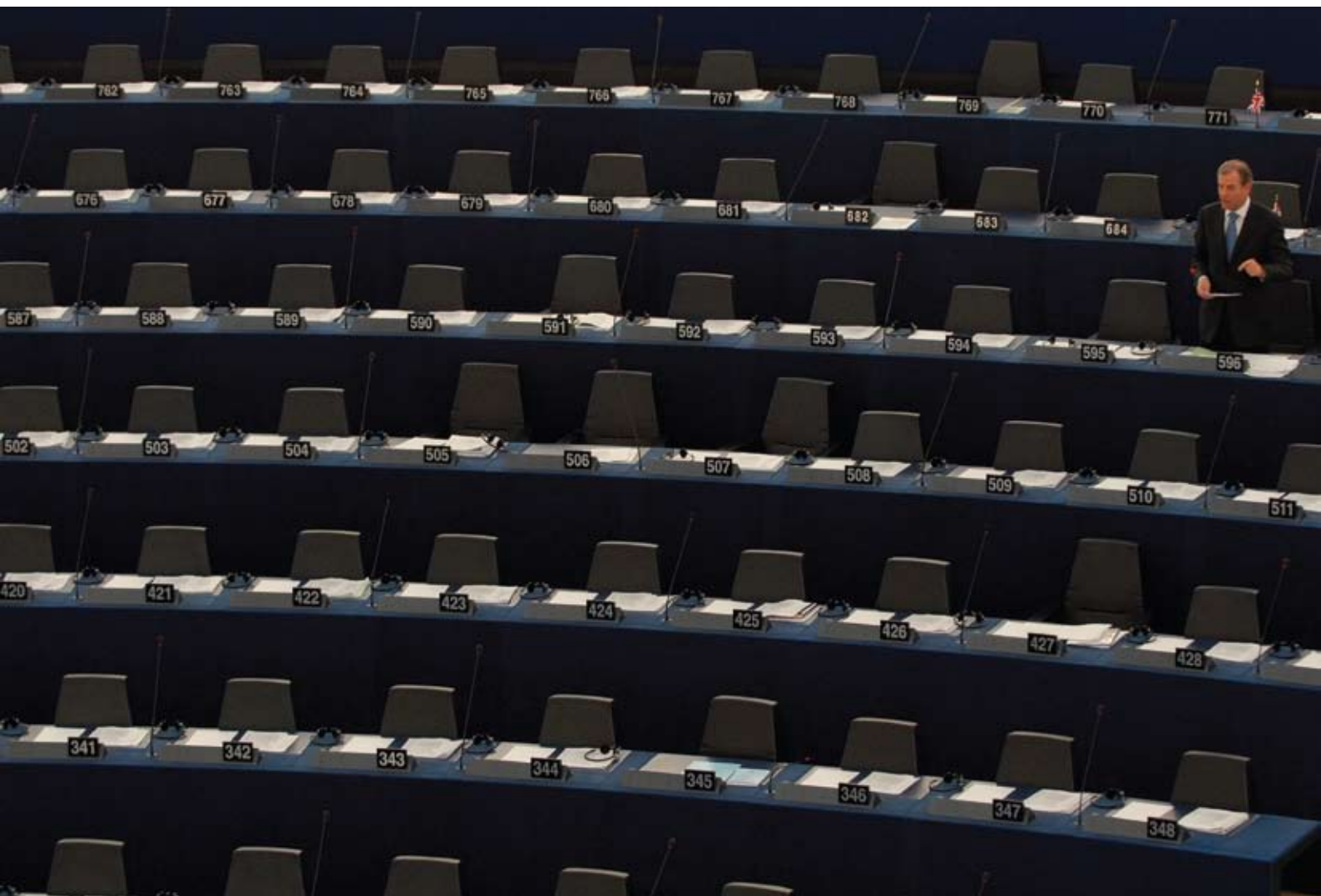


Can we trust the people?

Professor Matt Qvortrup



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Can we trust the people?

- Voter competence and
European Integration

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EXECUTIVE SUMMARY

Opponents of a referendum on the revived EU Constitution often argue that voters do not have sufficient knowledge to make informed decisions on the issue, or will not answer the question that is put to them, or will simply say no to whatever is being proposed.

This paper takes issue with these arguments on empirical grounds. It also concludes that in so far as voters lack of information it is a result of too little, rather than too much democracy.

The question of voter competence is often discussed in connection with the debate about referendums on European integration. It has often been alleged that steep information demands and lack of knowledge make ordinary voters incapable of making informed and rational decisions in such polls. As a consequence, so it is claimed, referendums are an ill-suited device to determine the 'true' will of the citizens. This report finds otherwise!

This report tests this assumption by 1) surveying the existing literature on voter-knowledge and 2) carrying out original research on the basis of the Eurobarometer surveys.

The overall findings of the report are that voters are competent and have sufficient information to make informed decisions, i.e. decisions that are consistent with their own preferences. The challenge that referendums are unsuited to submitting issues to the voters cannot be supported by the evidence presented here.

The report's overall findings are:

- Citizens' knowledge about politics is higher in countries that allow more citizen participation (e.g. through referendums or initiatives). The provision for referendums in constitutions is positively correlated with knowledge about politics;
- According to polls taken in countries that have held referendums on European integration, such as Ireland, France and Denmark, respondents could answer twice as many questions correctly about EU institutions as could respondents from Germany, Italy and Belgium - countries that had not held referendums on the EU.
- In fact, a representative sample of Danish voters during the 1992 Maastricht referendum campaign showed they actually knew more about the treaty than the average backbench MP.

- Voters in Switzerland were more enlightened about the EU than were their opposite numbers in Germany, despite the fact that Germany is a founding member of the European Communities, while Switzerland is outside the EU. Research for this report suggests that this is a more or less direct result of the frequent use of referendums in Switzerland.
- Voters do not simply say “no” to whatever is proposed. In fact more than 75 percent of all referendums held on EU related issues have resulted in a yes vote, including the 1975 referendum in Britain - when the ‘yes’ side initially lagged far behind in the opinion polls.
- Comparative research suggests that citizens are able to use use information short-cuts to make enlightened decisions, which are consistent with their fundamental preferences.

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VOTER COMPETENCE AND EUROPEAN INTEGRATION

Are voters incompetent?

"I think referendums are awful. The late and great Julian Critchley used to say that, not very surprisingly, they were the favourite form of plebiscitary democracy of Mussolini and Hitler. They undermine Westminster. What they ensure, as we saw in the last election, is if you have a referendum on an issue politicians during an election campaign say oh we're not going to talk about that, we don't need to talk about that, that's all for the referendum. So during the last election campaign the euro was hardly debated. I think referendums are fundamentally anti-democratic in our system and I wouldn't have anything to do with them. On the whole, governments only concede them when governments are weak."

Chris Patten, EU Commissioner for External Affairs, in an interview with "BBC Breakfast with Frost", Sunday 1 June 2003.

The above quote by Chris Patten might be extreme, but it does not stand alone. The idea that voters are not competent to make difficult decisions has a long history in Western politics.

To be sure, as John Stuart Mill noted in *Considerations on Representative Government*: "since all cannot, in a community exceeding a single town participate personally in any but some minor portions of public business it follows that the ideal type of a perfect government must be representative" (Mill 1991, 256). No argument there in principle. A certain division of labour is necessary, and it is obvious that not everybody can, let alone would want to, be involved in politics all the time. But it does not follow from Mill's statement that voters should simply transfer all decisions to politicians and accept the result. A system of representative democracy does not preclude the voters from having a veto over decisions taken by their leaders. This is long recognised in democratic theory as well as under the British constitution.

Marsilius of Padua (c1275-c1343), a philosopher and advisor to the German emperor, defended public engagement on the grounds that the ordinary people - though they did not have knowledge to make laws - were in possession of common-sense knowledge, which would enable them to identify problems which could hinder the successful implementation of proposed laws. Having described the policy making process in his book *Defender of the Peace*, Marsilius went on to advocate the involvement of the people as a deliberative filter. For the sake of understanding the logic it is useful to cite this passage at length:

"When once rules of this kind, the future laws, have been discovered and diligently scrutinised, they should be laid before the assembled citizen-body for approval or rejection, so that if any citizen thinks that anything needs to be added to them or taken away, changed or totally repudiated, he can say so...For as we have already said, the less learned citizen can sometimes perceive something that should be corrected with regard to a proposed law even though they would not have known how to discover it in the first place" (Marsilius 2005, 80).

This might have been written in 1324, but it is still the best summary of - and defence for - the rationale behind public engagement. "For", as Marsilius also noted, "although not every citizen, nor the greater multitude, may discover the laws, every citizen is nonetheless capable of a judgement on those which have been discovered and put to him by another, and of perceiving if something should be added or removed or changed" (Marsilius 2005, 75).

In a slightly less philosophical turn of phrase Albert Venn Dicey - the father of the concept of parliamentary sovereignty - expressed the same view. In a letter to J. St Loe Strachey he wrote:

"I value the referendum first because it is doing away with the strictly absurd system which at present exists, of acting on the presumption that electors can best answer the question raised, e.g. by Home Rule, when it is put together with such a totally different question of prohibition, and generally that it is wise to mix up systematically, questions of persons with questions of principle, and secondly, though in a certain sense mainly because the referendum is an emphatic assertion of the principle that nation stands above parties" (Dicey quoted in Qvortrup 2005, 48).

According to Dicey, the referendum was the "only check on the predominance of party which is at the same time democratic and conservative" (Dicey quoted in Qvortrup 2005, 47). That this was not a position which was inconsistent with the British constitution, but was in fact a view which was established as early as the Glorious Revolution in 1690. No less a figure than John Locke expressed the thrust of this idea, when he noted in his *Second Treatise* that "if a Controversie arise betwixt a Prince and some of the People, in a matter where the Law is silent, or doubtful, and the thing be of great Consequence, I think the proper Umpire in such a case should be the Body of the People" (Locke 1988, 427).

But - as is often the case with theorists - they failed to consider the empirical assumptions underlying their theories. Both Marsilius and Dicey - albeit in different ways - assumed that voters were competent to make informed decisions. This is by no means certain. Many political scientists have questioned this assumption - though as we shall see - they have not always done so on the basis of empirical evidence.

Nelson Polsby and Aaron Wildavsky - writing about referendums and initiatives in California - were sceptical. They asserted: "To learn what is involved in a seemingly innocuous proposal to raise someone's salary or issue bonds takes hours of study. To understand twenty or more is unduly onerous" (Polsby and Wildavsky 1984, 279). It would seem a reasonable view.

However the problem with Polsby and Wildavsky's view is that 1) it is not based on empirical evidence (e.g. surveys) and 2) most referendums in Europe are free-standing ones, i.e. the voters only have to consider one issue and not a host of issues like in California. But would it matter if the voters had to vote on many issues? Is voting so onerous?

Do voters need to have an encyclopaedic knowledge about the issues? In recent years, political scientists have suggested that voters need not know everything, but that they can base their decisions on so-called *cues* or *information short-cuts* (Qvortrup 2005, 42-43) (Hobart 2007).

Some people have argued that it is irrational to vote as the cost of acquiring information is higher than the benefits of a candidate winning or a proposition receiving support (Downs 1957). But voters need not know everything. Indeed, they don't even try to. In fact, the state-of-the-art research on referendums as published by reputable international journals is that voters have a reasonable knowledge about the issues, notwithstanding that they have imperfect information. A recent paper has summed up the argument thus:

"The basic idea of much recent research on the relationship between information and voting is that limited information need not prevent people from making competent vote choices since voters can rely on cues and heuristics to overcome their information shortfalls...To achieve this, voters can use various types of information shortcuts and substitutes for encyclopaedic knowledge about politics such as party-identification, campaign events and elite endorsements" (Binder 2007, 154-155).

In research about the Norwegian referendum on membership of the EU in 1994, Sara Binder - an Oxford-based political scientist - found that "when voters are given such information they respond in a competent manner". In other words, the Norwegian voters might not have been in possession of *all* the facts, but they were able to make informed decisions, which were consistent with their fundamental preferences.

Other research on the same lines found that voters - while they were not able to give detailed encyclopaedic reasons for their choices - were nevertheless able to rightly identify the issues (Qvortrup 2005, 43).

Such arguments, however, might not convince the sceptics. Critics of the short-cut approach might argue that information short-cuts are no substitute for real knowledge about the issues. Moreover, to be able to make decisions on the basis of elite endorsements (i.e. to support a proposition because you trust those who endorse it) is no substitute for real knowledge. In fact, too much reliance on elites could in many ways be counterproductive - and moreover it is empirically inaccurate in many EU referendums, as these were won when the ordinary voters defied the elites' endorsements and rejected the proposals which had been put forward by the governments. This, indeed, is what happened in Denmark in 2003, in Ireland in 2001, in Sweden in 2003 and in France and the Netherlands in 2005.

Do these examples not prove that voters are unwilling to listen to the elites - and possibly as a result are incompetent? To answer this question we need to take a closer look at the alternative to referendums, namely a pure representative democracy and in particular at the knowledge of elected politicians.

Voters and politicians: who knows best?

Representative democracy has always been the norm. Charles Secondat de Montesquieu, the French constitutionalist, set out the position in his *The Spirit of the Laws* (Part II, Book II, Chap 6) when he wrote:

"The people as a body should have legislative power; but as this is impossible in large states and is subject to many drawbacks in small ones, the people must have their representatives do all that they themselves cannot do" (Montesquieu 2004, 159).

He went on to say that the "great advantage of representatives is that they are able to discuss public business. The people are not at all appropriate for such discussions" (Montesquieu 2004, 159).

There has been a lot of water under the bridge of democratic thinking since these times. Voters might not have been quite so knowledgeable in 1748 as in 2007. Moreover, Montesquieu might just have been plain wrong. Jürgen Habermas, a left-wing Social Democrat and German philosopher, has challenged Montesquieu's view by asking the rhetorical question: "if the opinion of the electorate is irrational, then the election of representatives is no less so" (Habermas 1989, 29). Indeed, Habermas has a point. Research suggests that voters often have a rather limited knowledge of who their representatives are and what they stand for. As reported in a survey of the literature (Qvortrup 2005, 40), only 61 percent of the voters were able to correctly identify the ideological position of their representatives in California. In another study, from Washington, only 30 percent were able to correctly identify their local representative.

But this is hardly a defence for the referendum. In fact, this line of reasoning might be used simply to reject the idea of democracy altogether. Unless, that is, that voters are more able to distinguish between questions in referendums than they are at distinguishing between candidates in parliamentary and assembly elections.

But are they? Politics, needless to say, is not an exact science. We always have to allow a bit of leeway for questions and answers. But the overall result is encouraging from the point of view of referendums.

The 1992 referendum campaign on the Maastricht Treaty in Denmark was close. At times it was bitter. Accusations came thick and fast from both sides. In the last weeks of the campaign, the No-side seemed to have opened up a small, but consistent lead in the polls. This prompted the yes-side - in particular foreign minister Uffe Elleman-Jensen to suggest - perhaps not prudently - that the voters were ill-informed.

The political magazine *Press* - a left-leaning monthly - decided to test the challenge head on. In the weeks before the referendum, the paper asked a representative sample of the voters to identify a number of salient factors about the Maastricht Treaty, e.g. about the proposed common currency, the WEU (defence co-operation) and citizenship. The paper subsequently asked a cross-section of back-bench MPs the same questions. The surprising result was that the voters knew as much about the issues as the MPs. To speak of voter incompetence in this case seems to be wide of the mark. In other words there is **at least one example of a referendum where a representative sample of the voters knew more about the issues than the average back-bench MPs.**

Citizen knowledge in countries with frequent referendums

The view that referendums are unsuitable for the people is still widespread. One of the most popular views is that voters consistently vote against change. Tage Erlander, the Swedish Prime Minister in the 1950s, once argued against referendums claiming that:

"[R]eferendums are a strongly conservative force. It becomes much harder to pursue an effective reform policy if reactionaries are offered the

opportunity to appeal to people's natural conservatism and natural resistance to change" (Erlander quoted in Lewin 1988, 235).

This is not the case. In fact - as this author has shown elsewhere (Qvortrup 2007) - voters are not inherently conservative. To be sure it is possible to cite examples of decisions of questionable sagacity, when voters have rejected seemingly salutary reforms. Liberals might criticise the 2004 referendum in Slovenia (in which only 3.8 per cent supported a proposal for civil rights for non-Slovene residents). Democracy is not just about majority rule. Referendums like the Pre-World War II referendum in Estonia where a majority of Estonians voted to deprive Jews of their citizenship is not democratic. Democracy as British philosopher John Stuart Mill once pointed out, requires a "readiness to compromise; a willingness to concede something to opponents, and to shape good measures to be as little offensive as possible to people of the opposite view" (Mill 1991, 385).

But these examples are rare. Interestingly referendums - while seemingly a majoritarian instrument - have often forced opposing groups to compromise. One of the consequences of the Danes' 'nej' to the Maastricht Treaty in 1992 was the so-called *det nationale kompromis* - 'the national compromise'; an agreement between the major parties to reach a solution which was acceptable to the majority - as subsequently proved in the second referendum in 1993 (Qvortrup 2005, 15). That referendums can have this effect was also shown following the Italian constitutional referendum in 2006, which prompted the government to negotiate with the opposition parties.

Moreover, it should not be forgotten that there are similar examples of parliamentary decisions of doubtful prudence. Indeed, outside Europe, Australian voters rejected a proposal for outlawing the communist party in 1951, something which indicates that parliamentarians can have more authoritarian views than the people.

Of course, sometimes we may criticise voters' decisions as being unrealistic or imprudent. Some might argue that voters are prone to vote for ill-considered and populist proposals. Yet there are precious few examples of such votes. Indeed, the fact that Italian voters rejected the opposition's challenge of the abolition of wage-indexation in 1985 perhaps indicates that voters can weigh the arguments and make decisions that reach beyond their own personal interests (Uleri 1996, 114).

But what if there are many referendums? The more referendums, the less voters are likely to know - some have argued. That is the premise behind Polsby and Wildavsky's view. But is it correct? Intuitively speaking we would expect voters to be less knowledgeable in countries where they constantly have to make up their minds about different issues. Do they actually know what they are voting about? And are there factors that improve their knowledge?

As already noted, Polsby and Wildavsky found it "onerous" to learn about the details of proposals and propositions. But could there be another possibility. Some politicians and political theorists have suggested that having more referendums, rather than depressing turnout, might in fact lead to greater political interest and engagement. Benjamin Barber, and American political theorist, thus suggested that:

"[even] if Americans sometimes seem unfit to legislate, it may be because they have for so long been passive observers of government. The remedy is

not to continue to exclude them from governing, but to provide practical and active forms of civic education that make them more fit than they were. Initiative and referendum processes are ideal instruments of civic education; paradoxically, the more truth there is to the charge that people are not fit to govern, the greater need there is to involve them in governing" (Barber 1977, 195).

This view - sometimes known as "supply-side politics" (Qvortrup 2007, see also Bohnet and Frey 1994) - was not a new one. In the beginning of the 19th century a group of politicians - loosely known as the Progressives (which included both Ted Roosevelt and Woodrow Wilson) - made a similar case for the introduction of referendums (then often referred to as 'the system'). Jonathan Bourne JR., an Oregon Senator, expressed the same view:

"The system [initiatives and referendums] encourages every citizen, however humble his position, to study the problems of government, city and state, and to submit whatever solution he may evolve for consideration and approval of others. The study of measures and arguments printed in the publicity pamphlet is of immense educational value. The system not only encourages the development of each individual, but tends to elevate the entire electorate to the plane of those who are most advanced. How different from the system so generally in force, which tends to discourage and suppress the individual!" (Bourne 1912, 203).

This was not only an American idea. It was also a view taken by politicians and theorists in Britain. John Stuart Mill - his concerns about direct legislation notwithstanding - had expressed sympathy for the educational effects of direct participation. In a paragraph in *Considerations on Representative Government*, which deserves to be quoted at length, he noted (after he had praised the citizens' involvement in juries and in parish councils):

"Still more salutary is the moral part of the instruction afforded by the participation of the private citizen, if even rarely, in public functions. He is called upon, while so engaged, to weigh interests not his own; to be guided, in case of conflicting claims, by another rule than his private partialities; to apply at every turn, principles and maxims which have for their reason of existence the common good."

It was on the basis of these views - and to provide the voters with a veto - that A.V. Dicey made a case for the referendum. "The referendum is", wrote Dicey:

"An education in the application of men's understandings to the weightiest public concerns - namely of passing laws - such as is absolutely unobtainable by voters who have been trained to think, that their whole duty as citizens consists in supporting the Conservative or Radical party, and that their blind acceptance of every proposed enactment which happens to form part of the party platform" (Dicey 1890, 508).

But a quote does not establish a fact. Nor does a handful of them! What counts is empirical evidence, in other word, proof! This was not possible to get for the classic theorists, who wrote before the introduction of mass-surveys. But today we are in the fortunate position that these devices have been perfected. And recently scholars of direct democracy have put the views to the test. In a recent book

Educated by Initiative, American political scientists Daniel A. Smith and Caroline Tolbert found evidence in support of the above propositions. They found that:

- **Provisions for referendums increase turnout:** For every two propositions on the ballot, turnout goes up by one percent (Smith and Tolbert 2004, 62);
- **Referendums increase interest in politics:** For every two referendums on the ballot the number of people discussing politics increases by one percent.

Needless to say, referendums are not a panacea, but the effect on political engagement is positive, not negative as suggested by opponents. At a time when the government in Britain claims that it is concerned about declining political engagement it therefore seems odd that they should deprive the voters from a mechanism that increases turnout and engagement. At the risk of digressing, it is puzzling that the government continues to support postal voting (with all its associated problems), which has less direct effect on disenfranchised groups, while it resists the use of referendums, which ostensibly result in greater engagement (see Qvortrup (2005) on postal voting).

But, so it might be argued, these figures are from America - not from Britain or Europe. Would it not be different in Europe? Research from European countries suggests otherwise. That is, there is *exactly the same* correlation between the existence of political institutions and political engagement in Europe. As shown in a paper about the Maastricht Treaty by Matthias Benz and Alois Stutzer, two Swiss researchers: "In countries where citizens had the right to vote on it [the Maastricht Treaty] (e.g. in Denmark), politicians had to engage more in explaining the Treaty to the citizens than in countries where no referendum took place (e.g. in Germany)... This and other examples offer suggestive evidence that voters are better informed when they have a larger say in the political process" (Benz and Stutzer 2004, 32).

Based on the *Eurobarometer Survey*, it is possible to replicate this result. In the mega-survey conducted in 1996, about 65,000 individuals living in the then 15 EU-countries were asked ten questions: Do you happen to know:

1. The current number of states in the EU?
2. The name of the President of the European Commission?
3. The number of commissioners of your country?
4. The name of the commissioner?
5. The recently chosen name of the European currency?
6. The name of the country that holds the presidency of the EU?
7. The current value of ECU in your national currency?
8. The city in which most EU institutions are based?
9. One of the colours in the European flag?
10. The year in which notes and coins will be introduced?

Using these questions as a measure of objective information about the EU, we can construct an index ranging from high knowledge (correctly answering all ten questions), good knowledge (between six and nine), little knowledge (1-5) and no knowledge (0 correct answers).

Out of the 15 countries, five had held referendums, namely Denmark (1992), Ireland (1992), France (1992), Sweden (1994), Finland (1994) and Austria (1994). Whereas the average score in all the EU countries was a meagre 2.14, the average

score in the five countries which had held referendums was 3.42. While the figures do not prove that referendums directly lead to a higher level of political knowledge, the correlation clearly suggests that referendums - statistically speaking - have a positive effect on political knowledge. The more the better! Statistically speaking it has - using the same figures - been calculated that knowledge of the EU was 1.70 higher in countries that held referendums (Benz and Stutzer 2004, 41).

It is interesting to contrast these figures with figures from Switzerland. While not a member of the EU, the Swiss held a referendum on membership of EEA in 1992 - which was narrowly defeated (LeDuc 2003, 155). Nevertheless, the findings presented by Benz and Stutzer - though based on a different data-set - suggest that the Swiss are more informed than their German counterparts, and this is despite the fact that Germany was a founding member of the EU, whereas the Swiss are outside the EU. Why this difference? Possibly because the Swiss - who on average vote in ten referendums every year (LeDuc 2003, 154) - are more interested in politics due to the provisions for referendums in their constitution.

On the basis of this we can conclude that **citizens' knowledge about politics - all other things being equal - is higher in countries that allow more citizen participation (e.g. through referendums or initiatives). The provision for referendums in constitutions is positively correlated with knowledge about politics.**

Conclusion

What did the Romans ever do for us? Quite a bit if we are to believe the *Monty Python* film *The Life of Brian*. But Michael Palin, John Cleese and the other *Pythons* forgot to mention one thing: the citizens' right to veto legislation also known as the referendum. The first Roman referendums "were held before historical time, perhaps in the 8th Century" (Alderson 1975, 10).

Alas in our time Rome is not associated with government by the people. The ancient Romans gave us a mechanism for holding our leaders to account. Rome's modern contribution to politics, *The Treaty of Rome*, gave us nothing of the sort. Indeed, Jean Monnet, the founding father of the European Communities, boldly stated in his memoirs that: "I thought it wrong to consult the people of Europe about the structure of a Community of which they had not practical experience" (Monnet 1978, 367). At least he was honest. And perhaps his scepticism regarding the knowledge of the people was warranted. Can voters actually know enough to make informed decisions? The answer contained in this report is unequivocal and simple: yes!

The above analysis shows the following:

- Citizens' knowledge about politics is higher in countries that allow more citizen participation (e.g. through referendums or initiatives). The provision for referendums in constitutions is positively correlated with knowledge about politics. Thus in countries where referendums on the EU had been held the voters had a greater objective knowledge about the Union than in countries where such matters had not been submitted to the voters;
- There is at least one example of a referendum where a representative sample of the voters knew more about the issues than the average back-bench MPs. In Denmark a survey carried out by the monthly *Maanedspbladet Press* found that ordinary voters' objective knowledge was considerable;
- Comparative research suggests that citizens use information short-cuts to make enlightened decisions, which are consistent with their fundamental preferences. In recent research, it has been shown that voters are able to reach decisions even without perfect information;
- Anecdotal evidence suggests that voters in Switzerland were more enlightened about the EU than were their opposite numbers in Germany, despite the fact that the latter country is a founding member of the European Communities, while the former is outside the EU. The reason is perhaps a more or less direct result of the frequent use of referendums in Switzerland.

This is good news for those in favour of referendums - and for those who are keen that we should continue that tradition which lies at the root of our European heritage: namely democracy.

The convention that the people should give their consent to the most controversial decisions by their governments was - as we have seen - invented by the Romans. It is fitting, therefore, that we still use a Latin word for this activity: *the referendum*. In the 17th Century a Latin tract *Historica Rhaetica* informed the readers that decisions taken by the delegates of the Swiss *Bundestag* were

submitted to the people and decided "ad referendum". Since then we have used the word¹.

Writers have often had doubt about the people's lack of knowledge. While it is impossible to prove anything in politics - and even in the sciences (Popper 1963) - the evidence provided here suggests that voters are informed - and that more referendums are likely to increase public engagement and participation. On the basis of this it seems surprising - from a democratic point of view - that the British Labour government has decided *not* to hold a referendum on the European Constitution.

¹ W.A.B Coolidge (1891) 'The Early History of the Referendum' in *English Historical Review*, October 1891, cited in Stanley Alderson (1975, 10)

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