dealing with a legal subject, the book is based on methods of political science.

Waters, M. D. (Ed.). (2001). *The battle over citizen law making: A collection of essays*. Carolina Academic Press. A review of the major court cases, legal actions and legislative battles that have shaped and impacted the initiative and referendum process in the United States.

Waters, M. D. (2d ed. 2018). *Initiative and referendum almanac: A comprehensive reference guide the initiative and referendum process in the United States*. Carolina Academic Press. This book provides a complete and comprehensive history of the initiative and referendum process in the U.S. The author provides such information as the definitions of initiative and referendum; the roots of the initiative and referendum movement

### **Single Country studies**

The empirical study of referendums has been characterised by single country studies of particular spectacular votes or of general tendencies in individual countries. This was true for the early studies by political scientists, such as Butler and Ranney 1978. While there have been some regional studies, that covered a small group of comparable polities, for example Todal Jensen, Pesonen and Gilljam, 1998 on the referendums in Finland, Norway and Sweden, this is very much the exception to the rule. Many studies draw on historical research. For example, Williams and Hume, 2010, cover the uneven experience with referendums in Australia, where only eight out of 44 referendums have passed, Patrick Boyer 1992, analyses the more sparse experience with referendums in Canada, and Atkinson, Blick and Qvortrup 2020 provides a comprehensive survey of the history of the referendum in British politics and intellectual

history. David Butler and Uwe Kitzinger, 1976 was an early study, which provided a blow-by-blow account of the first British referendum on continued membership of the European Communities, forty years before similar studies such as Glencross, 2016. The legal studies of referendums in the United Kingdom have been less common. An exception is the analysis of the legislation regulating the process provided by Trueblood 2020. There is also a growing body of literature on referendums in central and Eastern Europe. While full length books are not available in English, articles on Slovenia and Croatia such as Podolnjak 2015 and Nemčok and Spáč, 2019 on Slovakia are particularly interesting.

Lucy Atkinson, Andrew Blick and Matt Qvortrup (2020) *The Referendum in Britain: A history*. Oxford: Oxford University Press

Butler, David, and Austin Ranney (1978), *Referendums: A comparative study of practice and theory*. Washington DC: American Enterprise Institute for public policy research, 1978. A seminal collection of essays, that inaugurated the modern scholarly study of referendums.

Boyer, J. Patrick. (1996). *Direct democracy in Canada: The history and future of referendums*. Toronto, Dundurn Press. An informative study of the history of the referendum in Canada up to 1992.

Butler, David., & Kitzinger, Uwe. (2016). *The 1975 referendum*. London: Macmillan. Pioneering study that considered the effect of campaign spending and the debate surrounding the first Brexit referendum

Glencross, A. (2016). *Why the UK voted for Brexit: David Cameron's great miscalculation*. Basingstoke: Palgrave, A short but elegantly written book on the Brexit referendum, which also touches upon political theory.

Nemčok, M., & Spáč, P. (2019) 'Referendum as a party tool: The case of Slovakia'. *East European Politics and Societies*, 33(3), 755-777. A single country study of Slovakia which points to general tendencies beyond the small Central European Country.

Podolnjak, Robert(2015) 'Constitutional Reforms of Citizen-Initiated Referendum' *Revus: Journal for Constitutional Theory & Philosophy of Law* 26 (2), pp. 129-149. Concise and information-rich article on the development of the referendum in two former Yugoslav countries where the referendum has played a pivotal role.

L Trueblood, (2020) 'Legislating for Referendums in the United Kingdom' (2020) *Public Law* 49(1), pp. 48-55. A legal analysis of the regulation of the referendum process in the United Kingdom, which also outlines areas where there is a need for reform.

Williams, G., & Hume, D. (2010). *People Power: The History and Future of the Referendum in Australia*. UNSW Press. A readable and largely historical account of referendums in Australia. Sometimes polemical but informative and percceptive.

## Comparative Studies

Most research on referendums has been characterised by single country studies. It is only since the early 2000s we that we have seen more systematic comparative studies of referendums and direct democracy. In addition to earlier contributions such as Qvortrup 2002 and LeDuc 2003, and, more recently, in a monograph by Hollander, 2019, which covered European countries, and Altman 2011, a study that predominately, though not exclusively, covered Latin America. Much of the literature is comprised in anthologies that analyse different countries, but which also provide attempts at generalizations. A notable example is Pállinger, Kaufmann, Marxer, and Schiller, 2007 which gives an overview of the developments in all the European countries. Books with a narrower geographical focus include, Marczewska-Rytko, 2018. The development of institutions of direct democracy in Western Europe in the 1990s is provided by by Setälä 1999, in the early 2000s by Verhulst and Nijeboer, 2007 and the most recent developments can be found in Qvortrup 2018. Referendums on European Integration or EU membership have been extensively covered in single country studies. However, there have been relatively few comparative studies of this. Carlos Closa 2007 used largely qualitative methods to understand the domestic pressures that led to the use of referendums in the process of EU Treaty Ratification. This article, in turn, paved the way for Mendez, Mendez and Triga 2014. Covering both law and politics, the latter book analyses the challenge of ensuring governmental efficiency and meaningful citizen participation. The book does not directly cover the factors that determine the outcome of referendums. This topic is covered extensively in Atikcan, 2015, which uses the agenda-setter model to analyse voter behaviour in referendums, and Qvortrup 2016, which used econometrics to predict the outcome of the 2016 Brexit referendum. In addition to these European comparative studies, Reilly 2018, provides a comparative overview that included plebiscites in authoritarian regimes, have added to the empirical knowledge of referendums in a comparative perspective.

Altman, David (2011) *Direct Democracy Worldwide*, Cambridge, Cambridge University Press. An informative work that puts that presents an overview of the trends and tendencies pertaining to the use of different types of referendums and initiatives. Despite its title, the book covers especially Latin American Countries

Ece Özlem Atikcan (2015). *Framing the European Union: The Power of Political Arguments in Shaping European Integration*. Cambridge University Press, 2015. A theoretical study that uses empirical data to understand how referendum results are shaped by agenda-setting.

Closa, C. (2007). 'Why convene referendums? Explaining choices in EU constitutional politics'. *Journal of European Public Policy*, 14(8), 1311-1332. The article analyses the domestic political circumstances and disputes within the ruling parties to explain why referendums were held on the European Constitution.

Hollander, Saskia (2019) *The Politics of Referendum Use in European Democracies*. Basingstoke, Palgrave, Macmillan. An in-depth study of the use of referendums in West European countries. Empirically rich and full of original data in the original languages.

LeDuc, Lawrence (2003) *The politics of direct democracy: Referendums in global perspective*. Broadview Press. Contributed to a comparative understanding of the dynamics of referendum campaigns. Largely empirical, the book draws on some general findings of electoral studies.

Marczewska-Rytko, M. (Ed.). (2018). *Handbook of Direct Democracy in Central and Eastern Europe after 1989*. Opladen, Verlag Barbara Budrich. A comprehensive anthology of legal and historical data on all referendums held in post-communist countries in Central- and Eastern Europe.

Mendez, F., Mendez, M., & Triga, V. (2014). *Referendums and the European Union: A comparative inquiry*. Cambridge University Press. The book analyses why referendums on EU membership has proliferated since the 1970s and what their impact has been on the process of European integration.

Nemčok, M., & Spáč, P. (2019). 'Referendum as a party tool: The case of Slovakia. *East European Politics and Societies*, 33(3), 755-777. An empirically rich study that explains why political parties use the referendum of party-political gain rather than out of concern for democratic participation. A case study that has implications beyond the narrow case.

Pállinger, Z. T., Kaufmann, B., Marxer, W., & Schiller, T. (Eds.). (2007). *Direct democracy in Europe: developments and prospects*. Wiesbaden, Verlag für Sozialwissenschaften. A collection of chapters, with a comprehensive overview of the processes and practices of direct democracy in the whole of Europe, including the very smallest states, such as Liechtenstein.

Qvortrup, Matt. (2002) *A comparative study of referendums: Government by the people*. Manchester University Press, 2002. One of the first comprehensive studies of the comparative referendums which makes reference to general political science research.

Qvortrup, M. (2016). Referendums on membership and European integration 1972–2015. *The Political Quarterly*, 87(1), 61-68. The article provides a statistical model, which correctly predicted the Brexit vote three months before the referendum in June 2016

Reilly, Shauna. *Direct democracy: A double-edged sword*. Boulder, CO: Lynne Rienner Publishers, 2018, Covers initiatives, referendums and even recalls in a comparative perspective. The section on authoritarianism is particularly important.

Setälä, M. (1999). Referendums in Western Europe—A wave of direct democracy?. *Scandinavian Political Studies*, 22(4), 327-340. A valuable and succinct analysis of the political causes of the rise in the use of referendums in Western Europe.



Verhulst, J., & Nijeboer, A. (2007). *Direct Democracy. Fact and Arguments about the Introduction of Initiative and Referendum*, Brussels: Democracy International. An empirical study, which also considers how provisions for direct democracy impacts trust and distrust in governments.

### **Referendums and National Self-Determination**

The referendum was extensively used to determine national borders before and immediately after the First World War. Referendums on national sovereignty and independence proliferated after the fall of the Soviet Union, and there have been votes on this topic in Scotland, Kurdistan, Catalonia, New Caledonia and the Papua New Guinean archipelago of Bougainville. Both before and after these votes there have been several studies dealing with legal, Political Science, and International Relations aspects of these referendums. Earlier studies were largely historical, most notably Farley 1986. Rourke, Hiskes and Zirakzadeh 1992 added to this literature by linking the use of independence referendums to International Relations theory, especially the *Realist* perspective. The legal study of independence referendums is covered from the perspective of public international law by Radan 2012, and was elaborated on by Şen 2015, which also analysed the subject with reference to comparative constitutional law. The same terrain is covered in Waters 2019, though with a somewhat more normative edge, which made controversial case for the legality of independence referendum. From a political science perspective, Laponce 2010 provided an overview of the referendums on independence written in French (See below). The same issue was covered in Qvortrup 2014, which provided a typology of the different types of sovereignty referendums and which used this model to test falsifiable propositions. These works were criticised by Mendez and Germann 2018, who sought to improve conceptualization and theory-driven typology and included some referendums that had been excluded by earlier scholars.

Farley, Lawrence. T. (2019). *Plebiscites and sovereignty: The crisis of political illegitimacy*. Boulder, Praeger. An early study that provides a useful historical overview.

Mendez, Fernando, and Micha Germann (2018) "Contested sovereignty: Mapping referendums on sovereignty over time and space." *British Journal of Political Science* 48, no. 1 (2018): 141-165. The article provides a more theory driven analysis of a larger set of independence referendums from 1776 to 2012.

Qvortrup, Matt (2014) *Referendums and Ethnic Conflict*, University of Pennsylvania Press. An attempt to develop testable and falsifiable theories using statistical methods and historical narratives.

Radan, P. (2012). Secessionist referenda in international and domestic law. *Nationalism and Ethnic Politics*, 18(1), 8-21. A succinct overview and analysis of the legal position of independence referendums historically as well as in the present day.

Rourke, John T., Richard P. Hiskes, and Cyrus Ernesto Zirakzadeh (1992) *Direct democracy and international politics: Deciding international issues through referendums*. Lynne Rienner,

A rare example of a study of referendums that incorporated the perspective of International Relations theory.

Şen, İlker Gökhan (2015) *Sovereignty referendums in international and constitutional law*. Dordrecht, Boston, New York: Springer. A pathbreaking legal study, which analysed the public international law aspects of independence referendums.

Waters, Timothy William (2020). *Boxing Pandora: Rethinking Borders, States, and Secession in a Democratic World*. Yale University Press. A largely normative study of independence referendums but one based on both legal theory and expensive case studies of independence referendums.

### **Theoretical Studies**

The study of referendums has been relatively unrelated to the general fads within political science. In the 1960 and 1970s, when the discipline was characterised by behaviourism, most studies were empirical and made virtually no mention of theoretical models. Two early important exceptions to this, are the short articles by Gordon Smith, 1976, which categorised referendums using the framework of political science and Tor Bjørklund 1982 who provided a theoretical explanation of when referendums occur and when they succeed. In the 1990s scholars, under the influence of various guises of institutionalism, began to consider how referendums made a difference. The referendum (and even more so the initiative) was seen as a political institution that constrained the behaviour of elected politicians in Gerber, 1999, and this was continued with the introduction of the term ‘veto player’, in George Tsebelis, 2002. While Tsebelis used the term to cover several institutions from courts to states, the term was applied to referendums in Hug and Tsebelis, 1999. Studies adopting this perspective have been rarer after 2010. An exception to the rule is Qvortrup 2018 and Altman 2019. During this time, something of an emerging paradigm was taking shape, with scholars drawing on the ‘reasoning voter’ model. Rather than having encyclopaedic knowledge, voters were seen to take cues from the media and politicians, to make informed choices that were consistent with their opinion had they had time to consider all factors. This work, began with a series of papers and a seminal book by Bowler and Donovan, 2000, and was extended by studies of Australia McAllister 2001, and the European Union, by De Vries and Edwards 2009. The Reasoning Voter-model was largely based on the premise that the voters would behave in a way that was consistent with the prevailing political ideology, and the model was less used after the referendum on EU membership in 2016. There have been relatively few studies of referendums based on class-analysis and more generally the sociology of social movements. Two exceptions are Foley and Ramand 2018, which draws on Marxist theory to understand voting behaviour, and Della Porta and colleagues 2017, which analysed the recent referendums in Europe as a response to neoliberal austerity measures instituted by several governments in the wake of the 2008 financial crisis.

Altman, David (2019) *Citizenship and Contemporary Direct Democracy*: Cambridge: Cambridge University Press. A systematic study that covers recent developments in direct

democracy, including methods of deliberative democracy. The book is especially useful for its statistical analyses of when referendums are held and when they are won or lost.

Bjørklund, Tor. "The demand for referendum: when does it arise and when does it succeed?" *Scandinavian Political Studies* 5, no. 3 (1982): 237-260. A rare example of a positive political theory of when referendums occur based on mainly Scandinavian example.

Bowler, Shaun, and Todd Donovan (2000). *Demanding choices: Opinion, voting, and direct democracy*. Ann Arbor, University of Michigan Press. A pathbreaking study that expands on other scholars work within the 'Reasoning voter Paradigm' and gives a readable account of the history and origin of direct democracy in America.

Foley, James and Ramand, Pete. (2017) 'In fear of populism: Referendums and neoliberal democracy. *Socialist Register*, 54(1), pp. 74-98. Using Marxist Class Analysis the article analyses the use of referendums from a socialist perspective.

De Vries, Catherine E., and Erica E. Edwards. "Taking Europe to its extremes: Extremist parties and public Euroscepticism." *Party Politics* 15, no. 1 (2009): 5-28. The article analysed several European referendums on EU integration and membership using the reasoning voter paradigm.

Jensen, Anders Todal, Pertti Personen and Mikael Gilljam (1998) *To Join or Not to Join: Three Nordic Referendums on Membership in the European Union*, Oslo: Universitetsforlaget. A thorough empirical study of three Nordic referendums. Rich in its description of the background to the votes, it serves as a model of small-N comparisons.

Hug, Simon, and George Tsebelis. "Veto players and referendums around the world." *Journal of theoretical politics* 14, no. 4 (2002): 465-515, An important theoretical article that applied the term 'veto player' to the study of referendums. The article is a rare example of an study of referendums that applied state-of-the-art the positive political theory of rational choice analysis in comparative perspective

McAllister, Ian. "Elections without cues: The 1999 Australian republic referendum." *Australian Journal of Political Science* 36, no. 2 (2001): 247-269. An important article that showed how the 'Reasoning voter-model' could be used outside America. A rich empirical article based on solid theoretical ground.

Smith, Gordon. "The functional properties of the referendum." *European journal of political research* 4, no. 1 (1976): 1-23. The article categorised referendums by effects, and provided foundations for subsequent studies.

Della Porta, D., O'Connor, F., Portos, M., & Ribas, A. S. (2017). *Social Movements and Referendums from Below: Direct Democracy in the Neoliberal Crisis*. Bristol: Policy Press. A

rare example of a book that uses social movement theory and broader sociology to understand the referendum.

Qvortrup, M. 'Direct Democracy and Referendums. In Herron, Erik S., Robert J. Pekkanen, and Matthew S. Shugart, eds. *The Oxford handbook of electoral systems*. Oxford, Oxford University Press, 2018, pp. 365-386. An article that provides a public choice theory and formal argument for when referendums are called.

### **Referendums and Deliberative Democracy**

In recent years there has been a growing interest in so-called deliberative democracy. This trend has also had an impact on scholarship on direct democracy and referendums. Some of these, such as Levy 2013 and Setälä, 2014 have considered the general prospects for creating so-called '*deliberative mini-publics*', which would enable citizens to debate public policy issues in practice. While this research does draw on empirical examples and research it to be distinguished from the parallel debate about deliberation in constitutional referendums which is extensively covered in Tierney 2012. Another strand of this growing field deals with citizens assemblies. Altman 2019 dealt with this issue at a more theoretical level, while it was analysed the Irish Citizen assemblies before the referendums on marriage and abortion in respectively 2015 and 2017. While book length studies of this process are currently unavailable, Elkin, Farrell, Reidy and Suiter 2017 provide a good empirical overview. This research is still based on relatively few cases, and there is very little in the way of theory-generation and large N-comparisons. A study incorporating the latter would be welcome.

Altman, David (2019) *Citizenship and Contemporary Direct Democracy*: Cambridge: Cambridge University Press. A systematic study that also covers recent developments in direct democracy, including methods of deliberative democracy.

Elkin, Johan A. David M. Farrell, Theresa Reidy, and Jane Suiter (2017) "Understanding the 2015 marriage referendum in Ireland: context, campaign, and conservative Ireland." *Irish Political Studies* 32(3) 361-381. A largely empirical account of the experience with citizens' assemblies in Ireland. While focused on a single country case, it provides a starting point for future comparative work.

Levy, R. (2017). 'Deliberative Voting': Realising Constitutional Referendum Democracy" *Public Law*, Vol. 47 (4) p.555-574. A legal analysis of the practical possibilities of introducing elements of deliberative reasoning into referendums

Setälä, M. (2014). *Deliberative mini-publics: Involving citizens in the democratic process*. Colchester, ECPR Press. A thorough overview of the theory and practice of deliberative processes and direct democracy.

Tierney, S. (2012). *Constitutional referendums: The theory and practice of republican deliberation*. Oxford: Oxford University Press. A study in constitutional law, that combined both legal theory and empirical observations about referendums on sovereignty.

## Policy Effects of Referendums

While some scholars have warned against the use of direct democracy, and opined that they lead to suboptimal policy-outcomes, Partlett, W. 2012. A large body of research point to welfare gains as a result of direct democracy, though most of this research is based on US States and Swiss Cantons. Feld, Fischer and Kirchgässner 2010, found that provisions for direct democracy led to more equality in Switzerland, and two of the same authors, Feld and Kirchgässner 2001, found that public debt was lower in municipalities in Switzerland when there were provisions for direct democracy institutions. More exotically, Frey and Stutzer 2000, found that levels of happiness were higher in countries with provisions for direct democracy. Research, from American states also found the policy effects of referendums and initiatives, for example for example Matsuzaka 1995 and Matsuzaka 2005. All these studies have been based on single countries below the federal level. Qvortrup, 2019, provides a rare example of the effects of provisions for direct democracy in a comparative perspective, and largely corroborates the effect of direct democracy institutions on income equality.

Feld, Lars P., Justina A.V. Fischer, and Gebhardt Kirchgässner (2010) The Effect of Direct Democracy on Income Distribution; Evidence of Switzerland. *Economic Inquiry* 48 (4): 817–840. The paper uses a most-similar cases approach to study the effects of direct democracy on income distribution and finds statistical evidence for less inequality where there are provisions for referendums and initiatives

Feld, L.P., and G. Kirchgässner (2001) Does direct democracy reduce public debt evidence from Swiss municipalities. *Public Choice* 109 (3–4): 347–370. A statistical study of local government in Switzerland, which shows that the municipalities with provisions for direct democracy have lower debt.

Frey, B.S., and A. Stutzer (2000) Happiness, economy and institutions. *The Economic Journal* 110 (4): 918–938. Focussed largely on Switzerland, the article uses survey data and aggregate data to suggest a correlation between self-reported happiness and provisions for direct democracy.

Matsusaka, J.G. (1995) 'Fiscal effects of the voter initiative: Evidence from the last 30 years. *Journal of Political Economy* 103 (3): 587–623. An early study using advanced theoretical statistics to prove the positive effect of provisions for direct democracy in US states.

Matsusaka, J.G. (2005) Direct Democracy Works. *Journal of Economic Perspectives* 19 (2): 185–206. Largely replicating earlier work, this article corroborates earlier finding regarding the direct and indirect effect of provisions for initiatives and referendums

Partlett, W. (2012). 'The dangers of popular constitution-making'. *Brooklyn Journal of International Law* 38 (1): 193–232. A legal analysis that mainly looks referendums as part of the process of constitution making.

Qvortrup, M. (2019). 'Referendums and public policy: do more opportunities for direct participation affect policy outcomes?' *European Political Science*, 18(4), 617-629.

The paper corroborates the tendency towards more equality but does not find evidence supporting the claims regarding lower spending.

### **Writings about Referendum in other languages**

Not surprisingly, there is a considerable literature about referendums in other languages than English. It is not surprising that Switzerland – the world leader in direct democracy and referendums – has given rise to a considerable body of literature on the subject. To give a full list of the books and articles about this country in German and French, would be beyond the scope of this article. Andreas Gross, 2016 provides a thorough, readable and very informative account of the process and its results. The same ground is covered from a legal perspective in Auer 1996. But Switzerland remains a *Sonderfall*, a special case. Given that France was one of the countries to pioneer the use of the device, it is not surprising that many are written in this language. The earliest treatise on referendums was written by the French theorist and mathematician Condorcet, 1789. Guillaume-Hofnung, 1994 was more recent, though largely empirical, example of this tradition. By contrast, Laponce 2010, is a thorough and well-written treatise on referendums on nationalism and self-determination. A more recent study, Morel, 2019, relates the practical uses of referendum to classical political science theories, such as those of Robert A. Dahl. Another contribution that deserves to be mentioned is the Mercier 2003, which provides an interesting perspective on, and introduction to, the political theory of the referendum in the work of Condorcet. The comparative literature in German has been sparser in recent years. This is in stark contrast to earlier. The institutions of direct democracy were covered extensively by the controversial legal theorist Carl Schmitt, 1926, and Robert Michels 2010, the classical study of Elite Theory. But recently important contributions have emerged, which deserve to be read by a wider circle. An earlier study is above all Möckli, 1994 and a more recent one was Stefan Vospernik 2014, which applied Arend Lijphart's distinction between Consensus and Majoritarian systems. The former is still informative, the latter deserves to be read by a larger audience. There are also important studies in languages which are less accessible to most scholars. Bjørklund 1997, provides a thorough and empirically rich treatment of referendum in the Nordic countries in the 20<sup>th</sup> Century, which deserves to be known to those who do not speak Norwegian. The same is true for studies in Dutch on the recent experience with – and debate about referendums in the Netherlands. A particularly good example is Hendriks, Krieken, and Wagenaar 2017.

Auer, A. (1996) *Les origines de la démocratie directe en Suisse*, Basel, Helbing & Lichtenhahn. A good and comprehensive overview of the history of the referendums in Switzerland with a special reference to the legal aspects of the process.

Bjørklund, Tor (1997) *Om Folkeavstemninger. Norge og Norden 1905-1994*, Oslo, Universitetsforlaget. An insightful and comprehensive account of the experiences with referendums in the Nordic countries, which provides essential information on the reasons why parties embraced for short-term political reasons.

Condorcet, Jean-Antoine-Nicolas (1789) *Sur la nécessité de faire ratifier la constitution par les citoyens, et sur la formation des communautés de campagne*. Paris, De l'imprimerie de Ph. D. Pierres. An early but important contribution to the political theory of the referendum as a 'veto player' in a democratic order.

Gross, Andreas (2016) *Die unvollendete direkte Demokratie: 1984-2015: Texte zur Schweiz und darüber hinaus*. Thun: Werd. A comprehensive and well-written monograph that gives a very rich account of direct democracy in Switzerland.

Guillaume-Hofnung, M. (1994). *Le référendum*. Paris, Presses Universitaires de France. A good overview that provides succinct historical information on the political context for holding referendums in France since Napoleon.

Hendriks, F., van der Krieken, K., & Wagenaar, C. (2017). *Democratische zegen of vloek?: aantekeningen bij het referendum*. Amsterdam University Press. Taking its point of departure in the Dutch public vote on the EU's Ukraine Agreement, the book analyses this referendum in a comparative perspective and draws the conclusion that referendums – if properly regulated – can add value to democratic government.

Laponce, Jean (2010). *Le référendum de souveraineté: comparaisons, critiques et commentaires*. Presses de l'Université Laval. Pathbreaking but largely empirical study of independence referendums, which also covers referendums on borders.

Mercier, Anne-Cécile (2003) "Le référendum d'initiative populaire: un trait méconnu du génie de Condorcet." *Revue française de droit constitutionnel* 3 (4): 483-512. A very important study of the work of Condorcet. Largely free of jargon, it is an excellent introduction to an overlooked aspect of the work of the founder of social choice theory.

Michels, R. (1910). *Zur Soziologie des Parteiwesens in der modernen Demokratie: Untersuchungen über die oligarchischen Tendenzen des Gruppenlebens*. Leipzig: Klinkhardt. A classic of the study of elite-theory, which contains a perceptive chapter on the use of referendums by the leadership. Deserves to be read widely.

Morel, Laurence (2019). *La question du référendum*. Paris (Les Presses de Sciences Po). A good overview of the practice of referendums, which incorporates classical and more recent scholarship.

Möckli, S. (1994). *Direkte Demokratie. Ein Vergleich der Einrichtungen und Verfahren in der Schweiz und Kalifornien, unter Berücksichtigung von Frankreich, Italien, Dänemark, Irland, Österreich, Liechtenstein und Australien* (Vol. 16). Paul Haupt. An empirical study, which provides both history and context of the use of referendums in western democracies.

Schmitt, C. (1927). *Volksentscheid und Volksbegehren: ein Beitrag zur Auslegung der Weimarer Verfassung und zur Lehre von der unmittelbaren Demokratie*, Berlin: W. de Gruyter

& Company. A lucid and perceptive study of the legal and theoretical foundations of direct democracy, which stressed the contradictory nature of the use of citizen-initiated referendums by elites.

Vospernik, Stefan (2014) *Modelle der direkten Demokratie*, Baden-Baden, Nomos. A very important study that relates the use and effect of referendums to the general findings of Arend Lijphart.

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