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Voting beyond vetoing

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In multi-option referendums, voters choose from three or more ballot options. Extending a single veto possibility to a vote on multiple competing proposals can constitute a more democratically empowering alternative to binary referendum voting and alleviate several of its common challenges. Multi-option referendums give rise both to new opportunities and new challenges in the agenda-setting and balloting phases of the referendum process. This thesis evaluates such opportunities and challenges through a combination of reflection on empirical experiences with multi-option referendum voting, and structural comparisons of multi-option balloting using survey studies. The thesis presents a unique dataset of national-level multi-option referendums. It reflects on which topics voters were questioned on and how they could cast their votes. It maps how multi-option referendums can be triggered and how ballot options are formulated, demonstrating that different agenda-setting models involve a diversity of actors and related opportunities for citizen empowerment. It then zooms in on the balloting process, structurally comparing various types of ballot questions and voting methods using realistic voter preference data. These comparisons provide important insights into the mechanisms through which multi-option balloting can yield clear majorities and unequivocal outcomes. With careful design choices, multi-option referendums can present an accessible format for citizen participation which effectively measures support for concrete policy alternatives.



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Charlotte C.L. Wagenaar



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List of Abbreviations

ANOVA	Analysis of Variance
AV	Alternative Vote
BC	Borda Count
COVID	Coronavirus Disease
EU	European Union
FEUSOL	Förderverein Energie-Umwelt- und Solar-Initiativen
FPTP	First Past the Post
IDEA	Institute for Democracy and Electoral Assistance
MBC	Modified Borda Count
MMP	Mixed Member Proportional
MP	Member of Parliament
NATO	North Atlantic Trade Organisation
PIP	Partido Independentista Puertorriqueño
PNP	Partido Nuevo Progresista
PPD	Partido Popular Democrático
SM	Supplementary Member
STV	Single Transferable Vote
SVP	Schweizerische Volkspartei
TRS	Two-Round System
UK	United Kingdom
US	United States
Wiv	Wet op de inlichtingen- en veiligheidsdiensten
WRR	Wetenschappelijke Raad voor het Regeringsbeleid

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Introduction

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Policy decisions made on a daily basis by political representatives address issues which are rarely black and white. Decisions often encompass not one but several policy scenarios with different characteristics and underlying values. Parliamentary debates serve to evaluate the various policy routes, take decisions on amendments and arrive at broadly supported new legislation. Such procedures contrast starkly with the way in which policy choices are presented to voters on a binary referendum ballot. Voters can reject or approve of a policy proposal without being able to suggest amendments or express conditions. Especially for corrective referendums, it is often uncertain how a veto will affect policymaking as it is not always clear whether majority rejection will cause policymakers to revoke the policy or whether, and how, they will creatively work around the rejection to pass a replacement policy (Taillon, 2018). Furthermore, voters preferring neither the status quo nor the new policy are unable to express their desire for an alternative policy. A recent example of such a situation is the 2014 independence referendum in Scotland, in which a significant share of voters favoured a maximum devolution scenario which could not be expressed on the yes/no ballot (Mitchell, 2016).

Likewise, when only a single proposal for change is posed against the status quo, this change proposal may inevitably be defined so broadly that its policy implications become unclear to voters. A telling example is the UK referendum on EU membership in 2016. The consequences of a vote to 'leave' the EU implicitly entailed various scenarios ranging from tight to virtually no ties with the EU (Rohr, Pollitt, Howarth, Lu & Grant 2017). Voters with specific preferences for EU relations were forced to either take the gamble on the leave option in the hope that their preferences would be honoured, or to conservatively vote against leaving and adhere to the safer status quo option. A vote to leave was essentially reduced to a veto of the current situation despite uncertain prospects on the implications of its alternative.

Yet referendum voting can entail more than vetoing. Experiences with multi-option referendum voting demonstrate how voters can be presented with multiple policy scenarios, such as variations on a new policy or distinct constitutional statuses. Whilst the extension of options provides promising prospects for democratic participation and preference expression, multi-option designs also raise new challenges and limitations. One such challenge is who should be responsible for formulating multiple policy proposals for the ballot. Another is the choice of a voting method to decide between more than two options, as plurality voting no longer suffices to guarantee an absolute majority winner. Despite over a hundred national-level experiences with multi-option referendums and at least dozens more on regional and local levels, remarkably little attention has been paid to this referendum format in academic literature. Its practical relevance has popped up in policy discussions and reports, but we lack an empirical overview of experiences as well as further insights into agenda-setting procedures (how are multi-option referendums triggered and who decides which options are offered to referendum voters?) and balloting procedures (how are ballot questions structured to incorporate more than two options and how are votes expressed on these options and aggregated into a final result?). This thesis delves into these questions.

1.1 Referendums in binary and multi-option formats

Referendums have been gaining momentum over recent decades, both in Europe and beyond, with hundreds of referendums held at national government levels (Schuck & De Vreese, 2015; Qvortrup, 2014). Referendums are considered by many to meet growing demands for direct citizen participation in an era in which support for representative politics is perceived to be eroding (a.o. Taillon, 2018; Ruth et al., 2017; Gastil & Richards, 2013; Altman, 2011). Compared to citizen participation with a stronger focus on deliberation and exchanging arguments, the referendum instrument has aggregative benefits and involves larger segments of the population, rendering it one of the most inclusive and efficient forms of civic democratic expression with policy-making impact (Taillon, 2018; Michels, 2011).

Yet referendums are not without critics. Their criticisms tend to come in two forms: opposition to the referendum instrument in principle and objections to their deficiencies in practice (Tierney, 2012). A substantial part of the latter relates directly to the binary nature which dominates referendum questions. Subsection 1.1.1 further elaborates on these issues. An alternative format is to present multiple options on a referendum question. Such a referendum format upholds the aggregative benefits whilst broadening the scope of choice. Subsection 1.1.2 introduces and defines multi-option referendums and section 1.2 explains why further research is desirable on how they are conducted.

1.1.1 Limitations of binary referendums

The overwhelming majority of referendums held around the world has been presented in a binary format, in which voters express whether they either approve of a new policy proposal or prefer to keep the status quo (Lupia & Johnston, 2001; Bochsler, 2010). In more exceptional cases, voters can abrogate status quo legislation, still facing a binary choice between its continuation or revocation (Uleri, 2002). When more than two policy scenarios are conceivable, such a binary format might be too restrictive to do full justice to the core principle of referendums to empower the electorate to vote directly on a policy issue. Voters preferring a different solution than the policy proposed in a binary referendum face a choice between accepting an undesired policy or opting for an equally undesired continuation of the status quo. A yes/no choice on a single policy could force those with diametrically opposed views, for example voters of the opinion that the proposed policy goes too far or not far enough, to reject the proposal for lack of more nuanced options. (Sen, 2015; Independent Commission on Referendums, 2018). As a result, a majority rejection also provides limited insight to policymakers on whether the policy ought to be rejected, restricted or amended.

Moreover, an explicit no-option may provoke protest voting over issue voting, enticing voters to be influenced in their vote choice by their opinion on the government of the day (Garry, Marsh & Sinnott, 2005; De Vreese & Semetko, 2004). When the intention of referendums is to gather insights into the true preferences of voters, vetoing for off-topic reasons can be considered problematic. Because of the restricted choice, binary referendums

are furthermore vulnerable to oversimplification of policy issues (Setälä, 1999; Taillon, 2018) and polarisation of the voting population (Parkinson, 2001). Section 5.2 discusses these issues with binary referendums more extensively.

1.1.2 Multi-option referendums as an alternative approach

When viewing referendums as not being problematic in principle but suffering from deficiencies in practice, the question to which extent multi-option referendums can alleviate some of the challenges associated with binary referendum voting warrants attention. Multi-option referendums measure support for not one but several mutually exclusive policy proposals. In practice this usually entails two or more specific alternatives to a status quo situation (Independent Commission on Referendums, 2018). This thesis applies the definition of multi-option referendums by Stephen Tierney (2013:4, emphasis in original):

“In a multi-option referendum voters are presented with more than two options addressing the *same issue*, each of which is *distinctive*, leading to *one* outcome.”

In practice, when alternatives differ from each other in some significant way (being ‘distinctive’) and only a single option can win (‘one outcome’), this implies that the alternatives are mutually exclusive. These essential properties distinguish multi-option voting from package deal voting. Examples of the latter include constitutional referendums involving series of binary choices on separate constitutional amendments, all of the approved ones making it into the new constitution. The latter method of voting can suffer from non-separability problems and result in internally incoherent outcomes or a winning package which does not enjoy majority support, known as the paradox of multiple elections (Hodge, 2011; Lagerspetz, 2016). Opinions on a particular amendment may depend on the presence or absence of another and voters may support particular combinations but reject others. Distinctively, this research focuses on referendums of which the ballot options form coherent policy proposals in their own right. Referendums that do not yield a single winning option thus fall outside the scope of this research.

Multi-option referendums empower voters to express their preferences on more detailed policy options, which may reduce the emphasis on adversarial competition and could facilitate forms of democratic co-creation in the process of option formulation. Offering multiple options can make referendum voting more constructive (Mendelsohn & Parkin, 2001) and reduce elite control over referendum processes (Lupia & Johnston, 2001; Tsebelis, 2018). An extension of ballot options may be able to attenuate binary referendum challenges whilst maintaining the aggregative benefits of the referendum instrument. This requires both that the way multiple ballot options are selected and presented empowers citizens to express diverse preferences and that vote expression and aggregation are designed in such a way that an unequivocal winner emerges in accordance with those preferences. The latter can be challenging, as there is no single established and generally accepted voting method for multi-

option referendums. Structural insights into the comparative abilities of various methods to yield unequivocal voting outcomes contribute to our evaluation of the prospects of multi-option formats as a compelling alternative to binary referendums.

As a result of the extended number of ballot options, multi-option referendums display more design variation than binary referendums. Variation in multi-option referendum procedures comes to the fore in two distinguishable phases of the referendum process: the agenda-setting phase, in which the referendum is triggered and the options for the ballot are formulated, and the balloting phase, in which voting takes place on those options using various question structures and voting methods. Any agenda-setting procedure can essentially be combined with any voting method. Agenda-setting processes and balloting procedures can thus be analytically separated and studied. This thesis zooms in on the two phases to tease out inherent advantages and limitations of procedural variations therein.

1.2 Research problem

A few academics have written about practical experiences with referendums entailing more than two ballot options. Tierney (2013) classifies fourteen multi-option referendums into four main models according to the way voters expressed their preferences and the number of voting stages the referendum entailed. Mitchell (1992) mentions eleven cases and discusses and evaluates four in detail. Emerson (2012) lists the results of various multi-option referendums in an appendix. Several policy and advisory reports have dedicated attention to the topic, with Sargeant, Renwick & Russell (2018) discussing in detail various binary and multi-option structures for a possible second Brexit referendum and the Independent Commission on Referendums (2018) arguing that multi-option referendums ought to be considered in case of serious support for various options. The Irish Citizens’ Assembly recommended that multi-option constitutional referendums be made possible (Citizens’ Assembly, 2018) and the Netherlands Scientific Council for Government Policy tossed the idea of a multi-option referendum on EU matters (WRR, 2007). Case studies featured in the aforementioned works often serve as illustrations to advance the argument for considering multi-option referendums as a serious option in upcoming referendums.

In more theoretical approaches in the relevant literature, various authors have referred to multi-option referendum voting as a possible attenuation of the polarising nature of the referendum instrument. Barber (1984) proposed offering multiple ballot options allowing voters to express conditional approval or disapproval of a policy proposal in what he termed a multichoice referendum. The term ‘preferendum’ was first coined by Emerson (1993), using it to refer to a specific consensus-based method of voting in which voters rank the options and a Borda count points system is used to aggregate support. Others such as Orr (2001), Morison & Newman (2001) and Akkerman (2004) also endorsed the idea of a preferendum to better capture voter preferences, whilst yet others have pointed to limitations of points-based

systems in capturing majority preferences (Hayes, 1998). The term preferendum has also been used for other forms of preferential voting beyond points systems (Mackerras, 1994; McLean, Spirling & Russell, 2003; Lundberg, 2007). O’Flynn & Levy (2020) argue that there is no reason preferential methods should be legitimate for elections but not for referendums. Particularly interesting about the original intention of the preferendum method is also that various groups would be involved in proposing their ideal policy option for the ballot. Diversifying agenda-setting in such a way could reduce referendum manipulation by political elites (Tsebelis, 2018).

Despite sparks of academic interest in the topic and the recognition of concrete policy relevance, no prior attempts have been undertaken to collect data on all national-level experiences with multi-option referendums and to classify them according to their various design properties. We also lack a more structural overview of relevant design choices in both agenda-setting and balloting phases. These knowledge gaps inhibit learning from experience in a structural manner and hinder the development of further academic research and debate on the possible merits and challenges of multi-option referendum formats. Furthermore, few studies attempted to analyse how various voting methods would influence results for realistic voter preference data as opposed to hypothetical data as are often used in social choice calculations (see subsection 1.2.2). An explicit comparison of outcomes under various voting methods for realistic voter preferences could transcend this level of abstraction.

There is a wealth of literature on referendum use, but it is only partly applicable to multi-option referendums. The next two subsections explain to which extent the literature on binary referendums and multi-option voting is applicable to multi-option referendum agenda-setting (1.2.1) and balloting (1.2.2) and in which respects the body of literature is insufficient to explore and evaluate variations in multi-option referendum processes.

1.2.1 Limitations of binary referendum literature on agenda-setting

An important distinction in referendum agenda-setting literature is between bottom-up and top-down referendums, in other words referendums initiated by citizens or by policymakers (Altman, 2011). This distinction lends itself well to referendum triggering for multi-option referendums. In option formulation terms, however, agenda-setting processes for binary and multi-option referendums differ significantly. Because the triggering of a binary referendum tends to take place on a specific policy proposal (commonly a citizen initiative or a legislative proposal) or a single policy scenario (for example ‘leave the EU’ or ‘independence’), the selection of ballot options is usually not a separate step in the process. In exceptional instances, political majorities deliberately instituted a mini-public to design a specific ballot proposal.

The single policy proposal characteristic inhibits the possibility that multiple authors are involved in proposing ballot options. Binary referendum literature therefore does not provide a theoretical starting point for reflection on the formulation process of multiple ballot options. Studies specifically focusing on the latter are sporadic and often isolate a single case or referendum tradition, such as the Swedish 1980 referendum on nuclear energy,

which involved political parties in designing ballot options (a.o. Suksi, 1993; Setälä, 1997) and evaluations of Swiss referendum practice involving counter-proposals by either policymakers or citizens (a.o. Kriesi, 2005; Baumgartner & Bundi, 2017). We lack encompassing insights into which actors have been involved across a larger set of cases as well as more insightful evaluations of what the implications are of various actor involvements from a democratic perspective. Such insights are relevant because not only voting procedures but also triggering and option formulation processes are crucial components of referendum decision-making (Setälä, 1997).

1.2.2 Limitations of literature on multi-option voting

When three or more ballot alternatives are on the table, a number of question structures and voting methods can be applied to derive voter preferences on the options. As binary referendums offer a plurality contest between approval and rejection, referendum literature does not cover such preference expression and aggregation choices. For multi-option referendums, ballot structure becomes a relevant concept, broadly entailing how voters cast their votes (Farrell, 2011). Extended ballot choice facilitates ranking options or spreading the voting process over multiple questions or voting stages. In terms of balloting, multi-option referendums show some commonalities with single-winner elections like presidential races.

Social choice literature focuses extensively on different ways to express and aggregate votes and devotes itself to the analysis of various voting paradoxes. Calculations using hypothetical data demonstrate that various vote aggregation methods can yield different outcomes for the same set of preferences and that ranking options can result in vote cycling¹ (e.g. Nurmi, 1998; Arrow, 1951). Whilst mathematically sound, the potential occurrence of voting paradoxes does not mean that such paradoxes necessarily occur, or are even likely to occur, in practice. In fact, it is assumed that empirical evidence for such outcomes is rare (Bochsler 2010) and that various voting systems are likely to result in similar outcomes (Levin & Nalebuff, 1995).

Research comparing outcomes under various multi-option voting methods in a realistic simulation of a multi-option referendum is extremely rare. A notable exception is the study by Baker & Sinnott (2000) who use survey data, and inferences thereof, on four policy positions for two highly salient topics in Ireland (abortion and NATO membership) to calculate the most popular option under various voting methods. Prior to the study presented in Chapter 5 (published as Wagenaar, 2019), no research had been published directly comparing preferences resulting from binary and multi-option referendum formats.

In conclusion, the field of multi-option referendums suffers from both empirical and theoretical knowledge gaps which cannot be adequately addressed using existing referendum

¹ The collective result is cyclical when in pairwise comparisons proposal A is preferred by a majority over proposal B as well as B by a majority over C as well as C by a majority over A. Ranking can be vulnerable to aggregate-level vote cycling even when individual voters complete their ballots in an internally consistent manner. In the latter case, a Condorcet paradox has occurred, in which the preferences of various majorities, made up of different individuals, contradict one another.

literature. An assessment of the potential benefits and challenges of referendums with a multi-option format builds on a thorough understanding of how such referendums are conducted. The next section translates this into the aim for this research project.

1.3 Research aim

The research aim of this thesis is to highlight variations in multi-option referendum agenda-setting and balloting processes and to reflect on the implications of such variations. This aim has empirical, theoretical and reflective components.

First, an empirical contribution is made. Because academic analysis of the practical use of multi-option formats for referendums has been relatively rare to date, both academics and practitioners benefit from more detailed information on their design and use. This thesis presents a complete overview of national-level experiences as well as insightful subnational illustrations.

Secondly, the various chapters in this thesis contribute analytical overviews of procedural variations for multi-option referendums. The thesis presents a classification of agenda-setting procedures as observed in practice and outlines design variations in terms of ballot question structure and voting methods for preference expression and vote aggregation. These insights contribute to theory building on variations in multi-option referendum designs and processes.

Thirdly, reflections on both observed experiences and experimental data aim to: learn from good practice as well as more challenged examples of multi-option balloting (Chapter 2); understand the benefits and limitations of various models of agenda-setting (Chapter 3); evaluate the effects of various types of ballot questions on voter behaviour (Chapter 4); and review the advantages and challenges of a multi-option format under various voting methods vis-à-vis a binary referendum format (Chapter 5). Empirical and theoretical classifications of multi-option referendums and reflections on their implications are highly relevant since the agenda-setting and balloting characteristics of a referendum impact on its democratic quality (Morel, 2018:167).

The aim of this thesis is not to argue that multi-option referendums ought to be preferred over binary referendums in principle. Rather, it aims to better understand the design choices inherent to multi-option referendum balloting in order to advance the academic debate on referendum design and to allow better-informed selection and evaluation of multi-option formats. Likewise, the intention of this thesis is not to make a normative argument for any particular design, though the reflection on empirical experiences and observed design effects does pave the way for various practical recommendations in section 6.3.

1.4 Research questions

Variations in agenda-setting and balloting procedures have implications for the functioning of multi-option referendums. This thesis focuses on two areas of implications which are particularly relevant to the concept of multi-option referendums: citizen empowerment and unequivocal outcomes.

From the perspective that the purpose of referendums is to give citizens a direct say in policymaking, citizen empowerment is a useful concept to evaluate the added value of multi-option referendums. Citizen empowerment is understood in this context as the additional roles and responsibilities in the referendum process through which citizens can bring referendum outcomes in line with their preferences. Beyond the theoretical reasoning that presenting voters with more ballot options empowers them by definition, empowerment depends on the relevance of the additional ballot alternatives and on the process of expressing preferences on them. Two roles are reserved for citizens in referendum processes: agenda-setter and voter. As agenda-setters, citizens become involved in the referendum process prior to the voting stage. As in binary referendums, citizens can trigger a veto referendum on legislation or propose a citizen initiative. Featuring more than one policy proposal on the ballot raises the question whether, and if so which and how, citizens are able to take on additional agenda-setting roles in the formulation of supplementary alternatives. As voters, citizens can be subjected to various multi-option voting procedures which influence the degree to which citizens can express approval of, or relative preferences for, particular policy proposals. This affects citizen influence over the elected ballot alternative. Both roles, agenda-setter and voter, impact on the extent to which societally supported policy options are discovered and elected through the referendum process.

The second area of implications refers to how variations in balloting procedures manage the challenge of reaching unequivocal outcomes, understood as clear and consistent referendum outcomes. An innate characteristic of binary referendums is their guaranteed majority outcome, providing an unambiguous numerical picture of support. However, as discussed in subsection 1.1.1, the clear numerical picture may nevertheless be equivocal when it is unclear what the underlying intentions of the numerical majority are and thus how the outcome is best interpreted. Extending ballot choice beyond two options limits this interpretation issue by empowering voters to express their preferences in more detail, but a common argument against multi-option voting is that outcomes are not guaranteed to yield numerically unambiguous winners. Under multi-option voting, an absolute majority winner may be absent, collective preferences may be cyclical or different voting methods may elect different winners. Since we lack insights into the magnitude of such theoretical challenges in real referendum situations, it is imperative to analyse how various methods fare in terms of yielding unequivocal outcomes.

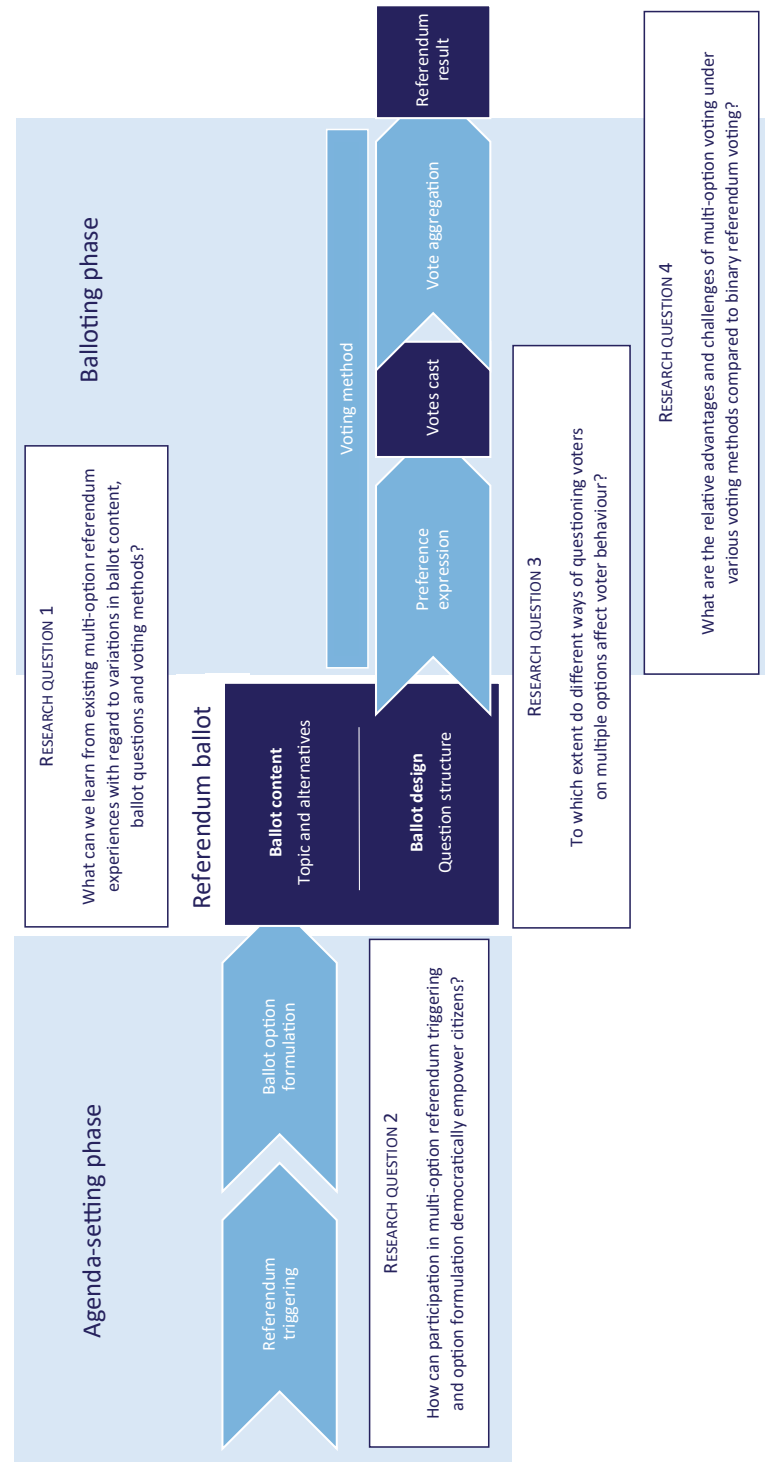


Figure 1.1 Overview of the agenda-setting and balloting phases for multi-option referendums and related research questions.

The relevant phases of the multi-option referendum process and the two imperative spheres of implications culminate into the following main research question:

What are the implications of variations in multi-option referendum agenda-setting and balloting procedures for citizen empowerment and unequivocal voting outcomes?

Through the analysis of both empirical and survey data (see section 1.5), the research question sheds light on what can be learned from reflecting on actual referendum experiences and from experimenting with design variations using realistic preference data. Its first focus is on how citizens are empowered both as voters and as agenda-setters under various multi-option referendum designs. Citizens can be empowered by contributing to and voting on ballot alternatives which reflect societal preferences more adequately than the single proposal offered in binary referendums. The second focus is on the influence of design choices on voting outcomes, questioning to which extent multi-option referendums manage to capture preferences and translate them into an unequivocal depiction of support for various competing policy proposals.

The four chapters which make up the core of this thesis each focus on one specific aspect of the referendum process (see Figure 1.1). Each chapter centres around a specific research question, comprising an element of the main research question:

1. *What can we learn from existing multi-option referendum experiences with regard to variations in ballot content, ballot questions and voting methods? (Chapter 2)*
2. *How can participation in multi-option referendum triggering and option formulation democratically empower citizens? (Chapter 3)*
3. *To which extent do different ways of questioning voters on multiple options affect voter behaviour? (Chapter 4)*
4. *What are the relative advantages and challenges of multi-option voting under various voting methods compared to binary referendum voting? (Chapter 5)*

The first research question zooms in on observed variation in multi-option referendum experiences, presenting empirical insights which also feed into a helpful conceptualisation of two dimensions of particular relevance to multi-option referendum processes: *ballot content* (i.e. which choices are offered to voters) and *ballot design* (i.e. how the options are presented to voters). Observed variation in these two dimensions proffers further questions on how this ballot content is decided and whether ballot design matters in the balloting process. The three subsequent research questions delve further into these questions.

The second research question zooms in on the first phase of the referendum process, the agenda-setting phase, in which the referendum is triggered and ballot options are decided. The corresponding chapter outlines which actors became involved in this phase for actual

referendums, and evaluates the opportunities for civic democratic empowerment in deciding ballot content.

The third and fourth research questions direct our focus to the subsequent phase of balloting. The third research question builds on the variation in ballot design as discerned in the first research question. It tests whether the variation in how questions are presented on the ballot affects the preferences voters express. The fourth research question emphasises the mechanics of different voting methods when applied to the same set of voter preferences. Without varying the question structure, it evaluates the advantages and challenges of different multi-option voting methods by analysing to which extent they empower voters and yield clear outcomes.

1.5 Research design

This thesis employs a comparative approach towards variations between different agenda-setting models and balloting procedures. It draws both on what has been empirically observed in referendum experiences and on what can be obtained from directly comparing different variations in survey studies. The thesis is based on a collection of four articles², two of which utilise empirical data to classify and learn from existing experiences and two of which are based on survey studies to study design effects which cannot be derived from real-world referendum experiences. The combination of empirical research and survey studies is thus deliberate in order to shed light on various design aspects of multi-option referendums.

For the empirical research, data were collected on the designs of actual multi-option referendum cases which had not previously been assembled and classified on a structural scale. Insights into variations in ballot content and ballot design in actual multi-option referendums enhance our knowledge of what kinds of topics multi-option referendums have been used for and how voters were able to express their preferences on policy change. The question of which actors are involved in triggering multi-option referendums and formulating ballot options also lends itself well to a broad empirical study, bringing in evidence from existing experiences for classification purposes. Subsection 1.5.1 elaborates further on the empirical approach of this thesis.

Survey research, on the other hand, can tackle questions on the effects of variations in ballot questions and voting methods – either observed in practice or plausible – on voter

² The articles are re-printed as Chapters 2 through 5. Style and spelling have been synchronised and may divert from those applied in the original journal publication. Apart from sparse minor corrections and clarifications, the content of the articles is unaltered. References, appendices and acknowledgements of the various articles have been assembled at the back of the thesis and their numbering has been adapted accordingly. The PhD candidate was solely responsible for collecting all empirical data underlying Chapters 2 and 3. The PhD candidate individually designed the survey study for Chapter 5 and had the leading role in designing the questions for the survey experiment in Chapter 4. The PhD candidate was primarily responsible for the data analysis of all Chapters. For Chapter 4, co-authors checked for straightlining using data from the overarching survey study and modelled the regression analysis. In the co-authored chapters, the PhD candidate was predominantly responsible for the writing process.

behaviour and referendum results. Comparative effects of question structures and voting methods could not be tested using empirical data, as each referendum case only utilised one such design. Varying ballot designs for research purposes during an actual referendum would be ethically dubious. Survey studies thus provide a unique opportunity to pose different variations on ballot questions or balloting methods to respondents, enabling explicit comparisons of outcomes under various designs. Subsection 1.5.2 expands on the survey studies employed in this thesis.

1.5.1 Empirical research

A first step is to zoom in on referendum practice to understand internal variations in multi-option referendum ballots and processes. The empirical part of this thesis unravels design variations and explores how different agenda-setting processes affect ballot content and citizen empowerment. The lack of a pre-existing overview of multi-option referendum experiences called for a structural quest for experiences with multi-option referendum balloting.

I created a dataset including national and territorial level cases of multi-option referendums taking place between 1848 and 2019 (see Table A2.1 in Appendix 1). The dataset draws on direct democracy databases, most notably the comprehensive dataset by Beat Müller (www.sudd.ch) and the dataset of the Centre for Research on Direct Democracy (www.c2d.ch). The data were verified and supplemented using sources such as official voting data and ballot paper images³ and with data found in electoral data handbooks (Nohlen & Stöver, 2010; Nohlen, Grotz & Hartmann, 2001; Nohlen, 2005; Qvortrup, 2014). Internet searches were carried out to check for additional cases at both national and subnational levels. The keywords used in these searches are listed in Appendix 2. As a result of the scattered information on multi-option referendum experiences and the datedness of some of the cases, there remains a chance that some cases have been undiscovered despite the exhaustion of influential databases and election handbooks and the employment of extensive literature searches which reduced this chance to an acceptably low level.

Because of its intention to provide an overview of worldwide experiences with multi-option referendum voting, this thesis does not limit itself to any specific geographical region. The overview of experiences at national and territorial levels in Appendix 1 includes sovereign states and dependent territories as included in the ISO 3166 standard for country codes. The dataset provides an empirical overview of 106 multi-option referendum cases not previously collated in literature or any specific dataset. Chapters 2 and 3 both draw on the dataset.

Chapter 2 (published as Wagenaar, 2020) presents all national-level multi-option referendum experiences. The descriptive overview of experiences directly contributes to accessible knowledge on multi-option referendum experiences. The chapter further serves theory building by determining the two main dimensions on which multi-option referendums

³ For example, through visual analysis of the ballot paper it was established that the Australian referendum in 1966 used AV as a voting method rather than plurality voting as stated in several academic sources.

differ from binary referendums: *ballot content* (which options are offered to voters) and *ballot design* (how the options are presented to voters). The chapter continues to discuss both dimensions. It first looks into the topics of multi-option referendum experiences, variety in the number of ballot options, overlap in ballot options and implementation issues of winning ballot options. Secondly, it discusses variations in ballot design (question structures and related voting methods) in the identified cases and reflects on various implications of design choices such as controversial outcomes. Following the insights into the ballot content and ballot design dimensions, lessons for the application of multi-option ballots are drawn from prior experiences. The lessons both enlighten future design processes and set the scene for further investigation of ballot content and design characteristics in the next three chapters of the thesis.

Chapter 3 (published as Wagenaar & Hendriks, 2021) takes an inductive approach to the realisation of referendum ballot content. It analyses empirical experiences of agenda-setting for multi-option referendums according to the undertaken process steps and the actors involved in triggering the referendum and formulating the ballot options. The chapter draws on a selection of more recent cases from the dataset. For older cases, it was harder to find information on which actors were involved in selecting ballot options or even in triggering the referendum. In addition to the countries and territories included in the dataset, Chapter 3 also draws on subnational referendum cases presenting illustrative examples of agenda-setting processes. Including additional variations discovered at local and regional levels broadens insights into distinguishable agenda-setting models and their practical *modus operandi*. Data on subnational cases were gathered through official data sources, electoral and referendum commission documents, academic articles and reports. Cases are presented for illustrative purposes, as the intention of this chapter is neither to describe or count all cases associated with a particular model nor to provide a complete overview of all regional or local referendum experiences. Rather, the aim is to derive patterns from empirical experiences. A typology of six main models of multi-option referendum agenda-setting is developed which extends and transcends the wealth of literature on binary referendum triggering and option formulation. The models represent analytic categories which allow for some internal variation among cases but include evident common characteristics (Collier & Mahon, 1993). The chapter discusses the involvement of various actors and evaluates the empowerment of citizens as agenda-setters and voters under various agenda-setting modalities. It thereby contributes to our theoretical understanding of how multi-option referendums can be initiated and what the implications of different modalities are for the translation of societal preferences into ballot content.

1.5.2 Survey studies

Once the referendum has been triggered and the options for the ballot have been established, further variation pertains to how voters are questioned on the alternatives. There are various ways in which options can be presented on the ballot, as outlined in the ballot design section

of Chapter 2. Correspondingly, there are various voting methods which can be applied to vote on the options. This thesis understands a voting method as entailing two components: a *balloting method* (how voters mark their ballots, also referred to as preference expression) and a *decision rule* (how cast votes are aggregated into a referendum outcome).

For empirical cases, commonly only voters' first preferences are known. We lack data on their full preference scales, in other words which options they approve of and in which order. Without such data, it is not possible to calculate whether outcomes would have been different under different voting methods. This is where survey research comes in. Gathering preference data on multiple alternatives enables comparisons and allows for experimentation in ways not possible for real-life referendum data. In contrast to social choice calculations, which often utilise hypothetical data to demonstrate the possibility of voting paradoxes, the strength of both survey studies is that they utilise real voter preferences in order to test design effects on voting behaviour and on referendum outcomes in a more realistic setting.

Chapter 4 builds on a survey experiment in which groups of respondents faced different ballot question designs entailing the same ballot options. This chapter draws on literature from three theoretical domains, which each apply to a particular challenge of multi-option referendum voting. General referendum literature – largely focused on binary referendums – attends to tendencies towards status quo voting when a veto option is present. Electoral literature, in particular on single winner ballots, demonstrates that ballot position effects can benefit higher-listed candidates. Social choice theories demonstrate the theoretical occurrence of voting inconsistencies when voting on multiple options. With respect to the voting situations to which the three challenges apply, multi-option referendums deviate in some important respects. There are more than two ballot options, either with or without an explicit veto option. Yet, there are not as many ballot options as is often the case on electoral ballots, and the vote is on policies rather than candidates. Options can either be positioned on a single dimension (ordinal alternatives) or they cannot (categorical alternatives). These specific characteristics of multi-option referendum voting render it relevant to test the prevalence of the three voting challenges in an experimental design using actual voter preference data as opposed to hypothetical data. The survey study was conducted on a Dutch web panel and the sample includes 3,445 respondents. Respondents faced several alternative proposals that were presented either (a) alongside one another and, if relevant, the status quo in a single ballot question or (b) in separate binary questions, posed implicitly against the status quo.⁴ The results of the treatment groups were also compared to those of binary control groups. By comparing the voting results of the different groups in this between-respondents design, the chapter provides unique insights into the effects of different modes of multi-option referendum balloting on voting behaviour. In particular, it assesses the impact of ballot question structure on the manifestation of various voting challenges: status quo bias, ordering effects and voting inconsistencies.

⁴ In the latter design, the status quo is essentially represented as a shadow option (Bisaz, 2020), similar to a binary referendum procedure on a new policy proposal.

Chapter 5 (published as Wagenaar, 2019) compares the effects of various voting methods on referendum outcomes and voter empowerment. Its methodology follows closely on the example set by Baker & Sinnott (2000) with the exception that it uses especially acquired survey data, forgoing the need to make inferences of full preference scales. The survey study was conducted on a Dutch web panel and the sample includes 1,671 respondents. All respondents were presented with two preference questions in which they were asked to rank policy options and to apply approval voting. Preferences were surveyed on four options, two of which were offered in an actual binary referendum and two of which were hypothetical. Unique about this survey is that the data were collected in the week leading up to a national binary referendum. Respondents were therefore well-informed about the referendum topic and voter preferences on the binary alternatives and multi-option alternatives could be directly compared to each other. By weighting the multi-option preferences for actual turnout and voting behaviour in the binary referendum as reported by respondents, the results on first preference votes indicated how many voters would have opted for a compromise option had they had the choice. Taking into account abstention intentions benefits the representativeness of the data for actual referendum voters. Various aggregation rules were applied to the ranked preferences: plurality rule, AV, Coombs' method and Borda count. The survey thus contributes unique insights into how a multi-option format would have affected voting behaviour and referendum results in a realistic referendum setting.

1.6 Scope and outline of the thesis

This section defines the scope of the research project (1.6.1) and outlines the contents of the chapters that follow (1.6.2).

1.6.1 Scope of the research project

The focus of this thesis is on variations in agenda-setting and balloting procedures within the category of multi-option referendums, and the implications of such variations for citizen empowerment and unequivocal outcomes, both in relation to each other and vis-à-vis binary referendums. Discussions on the desirability of referendums in relation to representative democracy or in comparison with deliberative and participative instruments of citizen participation are beyond its scope. The thesis neither intends to defend any normative position towards the use of referendums per se nor to culminate into a proposed ideal model of multi-option balloting. The lessons and recommendations endorsed in the main chapters and the conclusion and discussion follow from reflections on comparative advantages and challenges of variations as observed in practice or based on survey evidence, thus providing a starting point for referendum design endeavours as well as normative debates.

This thesis deals with agenda-setting and design variations in multi-option referendum processes. An inherent limitation of this focus is that the context of the referendum is not

taken into account. The broader political and democratic context in which the vote takes place and the direct campaign environment surrounding the referendum can influence both agenda-setting processes and voter behaviour. However, a systematic understanding of procedural and design variations provides an essential basis for analysing interactions with the broader democratic context. Once we have a good idea of how multi-option referendum designs vary, academics can study the impact of different environments on how designs play out in practice and practitioners can select the most fitting design for a particular topic and context. This thesis thus provides the groundwork both for further endeavours in academic research communities as well as for design exercises and experimentation by practitioners. Research into the fit with the political context as well as practical experimentation therefore represent two of the recommended avenues of further research (see subsection 6.2.3).

1.6.2 Outline of the thesis

As outlined in section 1.4, each of the four core chapters of this thesis refers to a particular element of the referendum process as visualised in Figure 1.1. Chapter 2 sets the scene by exploring existing variation in ballot content and ballot design. It provides an empirical overview of multi-option referendum experiences around the world and draws lessons for good practice. The chapter first discusses the topics on which referendums were held and the ballot alternatives offered (*ballot content*). It draws attention to the implications of similar or unimplementable ballot alternatives. Secondly, the chapter discusses how ballot alternatives were posed to voters (*ballot design*). It presents frequencies of two main questions structures – a single question and multiple questions – and discusses design variations used in actual referendums. The reflections culminate in lessons which provide a useful starting point for practitioners designing multi-option referendums.

Chapter 3 zooms in on the *agenda-setting phase*, questioning how multi-option referendums come about and how the options offered on the ballot are chosen. Reviewing both national and subnational cases, the chapter distils six main models from empirical evidence which form the basis for a typology of agenda-setting processes. Each model is discussed and illustrated with a practical example. The two main dimensions of the typology are the actors triggering the referendum (bottom-up or top-down) and the actors involved in formulating or selecting ballot options. Both dimensions provide empowerment to particular groups of actors, but also face various limitations. The chapter concludes with an overview of relative opportunities and limitations of each of the six models, which paves the way for further evaluations, both empirical and normative, on the practical implementation of the models.

Chapter 4 focuses on the way multiple options are offered to voters on the ballot in the *balloting phase*. Drawing on the two main question types identified in Chapter 2, the chapter investigates whether question structure differences impact on voter behaviour, in particular on status quo voting, ordering effects and voting consistency. The chapter concludes that status quo voting decreases under all multi-option designs compared to binary voting, although

most strongly under multiple binary questions and single-question ranking. Respondents are capable of understanding multi-option voting, in particular on ordinal alternatives, and are not significantly influenced by the ordering of the options, though small differences could have an impact when outcomes are particularly close.

Chapter 5 also concentrates on the *balloting phase* and evaluates the advantages and challenges of multi-option referendum voting in a single-question design in relation to binary referendum voting. It contributes a theory-driven overview of four advantages and four challenges of each modality over the other. It then proceeds to test to which extent the theoretical advantages and challenges empirically manifest themselves for a specific referendum case in an unprecedented comparison between binary and multi-option preferences. Though multi-option voting methods varied in their respective acknowledgements of broad approval or strong support, they all elected the same winning option. The chapter furthermore concludes that the manifestation of some advantages and challenges depends on the voting method applied, whereas others are inherent to the multi-option format.

The concluding chapter (Chapter 6) brings together the insights into how referendum processes vary in terms of ballot content and design (Chapter 2) and agenda-setting procedures (Chapter 3) and what the effects are of various design choices in terms of question structure (Chapter 4) and voting methods (Chapter 5). After summarising and reviewing the observed and conceivable variations in agenda-setting and balloting procedures, the concluding chapter discusses (a) the implications of using different agenda-setting and balloting procedures for the empowerment of citizens as voters and agenda-setters, and (b) the implications of balloting variations on the emergence of unequivocal majority outcomes. The remainder of the chapter reflects on the academic contribution of the thesis, suggests avenues for further research and discusses practical considerations for the use of multi-option referendums.

2

Ballot content and design in observed multi-option referendums

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This chapter has been published as:

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Abstract

Referendums are regularly criticised for reducing complex policy decisions to two maximally opposed options. This reduces opportunities for voter expression and can polarise debates. Alternative referendum designs which present more than two ballot options can offer innovative opportunities, but also raise new challenges. We can benefit by learning from previous experiences with multi-option referendum voting. Discussions of such experiences are rare and have often focused on a limited number of cases. This article provides an overview of over 100 multi-option referendum experiences around the world. It discusses the topics on which they were held and the ballot options that were offered. It then analyses the variety in ballot design in terms of questions posed and voting methods applied. Drawing on the experiences of multi-option referendums, the article concludes with lessons that can be learned in relation to initiating and designing these referendums.

Referendums are increasing in popularity and frequency across the globe. Critics point toward the polarising nature of the two-option choice that is commonly offered. Referendums could, however, also be designed to include more than two ballot options. So far, little has been written about practical experiences with such referendums. To address this gap, I have compiled a dataset of experiences which can inform our understanding of variety in multi-option referendum designs. In order to learn from experience, this article describes the empirical evidence and draws several lessons which can inform practical referendum design choices.

Particularly in cases in which more than two distinct scenarios are conceivable – for example in the Brexit referendum – a binary choice might be too restrictive. Framing the vote in multiple options has been suggested as an alternative approach.⁵ For the Scottish independence referendum, such a procedure received serious attention by policymakers prior to the vote (Scottish Affairs Committee, 2012). A ballot containing several scenarios empowers voters to express their opinion in more detail rather than forcing them to select one of two extremes. Ballot options could be more specified than broadly interpretable options such as ‘leave’. Providing more detailed options helps voters to understand the policy consequences of the referendum result, as is recommended in international standards for referendums (Venice Commission, 2001 Section II.E.2.a.).

In multi-option referendums, “voters are presented with more than two options addressing the *same issue*, each of which is *distinctive*, leading to *one* outcome” (Tierney, 2013:4, emphasis in original). Whereas binary referendums commonly pose a single option – a new policy proposal or scenario – against the status quo, multi-option referendums offer a wider range of alternative policies. An example would be voting on a new electoral system with a choice between first past the post, mixed member proportional, or alternative vote systems. Extending choice beyond two options requires additional design choices in two important respects: the selection of options to appear on the ballot (ballot content) and the way voters are questioned on the options (ballot design).

The next section considers the prevalence of multi-option referendums over time and space; the following two sections focus on multi-option referendum experiences with respect to the design aspects that set multi-option referendums apart from their binary counterparts: first, ballot content and, second, ballot design. This empirical overview is followed by several lessons drawn from experience. Most of the existing literature, such as work inspired by social choice, has extensively discussed the theoretical possibilities and implications of multi-option voting designs. However, few studies have reflected on how multi-option referendum voting has played out in practice. This article explores empirically the effects of different multi-option ballot design choices as observed in actual referendum practice.

⁵ See e.g. Blake, Beyond the binary: what might a multiple-choice EU referendum have looked like? Democratic Audit UK Blog, 11th November 2016, <http://www.democraticaudit.com/2016/11/11/beyond-the-binary-what-might-a-multiple-choice-eu-referendum-have-looked-like/>.

2.1 Prevalence of multi-option referendums

Discussions on the applicability of multi-option designs can benefit by learning from practical experiences elsewhere. Whilst binary referendums are the norm, there have been over 100 experiences of referendums offering at least three options at the highest government level in countries and dependent territories around the world (see Table A2.1 in Appendix 1). In existing literature, there is no comprehensive overview of such cases. Analyses of experiences in academic and popular literature are scattered and often limited to sporadic single case studies or a discussion of a small set of better-known cases.⁶ This article seeks to provide a complete overview based on a dataset of 106 cases compiled by the author.⁷ The dataset includes national-level referendums in sovereign states – at the time of the vote – and referendums at the highest government level in dependencies and territories formally related to another state. It excludes further experiences on local and regional levels. Voting data were largely compiled using existing datasets and were verified using official sources. The earliest documented cases date back to 1848, when several sovereign Italian city states voted on mergers.

In the 1960s, multi-option referendums notably increased in frequency, peaking in the 1970s with an overrepresentation of referendums in Switzerland and New Zealand. Contrary to a prevalence of constitutional status questions in the previous century, more recent decades represent a shift towards a broader range of policy questions. This illustrates the continued or even renewed relevance of the multi-option design. Moreover, aside from actual empirical experiences, the debate on the possible use of multi-option referendum designs has gathered pace in recent times.

Since the start of the twenty-first century, nineteen multi-option referendums have been held worldwide (see Figure 2.1). The most recent cases were in Guernsey (2018), Puerto Rico (2017), New Zealand (2015) and the Dutch island of St. Eustatius (2014). The latter three had experienced such a referendum before; New Zealand in 1992 and 2011 on electoral system reform as well as 28 repeated referendums – alongside each general election – on liquor licensing between 1894 and 1987. Puerto Rico voted on its status in relation to the US five times since 1967, each time with a differently designed multi-option referendum. Five islands of the former Netherlands Antilles witnessed a total of 11 multi-option referendums on their relative constitutional statuses in relation to the Kingdom of the Netherlands.

A considerable number of multi-option referendums were also held in dependent island states of the US, UK, France and Australia over the past century. Experiences in UK territories include referendums in the British crown dependencies of Guernsey (2018) and Jersey (2013), the Pitcairn overseas territory (2009) and the then-dominion of Newfoundland (1948). On

⁶ Some interesting cases are mentioned in Sargeant et al. (2018), in Appendix D in Emerson (2012), and in Tierney (2013).

⁷ Most important data sources include Nohlen & Stöver (2010); Nohlen, Krennerich & Thibaut (1999); Nohlen, Grotz & Hartmann (2001); Nohlen (2005); Qvortrup (2014); <http://www.sudd.ch>; <http://www.c2d.ch> (last accessed 9th January 2020).

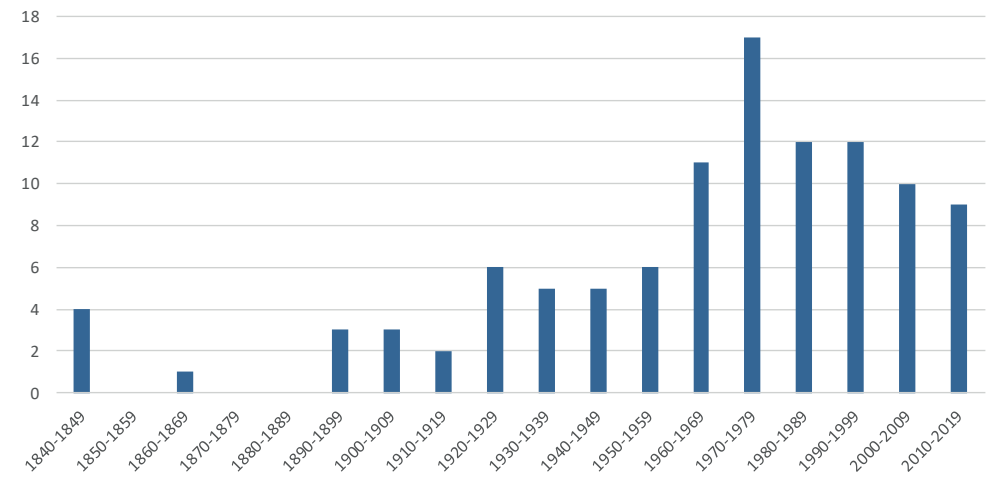


Figure 2.1 Multi-option referendum experiences per decade.

the European mainland, most multi-option votes took place in the referendum-minded democracies of Switzerland (12 referendums, most recently in 2010) and Liechtenstein (9 referendums, most recently in 2014). Other multi-option votes in Europe took place in Slovenia (1996), Andorra (1977, 1978 and 1982), Sweden (1957 and 1980), Finland (1931), Luxembourg (1919) and Greece (1862).

2.2 Ballot content: topic and options

This section discusses common topics that featured in multi-option referendums (subsection 2.2.1) and observations on the number and content of the options presented on the ballot (subsection 2.2.2).

2.2.1 Ballot topics

Political and electoral changes as well as constitutional-status questions are popular topics for multi-option referendums. Non-sovereign territories have – sometimes repeatedly – used the multi-option design to propose a range of different options to voters with respect to the territory's relationship to the sovereign state, offering such options as independence, commonwealth, statehood, municipal or provincial status and free association. Examples include five referendums in Puerto Rico on its relationship to the United States. The options that were offered in the referendums differed. Independence and US statehood were always on the ballot, together with one or two alternative options (commonwealth and free association) in different constellations. The 1998 referendum featured an explicit 'none of the above' option, which received an absolute majority of votes as a result of societal

dissatisfaction with the absence of the status quo – commonwealth with the US – on the ballot.

In the two most recent referendums in 2012 and 2017, an absolute majority of voters preferred to become a US state, although the latter suffered from low turn-out (an all-time low at 23 per cent, compared to 78 per cent in 2012). So far, the US senate has not approved Puerto Rican statehood. Guam is in a similar situation and voted for a US commonwealth status in 1982, with no implementation to date. These experiences point to an important contextual element in status referendums: an international dimension. The dependence on US Congress approval requires both pre-referendum and post-referendum coordination.

An example of when such coordination was achieved is the 1948 Newfoundland referendum. A dominion of the UK at the time, the referendum questioned whether the territory would prefer to maintain its commission government status, become part of Canada or obtain what was described as ‘responsible government’. The ballot options were coordinated with both the UK and Canada before being put to voters. Since the two latter options each received over 40 per cent of the votes, a second stage was held to decide the most popular option overall, and Newfoundland joined Canada as part of a new province. The status issue was successfully resolved. The Puerto Rico, Guam and Newfoundland examples illustrate how international coordination can influence referendum effectiveness.

Further status-related referendums were held in the 1990s on the five islands of what were then the Netherlands Antilles (Bonaire, Curaçao, Saba, St. Maarten and St. Eustatius). The referendums offered four options: independence, autonomous area, status quo or connection to the Netherlands. Each of the islands voted overwhelmingly to retain the status quo, thus to remain part of the Netherlands Antilles. Following several years of reform of the Netherlands Antilles, a second round of referendums was held a decade later. Curaçao and St. Maarten assumed the status of country within the Kingdom of the Netherlands and the other three islands became a Dutch municipality with special status. These cases demonstrate how multi-option referendums can be embedded in status change trajectories. At different stages, multi-option ballots were used: to measure support for different change scenarios prior to reforms and to vote on status preferences to reflect the new situation after the reforms.

Other popular topics for multi-option referendums are electoral reforms. Since electoral systems can be described as a multitude of distinct options, they are well suited for multi-option voting. New Zealand voted to change the first past the post (FPTP) electoral system in 1992, electing mixed member proportional representation (MMP) from a choice of four alternative systems. In 2011 the electorate voted on the issue again, this time on whether the new MMP system should be sustained, which was approved. Andorra (1982) offered the electorate a choice between a majority, proportional or mixed system. Further referendums have been held on changing electoral rules within the existing system, such as the number of constituencies and legislators (Guernsey, 2018 and Jersey, 2013), the number of MPs (Liechtenstein, 1985), voting age (Virgin Islands, 1970) and legislative terms (Cook Islands, 1994). As these examples demonstrate, the added benefit of a multi-option design comes

to fruition on issues that potentially entail more than two scenarios, as is often the case for electoral and political reforms.

Constitutional changes were voted on in Chile (1925), Uruguay (1958, 1964 and 1966) and Benin (1990). In addition, popular initiatives affecting specific constitutional articles have led to several multi-option ballots in Switzerland after the addition of a legislative counter-proposal. Other issues included political reforms (Andorra, 1977 and 1978), sexual equality (Liechtenstein, 1985), capital punishment (Virgin Islands, 1978) and cultural issues such as a national hymn (Australia, 1977) or flag (New Zealand, 2015). There is also great variation in multi-option votes on non-constitutional legislation. Sweden used the multi-option referendum instrument twice to address innovations in pensions policy (1957) and nuclear power (1980). Other electorates voted on port construction (Pitcairn, 2009), fishing licences (New Zealand, 1954) and prohibition (Finland, 1931). Repeated referendums on prohibition and liquor licensing were held in New Zealand alongside each general election between 1894 and 1987. On two occasions a multi-option referendum ballot was used to vote on personal appointments, de facto functioning as elections: Cambodia, 1960, on the governor and Greece, 1862, on the head of state. Both yielded an almost-unanimous outcome.

2.2.2 Ballot options

The selection of specific ballot options depends on the topic of the referendum. It is common for multi-option referendums to include the status quo, most often as a description of that situation. Some referendums (e.g. referendums on the Netherlands Antilles between 1993 and 2004; Northern Mariana Islands, 1961; Guam, 1982) explicitly named one of the options ‘status quo’. On the contrary, some referendums did not offer a status quo option, posing only change options. For example, the 1962 Singaporean status ballot only listed various association modes with Malaysia, as the government had already made the association decision.

Several referendums included an explicit blank, ‘none of the above’ or ‘no to everything’ option (e.g. Andorra, 1978; Puerto Rico, 2012; Northern Mariana Islands, 1961; Liechtenstein, 1985) or an opportunity for voters to write their own preferred status (Guam, 1982; Micronesia, 1983). In some cases, this option replaced a status quo option. Only in Puerto Rico (1998) did a ‘none of the above’ option receive an absolute majority of votes (50.3 per cent). In Andorra (1978), a ballot containing two proposals for constitutional change and one ‘no to both’ option was decided in favour of the latter by a narrow plurality margin (35.6 per cent). Voting for no-options often results from dissatisfaction with the ballot options, in particular with the absence of a highly supported (status quo) option.

When several ballot options are highly similar or overlapping, first preference votes may spread over these options, producing an inconclusive result. In a 1978 referendum on the Virgin Islands, 41.5 per cent voted for capital punishment for all first degree murders, 13.8 per cent supported it under certain conditions and 44.7 per cent rejected it under all circumstances. No capital punishment policy was implemented, despite an absolute majority

agreeing on a restricted variant of such a penalty. Similarly, in Andorra (1982), 24 per cent voted for a proportional system for both municipal and national elections and a further 43.3 per cent opted for a proportional system for municipal elections only. Because of an absolute majority threshold for referendum validity, the status quo – a majority system for all elections – prevailed by default, despite receiving just 32.8 per cent of the vote share. A two-thirds majority had expressed their preference for proportional elections at the local level to no avail. On the Cook Islands (1994), a majority of voters supported shortening parliamentary terms, but since their first preferences spread over three- and four-year terms, the status quo of five-year parliamentary terms prevailed with a 41.8 per cent plurality. Following this experience, the government opted for a binary referendum on reducing parliamentary terms to four years in 1999 – in which majority support lacked the necessary supermajority – and in 2004, when it was approved. When the change options offered are relatively similar to each other, voters in favour of change are likely to support several of these options. The examples illustrate a bias against change when voters can only vote for one of the change options and any single option requires absolute majority support to win.

Around two-thirds of all multi-option referendums offered three ballot options and a further one-fifth included four options. The New Zealand referendums in 1992 and 2015 and the Guernsey referendum in 2018 offered five ballot options. Each had provisions for reaching absolute majorities, as discussed below. Five options were also offered in Puerto Rico (1988), Guam (1976), Uruguay (1966) and the duchies of Parma and Piacenza (1848). A handful of referendums included larger numbers of options: the political reform referendum in Andorra (1977; six options) and status referendums in Guam (1982; seven options) and the Northern Mariana Islands (1969; nine options). An exceptional case is the Greek referendum in 1862 in which 27 options were offered, many of which received few or no votes.

2.3 Ballot design: questions and voting method

Besides decisions on the ballot content, multi-option referendums require decisions on their ballot questions and voting method. ‘Ballot questions’ refers to the structure in which the options are presented to voters. The ballot paper can entail either a single question or several questions which are to be combined in one outcome. Referring back to the definition of multi-option referendums set out in the introduction, the one-outcome characteristic of multi-option referendums implies that only one ballot option can be implemented. This characteristic distinguishes multi-option referendums using a multiple-question design from voting on multiple distinct – though related – binary questions, like the 1997 referendum on instituting a Scottish Parliament and whether it should have tax-varying powers. ‘Voting method’ refers to how voters mark their ballots – by marking one or several options – and how votes are aggregated into a referendum result. In some cases, voting may take place at multiple moments in time, similar to elections with multiple rounds.

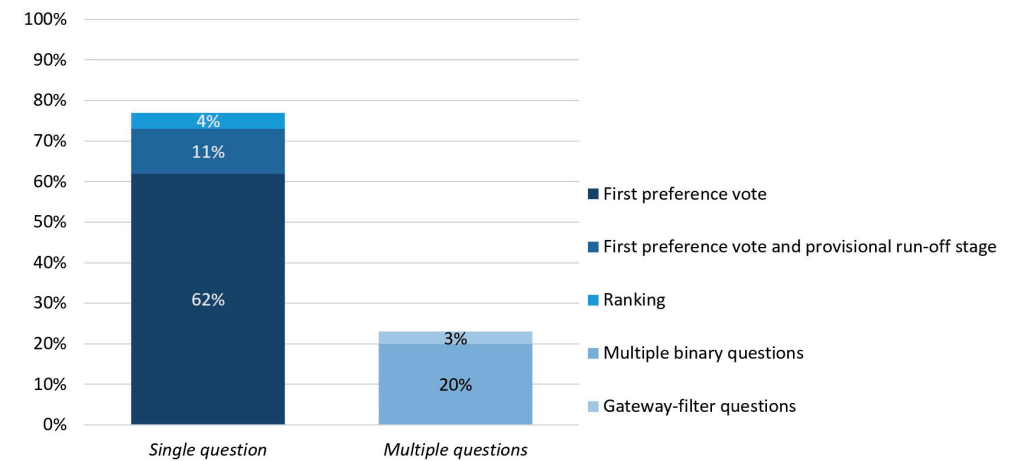


Figure 2.2 Ballot questions in multi-option referendums.

Over three quarters of all multi-option referendums were single-question referendums (see Figure 2.2). The vast majority of those were decided through *first preference votes* only, resulting in a plurality or absolute majority winner. Other strategies, both ensuring an absolute majority winner, are the inclusion of a *provisional run-off stage* (if no option wins absolute majority support, the two most popular options face each other in a second stage) and the use of *ranking* (voters number all options according to their relative preferences).

Some multi-option referendum ballots posed multiple questions. One-fifth posed alternative proposals on the ballot through *multiple binary questions* (in a series of binary questions, voters approve or reject each proposal separately). A few cases included two ballot questions in a *gateway-filter* structure (in a first question, voters opt for or against changing the status quo; in a second question they select their most favoured change option).⁸ This section considers empirical experiences with these different designs.

2.3.1 Single-question multi-option ballots

Three-quarters of multi-option referendums were conducted in a similar manner to binary referendums, with only a first preference vote cast. Other than in binary referendums, first preference votes do not guarantee an absolute majority winner when three or more options are on the ballot, risking an unclear or even controversial outcome. Most multi-option referendums (62 per cent) used first past the post rules to determine the winning option. Around half of those, a large proportion being the repeated New Zealand referendums, required an absolute majority outcome for implementation. Some multi-option referendums even required supermajorities of 60 per cent (St. Eustatius, 2014; New Zealand until 1908 for Prohibition option only) or a two-thirds majority (Cook Islands, 1994; Singapore, 1962).

⁸ On this terminology, see Tierney (2013).

More often than not, absolute majority or supermajority requirements resulted in invalid referendum outcomes.

In cases without absolute majority requirements, plurality winners regularly prevailed, sometimes with narrow margins. Examples include Sweden, 1980 (39.1-38.7-18.9 per cent), Andorra, 1978 (35.6-32.8-31.6 per cent) and Liechtenstein, 1985 (43.6-39.0-17.4 per cent). Many of these referendums suffered from serious interpretation issues after the vote, often leading to a policy deadlock. The prevalence of single-question ballots with first preference votes results in a high rate of contested or invalid referendum outcomes. Such outcomes can severely diminish or even reverse the value of multi-option referendums as an instrument to decide on policy matters.

A number of multi-option referendums (11 per cent) provided for a run-off stage should no absolute majority winner emerge. For example, the 1982 seven-option status referendum in Guam ended in a 49.5 per cent plurality for US Commonwealth and was decided in favour of this option in a binary run-off against the next most popular option later the same year. The Newfoundland run-off stage featured the two most popular options of the 1948 ballot: responsible government (44.6 per cent) and confederation with Canada (41.1 per cent). This case demonstrates that the plurality winner under first preferences is not always the winning option when posed against the runner-up: confederation with Canada dominated the run-off result with 52.3 per cent. The referendums on the islands of the Netherland Antilles also included provisions – which were never needed – for a run-off stage to be held only in the absence of an absolute majority winner. Slightly different from these cases with run-off provisions, the 1977 Andorran referendum, presenting six change options, was followed up by an improvised second stage. The non-binary design of this 1978 referendum resulted in an inconclusive outcome: the 1977 plurality winner and a merged alternative of the losing options both lost to a ‘no to both’ option by a narrow plurality of votes. These examples illustrate that a binary run-off round can guarantee majority support and effectively settle the issue on the condition that meaningful options – which often includes a status quo option at least in the first stage – are presented to voters in both rounds.

Ranking was used for referendums in Guernsey (2018), New Zealand (2015), Jersey (2013) and Australia (1997). In Guernsey, Jersey and Australia, the status quo was included on the ballot paper (respectively as a description of current electoral rules and the name of the current national hymn). The New Zealand case was different, as it only offered change options (five flag designs). The most popular flag design competed against the status quo flag in a later run-off stage. None of these cases yielded an absolute majority winner after counting first preferences alone. The votes of those voters with a first preference for the least popular option were then redistributed to their respective second preferences and so forth. Such redistributions of votes yielded an absolute majority winner in each case. Ranking can therefore ensure majority support within a single voting stage and significantly simplify the interpretation of the referendum result.

2.3.2 Multiple-question multi-option ballots

In 20 per cent of cases alternative proposals were voted on in a series of binary approve-reject questions. In Switzerland and Liechtenstein this is the common method of voting on citizen initiatives to which a counter-proposal has been drafted by policymakers. Since 1987, voters in both countries have been allowed to vote ‘yes’ on both the citizen-initiated proposal and the counter-proposal (referred to as the ‘double yes’ possibility), increasing each option’s chances of obtaining an absolute majority. A third question, the *Stichfrage* or ‘deciding question’, is added to determine the winning change option in the event that both beat the status quo. The deciding question functions as a run-off between approved change options. By using a deciding question rather than directly electing the proposal with the highest support percentage, the relative preferences of voters approving or rejecting both proposals can also be taken into account.

The outcome of a three-question ballot potentially suffers an inconsistency when the change option approved by the largest number of voters loses in the deciding question against the change option approved by a smaller number of voters. This so-called ‘vote cycling’ occurred in one of six referendums in which a deciding question was used (namely Switzerland, 2010). It can logically follow from the relative preferences expressed in the deciding question by those supporting either both or neither of the proposals, or can result from different turn-out rates for the different questions.

The status quo option wins if neither of the proposals for change receives an absolute majority of votes. Prior to the ‘double yes’ possibility, the spread of votes over two – sometimes similar – change proposals favoured the status quo. It led to the common practice in Switzerland for initiative committees to withdraw their proposal after a counter-proposal was launched in order to boost the winning chances of the counter-proposal against the status quo. This issue is similar to the decreasing chances of similar change options winning absolute majority support under a first preference vote in a single-question referendum.

The problem of support spreading over multiple options when voters may only approve one option is exacerbated when more than two proposals for change are offered. In Slovenia (1996), three binary questions were used to vote on three separate proposals for electoral change. Voters could only approve of one of the options. This case also illustrates how differences in turn-out for the different questions can influence results. One of the proposals was accepted by 65 per cent of those answering that particular ballot question. Those approving the option, however, only constituted 44 per cent of those voting in the referendum. The – belated – decision by the constitutional court to implement this option was highly contested.

A different multiple-question design is the gateway-filter structure which includes a binary gateway question (‘do you favour change or not?’) and a multi-option filter question (‘which alternative to the status quo would you prefer?’). Responses to the second question are discarded if a majority rejects change in the gateway question. New Zealand and Puerto Rico have used gateway-filter structures. In the 2012 referendum in Puerto Rico, 54 per cent

voted in favour of changing the status quo in the gateway question. In the three-option filter question, 61 per cent voted in favour of statehood, which was deemed to be the winner of the referendum. Considering that this 61 per cent majority of a slim majority (54 per cent) constituted a *minority* of merely 33 per cent of voters overall, it would not have beaten the status quo in a run-off vote.

To prevent such an inconclusive outcome, referendum designs in New Zealand included a run-off stage. The winning option of the filter question (featuring four change options) in 1992 was posed against the status quo in a binary run-off stage in 1993 in order to ensure an absolute majority winner. The same design was provided for the 2011 referendum on the same topic, but this time a majority rejected change in the gateway question. Gateway-filter designs explicitly separate the desire for change from the type of change desired, which helps clarify whether a majority of voters actually prefer to change the status quo in the first place. The results of the gateway question could determine whether a run-off round is required.

2.4 Lessons from multi-option referendum experiences

Drawing on the empirical evidence of multi-option referendum voting, we can distill several lessons for good practice. Only those that are particularly relevant to multi-option referendums are discussed (as opposed to lessons that apply to all referendums, which are well-documented elsewhere).

2.4.1 Ballot content: topic and options

Empirical evidence shows that many multi-option votes took place on constitutional status questions and on electoral and political reforms. By their nature, such topics are often open to a range of different policy scenarios and therefore well-suited to a multi-option design. Multi-option referendums are relevant for topics for which more than two alternative policies can count on realistic support in society. Several multi-option referendums have resulted in very high support percentages for just one or two of the options, which raises questions about the added value of a multi-option design over a binary ballot. Whether the issue lends itself to a multi-option design and which options are considered to be realistically supported may be context-dependent. It is therefore essential to have a basic understanding of societal preferences before designing the referendum, including the selection of a binary or multi-option model. To select broadly supported ballot options, some governments have involved non-political actors such as an electoral commission (Jersey, 2013) or expert panel (New Zealand, 2015) in the design process or have obtained citizen input either directly or indirectly. Citizens' assemblies – like the Irish and British Columbian examples for binary referendums – can also be employed for this purpose (McKay, 2019).

Offering voters a fair choice requires that the winning option can be implemented. Whilst this is also true for binary referendums, it deserves mentioning here because it applies in

particular to the category of status referendums, which constitute a significant share of all multi-option referendum experiences. Where the approval of an external entity is required, it is necessary to have pre-referendum coordination of ballot options with governments of those countries to which particular statuses relate. The diverging trajectories of Newfoundland, on the one hand, and Puerto Rico and Guam, on the other, demonstrate how bilateral agreements ahead of the vote can increase the chances of successfully settling an issue.

On a more strategic level, the inclusion or exclusion of particular ballot options can affect the referendum process and result. Chances of successfully resolving the issue are highest if all relevant policy options are on the referendum ballot.⁹ This often includes a status quo option. Two Puerto Rican cases (2017 and 1998) demonstrate how the exclusion of popular options can result in boycotts which jeopardise the legitimacy of the results. The Virgin Islands (1978) and Cook Islands (1994) experiences demonstrate how similar or overlapping options may distort the result by spreading supporters of related policies over different ballot options. The same was true in Switzerland and Liechtenstein for citizen initiatives and legislative counter-proposals with relatively similar content, prior to the introduction of the possibility to vote 'double yes'. In conclusion, it is best to avoid irrelevant or unimplementable options and to select a limited number of realistic and obtainable options. This facilitates voter understanding and avoids distortion of results in particular when each voter may only approve a single option.

2.4.2 Ballot design: questions and voting method

To ensure an uncontroversial outcome, multi-option referendums must not only offer a set of realistic and implementable options but also ensure that the voting process results in a clearly supported outcome. Voting only on first preferences – as practised in most multi-option referendums to date – can render a clear majority outcome extremely difficult and the winning outcome might be contested by a majority of voters. As the Newfoundland (1948) referendum demonstrated, the plurality winner under first preferences is not always the winning option when posed against the runner-up in a binary vote. Similarly, the winning option emerging after a redistribution of ranked votes in the New Zealand (2015) referendum was not the plurality winner of first preference votes.

The most effective way to avoid controversies is to ensure that the referendum yields an absolute majority winner. This presents a challenge for referendums with more than two options, but can be achieved through run-off provisions, series of binary questions or alternative voting methods such as ranking and approval voting. Ranking has been successfully practised in multi-option referendums, allowing voters not only to mark their first preference but to express their order of preferences on all options. Another alternative voting method on a single-question ballot would be approval voting. It has not been used in official nationwide referendums, though effective local-level examples exist, for example in the US and the Netherlands. Voting for more than one option could avoid a distortion of

⁹ See also the report of the Independent Commission on Referendums (2018).

results when ballot options overlap or lie on one dimension, as with the Virgin Islands in 1978 and the Cook Islands in 1994. It also more generally increases the chances of yielding absolute majority or supermajority outcomes for multi-option ballots. For issues of particular importance, combining a (super)majority requirement with an alternative voting method could be effective.

The selection of a voting method and possible additional thresholds may depend on several context-specific factors. These include the number of realistic policy options, voter experience with different methods and the scope of implications of the vote (for example, constitutional or regular policy; effects on international relations; reversibility). It is good practice to ensure that the voting method, possible staging or repetition and the conditions for the implementation of the referendum outcome are documented and communicated in advance.¹⁰ This adds to the clarity and legitimacy of the voting process and helps to avoid allegations of changing the rules during the game.

With good design choices in terms of ballot options and voting processes, multi-option referendums can be used to maximum benefit. As with referendums in general, there is diversity in design types and in referendum contexts, and experiences with multi-option referendums represent a mix of effective and more challenged examples. They include cases where democratic values were under pressure, such as those in Cambodia (1960) and Singapore (1962) or where voting was vulnerable to boycotts (Puerto Rico, 1998 and 2017). They also include very successful examples of solving policy problems, such as changing the New Zealand electoral system with evident majority support and resolving the Newfoundland status question. The effect of design choices on the perceived legitimacy of the referendum process and the clarity of the result underlines the importance of learning from experiences elsewhere as part of a broader process of informed considerations about the most suitable referendum design.

¹⁰ See also Renwick, Palese & Sargeant (2018).

3

Ballot agenda-setting for multi-option referendums

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Abstract

Referendums figure prominently in discussions about democracy and democratic innovation. Whereas much of the literature is focused on binary versions of the referendum, this article centralises the non-binary or multi-option referendum, paying special attention to its modalities and the leverage they give to citizens in the ballot agenda-setting stage. Studying agenda-setting in multi-option referendums contributes to our understanding of civic democratic empowerment. For this purpose, we distill from practical experience the process steps and actors involved in triggering multi-option referendums and formulating ballot options. We map them in six main models of agenda-setting processes, three of which are legally institutionalised and triggered through bottom-up processes, allowing for competing proposals by citizens and legislators; three other models are characterised by top-down, ad hoc triggering and entail variation in the involvement of political parties, experts, societal groups and citizens in suggesting or selecting ballot options. Our procedural typology ultimately contributes to the body of research on referendum triggering and option formulation in the context of democratic innovation.

3.1 Introduction

Referendums figure prominently in discussions about democracy and democratic innovation. Feared by some as a threat to modern representative democracy, the referendum is hailed by others for taking democracy closer to its core essence by giving *kratos* to the *demos* (a.o. Suksi, 1993; Altman, 2011; Taillon, 2018). Whereas much of the literature is focused on binary referendum formats, presenting the voter with basically two competing options, this article centralises the non-binary or multi-option referendum, paying special attention to its modalities and leverage provided to the *demos* in the ballot agenda-setting stage. Referendums can democratically empower citizens not only in voting on a pre-defined ballot proposal but also in formulating and pushing proposals in the preceding stage. Control over the topic and alternatives submitted to a vote provides new democratic possibilities, within constraints, which we conceptually and empirically explore in this article.

3.1.1 Multi-option referendums

Tierney (2012:23) recognises three main objections to referendums: they can be prone to elite control and manipulation; tend to aggregate pre-formed opinions over encouraging meaningful deliberation; and consolidate majoritarian decision making at the expense of individual and minority interests. In particular theories of deliberative and consensual democracy tend to be critical or at least hesitant about the referendum, especially the common binary format (a.o. Setälä, 2011; Hendriks, 2019). Discussions surrounding the Brexit-referendum and other recent binary referendums have rekindled thinking about the multi-option referendum as a possible alternative, empowering voters to express their views on more detailed policy options, reducing emphasis on adversarial competition and facilitating creativity in the process of option formulation.

We define multi-option referendums as referendum balloting on three or more mutually exclusive policy alternatives – in practice usually two or more alternatives alongside the status quo – resulting in one winning option.¹¹ Multi-option referendums increase possibilities for voters to express their preferences, may reduce status quo bias because an explicit no-option is absent and can provide insight into support for various alternatives beyond two extremes and beyond voters' most highly favoured option. The multi-option format also comes with new challenges, including cognitive demands on voters, agenda-setting demands to formulate a limited yet relevant set of options, selection of a voting method satisfying various voting requirements and electing an undisputed majority winner.¹²

In this article we zoom in on one of those challenges in particular: the agenda-setting stage, in which multi-option ballots are triggered and ballot content is formulated. This stage opens up a myriad of opportunities for process design and actor involvement, each with

¹¹ There are various ways in which multiple options can be presented on a ballot paper and voted on, a full analysis of which transcends the scope of our article. In Appendix 3, we elaborate on the voting procedures of the illustrative examples employed in this article.

¹² See Wagenaar (2019) for an extended discussion of the advantages and challenges of multi-option referendums.

particular opportunities and limitations. Other design choices such as voting method selection receive specific attention in other sources (a.o. Wagenaar, 2020; Sargeant et al., 2018; Tierney, 2013; Emerson, 2012) and are beyond the scope of our agenda-setting analysis because they do not pertain to ballot content and often do not involve citizen influence. Processes of formulating ballot content and selecting a voting method are analytically separable and our focus is on the former.

3.1.2 Ballot agenda-setting

Whilst agenda-setting as a concept is usually reserved for agendas of deliberation and decision-making in the representative-political arena, several core elements lend themselves well for application to the referendum process. We view agenda-setting as “pre-political, or at least pre-decisional processes [which] are often of the most critical importance in determining what issues and alternatives are to be considered by the polity” (Cobb & Elder (1971:903). In referendum processes, the decision agenda is the ballot presented to the electorate. In this article, we focus on setting this voting agenda.

Multi-option ballot agenda-setting precedes the actual voting stage, making it relevant to study because referendum outcomes are strongly predefined by which alternatives are on the ballot (Altman, 2011; Collin, 2020:721). Two specific pre-voting phases entail (a) the step in which a referendum is triggered, or initiated, on a particular topic and (b) the steps in which the concrete ballot options or alternatives pertaining to this topic are formulated.¹³ Together these two steps form the “agenda-setting or issue-framing stage, where the matter to be put to the people is formulated” (Tierney, 2012:51). Multi-option referendums broaden the scope for citizen empowerment compared to triggering a binary referendum on a specific proposal, as the latter rules out other ballot alternatives and civic input.

3.1.3 Data collection and analysis

We take an empirical approach to agenda-setting practices, providing an innovative overview of ballot triggering and formulation from the perspective of actor involvement and civic empowerment. We focus on referendum cases between 1958 and 2018. Data on national-level multi-option referendums come from a dataset assembled by the first author. Further elaboration on the compilation of this dataset is provided in Appendix 2. We supplemented these data with further examples from sub-national levels. A complete overview of Swiss cantonal-level multi-option referendums since 1999 was compiled by analysing official cantonal voting data websites. Illustrative cases of subnational multi-option referendums elsewhere were found through online searches in English, German and Dutch and are referred to individually in the text.

We analysed the actors involved in setting the decision agenda for these referendums, which led us to identify six main models with common overarching characteristics from the

¹³ In binary referendums, the second phase is often superfluous, as triggering takes place on one specific legislative proposal or popular initiative. Literature on option formulation (a.o. Hug & Tsebelis, 2002) focuses on the author of the legislation as formulated prior to referendum triggering.

perspectives of referendum triggering and option formulation. For each model we selected one illustrative example, for which we gathered further data through legislation, voter information brochures, official voting results websites, online newspaper articles, government papers, electoral commission reports and academic articles and books. All case-specific sources used are referred to in section 3.3. We neither intend to claim that all illustrative example topics are of equal political significance, nor that all referendum cases within a single model category are; our goal is to demonstrate differences with regard to the processes of producing ballot content.

We approach the topic from an inductive and political scientist perspective, seeking patterns in real-world data on multi-option referendums. Our contributions are a typology, mapping variation in ballot agenda-setting processes, and an analysis in which we tease out similarities and differences between the agenda-setting models and reflect on their comparative opportunities and limitations for civic empowerment. It is not our intent to apply a normative lens or to advocate multi-option referendums in general or any specific model in particular. We acknowledge that individual referendums may promote or restrict democratic empowerment in a myriad of further ways beyond the scope of this article, including deliberative opportunities during referendum campaigning, voter information provision and voter eligibility requirements. Our reflection on the comparative advantages and limitations of different agenda-setting models may provide a stepping stone for further research on the desirability of different models for particular topics or political contexts.

In the next section we discuss literature on referendum triggering and ballot option formulation. In section 3.3, we present our typology of multi-option ballot agenda-setting processes. For each model we discuss the defining process steps and explore the roles of different actors in setting the voting agenda, illustrated with an example. In section 3.4 we discuss how variation between the six models affects the democratic empowerment of civic actors. In the conclusion, we reflect on the generated insights.

3.2 Referendum ballot agenda-setting

The core essence of any referendum is that the citizenry can partake in decision-making by voting directly on an issue-related proposal. Yet, citizens can also take on other roles in the referendum process largely prior to that of voter. In this section we discuss referendum triggering and option formulation and elaborate on the relevance of broadening our scope to the distinctive category of multi-option referendums.

3.2.1 Referendum triggering

Understanding agenda-setting in referendum processes generally begins with distinguishing formal abilities to initiate a referendum. Various authors juxtapose two opposite types: *top-down*, majority- or government-initiated referendums and *bottom-up*, minority- or

citizen-initiated referendums (a.o. Papadopoulos, 1995; Vatter, 2009; Altman, 2011). Some jurisdictions also legislate for mandatory referendums constitutionally requiring popular approval on treaties or laws approved by parliament. A traditional top-down referendum is not formally required but held on the voluntary initiative of a parliamentary majority, often the government.

On the bottom-up side of this classification, referendums are triggered by institutional minorities or sizeable minorities of citizens presenting a minimum number of supporting signatures (Müller, 1999:304). The referendum can be proactive, as in citizen initiatives for direct legislation, or reactive, as in veto referendums seeking to correct parliamentary legislation. In either case the government has little formal control over the process (Papadopoulos, 1995; Vatter, 2009). In several countries, institutional minorities can challenge legislation approved by a political majority. Minorities may constitute parliamentary members pre-specified in legislation (e.g. 1/3) or territorial actors such as cantons or regions (Bulmer, 2011). Some jurisdictions legally provide for referendum triggering by an upper parliamentary chamber. Legislation for corrective referendums essentially adds citizens, political minorities or other pre-defined actors as an additional veto player to the policymaking process, requiring their (implicit) agreement (Hug & Tsebelis, 2002).

3.2.2 Referendum option formulation

Whilst triggering a referendum defines a policy problem, the ballot option formulation phase fulfils another important agenda-setting role (Bua, 2007). Though all bottom-up referendums provide citizens with triggering powers, there is a distinction between reactive and proactive referendums in terms of option formulation. Whereas the classic corrective referendum facilitates a veto of approved legislation (reactive), a citizen initiative provides citizens with the opportunity to formulate a policy proposal (proactive) (Altman, 2011; Gherghina, 2017). In ‘decision-promoting’ referendums, the same actor is responsible for both triggering the referendum and formulating its policy proposal; in ‘decision-controlling’ referendums two different actors are involved (Uleri, 1996).

Top-down binary referendums usually provide no opportunity for citizens to influence ballot content; the government or parliamentary majority formulates the proposal subjected to a referendum. Depending on the topic, experts can be involved in (co-)designing a ballot proposal through (extra-)parliamentary committees, electoral commissions and/or expert hearings. It has been suggested that upper parliamentary chambers can also fulfil a solution-searching role (Goodin & Spiekermann, 2018). In exceptional instances, initiators of top-down referendums delegated option formulation to citizens in the shape of a mini-public (Farrell, Suiter & Harris, 2019).

In top-down triggered processes, it is common for an electoral or referendum commission to review the referendum question and suggest ballot content wording. Good practice for bottom-up referendums is to allow citizens to propose either a specifically-worded draft or a concrete proposal in general terms (Venice Commission, 2007:19).

3.2.3 Unravelling agenda-setting for multi-option referendum ballots

Literature on agenda-setting for referendum voting predominantly focuses on triggering a binary run-off on a single policy proposal. Because the single-proposal focus presupposes a single ballot author, the extant literature does not suffice to capture diversity observed in option formulation procedures for multi-option balloting. Whilst the triggering and option formulation dimensions of agenda-setting in referendum literature are analytically applicable to multi-option balloting, the potential involvement of a wider diversity of actors in proposing ballot options requires a broader perspective on multi-option ballot agenda-setting.

3.3 Six models of multi-option ballot agenda-setting

We distinguish six multi-option referendum agenda-setting processes each characterised by the involvement of political minorities, civil society or experts.¹⁴ Figure 3.1 presents the six models, visualising – chronologically from top to bottom – the different process steps leading to a referendum vote: ballot content formulation (process steps A1 through A5) and formal referendum triggering (process step B). The commonly accepted division between two main referendum types is prominent: bottom-up triggered (I, II and III) and top-down triggered (IV, V and VI) models. Agenda-setting powers are further diversified through various processes of ballot option formulation taking place either before (steps A1 and A2) or after (steps A3, A4 and A5) the referendum is triggered. Characteristic for the bottom-up models is that at least one of the options has already been formulated before the referendum is formally triggered. Under the top-down models, the referendum is triggered before ballot options are formally specified. In this section we present each model in turn, discussing its basic characteristics and main process steps. We highlight an illustrative case for the model and provide initial observations of actor empowerment.

3.3.1 Model I. Politically-counteracted citizen initiative

In the first model, a referendum follows from a citizen initiative (process step A1). Predefined regulations specify eligibility conditions, including eligible policy topics and required numbers of valid supporting signatures. Legislation specifies whether popular initiatives can concern regular policy issues, constitutional amendments or both, with signature requirements usually being higher for constitutional changes. A group of individual citizens, a minority political party or an action group takes the initiative to formulate a proposal and collects signatures from the wider electorate to demonstrate societal support (process step B). If conditions are met, policymakers are required to submit the proposal to a referendum vote. The triggered referendum is initially binary, and takes the shape of a multi-option

¹⁴ In a theoretically less obvious and practically exceptional variant, all ballot alternatives are formulated by a political majority. In the canton of Bern, a political majority may propose both a main referendum proposal (*Hauptvorlage*) and an alternative proposal (*Eventualantrag*) (cantonal constitution, article 63). This procedure is criticised for being employed strategically to disqualify a citizens’ counter-proposal (Baumgartner & Bundi, 2017).

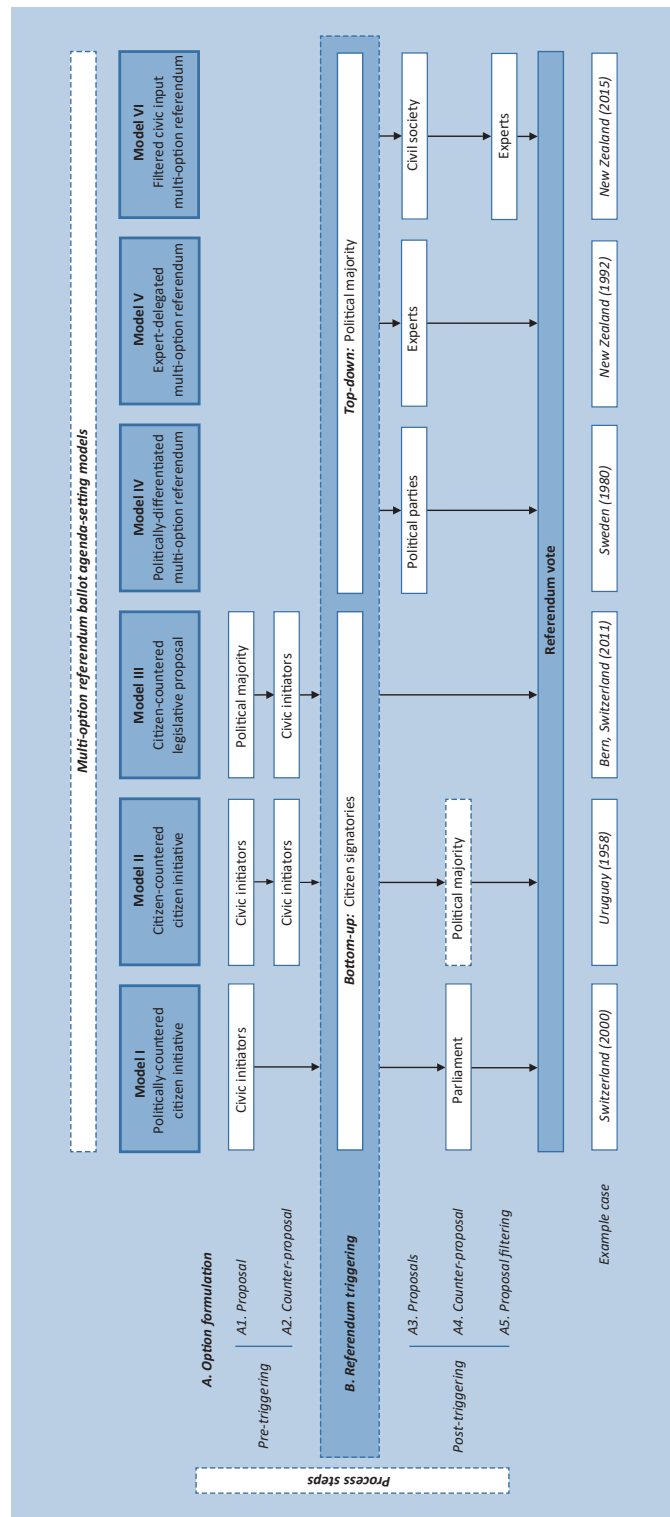


Figure 3.1 Procedural typology of six ballot agenda-setting process models depicting referendum triggering (step B) and option formulation (steps A1 to A5) resulting in a multi-option referendum vote.

ballot only if policymakers respond by formulating a counter-proposal (process step A4). This usually requires a parliamentary majority, though formal provisions may specify other constellations. In the referendum, voters express their opinion on both the initiative and the counter-proposal. A Swiss example is described in Box 3.1.

Box 3.1: Illustrative case model I: Switzerland (2000) Solar energy initiative.

Between 1993 and 1995, the initiating committee Förderverein Energie-Umwelt- und Solar-Initiativen (FEUSOL)¹⁵ collected 114,824 valid signatures for constitutional amendments promoting solar energy. The initiative proposed two constitutional articles posing an additional levy on non-renewable energy sources, at least half of its proceeds benefitting solar energy applications.¹⁶ The Federal Council considered the focus on solar energy too narrow and recommended the federal parliament to reject the initiative without a counter-proposal (Menzi, 2010). The Swiss Council of States disagreed and instead started preparing a counter-proposal. After several debates, both parliamentary chambers – Council of States and National Council – agreed on a constitutional article. Like the initiative, it proposed a levy on non-renewable energy, but its proceeds would benefit renewable energy more generally. In the referendum, neither initiative nor counter-proposal were approved and the status quo prevailed.¹⁷

A. Option formulation

Pre-triggering | A1. Proposal | Förderverein Energie-Umwelt- und Solar-Initiativen (FEUSOL)

B. Referendum triggering

Post-triggering | A4. Counter-proposal | Federal Parliament

Referendum (24 September 2000)

Figure 3.2 Illustrative case of a politically-countered citizen initiative: Switzerland (2000).

Model I provides agenda influence to civic initiators and supporting citizens. The counter-proposal provision prevents a citizen initiative from circumventing the political arena entirely. Counter-proposal provisions are used in various legislatures with established use of direct democratic instruments such as Switzerland and Liechtenstein, where cases under this model occurred twelve and nine times respectively. In practice, Swiss counter-proposals often represent a compromise between the citizen proposal and the status quo (Kaufmann, Büchi & Braun, 2010). Also in Uruguay, the political majority or a 2/5 parliamentary minority may

15 Launched by the Swiss Solar Agency.

16 Erläuterungen des Bundesrates (24.09.2000) (official voting booklet).

17 <https://www.bk.admin.ch/ch/d/pore/va/20000924/index.html>

propose a *'proyecto sustitutivo'*.¹⁸ In 1946 this led to a minority-formulated counter-proposal to a citizen initiative on constitutional reforms (Lissidini, 1998). Under similar legislation, a 1996 referendum in Slovenia triggered by a citizen initiative featured two counter-proposals: one by a parliamentary minority and one by the upper parliamentary chamber, the National Council (Nikolenyi, 2011). On the subnational level, the German state of Bavaria also has provisions for counter-proposals to popular initiatives.¹⁹

3.3.2 Model II. Citizen-countered citizen initiative

Under the second model a referendum also follows from a citizen initiative subject to predefined conditions (process step A1). In response, other civic groups field their own alternative policy proposal on the issue, subject to the same signature requirements.²⁰ When one or more proposals meet the requirements, a referendum is triggered (process step B) on the successful proposals alongside the status quo. In some jurisdictions, the political majority can propose a counter-proposal to the popular initiatives after the referendum has been triggered (process step A4). A Uruguayan example involving two popular initiatives is described in Box 3.2.

Unique for model II, which is rather uncommon in practice, is that the ballot can consist solely of competing citizen-supported proposals. The Uruguayan constitution allows the political majority to present a counter-proposal after referendum triggering (process step A4), merging an element of model I into model II.²¹ This occurred in 1966 when three constitutional reform packages proposed by political minorities through the popular initiative channel faced a political majority counter-proposal.

A similar procedure involving competition of multiple citizen initiatives exists in several US states. In California, Maine and Washington, multiple civic groups can present ballot propositions supported by sufficient citizen signatures (Lagerspetz, 2016:121-124). What makes the procedure different is that propositions are not explicitly juxtaposed during referendum voting. When the court decides that several approved propositions have conflicting content, all but the one with the highest approval rate are invalidated. The US practice represents an indirect, implicit form of multi-option balloting rather than a direct, explicit counter-proposal to an initiative.

¹⁸ Uruguayan constitution, article 331B.

¹⁹ Landeswahlgesetz Bayern, part 3.

²⁰ Because sequencing suggests that second – and further – proposals are formulated in response to the first citizen initiative, we list them as counter-proposals (step A2) rather than simultaneous proposals (step A1).

²¹ Constitution Art 331A. We view a citizen initiative countered by both another citizen initiative and a political counter-proposal as a variation on model II rather than on model I because of the exceptional legal possibility for multiple citizen initiatives to be proposed in the absence of a political proposal.

Box 3.2: Illustrative case model II: Uruguay (1958) Constitutional reforms.

On 18th May 1958, the Ruralista and Herrerista fractions of the oppositional National Party formulated a constitutional reform proposal involving the re-introduction of a Presidential system, separate election terms for parliament and president and the abolishment of the double simultaneous voting system known as 'Lemas'. On 29th May the significantly smaller Civic Union raised an alternative initiative, proposing a presidential system including Lemas. Signatures of one tenth of the electorate for each proposal triggered a referendum. Held in November 1958 alongside national elections, neither proposal secured the required 35% support of all eligible voters (Lissidini, 1998).

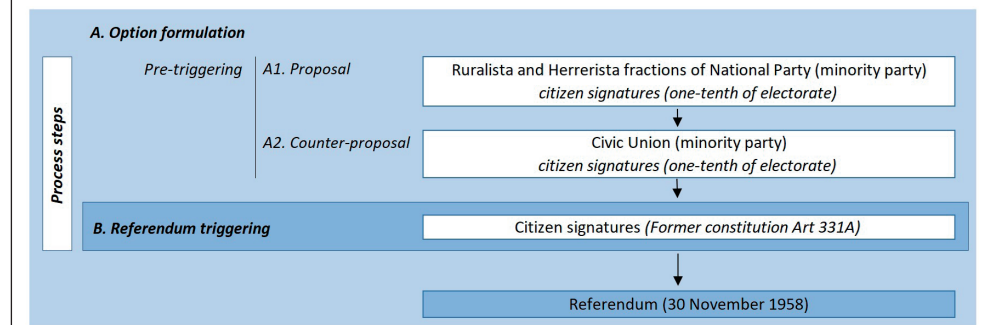


Figure 3.3 Illustrative case of a citizen-countered citizen initiative: Uruguay (1958).

3.3.3 Model III. Citizen-countered legislative proposal

The third model starts from a legislative proposal approved by parliament (process step A1). Similar to common practice for veto referendums, citizens or political minorities can collect signatures to evoke a binding referendum on the legislative proposal. Under this model, however, civic initiators also formulate a counter-proposal (process step A2). When sufficient citizen signatures back the counter-proposal, a referendum on both proposals is triggered (process step B). Referendum processes of this type are deployed at the cantonal level in Switzerland (Glaser, Serdült and Somer, 2016).²² Multiple counter-proposals may be submitted by different groups as long as each meets the requirements. An example of this model is described in Box 3.3.

This model empowers citizens to correct policymaking beyond triggering a vetoing vote. The alternative proposal adds a constructive component to a reactive referendum process. In most cases political minorities or dedicated action or interest groups initiate a counter-proposal. Present use of the citizen-countered legislative proposal appears to be confined to the Swiss cantonal level. In Bern, around half were triggered by political opposition parties.²³ Others were formulated by newly formed societal groups, such as 'Flugschneise Süd-Nein'

²² Currently in the cantons of Bern and Nidwalden. Between 2005 and 2013 also in the canton of Zurich. In this article, we use the term citizen-countered legislative proposal to explicitly refer to the reactive process.

²³ Website *Der Bund*. "Zu kompliziert für das Volk?" (28th August 2011).

(Zurich) and ‘Majorz: Kopf-statt Parteiwahlen’ (Nidwalden), or by cooperating groups of individual citizens (Zurich, 2011 and 2012). In two instances more than one counter-proposal was proposed (Glaser et al., 2016).²⁴

Box 3.3: Illustrative case model III: Bern (2011) Cantonal energy bill.

In March 2010 the Bern cantonal parliament passed a proposal to amend cantonal energy legislation, aiming to increase energy efficiency and encourage renewable energy use. Political party SVP formulated a counter-proposal, backed by cantonal businesses and home owners associations. The initiating committee amended the compulsory housing energy label and the levy on electricity and proposed that financial means for renewable energy come from general cantonal funds.²⁵ The counter-proposal collected more than double the required amount of signatures. In the referendum, 32% approved the parliamentary energy bill and 79% approved the civic energy bill.²⁶

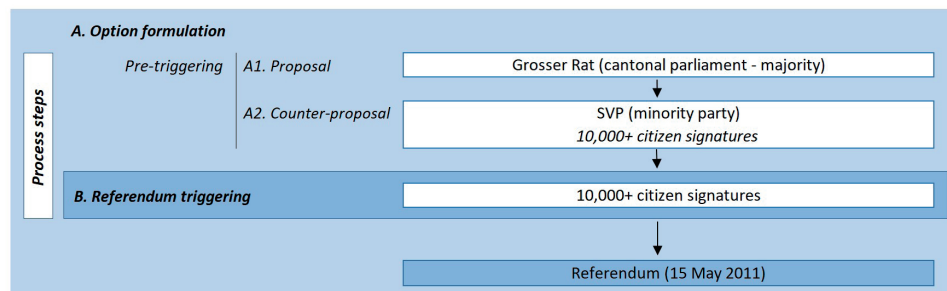


Figure 3.4 Illustrative case of a citizen-counteracted legislative proposal: Bern (2011).

3.3.4 Model IV. Politically-differentiated referendum

The politically-differentiated referendum is initiated by a parliamentary majority (process step B). Whilst the general possibilities for a majority-triggered referendum may be laid down in legislation, specific regulations for a multi-option format tend to be drawn up ad hoc. The key characteristic of this model is that concrete ballot options are each formulated by a different parliamentary party or alliance of parties (process step A3). Occurrences of referendum cases with this differentiated focus on political party lines are rare. A well-known case is described in Box 3.4.

²⁴ In May 2011 (Zurich) and September 2013 (Nidwalden).

²⁵ Website Berner Zeitung, “SVP sagt Energiepolitik der Regierung den Kampf an.” (28th May 2010).

²⁶ <https://www.sta.be.ch/sta/de/index/wahlen-abstimmungen>

Box 3.4: Illustrative case model IV: Sweden (1980) Nuclear energy.

Coalition partners of the 1978 Swedish government could not reach consensus on the nuclear issue, which diverged from the ideological left-right division (Ruin, 1982; Suksi, 1993). The referendum rose as a conflict-resolution instrument (Bjørklund, 1982). Three alternative scenarios were offered to voters. The first (supporting continuation of the existing Energy Bill) was proposed by the liberal-conservative Moderate Party, the second (supplementing the existing bill with additional paragraphs on renewable energy) by the Social Democrats and the People’s Party, together forming a majority. The third (demanding pro-active phasing out) was proposed by the Centre Party and the Left Party Communists. Voters voted for their most preferred option. The close outcome (18.9% – 39.1% – 38.7%) evoked confusion, but the second alternative was adopted as the new phase-out policy (Suksi, 1993).

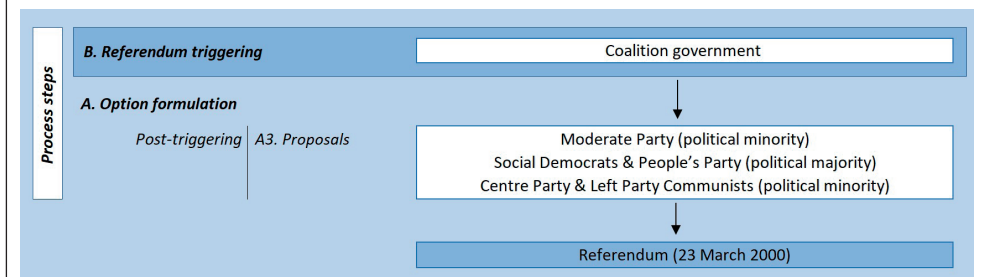


Figure 3.5 Illustrative case of a politically-differentiated multi-option referendum: Sweden (1980).

In Sweden, political parties formulated the ballot options. Bearing in mind the Ostrogorski paradox, however, political party views do not necessarily accurately represent societal positions on the issue. Two options were highly similar, and none included longer-term maintenance of nuclear energy. Although all referendums, both binary and multi-option, may to some extent rely on partisan cues, this particular model most strongly approximates a second order election.

3.3.5 Model V. Expert-delegated referendum

Expert-delegated referendums are triggered by parliament, usually by the government (process step B), which then delegates the formulation of ballot options to an external body of experts (process step A3). The expert body can be an existing body, such as an Electoral Commission, or a newly formed body, recruited either internally or externally. It analyses possible policy scenarios, fit with the country context and corresponding levels of societal support. The findings are cumulated into a report with recommendations for ballot options and referendum conduct. Legislation for the specific multi-option referendum is usually formulated ad hoc. An illustrative case from New Zealand is described in Box 3.5.

Box 3.5: Illustrative case model V: New Zealand (1992) Electoral reform.

Electoral reform became a prominent topic in 1980s New Zealand because of societal dissatisfaction with the two-party system and several ‘wrong winner’ elections (Renwick, 2009). In 1984 a Royal Commission on the Electoral System recommended a referendum on implementing a mixed member proportional (MMP) system. Ignored by the ruling Labour Party, National Party successfully adopted the referendum promise during election campaigning. Also not favouring radical reform, National averted a direct FPTP-MMP vote. An instituted parliamentary select committee proposed a referendum bill with three options: MMP, recommended by the Royal Commission, Supplementary Member (SM), its own preference, and Preferential Vote (PV), appealing to some parliamentarians. Written submissions persuaded the committee to include Single Transferable Vote (STV) as a fourth option. In the 1992 referendum, voters selected their preferred alternative system: MMP (Nagel, 1994; Levine & Roberts, 1993).

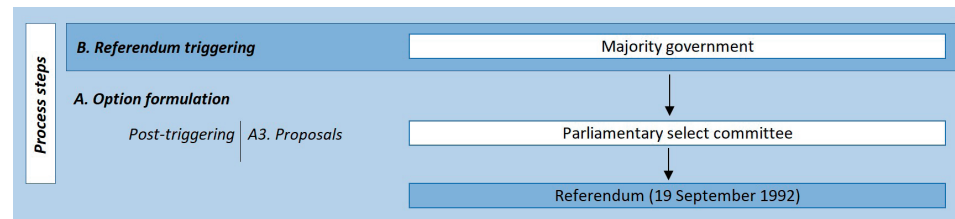


Figure 3.6 Illustrative case of an expert-delegated multi-option referendum: New Zealand (1992).

In this model ballot formulation is deliberately delegated to a body of experts. The level of convergence between experts and dominant political views influences to which extent this delegation depoliticises ballot formulation. The recruitment of experts varies widely, ranging from parliamentary committees to existing advisory bodies and specially constituted expert panels. Rather exceptional was the Newfoundland 1984 referendum in which 45 delegates were directly elected to a National Convention preparing the ballot options (Baker, 2003).

The expert-delegated model is the dominant top-down agenda-setting model and is particularly common for referendums on electoral or status reforms. In Guernsey (2018) and Jersey (2013) referendums, voters ranked alternative scenarios for electoral reform as proposed by the Guernsey States’ Assembly & Constitution Committee (2017) and the States of Jersey Electoral Commission (2013) respectively. In 2014, the Referendum Commission on St. Eustatius proposed four ballot options for a status referendum.²⁷ Whilst it is plausible that expert involvement contributes to more balanced options, this is not always guaranteed. In 2017 the Puerto Rican Electoral Commission proposed a referendum on political status vis-à-vis the US with two alternatives: Statehood and Independence/Free Association. The

²⁷ Referendumverordening 2014-2. Time constraints prevented continuation of the initial plan to involve three external advisors after parliament rejected a first selection of experts over perceived conflicts of interest.

selection was heavily influenced by pro-statehood ruling party PNP.²⁸ The US rejected the two-option ballot as “not drafted in a way that ensures that its results will accurately reflect the current popular will of the people of Puerto Rico”.²⁹ In response, a status quo option was included. The three-option referendum nevertheless suffered from boycotts by supporters of an improved current status.

3.3.6 Model VI. Filtered civic input referendum

The filtered civic input referendum is triggered by a political majority (process step B). The option formulation process is then managed by an expert body, usually of ad hoc constellation. A wide range of individual citizens and organisations may propose ballot options, provide general input on new policy and respond to submitted proposals (process step A3). The open consultation procedure may take different online and/or offline shapes and involve different stages. Distinctive is the additional filtering step (process step A5) in which the external body trims down the final ballot options. A telling example features in Box 3.6.

The filtered civic input model is unique in its broadly designed focus on obtaining civic input.³⁰ Any citizen can suggest ballot options and policy qualities without engaging in collective action. A few variations on this model occurred at subnational levels. The 2018 referendum on electoral reform in British Columbia, Canada, was preceded by a public consultation process entitled ‘How we vote’. The 91,725 questionnaire responses, 58,000 open-ended comments, and community groups meeting inputs were collated into a report with accompanying recommendations for referendum design (Attorney General, 2018). A 2012 municipal referendum in Arnhem, The Netherlands, followed from citywide dialogue with debates, interactive sessions and target group sessions on eight pre-defined options for renewed harbour area design. An expert panel of civil servants, project developers and external urban planners distilled three ballot options from the interactions (Boogers & De Graaf, 2008). A 1990 referendum in Oregon offered voters four alternative proposals for school funding. After the referendum had been triggered, a joint House-Senate committee drew up the alternatives using input from eight public hearings across the state with randomly selected community members to achieve a cross-section of public opinion.³¹

²⁸ Party politics in Puerto Rico are divided along the lines of ideologies for Puerto Rican status: pro-statehood PNP, pro-commonwealth PPD and pro-independence PIP.

²⁹ Letter by Deputy Attorney General of U.S. Department of Justice to Puerto Rican Governor Rosselló, 13th April 2017.

³⁰ Other top-down models may include elements of civic consultation like written submissions or public hearings – similar to parliamentary policymaking – though these are notably more passive than the widespread and actively encouraged public consultation campaigns under this model.

³¹ The register-Guard, “School funding reform options unpopular” (16th March 1990), 3c.

Box 3.6: Illustrative case model VI: New Zealand (2015) Flag design.

A postal referendum on a potential new flag was proposed by New Zealand's Prime Minister John Key and approved by parliament.³² The Flag Consideration Project involved workshops and information stands across the country, an online deliberation forum receiving over 43,000 contributions and 1.1 million social media posts. Citizens submitted 10,292 flag designs. The specially recruited Flag Consideration Panel – experts of diverse age, region, gender and ethnicity – filtered the submitted designs and comments to arrive at a shortlist of four which was accepted by parliamentary vote.³³ The selection sparked public protest because of the perceived similarity of the designs and their close resemblance to the Prime Minister's preferences. A 50,000-signature petition convinced parliament to include a fifth flag.³⁴ The five flags were voted on using alternative vote (AV) procedures. The winning flag design was later defeated by the existing flag in a run-off stage.³⁵

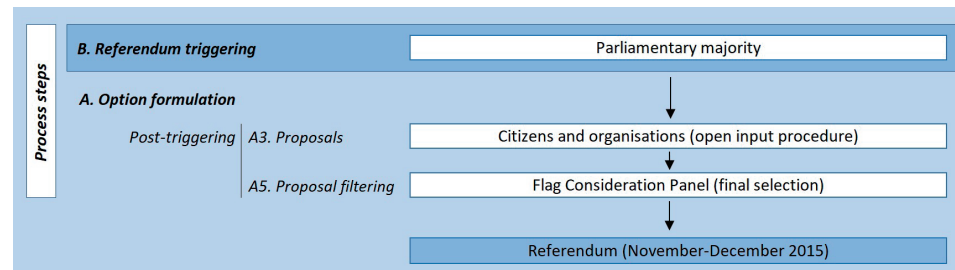


Figure 3.7 Illustrative case of a filtered civic input multi-option referendum: New Zealand (2015).

3.4 Variation in ballot agenda-setting processes

In this section we reflect on the implications of variation between the six models for citizen empowerment. We summarise the scope for agenda control and related advantages and limitations of the six models in Table 3.1. We elaborate on variations in civic empowerment between the models in the agenda-setting phases of referendum triggering (3.4.1) and option formulation (3.4.2) and briefly discuss the empowerment of referendum voters (3.4.3) as a result of civic involvement in the agenda-setting stage.

3.4.1 Referendum triggering under the six models

Process step B in Figure 3.1 highlights which actors trigger the referendum. Following general referendum terminology, we distinguish two main types: bottom-up (I, II and III) and top-down (IV, V and VI) models. Legal basis is a determining factor: citizen-triggered referendums

³² National was one seat short of a majority and relied on other parties' support.

³³ Cabinet Paper New Zealand Flag Referendums Orders (2015).

³⁴ Cabinet Paper New Zealand Flag Referendums (First Flag Referendum) Amendment Order (2015).

³⁵ <https://www.electionresults.govt.nz/>

always depend on legislation specifying the eligibility conditions which bind policymakers to organise the proposed referendum. Acquiring civic support for a proposal beyond the confines of the initiating committee is essential, reserving a significant role for a larger group of citizens as signatories.

Regulations for activating top-down referendums may be embedded in legislation, but they can always be triggered by a majority and regulated by ad hoc legislation. Triggering a referendum is sometimes part of an election promise or used as a conflict mediating device for intraparty or intra-coalition disagreement. These and other potentially strategic motivations help to explain why, beyond ideals of broad democratic inclusion or innovative ambitions, a political majority might resort to a referendum rather than legislating directly for a most-preferred option. Societal pressures for change may also influence referendum triggering through prior lobbying (New Zealand, 2015) or a citizen petition (St. Eustatius, 2014).³⁶ Some countries regulate for direct referendum triggering by a parliamentary minority or upper chamber, but no referendums with a multi-option format were identified that were triggered by such actors without the support of citizen signatures.

The absence of formalised rights for citizens to set their own agenda renders the top-down models more vulnerable to elite control. Political elites have exclusive powers over the process, from deciding to hold a referendum to choosing the topic, setting the question and alternatives and outlining the process (Tierney, 2012:24). Bottom-up processes are more explicitly regulated and initiatives in particular provide citizens with the possibility to "counteract the agenda-setting monopoly of political elites" (Setälä, 1997:274).

Bottom-up triggered citizen initiatives (models I and II) can be triggered on any eligible policy topic and demonstrate significant variation, varying from amendments to constitutional, electoral and tax legislation to innovations in health, energy, social and infrastructural policies. Citizen-counteracted legislative initiatives and top-down referendums exclude citizens from choosing the referendum topic. Top-down multi-option referendums tend towards electoral, sovereignty, ceremonial and other constitutional issues. Generally speaking, the ad hoc nature of top-down referendums lends itself to one-off issues of paramount importance to the state, whereas bottom-up referendums are deployed for day-to-day policy issues confronting citizens. A challenge specific to bottom-up models is that referendums may be triggered on individual issues taken out of a broader context. Mutual dependencies between issues may upset policy coherence between various policies or programmes. Popular initiatives may also raise questions of financing. Whereas policies put forward in top-down triggered referendums face similar dependencies, their financial and programmatic implications can arguably be premeditated and weighed before the referendum options are finalised.

³⁶ Lobby by the NZ Flag.com trust in 2004 and by three civic foundations on St. Eustatius backed by one third of the electorate.

3.4.2 Option formulation under the six models

The bottom-up models regulate for a select group of civic initiators to formulate a policy proposal, either on a topic of their choice (models I and II) or within the boundaries of a legislative proposal (model III). Initiative is often taken by a civic action group or subset of a political party or movement (Müller, 1999). This entails a risk that narrow goals of initiators, which tend to be better organised politically and financially, dictate the ballot content (Magleby, 1995:35). In bottom-up models, political majorities lack discretion to obstruct the referendum, though they maintain partial agenda control as formulators of one of the ballot options: the sole counter-proposal in model I (step A4), the initial legislative proposal in model III (step A1) and optionally a counter-proposal in model II (step A4). Political elites can – and often do – respond to a popular initiative with a compromise option, strategically placed between the popular initiative and the status quo to maximise votes.

A main characteristic of the top-down models is that referendums are triggered before the ballot options are formally specified. In practice, one or several ballot options may be on the scene before a referendum is formally triggered. Contrary to most binary referendums, however, the referendum is not triggered on one specific proposal. Even if the order of referendum triggering and option formulation is muddled in some cases, the defining model characteristics remain: political majority triggering and a specific type of actors formulating the options. When ballot formulation (step A3) is delegated to experts (model V), the constellation of expert bodies varies from formalised and pre-existing, such as an electoral commission, to specifically recruited for the referendum process, such as the Flag Consideration Panel. Experts can be recruited from outside the legislature or within, such as a parliamentary select committee. The decision to delegate ballot formulation can democratically empower experts to seek alternative options but can also be employed strategically to avoid a binary vote on a politically undesirable proposal, as in New Zealand in 1992. Model V is the only model in which a single institutional actor (an expert body) formulates and selects all ballot options. Other models can be considered more competitive models, as multiple actors bring in competing alternatives, either through a deliberate division of labour (models IV and VI) or a reactive pattern (models I, II and III). It follows that the distinction between decision-promoting and decision-controlling referendums is less obvious for multi-option referendums than for binary ones. Citizen initiatives (models I and II) are initially decision-promoting at triggering, but eventually include multiple ballot content authors. Referendums challenging a legislative proposal (model III) would be decision-controlling in a binary format, but now also feature a ballot proposal formulated by citizens. In top-down models, formal powers to decide ballot content remain with political majorities, strictly rendering them decision-promoting, though various other actors are involved in actually proposing the ballot options.

The filtered civic input referendum (model VI) is the most elaborate top-down type in terms of public deliberation opportunities, with the referendum vote representing the clearly defined decision at the end of a multi-staged process (Moore, 2017). Civil society actors propose solutions (step A4) to a policy question pre-defined by a political majority (Bua,

2007:12). Input is more individualised than under the bottom-up models with proposals not requiring signatories, providing a more level playing field for citizens with limited political and financial resources. The downside is a much larger volume of individual inputs, lowering the weight and visibility of individual submissions. Contrary to formalised responsibilities under bottom-up models, uptake ultimately depends on expert filtering and political majority approval. Expertise serves as an external filter (step A5) on the deliberation of ordinary citizens, eliminating irrelevant or unfeasible options to arrive at a small subset of policy options (Christiano, 2012:42; Goodin & Spiekermann, 2018). As witnessed in the New Zealand flag referendum, the final step of political majority approval of the proposed ballot entails a final possibility for the inclusion of societal views.

Referendums may provide an additional avenue of agenda influence to minority parties or societal groups (Hug & Tsebelis, 2002). The politically-differentiated (IV) model does not provide for citizen influence beyond voting, but does empower political minority parties to indirectly represent diverse societal views and interests by formulating their own ballot option. Parties can however also strategically formulate their proposals in relation to those of other parties to attract more votes (Setälä 1997, Chapter 5). In some jurisdictions, a predetermined parliamentary minority may directly formulate a counter-proposal to a citizen initiative, as in Slovenia and Uruguay. In the absence of such provisions, minority parties can use the avenues of citizen initiatives (models I and II) and citizen-supported counter-proposals (models II and III) to forward their proposal backed by citizen signatures. Civil-society organisations fare well under the filtered civic input model (VI), where they can pool resources. Their collective submissions (step A4) may carry more weight than individual citizens' submissions and their reputation may lend them more credence in the filtering stage (step A5).

3.4.3 Empowering citizens as voters

The opportunities and limitations of the six process models also impact on the empowerment of citizens in their role as voters. The diversity of ballot options ultimately offered to voters depends on the interactions of formulating actors. In the bottom-up models, actors respond to each other with a modified proposal, presenting voters with nuanced variations of a proposal. Models II and III allow multiple civic groups to formulate their own counter-proposal, thereby most directly meeting the requirement that successful multi-option ballots include all options with reasonable amounts of societal support (Independent Commission on Referendums, 2018). In the politically-differentiated model, the ideologies and strategies of political parties determine ballot content, risking that attainable policy scenarios enjoying societal support but insufficient political support are excluded. The range of ballot options resulting from expert-delegated and filtered civic input models varies from highly different policy scenarios to nuanced policy details. A referendum on electoral reform can entail, for example, wholly different electoral systems (New Zealand, 1992) or similar systems with detailed variations (Guernsey, 2018). Democratic empowerment of the wider electorate

Table 3.1 Scope and limits of agenda control under six multi-option ballot agenda-setting models.

Referendum model	Agenda control scope	Advantages	Limitations
Bottom-up models			
I. Politically-counteracted citizen initiative	<ul style="list-style-type: none"> • Binding citizen control over triggering (<i>citizen signatories</i>). • Direct control over referendum topic (<i>civic initiators</i>). • Binding civic control over option formulation (<i>civic initiators</i>). 	<ul style="list-style-type: none"> • Clear legal basis and eligibility requirements. • Citizen involvement does not circumvent political representatives. • Some control over ballot options by broader electorate (<i>signatories</i>). • Voter empowerment through more nuanced ballot options. 	<ul style="list-style-type: none"> • Confined group of citizens has direct control over option formulation. • May facilitate initiators with higher political and financial resources. • Single representation of societal views. • May upset policy coherence or financing. • Political elites may strategically propose compromise option.
II. Citizen-counteracted citizen initiative	<ul style="list-style-type: none"> • Binding citizen control over triggering (<i>citizen signatories</i>). • Direct control over referendum topic (<i>civic initiators</i>). • Binding civic control over counter-proposal formulation (<i>single or multiple civic groups</i>). 	<ul style="list-style-type: none"> • Clear legal basis and eligibility requirements. • Open to diverse views on new legislation. • Some control over ballot options by broader electorate (<i>signatories</i>). • Voter empowerment through more nuanced ballot options. • Less susceptible to elite manipulation. 	<ul style="list-style-type: none"> • Confined groups of citizens have direct control over option formulation. • May facilitate initiators with higher political and financial resources. • May circumvent political representatives. • May upset policy coherence or financing.
III. Citizen-counteracted legislative proposal	<ul style="list-style-type: none"> • Binding citizen control over triggering (<i>citizen signatories</i>). • Binding civic control over counter-proposal formulation (<i>single or multiple civic groups</i>). 	<ul style="list-style-type: none"> • Clear legal basis and eligibility requirements. • Encourages constructive response over citizen veto. • Open to diverse views on new legislation. • Citizen involvement does not circumvent political representatives. • Some control over ballot options by broader electorate (<i>signatories</i>). • Voter empowerment through more nuanced ballot options. 	<ul style="list-style-type: none"> • Limited control over referendum topic. • May facilitate initiators with higher political and financial resources. • Confined group(s) of citizens have direct control over option formulation. • May upset policy coherence or financing.
Top-down models			
IV. Politically-differentiated multi-option referendum	<ul style="list-style-type: none"> • No citizen control over triggering. • No civic control over option formulation. • Direct agenda control by political minorities. 	<ul style="list-style-type: none"> • Can solve policy deadlock resulting from intraparty or interparty disagreement. • Possibilities for ad hoc political coalitions to cooperate on options. • Voter empowerment on policy issue can circumvent Ostrogorski paradox. 	<ul style="list-style-type: none"> • No citizen control. • Dominant political views can result in narrow spread of ballot options. • Exclusion of views underrepresented in parliament. • Risks fragmentation of representative politics.
V. Expert-delegated multi-option referendum	<ul style="list-style-type: none"> • No citizen control over triggering. • No civic control over option formulation. • Agenda control by experts conditional upon political majority approval. 	<ul style="list-style-type: none"> • Distancing from dominant political views and party-specific interests. • More attention to long-term outlook. • Voter empowerment through more diverse ballot options. 	<ul style="list-style-type: none"> • No citizen control. • Option diversity depends on expert affiliations and views. • Option selection ultimately depends on political majority uptake.
VI. Filtered civic input multi-option referendum	<ul style="list-style-type: none"> • No citizen control over triggering. • Indirect influence on option formulation (individual citizens and civic organisations). • Upwards proposal filtering structure by experts and political majority. 	<ul style="list-style-type: none"> • Accessible input mechanisms for both individuals and organisations. • Easier access for citizens with lower political and financial resources • Large potential to incorporate deliberation. • Staging enables additional responses on shortlisted options. • Voter empowerment through more diverse ballot options. 	<ul style="list-style-type: none"> • Limited civic control over final option selection. • Option diversity depends on expert affiliations and views. • Multiple filtering steps may cause loss of variation or interest. • Option selection ultimately depends on political majority uptake.

depends on the confines determined by political majorities and on the abilities of experts or civic initiators to understand and translate public opinion.

Though an analysis of voting methods is beyond the scope of this article, a brief reflection on our illustrative examples shows that voters could express their single favourite option (models II, IV and V examples), vote in favour of each proposal they approved (models I and III examples)³⁷ or rank the various options (model VI example). Voting procedures can differ within the model categories, as there is no intrinsic link between which actors are involved in agenda-setting and which voting method is used. In this article we contend that empowering voters follows not only from how they vote but also to an important extent from the options available to them on the ballot.

3.5 Conclusion

The key contributions of our exploration are succinctly summarised in Figure 3.1 – depicting six central models of ballot agenda-setting for multi-option referendums – and Table 3.1 – summarising the scope for agenda control and related democratic advantages and limitations. We have highlighted imminent variation in the involvement of different non-political majority actors – citizens, experts, political minorities – in pre-political and pre-decisional agenda-setting processes. We have shown how not just voting in a referendum but also setting the voting agenda holds potential for civic democratic empowerment. We encourage further research on whether specific models might be especially suitable for particular political contexts or topics. Our classification can provide a starting point for such an endeavour.

A balanced ballot is a necessary though not sufficient condition for empowered multi-option balloting. Voters must also be able to express their opinion adequately on the available options. A voting method focused on absolute majority consent as opposed to plurality rule, is arguably best suited to uphold the added value of extended ballot options regardless of the agenda-setting model. Thresholds, legal binding and political uptake further affect whether civic agenda-setting empowerments come to full fruition in the referendum process as a whole.

Beyond what is currently observed in practice, further variations on the six models are conceivable in which direct and deliberative democratic elements explicitly complement each other. For example, deliberative citizens' assemblies could explore and filter policy scenarios in a model similar to the expert-delegated model, presenting the electorate with the assemblies' shortlist.³⁸ Alternatively, citizens' assemblies can be involved in developing counter-proposals to a legislative proposal rather than relying on a small group of initiators to represent the citizenry (McKay, 2018).

³⁷ Until 1987, Swiss voters could only support one of the proposals. Initiators often withdrew their proposal before the referendum to boost the winning chances of the counter-proposal.

³⁸ Similar processes in top-down binary referendums featured an assemblies' proposed ballot option in Ireland (2018), Iceland (2011) and British Columbia (2004).

Though we explore ballot agenda-setting and citizen empowerment in relation to multi-option designs, our findings are more widely applicable to referendum democracy. Inviting citizen input, adding consultative elements and incorporating expert advice can be feasible strategies to mitigate the occasionally sharp edges of the binary referendum instrument. But first and foremost, the models open up avenues for thinking and acting beyond the binary format dominating the field. By viewing referendums as processes entailing multiple steps, actors and policy scenarios, we can transcend a dichotomous analysis of referendums as instruments posing citizens against representatives by voting on one specific proposal.

4

Question structure effects
on voting behaviour

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This chapter is based on a working paper:

Wagenaar, C.C.L., Van der Meer, T.W.G. & Jacobs, K.T.E. Influence of ballot question structure on voting behaviour in multi-option referendums.

Abstract

Referendums can democratically empower citizens by involving them in policymaking. Yet, referendums are also criticised as they can polarise choice and be vulnerable to conservative voting. Multi-option referendums pose an alternative to the binary format, but also raise new challenges in how to present more than two competing ballot alternatives to voters. This research note tests how ballot question structure impacts on voter behaviour. Ballot question structure usually takes one of two main forms: (1) a single question offering multiple proposals or (2) a series of binary questions on individual proposals. Using data collected in a survey experiment in the Netherlands with 3,445 respondents, we analyse the occurrence of status quo bias, ordering effects and voting inconsistencies. We find that status quo voting diminishes when respondents consider multiple proposals, either simultaneously or sequentially. In single-question ranking and multiple binary questions, respondents approve of more ballot alternatives compared with single-question approval voting. We find no significant ballot ordering effects and witness highly consistent voting in all multi-option formats, particularly for ballot alternatives which can be ordered on a single dimension. We conclude that the extended choice set offered by multi-option referendums can provide a constructive alternative to binary referendums.

4.1 Introduction

Referendums can be accessible tools to include large segments of the population, and may contribute to the representativeness of public policy (Leininger & Heyne, 2017). However, referendums are also criticised for reducing complex policy topics to a binary approval or rejection which may polarise the voting population and may fail to elect a broadly supported policy outcome (Parkinson, 2001; Taillon, 2018). The binary format can provoke status quo voting resulting from uncertainty or general distrust in politics. Multi-option referendums offer a promising alternative by measuring support for not one but several mutually exclusive policy proposals. At the same time, they raise new procedural challenges such as the selection of a multi-option voting method, and their voting outcomes are theoretically vulnerable to voting inconsistencies like cycling (Wagenaar, 2019). This research note gains insight into voter behaviour in multi-option referendums in order to explore their potential as a constructive alternative to the binary referendum.

Particularly understudied is how diverse ballot question structures underlying multi-option referendums influence voter behaviour. Various question structures require different cognitive abilities of voters to mark the ballot (Tchintian, 2017). Two main designs are used in multi-option referendum practice (see Figure 4.1 for examples). The first is the single-question design, in which policy options are listed in response to a single ballot question. The policy options commonly include descriptions of both the status quo and various change proposals. Voters either select their favourite option, rank options or tick all acceptable options. The second design consists of multiple binary questions, in each of which voters either approve or reject a particular change proposal. If one proposal receives majority approval, it is elected. If all proposals are rejected, the status quo prevails. If multiple change proposals receive majority approval, a deciding question, which pits the change proposals directly against each other, determines the outcome. Countries such as New Zealand and Sweden have used the single-question design on several occasions, whereas referendum-minded democracies such as Switzerland and Liechtenstein regularly use the multiple binary question design for referendums involving a counter-proposal.

Empirical data from existing referendum cases, however, enable us to structurally compare the two ballot question structures neither to each other nor to the more common binary format. Therefore, we fielded a survey experiment to test the effects of ballot question structure on voter behaviour by collecting preference data on the same sets of ballot options using both single-question and multiple binary question ballot structures. This research note evaluates how the two question structures fare under a number of voting challenges: status quo voting, ordering effects and inconsistent voting. In the next section, we briefly discuss the literature on these challenges. Section 4.3 then elaborates on the strategies of data collection and analysis, followed by a presentation of the results in section 4.4. The final section describes the conclusion and implications.

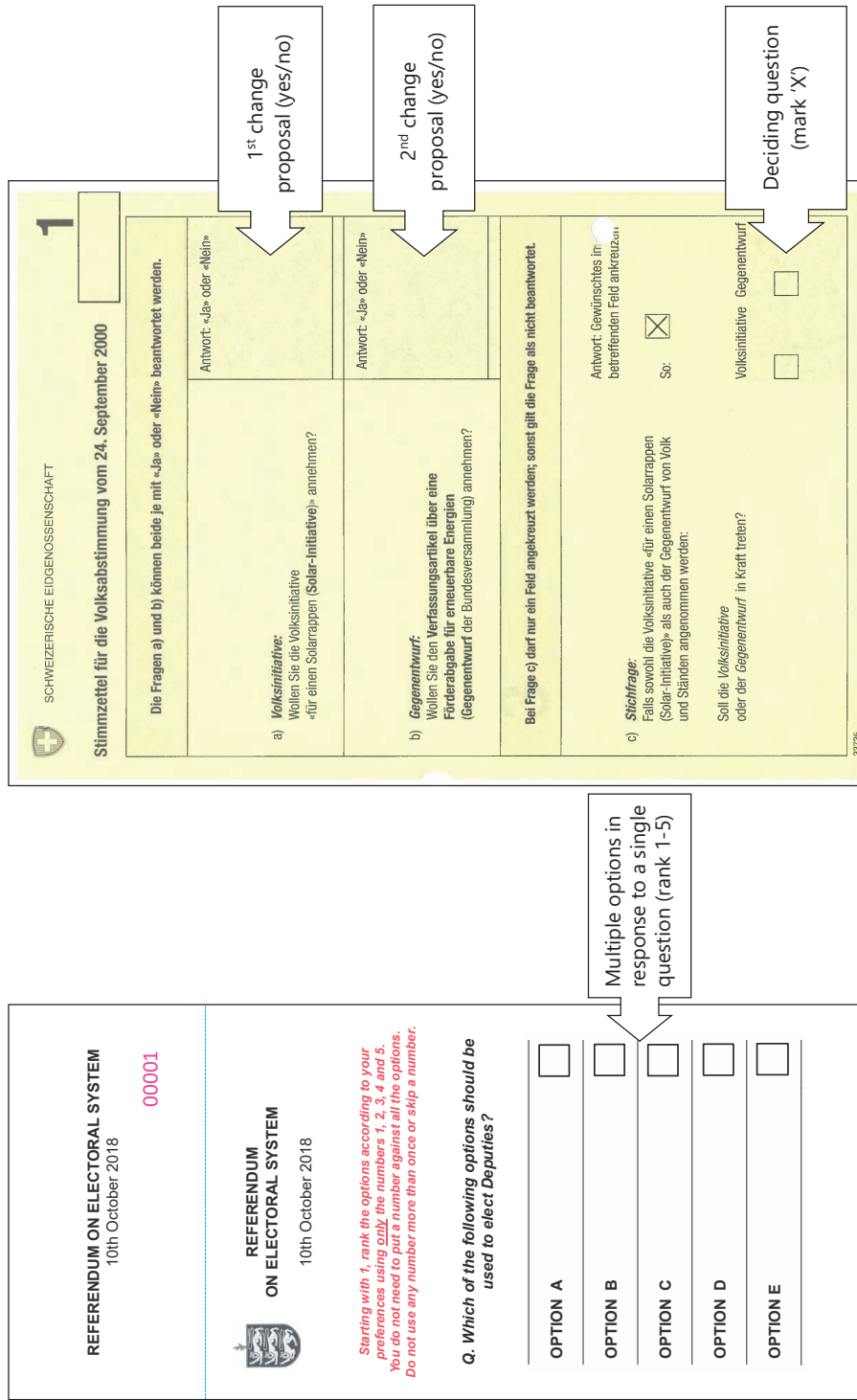


Figure 4.1 Example ballots. Left: single-question ballot used in Guernsey (2018). Source: States of Guernsey. Right: ballot with multiple binary questions used in Switzerland (2000). Source: Swiss Federal Chancellery.

4.2 Question structure influences on voter behaviour

Ballot structures determine how votes are cast on ballot options (Farrell, 2011). The literature on referendums and electoral voting stresses the presence of various voting challenges which bear relation to the number of options on the ballot and the order in which they are presented. We are interested in the extent to which they apply to multi-option referendum voting. First, extending the number of ballot options and therefore the variety of policy proposals on offer may limit the challenge inherent to binary referendums that the status quo option disproportionately benefits compared to other options. Second, a larger number of options may increase the risk of ordering effects, which are more common in electoral ballots with multiple candidates than in two-option binary referendums.³⁹ Third, the cognitive demands of voting on three or more options and the use of alternative balloting methods could introduce a challenge for voters to consistently express their preferences.

Since literature on multi-option referendum ballot structures is still in its infancy, no explicit causal relations have yet been established which we can test on our data. We therefore draw inferences from literature on binary referendums and on multi-option elections to test the practical manifestation of voting challenges under various multi-option referendum designs.

4.2.1 Status quo bias

Binary referendums require voters to condense their opinion on a policy topic to a vote in favour or against a specific proposal. The lack of nuanced options in a yes/no choice could cause those with diametrically opposed views on the policy proposal to resort to the status quo (Sen, 2015). Whilst a status quo win is not problematic in itself, as a majority of voters may genuinely prefer the current situation over any other policy, it has been argued that the binary format makes voting for the status quo more likely for reasons such as issue linking, second order voting or an inability to express preferences for other policy variations than the one presented (Wagenaar, 2019).

Moreover, referendum voting is often asymmetrical, offering a choice between the 'safer' option to maintain the status quo and a change proposal entailing more uncertainty (Bowler & Donovan, 2000). Referendum voting requires a clearer expression of substantive individual preferences compared to voting on representatives to take policy decisions (Binder, 2010) and the explicit policy change proposed in a referendum provokes a conservative bias for uncertain or confused voters. Fears of the implications of future policies lead voters to stick with what they know (Ranney, 1981; Lupia & Matsusaka, 2004). Referendums have thus been argued to "stand in the way of 'salutary reform'", as voters are claimed to vote 'No' to change proposals (Qvortrup, 2005:62).

³⁹ Higher numbers of ballot options also tend to increase voting phenomena such as ballot roll-off, unintended error, undervote or blank votes. Considering the relatively low number of options which tend to be presented in multi-option referendums (three or four in the vast majority of cases, see Wagenaar, 2020) we do not focus explicitly on these phenomena.

It remains to be seen whether these conservative tendencies also hold empirically for multi-option referendums. When facing multiple options, voters may be better able to understand the policy consequences of the different proposals, reducing uncertainty, and there is more likely to be an option ideologically close to the preferences of the voter. We therefore expect multi-option referendums to reduce the share of status quo votes compared to binary referendums. We would expect status quo voting to diminish more in the single-question design than in the multiple binary question design, since the latter offers an explicit ‘no’ option for each change proposal which may be vulnerable to a bias to vote ‘no’.

4.2.2 Ordering effects

When voting on multiple options, ballot option ordering can present a challenge. Research on elections shows that the ordering of alternatives –also referred to as ballot position– may influence voter behaviour (a.o. Alvarez, Sinclair & Hasen, 2006). Ordering is generally expected to benefit candidates or options at the top of the ballot paper, also referred to as the primacy effect, which occurs particularly on long ballots (Reynolds & Steenbergen, 2006; Farrell, 2011; Casas, Diaz & Mavridis, 2020). An often-cited explanation is linked to the concept of satisficing as coined by Simon (1957): when choosing from multiple options, voters tend to approve the most accessible satisfactory option, with top-positioned candidates on a physical ballot being most accessible. Koppell & Steen (2004) find this effect to be significant even in a four-candidate race.

Conversely, research on a large number of US referendums in Texas and California, where ballots contained multiple proposals on various topics, found no evidence of higher approval rates for higher-listed proposals (Matusaka, 2016). This result is expected to follow from the fact that each proposal is presented in a separate question and is therefore evaluated in its own right (Selb, 2008). We therefore expect voters facing multiple binary questions to be less affected by primacy effects compared to voters confronted with a single question, as the visual presentation of the latter bears more similarity to multi-candidate ballots in elections.

4.2.3 Voting inconsistencies

A pertinent challenge particular to multi-option voting is that voting can produce inconsistent outcomes. Inconsistencies can occur either at the aggregate level – despite individually consistent preferences – or at the individual level. At the *aggregate level*, there can be instances of vote cycling in which majorities prefer proposal A over B as well as B over C as well as C over A (Lagerspetz, 2016). Aggregate-level vote cycling is a challenge inherent to multi-option voting methods based on relative preferences, such as ranking. Its empirical manifestation can be tested by analysing whether there is a Condorcet winner – an alternative that beats any other alternative in pairwise contests.

At the *individual level*, vote cycling occurs if a voter does not consistently indicate the same relative preferences for various alternatives when facing them in different questions. The more options are on the ballot, the larger the cognitive demands on voters to weigh

these options (Wagenaar, 2019). High cognitive demands can translate into inconsistent voter behaviour. If cycling occurs on the individual level, this may signal that voters find it difficult to comprehend the question, an argument resonating with those critical towards voter participation, but countered by others (e.g. Lupia, McCubbins & Arthur, 1998). Multidimensionality of a topic may also cause voters to express inconsistent preferences. For single-question ranking, individual-level inconsistencies cannot be tested, though for issues for which the alternatives can be ordered on a single dimension, voter consistency can be inferred by using single-peakedness of expressed preferences as a proxy. We can explicitly test for consistency in multiple binary question designs by comparing the results of the deciding question to those of the preceding questions. We expect individual-level consistency to be higher when the policy options can be considered part of a single dimension, as the appraisal by voters is considered to be less complex than for more distinct options.

4.3 Data collection and analysis

An experimental design is especially suitable to test to which extent the theoretical assumptions on voting challenges hold under the two main designs for multi-option referendum voting. The survey format enables the best possible structural comparison of question structures effects, apart from the ethically dubious practice of varying ballots in real-life referendums. To empirically analyse the three challenges, we conducted a survey experiment that manipulated the ballot question structure as well as the ordering of the answer alternatives. The experiment was fielded in the Netherlands, a country that has some experience with referendums at both national and local levels. Data collection took place in the second week of March 2020, shortly before the COVID-19 epidemic crowded out other political issues. Participants were recruited as part of a larger web survey among a representative sample of the Kantar opinion panel. In total 3,445 respondents participated in the survey experiment.

4.3.1 Topic of the experiment

The questions of the experiment focused on motorway speed limits. To meet climate targets, the Dutch government proposed to lower the 130 km/h limit, which had been introduced eight years earlier. This topic had two advantages for our experiment. First, it was highly salient at the time of the survey. Second, it allowed us to formulate rivaling proposals in explicit and unambiguous terms. To control for multidimensionality, we split the experimental groups into two. One part dealt with policy alternatives that could be ordered on a single dimension (ordinal alternatives); the other with distinct policy alternatives that could not be ordered on a single dimension (categorical alternatives). The ordinal design asked respondents about their preferences for speed limits of 100 km/h, 120 km/h or 130 km/h.⁴⁰ The categorical

⁴⁰ These speed limits represent realistic alternatives, contrary to a hypothetical 110 km/h limit.

design proposed three alternative scenarios: 100 km/h during rush hours and otherwise 130 km/h, 120 km/h at all times and road sections or routes and 100 km/h at specific routes and 130 km/h at others. The absence of an explicit status quo option in the latter design is consistent with actual single-question referendum cases in situations where the status quo was not a realistic option. The precise formulations of the questions and answer categories can be found in Appendix 4. The data used for this paper have been deposited in the openly accessible Dataverse repository.⁴¹

4.3.2 Experimental groups

Respondents were randomly divided over 2x3 different treatments and 2x3 binary control groups. One half of the groups faced ordinal alternatives (-ord groups) and the other half faced categorical alternatives (-cat groups). Each treatment group was presented with a different question structure and corresponding balloting method (see Table 4.1). The first two groups were asked to approve alternatives in a single question (groups *approval-ord* and *approval-cat*). The next two groups were asked to rank alternatives in a single question (groups *ranking-ord* and *ranking-cat*). Respondents in the approval voting and ranking groups could approve or rank as many or as few alternatives as desired. The final two groups were asked to individually approve or reject change proposals – de facto against the status quo – in multiple binary questions (groups *multiple-ord* and *multiple-cat*). These groups also faced a deciding question, requiring a binary vote in case of two change proposals (*multiple-ord*) and ranking in case of three (*multiple-cat*). Control groups for both the ordinal and categorical question were each split into three (*control-ord1*, *-ord2*, *-ord3* and *-cat1*, *-cat2*, *-cat3*), with respondents in each group being presented with a binary choice between two of the three alternatives.

4.3.3 Data analysis

Status quo bias

We tested for effects of the ballot question structure on status quo voting by comparing approval percentages of the explicitly described status quo option (130 km/h) expressed in a single question (group *approval-ord*) to implicit preferences for the status quo in the multiple binary design (group *multiple-ord*). Since the choice set is the same, we can test the effects of the question structure on support expressed by respondents for the various proposals.

We further compared these results to the explicit support percentages for the status quo in the binary control groups (*control-ord2* and *control-ord3*). Due to random assignment in the experimental design, true preferences for the status quo are similar in the treatment groups (with respondents choosing from more than one alternative to the status quo) and the control groups (with only one alternative challenging the status quo). This allows us to test whether additional options reduce preference expression for the status quo in absolute terms. Despite

41 <https://doi.org/10.34894/ULCIFO>

Table 4.1 Treatment and control groups.

Question structure	Voting method	Ordinal alternatives		Categorical alternatives	
		Group	Presented options	Group	Presented options
Single question	Respondents approve of as many options (0-3) as they wish.	<i>Approval-ord</i> (n = 284)	<input type="checkbox"/> 100 km/h <input type="checkbox"/> 120 km/h <input type="checkbox"/> 130 km/h	<i>Approval-cat</i> (n = 256)	<input type="checkbox"/> 100_rush <input type="checkbox"/> 120 km/h <input type="checkbox"/> 100_routes
Single question	Respondents rank all options (0-3) deemed acceptable.	<i>Ranking-ord</i> (n = 325)	<input type="checkbox"/> 100 km/h <input type="checkbox"/> 120 km/h <input type="checkbox"/> 130 km/h	<i>Ranking-cat</i> (n = 284)	<input type="checkbox"/> 100_rush <input type="checkbox"/> 120 km/h <input type="checkbox"/> 100_routes
Multiple binary questions	Respondents vote in favour or against each change proposal in a separate binary question. In the deciding question, they then select their most favoured option (in case of two change proposals) or rank the change proposals (in case of three or more).	<i>Multiple-ord</i> (n = 312)	100 km/h: <input type="radio"/> yes <input type="radio"/> no 120 km/h: <input type="radio"/> yes <input type="radio"/> no <input type="radio"/> 100 km/h <input type="radio"/> 120 km/h	<i>Multiple-cat</i> (n = 293)	100_rush: <input type="radio"/> yes <input type="radio"/> no 120 km/h: <input type="radio"/> yes <input type="radio"/> no 100_routes: <input type="radio"/> yes <input type="radio"/> no <input type="checkbox"/> 100_rush <input type="checkbox"/> 120 km/h <input type="checkbox"/> 100_routes
Binary question	Respondents select their most favoured option.	<i>Control-ord1</i> (n = 299)	<input type="radio"/> 100 km/h <input type="radio"/> 120 km/h	<i>Control-cat1</i> (n = 269)	<input type="radio"/> 100_rush <input type="radio"/> 120 km/h
Binary question	Respondents select their most favoured option.	<i>Control-ord2</i> (n = 265)	<input type="radio"/> 120 km/h <input type="radio"/> 130 km/h	<i>Control-cat2</i> (n = 276)	<input type="radio"/> 120 km/h <input type="radio"/> 100_routes
Binary question	Respondents select their most favoured option.	<i>Control-ord3</i> (n = 272)	<input type="radio"/> 100 km/h <input type="radio"/> 130 km/h	<i>Control-cat3</i> (n = 310)	<input type="radio"/> 100_rush <input type="radio"/> 100_routes

Control groups in shaded rows. Note: descriptions of categorical alternatives have been shortened in this table, but were posed in full to respondents.

differences in the sizes of the choice sets, respondents with a genuine preference for the status quo are expected to elect it regardless of other options offered. Lower status quo voting in the multi-option designs could therefore point towards conservative voting for lack of a suitable change proposal rather than out of genuine satisfaction with the current situation.

Ordering effects

We tested for primacy effects by applying semi-randomised answer ordering to all treatment groups. We split these groups into halves being shown either increasing or decreasing ordinal values, or one of two different orderings of categorical options. We then compared support percentages for the options on the basis of them being either top-listed or bottom-listed.

Voting inconsistencies

We tested whether the collective results of the single-question ranking groups (*ranking-ord* and *ranking-cat*) and the multiple binary question groups (*multiple-ord* and *multiple-cat*) displayed inconsistencies as a result of vote cycling. We also analysed whether the aggregate-level rankings converged with the relative preferences expressed by the binary control groups. For the group ranking ordinal alternatives (*ranking-ord*) we used single-peakedness as a proxy to analyse consistent voting on the individual level. On the multiple binary question groups (*multiple-ord* and *multiple-cat*) we could explicitly test for individual-level inconsistencies. We analysed convergence between relative support expressed for particular proposals in the separate questions and in the deciding question. In a logistic regression analysis, we checked whether individual-level characteristics such as age, education and political interest influence the likelihood of inconsistent voting.

4.4 Results

4.4.1 Status quo bias

The various designs featuring ordinal alternatives presented the status quo option to respondents either explicitly (single question) or implicitly (multiple binary questions). In the ranking and approval voting designs (*ranking-ord* and *approval-ord*), respondents could approve as many proposals – change proposals and status quo option – as desired. There was no explicit ‘no’ option. In the multiple binary question design (*multiple-ord*), respondents could approve either one, both or neither of the change proposals. Similar to binary referendums, a preference for the status quo over a change proposal could be expressed by voting ‘no’ to a change proposal. In the categorical design, for all question structures, status quo voting was implied by not approving or ranking any change proposals.

The second column of Table 4.2 displays explicit support for the status quo option in the single-question designs and the binary control groups. In none of the groups, the status quo option enjoys absolute majority support. In fact, in none of the groups the status quo option is the single most supported option. In the binary control group posing 100 km/h against 130 km/h the result is undecided. In all other groups in which the status quo option is present, there is a more supported alternative option.

The third column displays the winning option under the various question structures, assuming an absolute majority requirement. If absolute majorities were required to win

Table 4.2 Support for winning option and status quo option.

Group	Status quo	Winning option ¹	Most supported option	
Approval-ord	21.12%	Status quo	120 km/h	47.89%
Ranking-ord	26.77%	Status quo	100 km/h (first preferences)	40.00%
	n/a	120 km/h	120 km/h (AV)	57.23%
Multiple-ord	n/a	120 km/h	120 km/h	83.33%
Control-ord1	n/a	120 km/h	120 km/h	54.18%
Control-ord2	32.10%	120 km/h	120 km/h	67.92%
Control-ord3	50.00%	Status quo	100 and 130 km/h	50.00%
Approval-cat	n/a	Status quo	100_rush	44.14%
Ranking-cat	n/a	Status quo	100_routes (first preferences)	40.85%
	n/a	100_routes	100_routes (AV)	53.52%
Multiple-cat	n/a	100_routes	100_routes	76.45%
Control-cat1	n/a	100_rush	100_rush	55.39%
Control-cat2	n/a	100_routes	100_routes	56.52%
Control-cat3	n/a	100_routes	100_routes	53.23%

¹Assuming an absolute majority requirement to win the vote.

the referendum, approval voting in a single-question design would result in a prevalence of the status quo. In the ordinal single question (*approval-ord*), this happens despite the explicit status quo option receiving the lowest share of approval votes. Contrastingly, in the multiple binary question designs (*multiple-ord* and *multiple-cat*) all alternative proposals were approved by an absolute majority of respondents. The winning alternative is shown in the third column. For the groups employing ranking (groups *ranking-ord* and *ranking-cat*), the winning option depends on the aggregation rule. Results are presented for plurality rule and alternative vote (AV) procedures.

The fourth and fifth columns display the most supported option and its corresponding support percentage. As discussed above, approval voting did not yield an absolute majority winner. Respondents appeared to be reluctant to approve of multiple options in a single question compared to their willingness to rank multiple options in a single question or approve of multiple options in separate binary questions. For example, in the categorical design, respondents approved on average 1.15 proposals compared to their willingness to rank on average 2.48 proposals and to approve 2.21 proposals in the multiple binary question design. Since there is no alternative aggregation rule that can be applied to the approval votes, the status quo persists. Ranking (*ranking-ord* and *ranking-cat*) does not yield an absolute majority winner on first preferences, but applying an alternative aggregation rule such as AV does produce such a winner. The plurality winner (100 km/h) in the ordinal group (*ranking-ord*) is not elected after redistributing preferences, which can be logically explained

when we assume single-peakedness. Since the least supported option (130 km/h) was on the opposite side of the spectrum, its second preferences largely befitted the intermediate option (120 km/h). No less than 95.4% of supporters of 130 km/h ranked 120 km/h second and only 2.3% ranked 100 km/h second (the remainder expressed no second choice). By contrast, for categorical variables (*ranking-cat*), second preferences of supporters of the least preferred option (120 km/h) spread equally over the other two options (49% and 51%). Through this redistribution of votes, the proposal for 100 km/h at particular routes, also the plurality winner, was elected with absolute majority support.

Finally, we compare the relative preferences expressed in the single-question multi-option design to the binary control groups for the ordinal alternatives, which explicitly included the status quo. It can be concluded that respondents of the binary control groups (*control-ord2* and *control-ord3*) are more favourable towards the status quo (130 km/h) in absolute terms than respondents ranking the status quo in a contest against multiple alternative proposals (*ranking-ord*). This indicates that the absence of an acceptable change proposal induced respondents to favour the status quo over change. The difference is statistically significant for three out of four comparisons. The only insignificant difference is between *ranking-ord* (26.77%) and *control-ord2* (32.10%).⁴²

4.4.2 Ordering effects

Next, we analyse whether outcomes diverge depending on the order in which the alternatives are presented to respondents (see Table 4.3). Options were presented in one of two different orders. None of the differences in order of presentation turn out to be statistically significant in straightforward t-tests. Overall, the differences are fairly small, though potentially large enough to flip the winning option on the ordinal single question (*approval-ord*). Interestingly, it is only the explicit status quo option (130 km/h) in this ordinal single question which benefitted from a primacy effect, despite being too small to change its position relative to the other alternatives. Though not statistically significant, this primacy effect may hint towards satisfying the status quo option when it appears at the top.

4.4.3 Voting inconsistencies

Aggregate-level inconsistencies

We first test for voting consistency at the aggregate level by analysing whether the collective preferences of particular groups of respondents display vote cycling. As Table 4.4 shows, no cycling occurred in the aggregate-level rankings in the single-question designs (*ranking-ord* and *ranking-cat*). Moreover, these rankings were consistent with the relative preferences expressed by the respective binary control group respondents (*control-ord* and *control-*

⁴² An ANOVA-test confirmed that the difference between *approval-ord* and control groups *control-ord2* and *control-ord3* was significant at $p < 0.05$ and $p < 0.001$ respectively (using a Tukey HSD post-hoc test). Furthermore, an ANOVA-test confirmed that the difference between *ranking-ord* and control groups *control-ord2* and *control-ord3* was insignificant ($p = 0.865$) and significant at $p < 0.001$ respectively (using a Tukey HSD post-hoc test).

Table 4.3 Approval percentages for different orderings.

Group	Alternative	Listed order	Reverse order	Difference	p-value
Approval-ord	100 km/h	48.15%	46.31%	-1.84%	0.76
	120 km/h	51.85%	44.30%	-7.55%	0.20
	130 km/h	17.04%	24.83%	+7.79%	0.11
Multiple-ord	100 km/h	73.29%	67.55%	-5.74%	0.27
	120 km/h	81.37%	85.43%	+4.06%	0.34
Approval-cat	100_rush	42.96%	45.45%	+2.49%	0.69
	120 km/h	33.33%	37.19%	+3.86%	0.52
	100_routes	39.26%	32.23%	-7.03%	0.24
Multiple-cat	100_rush	73.72%	72.44%	-1.28%	0.81
	120 km/h	72.26%	71.54%	-0.72%	0.83
	100_routes	77.37%	75.64%	-1.73%	0.72

Table 4.4 Aggregate-level consistency for single-question ranking and binary control groups.

Group	Consistent winner?	Collective preferences
Ranking-ord	Yes, 120 km/h	120 km/h > 100 km/h > 130 km/h
Control-ord	Yes, 120 km/h	120 km/h > 100 km/h = 130 km/h
Ranking-cat	Yes, 100_routes	100_routes > 100_rush > 120 km/h
Control-cat	Yes, 100_routes	100_routes > 100_rush > 120 km/h

cat, subgroups taken together). Both ordinal and categorical ballot alternatives yielded a Condorcet winner (respectively 120 km/h and 100 km/h at particular road sections or routes).

Multiple binary question outcomes can be considered consistent on the aggregate level when the change proposal with the highest approval rate also wins the deciding question. Much like the Condorcet paradox for ranked preferences, this cannot be interpreted as a proxy of individual-level consistency. Incongruences between the deciding question result and the relative approval rates in the separate questions can result from the deciding question preferences of respondents which either rejected or approved of both proposals. On the ordinal design (*multiple-ord*), the majority outcome of the deciding question was consistent with the higher majority approval rate for 120 km/h (see Table A4.1 in Appendix 5). In the categorical design (*multiple-cat*) the deciding question winner was not the most supported proposal in the binary questions. It must be noted that approval rates for the individual proposals as well as first preferences in the deciding question were very similar.

Individual-level inconsistencies

Approval voting cannot display vote cycling because each approval vote is considered equal. However, since we would logically expect preferences to be single-peaked for ordinal values, we can use single-peakedness as a proxy for internally consistent preferences of individual respondents. The expectation that those respondents in group *approval-ord* approving of both 100 km/h and 130 km/h would also approve of 120 km/h turned out to be the case for all respondents in question. As discussed in subsection 4.4.1, the ordinal question ranking results (*ranking-ord*) also displayed single-peaked preferences for respondents preferring 130 km/h. The same was the case for respondents preferring 100 km/h: only 2.3% ranked 130 km/h second.

The multiple binary question designs allow us to test for individual-level voting inconsistencies. The same change proposals appear in more than one question, which facilitates an individual-level analysis as to whether respondents prefer the same proposal over another in both question types. A consistent voter elects or ranks a proposal in the deciding question in such a way that this relative preference aligns with his or her preferences expressed on the individual proposals. On the ordinal ballot with two change proposals (*multiple-ord*), this was the case for over 99 percent of respondents. Table 4.5 displays situations in which voting cannot be considered internally consistent. On the ballot with

Table 4.5 Individual-level cycling on deciding question (ordinal alternatives).

Approval of individual options		Preference in deciding question	Inconsistent responses
100 km/h	120 km/h		
No	Yes	100 km/h	0.00%
Yes	No	120 km/h	0.64%
			0.64%

Table 4.6 Individual-level cycling on deciding question (categorical alternatives).

Approval of individual options			Rank in deciding question	Inconsistent responses
100_rush	120 km/h	100_routes	100_rush 120 km/h 100_routes	
No	Yes	Yes	1 st or 2 nd	2.05%
Yes	No	Yes	1 st or 2 nd	2.05%
Yes	Yes	No	1 st or 2 nd	2.39%
Yes	No	No	2 nd or 3 rd	0.68%
No	Yes	No	2 nd or 3 rd	1.37%
No	No	Yes	2 nd or 3 rd	3.41%
				11.82%

three categorical change proposals (*multiple-cat*), over 88 percent of respondents ranked the alternatives consistently with their approvals on the individual proposals. Table 4.6 shows the expressed inconsistent combinations.

We used logistic regression analyses to examine whether particular types of respondents were more likely to vote inconsistently in the multiple binary question designs. None of the predictors (age, sex, gender, level of education, political interest, preference for referendums) was a statistically significant predictor of inconsistent voting (see Table A4.2 in Appendix 5). In other words, inconsistent voters constitute a very heterogeneous group.

4.5 Conclusion

This research note has evaluated the effects of two different ballot question structures on voter behaviour in multi-option formats. We tested for three challenges common to voter behaviour in either referendums or multi-option voting: status quo bias, ordering effects and voting inconsistencies. Within the same topic domain, the analysis distinguished between two types of ballot alternatives: ordinal and categorical.

We do not find evidence that multi-option referendums suffer substantially from the three challenges. First, our comparison of results under various designs confirmed our expectation that all types of multi-option designs produce *lower levels of status quo voting* than binary referendum voting. Contrary to our expectations, support for the status quo was in fact lower in the multiple binary question designs than in the single-question designs. Even an explicit no-option thus did not incur a higher rejection rate of change proposals and therefore did not favour the status quo. The findings imply that under the various question structures analysed, multi-option referendums decrease status quo voting. This suggests that many voters in traditional binary referendums vote for the status quo because of uncertainty about or discontent with the particular alternative proposal rather than because of an explicit preference for the status quo situation. The results hold both for proposals that can be ordered on a single dimension and for those that cannot. We noticed that respondents in the single-question approval voting designs approved of fewer options than respondents in other designs. This may indicate that an inability to express relative preferences evokes a reluctance on the part of voters to approve multiple proposals. Voters may instead limit themselves to approving their most-favoured option rather than all acceptable options. For actual multi-option referendums that require absolute majority outcomes, it may therefore be advisable to facilitate the expression of relative preferences.

Second, *ordering effects were statistically insignificant*, meaning that we did not find evidence that relative preferences for options in our three-option designs were affected by which option was listed first. Nevertheless, ordering effects were substantial enough to affect the outcome under single-question approval voting in a close race between rivaling ballot alternatives and there was a mild indication of status quo satiscing. Conform our

expectations, ordering effects were even smaller in the multiple binary question designs, in particular for categorical alternatives.

Third, *voting outcomes were generally very consistent*. Both single-question and multiple binary question designs yielded consistent aggregate-level outcomes. Furthermore, fairly few respondents expressed internally inconsistent votes. Especially when ballot alternatives could be ordered on a single dimension, individual-level vote cycling was virtually absent. This confirms our expectation that inconsistencies are more likely to occur when voting on more distinct options. As a generalised policy implication, multi-option referendums are well understood by voters, but in order to keep complexity in check, it is best to adhere to a limited number of options if these cannot be ordered on a single dimension.

In sum, our survey experiment suggests that multi-option referendums constitute a realistic alternative to binary referendums, offering a broader scope of choice whilst still being understandable for voters. In situations in which various policy scenarios are conceivable, multi-option referendums can transcend status quo conservatism without significantly compromising on voting consistency. It appears that ballot ordering in referendum designs with three alternatives does not affect voter behaviour to the same degree as the electoral literature established for – often much longer – multi-candidate ballots.

As a potential limitation of the study, it must be noted that the ballot alternatives in this survey experiment were relatively easy to understand and that the 130 km/h status quo had only been in effect for the past eight years, thus reducing uncertainty at least about the ordinal alternatives. Referendum proposals with lower information demands decrease uncertainty, reducing risk-averse status quo voting (Bowler & Donovan, 2000). Then again, the same limited information demands also applied to the binary control groups, which nonetheless voted more conservatively than the multi-option groups. More information on individual candidates in elections is also said to reduce the primacy effect (Koppel & Steen, 2004). The same may have applied to our study, though in this respect it is interesting to note that primacy effects were smaller for the multidimensional categorical alternatives than for the more straightforward and familiar ordinal alternatives. Finally, our experiment did not attempt to model strategic voter behaviour, which may influence the occurrence of voting challenges (e.g. Bochsler, 2010, on vote cycling following deliberate strategic voting cues). We encourage further research on ballot question structure effects for various topics and ballot alternatives, and on the value of multi-option designs in a context of higher uncertainty and strategic considerations.

In conclusion, our experiment sheds light on the relevance of referendum design for voting outcomes. The results suggest that when designing referendums, one should consider both the set of alternatives to be included on the ballot as well as the way the alternatives are presented to voters.

5

Opportunities and challenges of multi-option referendum voting

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Abstract

Referendums commonly offer a binary choice between supporting and rejecting proposed legislation. Binary designs benefit from simplicity and guarantee a majority result, but also provoke voting biases and interpretation challenges. Referendum designs offering multiple policy alternatives provide a different approach which could alleviate binary referendum challenges whilst maintaining the aggregative benefits. Offering more than two options, however, raises new challenges in designing the referendum process and obtaining majority results. This article uses survey data collected on a corrective referendum held in the Netherlands in 2018 to compare the challenges faced by binary and multi-option referendum designs respectively. The analysis demonstrates how the multi-option design empowers voters in expressing their preferences and delivers more detailed and constructive referendum results. Building on the survey data, the article subsequently discusses the challenges of extending choice and concludes that alternative voting methods can mitigate some of these challenges.

5.1 Introduction

In a referendum the electorate can vote directly on a specific policy topic. The aggregation of votes provides a numerical signal of approval or disapproval to policymakers. This aggregation distinguishes referendum voting from deliberative democratic innovations with a focus on exchanging arguments. Referendums have been gaining momentum in recent decades, both in terms of frequency as well as popularity (Schuck & De Vreese, 2015). Despite the wide variety in topics, referendums are generally characterised by a choice between two options: for or against a specific policy proposal. Under this ballot design, voters de facto express their relative preference between the proposal and the pre-existing status quo (Lupia & Johnston, 2001; Bochsler, 2010).

This binary design is not unchallenged. Referendum results may not be as easy to interpret as the numerical result suggests: despite clearly demonstrating whether a majority supports or rejects a proposed policy or scenario, it does not signal voters' motives for approval or rejection or potential alternatives that would best meet voter demands. For example, in the Brexit referendum, a vote to leave the EU could be interpreted to entail a range of different scenarios for future UK-EU relations not reflected in the binary vote, each requiring trade-offs and compromises that had not been prominently discussed in the referendum campaign (Rohr et al., 2017). Binary voting may also pose a dilemma to voters endorsing a third option that cannot be expressed. For example, in the 2014 Scottish and 1995 Québec referendums, those in favour of maximum devolution – according to surveys a majority of voters –, had to translate this preference into a vote either for full independence or the status quo (Taillon, 2018). The binary referendum divides voters into two maximally opposed camps, resulting in – occasionally narrow – majorities dictating policy outcomes, despite potentially larger support for a compromise.

Many binary choices disguise implicit intermediate positions. If such positions enjoy significant support in society, the binary referendum might be an inadequate instrument to capture societal preferences. In anticipation of the referendums in Scotland and Québec, possible referendum designs entailing more than two options were discussed (e.g. Scottish Affairs Committee, 2012). In the wake of the Brexit referendum, it has been suggested that a multi-option format could have limited polarisation and could still serve a potential second referendum on concrete policy options (e.g. Sargeant et al., 2018). Multi-option referendums suit situations in which more than two policy alternatives are feasible and enjoy realistic amounts of support (Tierney, 2013). Recent examples of such alternative referendum designs include the New Zealand flag referendum in 2015/2016 and the Puerto Rican status referendum in 2017. More were held previously in these countries and others including Sweden, Australia and Switzerland (see e.g. Suksi, 1993; Bochsler, 2010). Policy alternatives may entail explicitly distinct scenarios, such as different flags, or multiple positions on a policy continuum, such as constitutional reforms (Uruguay, 1966), pension plans or nuclear policy (Sweden, 1957 and 1980).

This article explores to which extent multi-option designs can alleviate several binary referendum challenges: limitations in preference expression, conservative bias, conflictual tendencies and uncertain policy outcomes. At the same time, multi-option referendums give rise to new challenges. Expanding the number of options increases ballot complexity, requires more design choices, could yield different outcomes under different aggregation methods and does not always guarantee an absolute majority result. Some advantages and challenges are inherent to the multi-option design: increases in the scope of choice, the related cognitive demands and the accuracy of the outcome. Others depend on the methods applied to express and aggregate votes. To test whether voting methods can yield a consistent and absolute majority outcome, voter preference scales are required on positions beyond two ballot options. Such data are seldom available for binary referendums held in practice (Bochsler, 2010). To address this gap, I surveyed respondents to collect preference data on four feasible policy positions directly related to an actual binary referendum proposal. I then applied a variety of voting methods to the preference data to test how they affect both binary and multi-option referendum challenges. This article addresses the following research question: *How does a multi-option referendum design under different voting methods respond to challenges specific to binary and multi-option referendum voting?*

Reflecting on the practical manifestation of advantages and challenges is relevant because referendum design affects the referendum outcome and experience. One particular challenge of multi-option referendums, the formulation of ballot alternatives, is impossible to simulate in a survey study. Considering its importance in the practical application of multi-option designs, it is nevertheless included in reflections on referendum design in several sections of the article.

After discussing in more detail the characteristics, advantages and challenges of binary referendum designs – in section 5.2 – and of multi-option designs – in section 5.3 – I further elaborate on the research design in section 5.4. In section 5.5 I present the results of voting on multiple policy options under plurality rule, ranking and approval voting. In section 5.6 I proceed to discuss the extent to which the multi-option design under different voting methods addresses and alleviates challenges specific to binary referendums and how it fares with regard to challenges specific to multi-option designs. In the concluding remarks, I reflect on implications for the practical application of multi-option referendum designs.

5.2 Binary referendums: two-option preference expression

Measuring support for a policy proposal by counting votes cast in favour or against it can have several advantages (see Table 5.1). Firstly, a set of two mutually exclusive options is easy to understand for voters (Tierney, 2013) as it requires the evaluation of a single proposal and the expression of a single first preference vote (*ballot simplicity*). Secondly, the two-option ballot in most cases does not require the formulation of alternatives, as the choice tends to

be between acceptance and rejection of a predefined proposal (*design simplicity*). Thirdly, May's theorem (1952) proves that simple majority rules satisfy important fairness criteria when selecting a winning option from two options. There are no different outcomes to be gained from applying different voting methods (*method singularity*). Finally, simple majority rule by definition elects an absolute majority winner and the outcome under a binary vote is not subject to vote cycling (*guaranteed majority*). Decisive referendum results may pressure policymakers to take societal views into account. Moreover, the looming threat of a rejection by referendum may instil in policymakers a continuous awareness to societal views during the policymaking process (Kriesi, 2005).

On the other hand, several scholars have pointed out the flipside of this coin. I distinguish four issues with the binary referendum: limitations in preference expression, conservative bias, conflictual nature and uncertain outcomes (see Table 5.1).

Preference limitation

Voters with nuanced political opinions or intermediate preferences are required to match these with two extreme options on the referendum ballot. For some referendum topics a binary vote obviously suffices – straightforward examples being driving on the left or right or choosing between monarchy and republic, though votes on unamendable international treaties may also qualify as such. However, in many cases, several scenarios or policy variations are plausible, and the binary choice implicitly conceals a larger set of options. Binary designs reduce the potential for democratic co-creation (WRR, 2007) and hinder the integration of amendments because of their 'winner-take-all' logic (Taillon, 2018). Without insights into the reasons behind rejection and into the policy alterations, additions or omissions that could address prevalent objections, the voice of the people is reduced to a broad indication of disagreement or agreement.

Conservative bias

As a result of limited preference expression, preferences may be distorted on the ballot. Already early in the twentieth century, Weber wrote that "the popular referendum has inner limits which follow from its technical peculiarity. The only answers it gives are "Yes" or "No". [...] The most conflicting reasons can give rise to a "no"" (Weber, 1994[1917]:225). Particularly when issues are complex or unfamiliar, there may be a bias in favour of the status quo (LeDuc, 2015; Levy, 2013; Mendelsohn & Parkin, 2001). Research on social psychology similarly claims that in the absence of alternatives to 'yes', voters face a natural instinct to vote conservatively when they neither fully agree with the proposal nor with the status quo, perceiving 'no' as the only alternative to full endorsement (Prast, 2007). Finally, voters may reject a proposal based on their opinion on other issues, known as linking (Verhulst & Nijboer, 2007) or on their satisfaction with the policies of their national government, parties in government or perceptions of supranational institutions, known as second order voting (Garry et al., 2005). Second-order effects have been encountered in several referendum campaigns (LeDuc, 2009).

Uncertain outcome

Despite the simplicity of a binary ballot – for or against a single proposal – and the resulting guaranteed majority outcome, binary referendums suffer from a limitation in the interpretation of the numerical outcome. The Venice Commission (2001) guidelines on referendums state that the policy consequences of a valid majority voting in favour or against should be clear to voters. Particularly under advisory votes, this is often not the case. As Nurmi (1998) demonstrates with the referendum paradox (applicable to district MPs) and the Ostrogorski paradox (also applicable to proportionally elected MPs), parliamentary majority opinion may not reflect the referendum result, creating tensions in the interpretation of non-binding referendum outcomes. Ahead of the referendum, it is often not clear to voters which outcome will be pursued in case of a majority rejection: a return to the status quo or some amendment of the legislative proposal. This uncertainty can confuse voters and cause post-referendum disappointment and dissatisfaction.

Conflictual tendency

The sharp choice between two alternative strategies – in favour or against – renders the referendum instrument a decisively majoritarian device (Shugart & Carey, 1992). The struggle for votes may favour the quantitative victory of a small majority of the voting population over a compromise with a larger support base and hinder the potential integration of amendments (Taillon, 2018). Polarisation into two opposing camps may further be exacerbated by media influence and political framing during the referendum campaign (Bell, 1978). Parkinson (2001) contends that this majoritarian characteristic of the referendum encourages conflict rather than compromise. He argues that the polarising – ‘this option or nothing’ – tendency not only limits expression of preferences by voters but also prohibits the necessary political consensus-seeking.

5.3 Multi-option referendums: three or more policy options

The binary feature dominates referendum practice, even though referendums can offer more than two explicit options. In multi-option referendums, “voters are presented with more than two options addressing the *same issue*, each of which is *distinctive*, leading to *one* outcome.” (Tierney, 2013:4, emphasis in original). This article considers a single-question design in which several alternatives are formulated in answer to a single ballot question in a single stage.⁴³

Offering several relevant alternatives can have a number of advantages (see Table 5.1). First, increasing the number of options enhances the scope of choice, allowing voters to match their genuine preferences more closely to one of the options compared to a scenario with two extremes (*voter empowerment*). Barber (1984) was an early advocate of what he

⁴³ Contrary to a series of binary decisions of which the results are aggregated into a single outcome (Morel, 2018), used in Switzerland for votes involving a counter-proposal alongside proposed legislation (Kriesi, 2005).

termed ‘multichoice referendums’, in which voters would express conditional variations on yes or no covered by five alternatives. Secondly, extended choice may limit the rejective bias of binary voting. Just as representative policymaking processes are characterised by accommodating discontent through amendments, voters can express discontent by voting for alternative scenarios (*constructive voting*), reducing the psychological bias to conservatively reject a proposal completely. Thirdly, a multi-option referendum result presents policymakers with a more detailed overview of support for several alternative positions as opposed to a single proposal (*detailed signal*). There is a higher chance of successfully resolving an issue if all relevant policy alternatives are on the referendum ballot (Independent Commission on Referendums, 2018; Scottish Affairs Committee, 2012). Finally, preference expression can be maximised by allowing voters to cast votes for several scenarios. The corresponding outcome reflects not only voters’ strongest preferences but also the degrees of moderate support or approval for different alternatives (*consensual signal*).

Notwithstanding these advantages, multi-option referendums also raise new challenges compared to binary designs: balloting demands on voters, agenda-setting demands, method plurality and unguaranteed majority results (see Table 5.1).

Balloting demands

A choice amongst multiple options is more challenging and potentially confusing for voters (Tierney, 2013). It intensifies cognitive demands to weigh the benefits and trade-offs of multiple policy options. Because time devoted to making choices is limited, a larger number of options tends to result in less time spent on examining each one. The higher the number of alternatives, the harder it becomes for voters to identify the option that best represents their own interests, especially when alternatives are relatively similar to each other (Goodin & Spiekermann, 2018). In addition to the extended choice, voters must also understand the voting method used in the referendum, which requires them either to vote for their favourite option or to rank or approve options (see subsection 5.4.3). As the Gibbard-Satterthwaite theorem dictates, ranking or approval voting can evoke strategic voter behaviour, whereby an individual’s vote choice is influenced by the behaviour of other voters (e.g. Gibbard, 1973).

Agenda-setting demands

Multi-option referendums can offer an inherently limited set of options, whereas strictly speaking the binary referendum always covers the whole preference field (Hsiao, 1991). In most situations it is impossible to offer all conceivable alternatives; if such detail is required, deliberative methods are better suited. The selection of a minimal yet sufficient set of alternatives is essential. In practical terms, an important consideration is by whom ballot options are formulated. As we know from literature on veto players (Hug & Tsebelis, 2002) and agenda manipulation (Lagerspetz, 2016; Holcombe, 1989), the power to trigger and design referendums can influence outcomes and be subject to strategic considerations. In multi-option referendums held around the world, parliaments or political parties determined the

options, sometimes building on input by advisory committees, expert panels or citizens. The Swiss constructive referendum circumvents political involvement in alternative formulation by allowing a people’s amendment on the ballot alongside a cantonal government proposal (see Bochsler, 2010).

Method plurality

Multi-option referendums lend themselves to the application of a variety of methods of preference expression (balloting method) and aggregation (decision rule), collectively referred to as a voting method. Arrow’s theorem (1951) dictates that no voting method for multiple options can guarantee a result that yields transitive societal preferences, implies no single voter dictatorship and is independent of irrelevant alternatives. Theoretical calculations demonstrate how the same set of preferences can potentially result in different outcomes under different preference aggregation methods (e.g. Nurmi, 1998). As there is no universally accepted method for electing the most favoured option, the selection of a voting method can become a strategic endeavour for referendum designers.

Unguaranteed majority

Similar to single-member district elections, when adding third and further options to a referendum ballot, casting a vote only for one’s favourite option no longer guarantees the emergence of an absolute majority winner (Morel, 2018). Narrow simple majorities in multi-option referendums could yield plurality winners unacceptable to a majority of voters or could produce inconclusive results (Sargeant et al., 2018). The 1980 three-option referendum on nuclear energy in Sweden demonstrated the confusion and conflict resulting from a 39.1% simple majority winning option (Suksi, 1993). The challenge to reach a consistent majority outcome intensifies as the number of alternatives enjoying significant societal support increases.

The absence of an absolute majority winner can be avoided by allowing or forcing voters to express more than just their first preference, for example through ranking or approval voting⁴⁴, which also further empowers voters (Lebon, Baujard, Gavrel, Igersheim & Laslier, 2017). Ranking – also referred to as preferential voting – was used in multi-option referendums in Australia (1977), Jersey (2013) and New Zealand (2015)⁴⁵. Ranking results in preference scales for each voter, to which various decision rules can subsequently be applied (see subsection 5.4.3). Ranking can result in cyclic collective preferences (Arrow, 1951), although empirical evidence for such cycling is scarce (Bochsler, 2010). Approval voting allows voters to tick as many or as few options as they wish, effectively expressing which options they would accept as policy. It was used in multi-option referendums in Oregon in 1990 (Brams & Fishburn, 2005) and the Dutch municipality of Duiven in 2008 (Rosema & Kock, 2009).

⁴⁴ Alternatively, the two most preferred options could face each other in a second round.
⁴⁵ The latter being followed by a second stage in 2016 in which the winning alternative faced the status quo.

Table 5.1 Comparative advantages and challenges of binary and multi-option referendums.

Challenges of binary referendums	Advantages of multi-option referendums
<ul style="list-style-type: none"> • <i>Preference limitation</i>: inability to express preferred compromise or improvements. • <i>Conservative bias</i>: conservative or second-order no-voting by middle ground supporters. • <i>Uncertain outcome</i>: unclear policy consequences of rejection ahead of vote. • <i>Conflictual tendency</i>: potential polarisation and small majority dictation. 	<ul style="list-style-type: none"> • <i>Voter empowerment</i>: increased possibilities for voters to express detailed preferences. • <i>Constructive voting</i>: reduced bias to reject over amendable or off-topic objections. • <i>Detailed signal</i>: insight into support for range of alternatives beyond two extremes. • <i>Consensual signal</i>: potential insight into preferences beyond most favourite option.
Advantages of binary referendums	Challenges of multi-option referendums
<ul style="list-style-type: none"> • <i>Ballot simplicity</i>: easier for voters to understand and use. • <i>Design simplicity</i>: two mutually exclusive options; no need to formulate alternatives. • <i>Method singularity</i>: single outcome under plurality rule. • <i>Guaranteed majority</i>: option with absolute majority guaranteed to emerge. 	<ul style="list-style-type: none"> • <i>Balloting demands</i>: cognitive demands to weigh more options and comprehend voting method. • <i>Agenda-setting demands</i>: necessity to formulate limited but relevant set of options. • <i>Method plurality</i>: potentially diverse outcomes under different voting methods. • <i>Unguaranteed majority</i>: unguaranteed non-cyclical absolute majority winner.

The advantages and challenges discussed in sections 5.2 and 5.3 are summarised in Table 5.1. The survey data are used to empirically test and discuss the assumptions of constructive voting, consensual signal, method plurality and unguaranteed majority in sections 5.5 and 5.6. Voter empowerment and the corresponding balloting demands and detailed signal follow directly from the increase in the number of options, and their practical manifestations are discussed in section 5.6. Agenda-setting demands on referendum-designing actors cannot be tested under a survey study and are reflected on in section 5.6.

5.4 Data collection

The collection of new data is both innovative and necessary to address the question how the results under binary and multi-option methods influence the practical manifestation of referendum challenges. In this section, I discuss the case selection, data collection and data analysis.

5.4.1 Case selection

The selected referendum case is a corrective referendum in the Netherlands on the Intelligence and Security Services Act 2017 (acronym: Wiv2017).⁴⁶ Wiv2017 was adopted by parliament

⁴⁶ *Wet op de inlichtingen- en veiligheidsdiensten 2017* (<http://wetten.overheid.nl/BWBR0039896/2017-09-01>).

in 2017 to substitute the Intelligence and Security Services Act 2002 (acronym: Wiv2002). Corrective referendums – also referred to as veto referendums – challenge legislation already accepted by parliament, can be binding or advisory and are usually triggered by citizens. They commonly allow voting for or against the challenged legislation and pose an emergency brake to correct a misrepresentation of interests by a majority of parliament (Hendriks, Van der Krieken & Wagenaar, 2017). The citizen-initiated Wiv-referendum took place on 21st March 2018.⁴⁷ Voters were asked “Are you for or against the Intelligence and Security Services Act 2017?”. With 46.5% in favour, 49.4% against and 4.0% voting blank, there was no absolute majority winner, which is exceptional in a binary referendum and directly attributable to blank votes being considered valid votes under Dutch electoral law.⁴⁸ The central electoral commission applied plurality rule to determine that Wiv2017 had been rejected. Because corrective referendums in the Netherlands are advisory, parliament was not obliged to revoke the legislation, though it was obliged to pass a bill to either revoke or approve it.⁴⁹

The Dutch Wiv-referendum case lends itself well to testing a multi-option design for two reasons. Firstly, because responsibilities for intelligence and security services are not naturally defined in two options; Wiv2017 and Wiv2002 constituted just two of the conceivable positions. In fact, it was the specific design of Wiv2017, notably the balancing of privacy and security, rather than the desirability of new legislation per se, that motivated citizens to initiate the referendum. Whilst agreeing that Wiv2002 was outdated, initiators were concerned with privacy protection guarantees under the proposed Wiv2017. According to the distinction by Boogers & De Graaf (2008), in cases of precise policy *design*, a multi-option referendum format lends itself better than a binary corrective format, the latter being suitable for questioning more generally the *desirability* of new policy on a given topic. Secondly, because of the advisory nature of the referendum, policymakers had to interpret the rejection of Wiv2017 with no obligation to abolish legislation in full. Policy adjustments were attainable because of the domestic policy domain. A multi-option design could provide more detailed policy guidance for such an interpretation phase.

5.4.2 Survey design

Data were collected by CentERdata from their CentER Panel, a representative panel of Dutch citizens that relies on probability sampling.⁵⁰ The online survey was sent to 2,231 panel members on Friday 16th March and could be completed until Tuesday 20th March 23:59, the day before the actual Wiv2017 referendum. These dates maximised exposure to the referendum campaign, informing respondents on the topic and enhancing decisiveness

47 Under referendum legislation valid at the time citizens could enforce a corrective referendum on recently approved legislation by gathering 300,000 signatures within six weeks. *Wet raadgevend referendum* Article 41 (<http://wetten.overheid.nl/BWBR0036443/2017-04-01>).

48 See *Kieswet* article N7 (<http://wetten.overheid.nl/BWBR0004627/2018-06-13>). The relatively large share of blank voters and the 51.5% turn-out are attributable to simultaneous local elections.

49 *Wet raadgevend referendum* Article 11.

50 The data collected in this survey are available for academic research purposes in the CentERdata database (<https://www.centerdata.nl/en/databank/centerpanel-data-0>).

of respondents’ binary vote intentions, without being influenced by voting day results.⁵¹ Exposure to campaigning on the contents of the new legislation, its benefits and potential concerns resulted in more realistic preference data than surveying uninformed respondents. Preference data on four policy positions collected under the same information conditions as binary referendum preferences enable an exploration of whether respondents’ preferences could be adequately expressed under the binary design or whether their first preferences went out to a policy position not covered by the binary referendum. A total of 1,671 adult respondents with Dutch nationality – satisfying eligibility criteria for the referendum – fully completed the online questionnaire. The response rate was therefore 74.9%.

The survey presented respondents with a multi-option referendum containing four options for the new intelligence legislation.⁵² The two middle options were researcher-formulated based on close scrutiny of both the internet consultation phase of the legislative trajectory⁵³ and media coverage during the referendum campaign. Two types of objections to Wiv2017 were prevalent in the campaign. A first line of objections pertained to the breadth of data collection, the timespan for storing collected data and unfiltered data sharing with foreign services. These concerns were accumulated into the first middle option, described to respondents under (b) (see below) and referred to in this article as Alternative 1. A second line of objections concerned insufficient access to information by independent oversight committees and fears that political goals would dictate the priorities of the services. Both lines of concerns were combined into the second middle option, described to respondents under (c) (see below) and referred to in this article as Alternative 2. Clustering them into a single option enabled respondents holding both concerns to express their opinion with a single ballot option.

The median voter theorem assumes that contests with options on a unidimensional continuum on which individual voters have single-peaked preferences elect the median voter’s choice as the winning option. Alternatives focusing on different strands of concerns – as is the case in the survey – can still be part of the same continuum (Holcombe, 1989). Approval combinations as expressed by respondents (presented in subsection 5.5.2) demonstrate that respondents considered the alternatives to be part of a single dimension. Having selected middle options for the survey based on campaign data, significant support for intermediate alternatives in the referendum could be expected. From a democratic point of view this is not problematic; as counter-proposal structures demonstrate in practice, reaching consensus on an intermediate position can contribute to effective policymaking. Although survey methodology literature has raised concerns of disproportionate numbers of respondents being attracted to explicitly offered middle options by design, this bias is considerably smaller for substantive middle options compared to nonsubstantive middle

51 The survey asked respondents whether they were aware that a referendum would take place. Of the 88% that were, 74% agreed and 7% disagreed being familiar with the contents of the new legislation. In total 89% had decided whether to turn out. Of those intending to turn out, 84% had made up their mind what to vote.

52 The order of the presented options was not randomised to stay true to a real referendum design in which all voters receive the same ballot paper.

53 <https://www.internetconsultatie.nl/wiv/details>

options such as ‘neutral’ or ‘neither agree nor disagree’ (Edwards, 2018). Moreover, four-option designs are less vulnerable to such bias than three-option designs, because there is no single midpoint (Alwin, Baumgartner & Beattie, 2017).

An introductory text presented respondents with a factual account of the extended data collection responsibilities under Wiv2017 and six bullet points detailing the related conditions. In one ranking and one approval voting question respondents then gave their relative opinions on the following four options: (a) legislation as presented; (b) legislation as presented but with stricter data storage and sharing regulations; (c) legislation as presented but with stricter data storage and sharing regulations and stricter independent oversight; (d) no new legislation, essentially maintaining the existing Wiv2002. Translations of the introductory text and the preference-querying questions presented to respondents are available in Appendix 6. In order to retrieve full preference scales, respondents were required to rank all options using each rank only once. Under approval voting, respondents were allowed to disapprove of all options, effectively voting blank. Respondents were not informed of aggregation procedures. Admittedly, as discussed in section 5.3, it is plausible that respondents express their preferences in different, possibly strategic, ways when aware of aggregation procedures. This is not considered to be an issue for the purpose of this article, which is to compare binary and multi-option voting processes rather than to prove how voters would have voted had this been a multi-option referendum. Respondents lacked experience with alternative voting methods, given the limited and exclusively binary experience with national-level referendum voting and the countrywide proportional electoral system. In the absence of both such prior experience and of exposure to strategic campaigning it is unlikely that awareness of aggregation procedures would have significantly affected responses.

To relate multi-option preferences to binary preferences, respondents were asked about their intention to turn out for the referendum on 21st March (yes, no, don’t know yet) and about their vote intention (in favour, against, blank, don’t know yet). The survey results revealed overrepresentations of respondents expressing intentions to turn out and to vote in favour. Both biases are common in voter research and were also encountered in the 2018 national referendum study in the Netherlands (Jacobs, 2018) and the 2017 Dutch election study (Van der Meer, Van der Kolk & Rekker, 2017). To control for this bias, post-survey weights were applied to different groups (abstain, in favour, against, blank).⁵⁴ The presentation of results is based on the weighted data.

5.4.3 Data analysis

The data collected with the ranking and approval voting questions are used to analyse support for the four policy alternatives under plurality calculations, approval percentages and several decision rules for the ranked preferences: alternative vote (AV) and Coombs’ method, both elimination methods, and Borda count, a points-based system.

⁵⁴ The weights applied were 3.19 (abstain), 0.47 (in favour), 0.84 (against) and 0.67 (blank).

Under AV, the option with fewest first preferences is eliminated and its votes are redistributed to those respondents’ respective second choices. Under Coombs’ method, the option with most last preferences is eliminated. Borda count assigns preferences a descending score: 3 points for the first preference down to 0 for the last preference, and elects the option with the highest total score. *The full preference scales* from each respondent guarantee an absolute majority winner under AV and Coombs’, but do not indicate which options respondents would have ranked had they been free to rank only options acceptable to them. By combining the ranking and approval voting results I artificially established *limited preference scales* to recalculate support under Borda count, starting with 3 points for the most popular option. Under limited ranking and approval voting, an absolute majority winner is not guaranteed, but becomes significantly more likely the more votes are cast.

Table 5.2 summarises the characteristics of the various balloting methods used. The selected methods are not exhaustive; there are further balloting variations such as evaluative and cumulative voting, and many more variations on decision rules. It is beyond the scope of this article to discuss them all. The selected methods serve as exemplary applications to discuss how methods differ in their provided insight in preferences and in their likelihood to yield an absolute majority result, affecting their relative advantages and challenges.

Several existing studies used survey data or shadow voting to compare outcomes for a particular election or referendum under various methods. Abramson et al. (2013) showed how Coombs’ method and Borda count would have elected different winners for the 2010 UK elections than FPTP did. Baujard, Igersheim, Lebon, Gavrel & Laslier (2014) found that approval and evaluative voting favoured more moderate candidates in the 2012 French presidential elections than run-off procedures. Baker & Sinnott (2000) simulated four-option referendums on Irish NATO membership and abortion legislation using opinion poll data. They demonstrated that when one of the options received an absolute majority of first preferences, all decision rules pointed towards the same winner, but that without such an absolute majority, different methods sometimes led to different results. To date, there has been no research directly comparing binary and multi-option referendum voting.

Table 5.2 Preference expression methods for ballots consisting of three or more options.

	First preference	Ranking (full)	Ranking (limited)	Approval voting
Number of options to vote on	One	All	Some or all	All, some or none
Express favourite option	Yes	Yes	Yes	No
Express acceptable options	No	No	Yes	Yes
Absolute majority guarantee	No	Yes	No	No

5.5 Results

In subsection 5.5.1, I compare first preferences on four options to first preferences on two options. In subsection 5.5.2, I analyse the results under ranking and approval voting.

5.5.1 First preferences under multiple and binary choice

From the ranking question I derive first preferences (see Figure 5.1, lighter shade) to assess their spread across multiple policy positions on the referendum topic. The results of the March 2018 binary referendum (Figure 5.1, darker shade) display a narrow – though not absolute – majority of votes expressed against Wiv2017. The multi-option votes clearly demonstrate support for intermediate positions: 46.6% of respondents most preferred an adapted form of legislation uncaptured by the binary referendum. The middle options respectively received 11.3% and 35.3% of the vote share. Wiv2017, the challenged act, received 27.5% of first preference votes.⁵⁵ A full rejection of new legislation, as indicated by Wiv2002, was the most preferred option for 25.9% of respondents. First preferences thus spread across all four options and none reached an absolute majority. Alternative 2, opting for stricter data storage and sharing regulations as well as stricter independent oversight, wins by plurality with just over one third of first preference votes.

The lack of absolute majority support even holds when we separately consider particular groups of voters in the binary referendum. Of those reporting to vote *in favour* of Wiv2017, Figure 5.2 shows that a minority (47%) actually considered this legislation to be their first preference. Others had a first preference for either Alternative 1 (13%), Alternative 2 (27%)

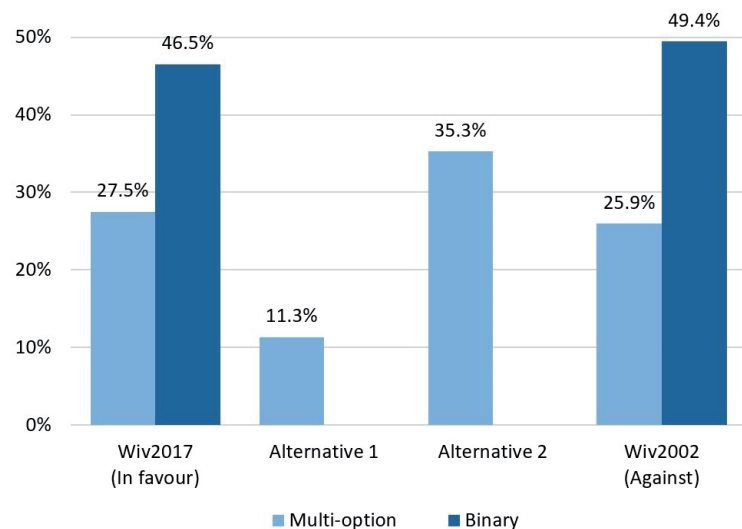


Figure 5.1 Binary and multi-option referendum first preferences. N = 1,671, weighted data.

⁵⁵ Later referred to as 27% due to rounding.

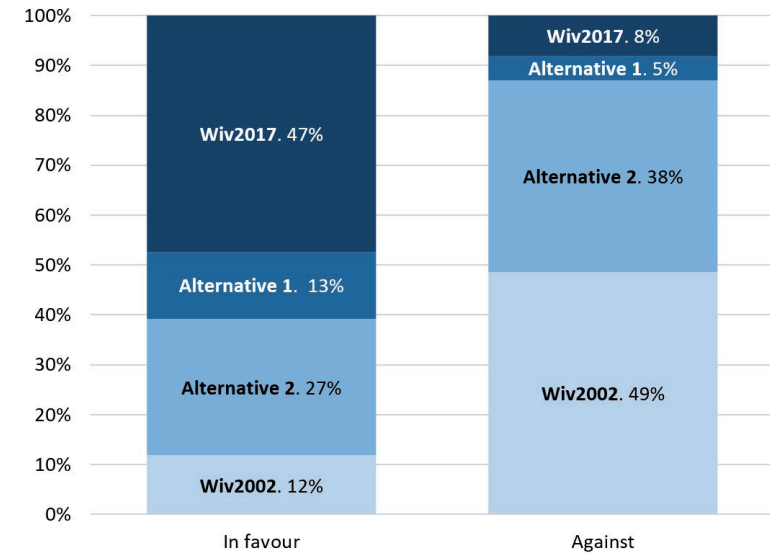


Figure 5.2 Multi-option first preferences sorted by binary vote intention. Columns display the spread of first preferences over the four options for that particular group of respondents.

or, inconsistently, for Wiv2002 (12%).⁵⁶ Of those voting *against*, just under half (49%) most preferred the old legislation (Wiv2002), 38% most preferred Alternative 2, 5% most preferred Alternative 1 and 8% reported an inconsistent first preference for Wiv2017. Respondents intending to cast a blank vote or reporting uncertain vote intentions (not displayed in Figure 5.2) most preferred Alternative 2, but also without absolute majority support (42% and 40% respectively).

5.5.2 Preference expression under ranking and approval voting

In this subsection I discuss support under ranking and approval voting. Table 5.3 presents the results under all voting methods.

Ranking

Under AV, the 836 votes required for an absolute majority are only reached after second and third preferences are taken into account. Alternative 1 is the first to be eliminated, having received fewest first preference votes. Its 189 redistributed votes mainly facilitate Wiv2017 and Alternative 2. After the subsequent elimination of Wiv2002 and a second redistribution of votes, Alternative 2 emerges as a winner with 1,025 votes: a 61% majority. When applying

⁵⁶ Expressed preferences are considered to be inconsistent when a respondent votes for one of the options offered in the binary referendum but marks the other as their first preference under a four-option design. This may signal strategic voting, voter confusion or negligent survey completion. Because it is impossible to derive the real reasons behind these – potentially intentional – inconsistencies, I did not exclude the respondents from the dataset. I did check whether their responses affected the outcome by repeating the analysis without inconsistent responses. This changed overall support for the four alternatives only very slightly to 26%, 11%, 35% and 24% respectively.

Coombs' method, Wiv2002 is the first option to be eliminated, with 1,013 last preference ranks. A large majority of its 434 redistributed votes benefit Alternative 2, electing it with an absolute majority of votes (52%) already after the second count.

Under Borda count applied to full preference scales, Alternative 2 wins with 3,225 points, largely because of a significant number of first preference votes and few last preference votes. Alternative 1 surfaces as a clear runner-up which remained undetected under plurality rule and AV. Over 60 per cent of respondents elected Alternative 1 as either their first or second choice. It was seldom a respondent's last choice. Similar to Coombs', Borda demonstrates that Wiv2002 is far less popular overall than its first preference votes indicate. Under limited preference scales, Borda point totals are lower for each option, but the collective ordering remains unaltered. Alternative 2 is now the only option to receive an absolute majority of votes (53%).

Calculations on the preference scales demonstrate that the collective result is not subject to vote cycling: Alternative 2 was favoured by a majority of respondents over each of the other options in pairwise contests (with 1,197 votes over Wiv2002, with 1,006 votes over Alternative 1 and with 974 votes over Wiv2017).

Approval voting

The final rows of Table 5.3 display the results of approval voting. A total of 3,534 unweighted approval votes were cast, equalling an average of 2.1 votes per respondent. Respondents intending to vote in favour in the binary referendum on average cast more votes in the multi-option design (2.4) than those voting against (1.6) or blank (2.2). After applying weights 3,410 weighted votes remain. The frequencies with which different approval combinations occurred are presented in Appendix 7. The most popular combination of co-approvals (423 respondents) was for Wiv2017, Alternative 1 and Alternative 2. A little over one fourth of respondents cast only one vote⁵⁷ and 7.7% did not mark any options, effectively voting blank.

The expressed approval combinations confirm that objections regarding oversight, as included in Alternative 2, almost solemnly occurred in combination with concerns regarding stricter data collection and storage, as described in Alternative 1. Only 89 respondents (5.3%) rejected one or both of the middle options in otherwise consecutive approval combinations (see Appendix 7). It follows that, despite the concerns being of a different nature, respondents considered the two intermediate options to be part of a single dimension.

Alternative 2 is again the most broadly supported option: with a total of 1,149 votes, more than two thirds approve of this option. The next popular option, also enjoying absolute majority support, is Alternative 1 (56%). Support for Wiv2017 is 45% and derives mainly from those with an intention to vote in favour or blank or to abstain. Those voting against in the binary referendum largely (92%) did not accept Wiv2017. Wiv2002 is least popular overall: its supporters under approval voting were largely the same respondents which expressed

⁵⁷ Mostly for Wiv2002 (195 votes) and Alternative 2 (162), and fewer for Wiv 2017 (68) and Alternative 1 (22).

Table 5.3 Results under plurality rule, ranking and approval voting.

	Wiv2017	Alternative 1	Alternative 2	Wiv2002				
Plurality								
First preferences	459	189	589	434				
	27%	11%	35%	26%				
Ranking full: AV								
First count	459	189	589	434				
Redistribution	+ 91	- 189	+ 94	+ 4				
Second count	550	–	683	438				
Redistribution	+ 96	–	+ 342	- 438				
Third count	646	–	1,025	–				
	49%		61%					
Ranking full: Coombs'								
First count	459	189	589	434				
Redistribution	+ 77	+78	+278	- 434				
Second count	536	267	868 ^a	–				
	32%	16%	52%					
Ranking full: Borda								
First (3 points)	549	1,647	189	567	589	1,767	434	1,302
Second (2 points)	24	480	820	1,640	505	1,010	106	212
Third (1 point)	519	519	586	586	448	448	118	118
Fourth (0 points)	452	0	76	0	129	0	1,013	0
Total score	2,646		2,793		3,225		1,632	
	53%		56%		64%		33%	
Ranking limited: Borda								
First (3 points)	378	1,134	221	663	610	1,830	333	999
Second (2 points)	126	252	556	1,122	323	646	89	178
Third (1 point)	481	481	154	154	200	200	56	56
Fourth (0 points)	13	0	8	0	16	0	86	0
Total score	1,867		1,939		2,676		1,233	
	37%		39%		53%		25%	
Approval								
Number of votes	758	939	1,149	564				
	45%	56%	69%	34%				

N = 1,671 (ranking); N = 3,410 (approval voting), weighted data. Percentages for Borda count are calculated as a percentage of the number of points received relative to the maximum number of 5,013 points (i.e. 3 points for each of 1,671 respondents). ^a Outcome not matching the above figures resulted from rounding weighted votes.

a first preference for this option. It was only approved by an additional 130 weighted votes from respondents with another first preference.

5.6 Discussion of results

The previous section demonstrated the effects of adding two additional ballot alternatives on referendum results. In subsection 5.6.1 I address the manifestation of binary challenges in the Wiv-case and the extent to which the multi-option design mitigates these challenges. In subsection 5.6.2 I reflect on how specific multi-option referendum challenges manifest themselves. Text in italics refers to labels in Table 5.1. The findings are summarised in Table 5.4, detailing in the second column to which extent the advantages and challenges were dependant on the voting method and in the last column whether the conclusions are inherent to the multi-option design, based on preference data expressed in the survey or supported by additional survey questions.

5.6.1 Addressing binary referendum challenges

The first challenge of binary referendums is that voters must translate their opinion on a policy topic into a vote for or against a predefined proposal (*preference limitation*). In the Wiv-referendum, voters could not vote for amended legislation, even though the campaign indicated amendments being preferred over full abolishment. Multi-option designs enhance the scope of choice and the possibility to provide direction (*voter empowerment*). The spread of first-preference votes over four different options (see Figure 5.1) indicates that almost half of the respondents most preferred an amended policy proposal. When asked at the end of the survey, 49% of respondents indicated preferring a referendum with more detailed options over a binary referendum, as opposed to 26% who disagreed and 25% who had no opinion on the matter. As indicated in the top three rows of Table 5.2, various voting methods affect voter empowerment differently. Approval voting limits voters to expressing approval or lack thereof, similar to the binary tradition, except on more options. Full ranking can be considered limitative in the opposite sense of not being able to express disapproval of a particular option or indifference between options. Each of the methods nevertheless empowers voters more than the binary design.

A second challenge for binary referendums is the bias to conservatively reject a new policy proposal despite not being a proponent of retaining the status quo (*conservative bias*). In the national post-referendum survey held after the Wiv-referendum, 46.8% of respondents who voted against Wiv2017 nonetheless agreed with the need to update legislation (Jacobs, 2018). This supports the finding that when faced with four options, the status quo did not even receive absolute majority support from those voting against the legislation in the binary referendum (see Figure 5.2). When forced to make a binary choice, the 46.6% of respondents most favouring a middle option spread almost equally over the options in favour (+15%) and

against (+17%).⁵⁸ Their vote choice in the binary referendum is best understood through the concept of approval. Under approval voting, 45% of respondents accepted Wiv2017, a similar figure to the 46.5% that voted in favour in the binary referendum. It appears that *accepting* the contents of Wiv2017, even when this was not a respondent's first choice, encouraged voting in favour at the binary referendum. Almost all respondents (92%) that indicated *not* accepting Wiv2017 conservatively voted against it in the binary referendum, despite in large numbers preferring some kind of new policy over the status quo. Whereas the binary rejection was a muddled expression of lack of support for a new policy in general and for a specific policy design, the multi-option referendum distinguished between these two views, producing a more constructive result. Another cause for distortion might be second-order voting. In the post-referendum survey, 6.6% of respondents indicated "distrust in politics" as a reason for rejection (Jacobs, 2018). Multi-option designs reduce voting biases by offering an alternative for rejection to voters who are not fully opposed to a policy proposal, whilst retaining the option to reject legislation for those who are (*constructive voting*), and by not offering an explicitly formulated 'against' option that can be interpreted as a general protest vote.

The third challenge of binary referendums is the uncertainty of the policy outcome following the referendum result in the case of a rejection (*uncertain outcome*). The plurality rejection of Wiv2017 offered no clues as to whether or which amendments could satisfy those who voted against. A phase of political interpretation ensued, accumulating in six additional policy rules with regard to Wiv2017.⁵⁹ At the time of the referendum, voters were unaware of how results would later be interpreted and therefore could not take these implications into account when casting their vote. Even though binary referendums offer fewer alternatives, decreasing cognitive demands to scrutinising the contents of a single legislative proposal, the drawback is that voters cannot take into account benefits and trade-offs of rejecting the proposal when the fall-back option is undefined. Multi-option referendums provide insight into preferences on an extended set of options (*detailed signal*), each of which is inherently more detailed. Even the options on the extremes inherently become more defined as they can more accurately be interpreted as support for the newly proposed legislation or the status quo. All voting methods elected Alternative 2 – stricter on data storage, sharing and independent oversight than the proposed Wiv2017 – as the most preferred variant.

The fourth challenge of the binary design pertains to its polarising tendency, particularly when the winning margin is narrow (*conflictual tendency*). In the Wiv-referendum, the margin between approval and rejection was just 2.9 percentage points. In a multi-option referendum, there is no guarantee of obtaining larger winning margins, but with more than two options, the ideological distance between 'winners' and 'losers' is reduced. Allowing voters to rank or approve alternatives allows them to specify not only their most favoured option but also their further choices or the options they deem acceptable (*consensual signal*). The approval voting results demonstrate the limitations of casting only a first preference vote, as three

⁵⁸ The remainder voted blank, abstained or reported uncertainty about their vote intention.

⁵⁹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2018/04/06/kamerbrief-met-reactie-op-raadgevend-referendum-wet-op-de-inlichtingen-en-veiligheidsdiensten>

quarters of respondents chose to approve of more than one option (2.1 on average). Approval voting demonstrated that 67% of respondents could agree on one of the options. The results of aggregating ranked votes signal relative support for various alternatives – particularly under Borda and Coombs’ – rather than winner-takes-all support for one of two maximally contrasted alternatives. AV, conversely, places stronger emphasis on first preference support, disguising support for an otherwise broadly supported option (Alternative 1).

5.6.2 Dealing with multi-option referendum challenges

A first challenge of multi-option referendums is that adding additional ballot alternatives increases the demands on voters to inform themselves about different alternatives and form an opinion on their comparative benefits and drawbacks (*balloting demands*). Increasing the number of ballot alternatives reflects a balance between empowering voters by extending choice and raising the required cognitive capacities. The applied voting method faces a similar trade-off: more complex balloting methods are more precise in presenting preferences but also more demanding to use and potentially more prone to erroneous and invalid votes. When asked at the end of the survey about the difficulty of answering the questions, respondents scored an average of 2.9 (with 5 being very difficult and 1 very easy). Whilst this is not particularly high, we cannot derive from the numbers to which extent the design or the referendum topic influenced this assessment of difficulty and we lack a baseline for the difficulty of answering the binary referendum question.

Secondly, multi-option referendum designs by definition require a formulation of options, either a set of three or more distinct options, or additional alternatives to a particular policy proposal (*agenda-setting demands*). As discussed in section 5.3, such selection and formulation of alternatives entails agenda-setting powers that may be used strategically, though they may also be delegated to citizens, as the Swiss constructive referendum procedure demonstrates (Bochsler, 2010). Since the alternatives for this survey were researcher-formulated based on campaign data, the agenda-setting problem could not be tested in practice.

Thirdly, multi-option referendums can be subjected to a variety of methods for expressing and aggregating preferences (*method plurality*). Outcomes can differ depending on the voting method applied, rendering the selection of a voting method a potentially strategic exercise. As demonstrated in section 5.5, all voting methods elected the same alternative (Alternative 2). The exact support percentages and the position of options as second, third or fourth choice differed to some extent between methods.

Fourthly, the aggregation of votes for multi-option designs does not always guarantee to result in an absolute majority winner and could disclose vote cycling (*unguaranteed majority*). In the Wiv-case, pairwise comparisons confirmed the absence of vote cycling. Expressions of first preferences only do not guarantee an absolute majority result, as indicated in the final row of Table 5.2, and a majority did not emerge under plurality rules (subsection 5.5.1). Ranking all options guarantees an absolute majority winner. Ranking or approving of a limited number of options does not guarantee an absolute majority result but, as demonstrated in

Table 5.4 Assessment of multi-option referendum advantages and challenges.

Advantages of multi-option referendums		Evidence
<i>Voter empowerment</i>	Enhanced ability for voters to provide direction, particularly under <i>ranking</i> and <i>approval voting</i> . Respondents preferred expressing their preferences on more detailed options.	<i>By design & Survey question</i>
<i>Constructive voting</i>	Offering alternatives decreased the likelihood to vote against new legislation for amendable reasons. Half of those voting against in the binary referendum preferred a middle option to full rejection.	<i>Survey data</i>
<i>Detailed signal</i>	Explicit expressions of support for several more clearly defined policy options rather than desirability of a single variant, carrying the potential to facilitate post-referendum interpretation.	<i>By design</i>
<i>Consensual signal</i>	Insight beyond strongest preference under <i>ranking</i> and <i>approval voting</i> . Distortion of support for Alternative 1 under AV. Two thirds approved the winning option, diminishing winner-loser dynamics.	<i>Survey data</i>
Challenges of multi-option referendums		Evidence
<i>Balloting demands</i>	Additional options to understand and consider. Use of new voting methods. Survey does not display compelling evidence that respondents considered multi-option voting particularly difficult.	<i>By design & Survey question</i>
<i>Agenda-setting demands</i>	Options formulated by researcher. Real-world challenge of alternative formulation and potential strategic manipulation could not be tested in survey design.	<i>By design</i>
<i>Method plurality</i>	Theoretical challenge of different options winning under different methods did not occur. Same winner emerged under <i>all voting methods</i> for the set of preferences expressed by respondents.	<i>Survey data</i>
<i>Unguaranteed majority</i>	No absolute majority winner under <i>plurality rule</i> on first preference votes. Absolute majority winner under all aggregation methods for <i>ranking</i> and <i>approval voting</i> . No vote cycling.	<i>Survey data</i>

subsection 5.5.2, both methods elected an absolute majority winner under the average of 2.1 votes that were cast. Since Borda calculations take into account relative preferences, the corresponding support percentages differ from those under approval voting.

5.7 Conclusion: implications for multi-option referendum practice

This article contributes to our understanding of the effects of increasing the number of ballot options in a referendum beyond two. It has demonstrated how a multi-option design

can alleviate several binary referendum challenges that prevailed in the binary Wiv2017 referendum case: no possibility to express a desire for adapted legislation, a bias to reject Wiv2017 despite preferring new legislation, rejection by a narrow margin and uncertainty about policy outcomes. The binary vote concealed a wider range of policy alternatives that enjoyed convincing majority support. Multi-option referendums provide an outlet for voters to express preferences on several policy proposals, yielding a more detailed and potentially consensual result without compromising the aggregative benefits of referendums.

Multi-option designs also pose new challenges in terms of cognitive demands on balloting, agenda-setting demands, potentially diverging outcomes and unguaranteed majorities. Two of the advantages (*voter empowerment* and *detailed signal*) and two of the challenges (*balloting demands* and *agenda-setting demands*) are inherent to the increased number of options, although the extents of voter empowerment and balloting demands also depend on the voting method applied. Respondents largely preferred an extended ballot choice whilst considering multi-option voting to be intermediately difficult, indicating the possibility to strike a balance between empowerment and cognitive demands. Increasingly detailed insights into voter preferences for new policy directions benefit the clarity of the referendum process and outcome, limiting the risk of voter disappointment and dissatisfaction.

The manifestations of another two advantages (*constructive voting* and *consensual signal*) and challenges (*method plurality* and *unguaranteed majority*) depend on the voting method applied. In the multi-option Wiv-referendum all voting methods elected the same winning option, confirming that theoretical challenges do not necessarily occur in practice. Plurality voting was the only voting method which did not yield an absolute winner. Considering the particular relevance of multi-option designs for topics where societal opinion spreads across different policy options, and the good practice for referendums to yield undisputed outcomes, ranking or approval voting could be preferable in order to mitigate post-referendum interpretation challenges. With thoughtful design choices, maximum benefit be gained from the aggregative advantages of the referendum instrument.

For the practical applicability of multi-option referendum designs, we must acknowledge context sensitivity. Consensual systems may more readily seek a compromise in order to solve rejections by referendum, as observed in countries like Switzerland and the Netherlands (Hendriks et al., 2017). Majoritarian systems may act more sharply on binary choices, although the complicated aftermath of the Brexit referendum generates doubts as to whether this fully applies to even the most prototypical pendulum democracies. With several multi-option referendum experiences, New Zealand demonstrates how multi-option referendums can also supplement majoritarian systems. The political context also affects several preconditions for mitigating challenges in referendum processes, including a clear formulation of alternatives, voter education and a priori clarity on how results will be acted upon. Referendum voter behaviour in practice is furthermore influenced by campaigning. Multi-option referendum campaigns are subject to different dynamics and may mobilise different groups or lines of argumentation because there is no single proposal or opponent to counter. Depending on

the voting method applied, political actors may also encourage voters through voting advice and cues to vote strategically (e.g. Baujard et al., 2014).

As an exploration of advantages and challenges of multi-option designs, supported by survey data for a single case, this article does not claim to yield generalisable findings on voter behaviour in a situation of real-world multi-option voting. The article does contribute to the referendum literature by analysing the manifestation of advantages and challenges under an alternative referendum design that transcends binary choice. Further research could build on these findings to address design implications for voter behaviour and the role of different actors in the design process.

6

Conclusion and discussion

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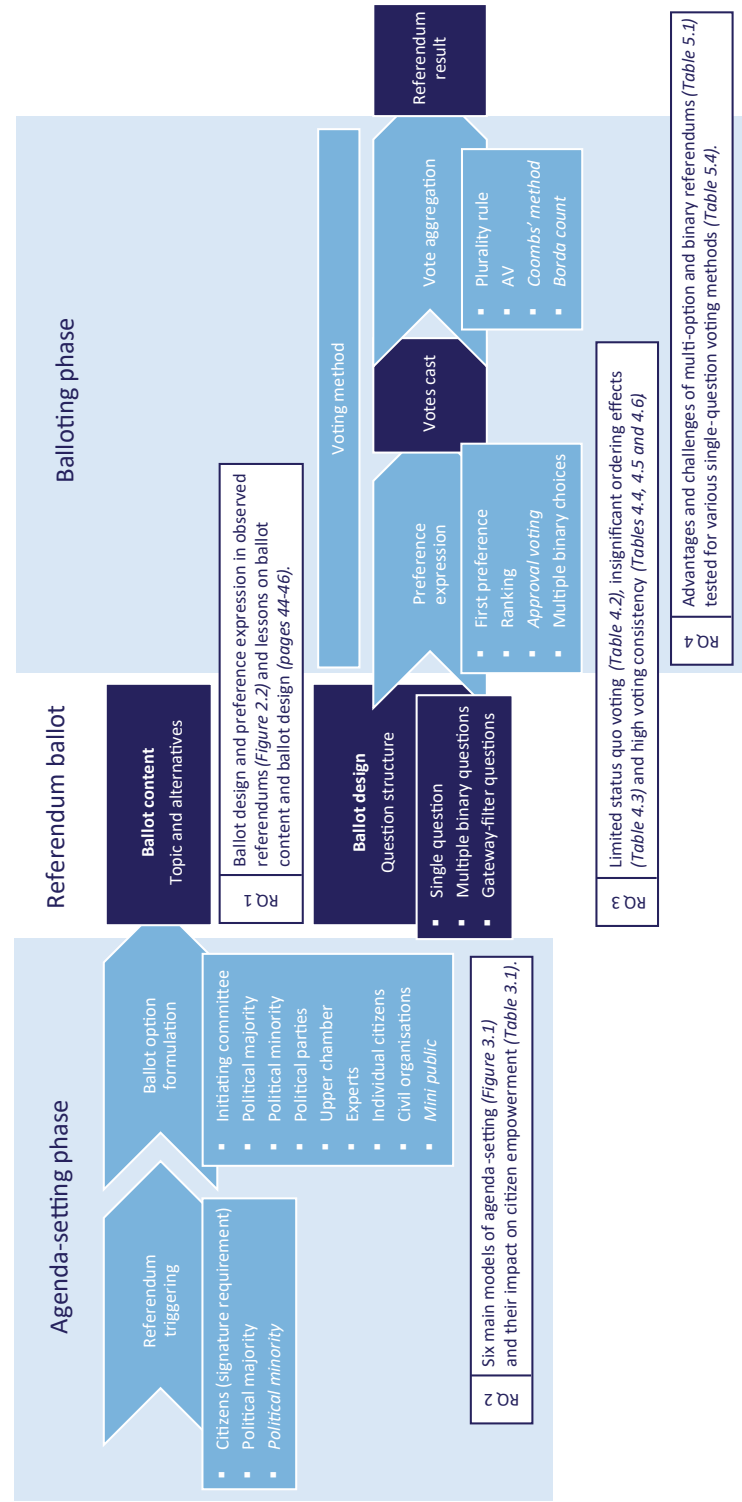


Figure 6.1 Observed and conceivable variations in multi-option referendum agenda-setting and balloting procedures (lighter blue boxes), variations in ballot question structures (dark blue box) and findings with respect to the four research questions (white boxes).

The common binary referendum format only provides options to veto or approve a proposed policy. But a no-vote expressed against a policy may disguise a preference for another policy scenario. It remains unclear what that alternative scenario would entail. It could be the status quo (voters being satisfied with the way things are), it could be an amended variant of the proposed policy (either more or less restrictive) or it could be a completely different policy. A no-vote is a very clear statement of what a voter *does not* want, but does not offer any insights on what a voter *does* want. The same can be true for general endorsements of policy change. Examples such as the Brexit referendum show that majority support for abstractly defined change scenarios such as ‘leave the EU’ can pool votes from voters favouring highly distinct policies. Despite yielding an evident numerical majority, such binary procedures disguise the concrete contents of the most supported policy route and limit the empowering effect of a referendum that lets citizens decide on policy matters.

This illustrates that the binary referendum can be a limitative instrument to decide on policy issues which comprise more than two feasible scenarios. Whilst the aggregative nature of referendums implies that they are not designed to express preferences on every possible policy scenario or aspect, multi-option formats can at least improve preference expression and outcome interpretation by offering a broader scope of choice.

Variations in multi-option referendum processes come to fruition in two phases, classified in this thesis as an agenda-setting phase, in which ballot content is decided, and a balloting phase, in which ballot design choices come into effect. Both phases display significant variation which binary referendum literature is unable to capture. The four preceding chapters respectively reflected on observed variation in ballot content and ballot design (Chapter 2), typologised and evaluated variations in actor involvement in agenda-setting (Chapter 3), analysed effects of various question structures on voter behaviour (Chapter 4) and tested effects of different voting methods on the respective advantages and challenges of a multi-option format over a binary one (Chapter 5).

This chapter reflects on the findings of the four preceding chapters. Section 6.1 summarises the findings on the four research questions and distills the implications for citizen empowerment and unequivocal outcomes in response to the main question guiding the thesis. Section 6.2 reflects on the academic contribution and avenues for further research and section 6.3 provides several considerations for practice.

6.1 Findings and implications

This section consolidates and discusses the main findings of the preceding four chapters in answer to the main research question:

What are the implications of variations in multi-option referendum agenda-setting and balloting procedures for citizen empowerment and unequivocal voting outcomes?

Figure 6.1 builds on the overview of the research questions as presented in Figure 1.1 and presents observed as well as various conceivable variations in agenda-setting and balloting phases. The figure also refers to tables and figures in the preceding chapters which summarise the findings in more detail.

Chapter 2 provides a unique overview of observed experiences with multi-option referendum voting on national and territorial levels (Table A2.1). From these cases, various lessons are drawn with respect to designing and conducting multi-option referendums. A minimal yet complete set of realistic and obtainable policy options is best offered, whereby each option enjoys some minimum degree of societal support. Procedures for deciding the outcome should be determined in advance and ensure – or at least make it probable – that the referendum results in an absolute majority winner. Depending on the importance of the decision, special majority requirements may be used in conjunction with suitable alternative voting methods.

In *Chapter 3*, six main models of agenda-setting are identified. They are presented in Figure 3.1, with corresponding opportunities and limitations outlined in Table 3.1. The classic distinction between bottom-up and top-down triggering also applies to multi-option referendums and largely determines how much agenda-setting power citizens have over the topic of the referendum and the proposals offered on the ballot. Actors such as experts, political minorities and civil society organisations can also have various agenda-setting roles. Each model has specific advantages in terms of empowering civil society and dispersing agenda-setting powers, but also faces trade-offs, for example in terms of accessibility or programmatic coherence.

Empirical variations in question structures are presented in Figure 2.2 and tested alongside one another in *Chapter 4*. Two of the most commonly used question structures, a single question and multiple binary questions, are evaluated in relation to each other and to binary control groups with respect to the occurrence of various voting challenges. Multi-option voting turns out to mitigate status quo voting (Table 4.2), particularly when proposals are ranked or voted on in separate questions. Voter behaviour is not significantly influenced by the order in which proposals are presented on the ballot (Table 4.3). Outcomes are consistent both at aggregate levels (Table 4.4) and individual levels (Tables 4.5 and 4.6), particularly for ordinal alternatives and without significant differences between particular groups of voters (Table A4.2).

The single question design is further analysed in *Chapter 5*, which evaluates its merits and challenges vis-à-vis binary referendum voting (Table 5.1). Table 5.2 succinctly summarises the characteristics of various balloting methods which are then applied to the preference data in order to review how the advantages and challenges manifest themselves under specific methods (Table 5.4). Despite their different characteristics, all voting methods elect the same winning option, though with different support percentages (Table 5.3). In contrast to plurality voting, all alternative voting methods yield an absolute majority winner. Empowering voters to vote on four proposals yields a more constructive and detailed referendum outcome compared to a binary referendum on the same issue.

Bringing together the findings from these chapters, the remainder of this section elaborates on implications of agenda-setting and balloting variations for the empowerment of citizens as voters and agenda-setters (subsection 6.1.1) and implications of variations in balloting procedures for reaching unequivocal outcomes (subsection 6.1.2).

6.1.1 Implications of procedural variations for citizen empowerment

Referendums let voters influence policymaking by voting directly on policy proposals. Extending referendum choice beyond two policy proposals can empower citizens even further in two main ways: as voters and as agenda-setters. When multiple and therefore more specific options are on the ballot, voters are better able to express their true preferences. Objections to specific elements of a policy are sometimes remedied in an alternative proposal, reducing the need to veto new policy over amendable objections (Chapter 5). When offered multiple options, voters are less likely to vote for the status quo (Chapters 4 and 5). Though status quo voting is not undesirable in itself, the clarity of referendum outcomes greatly benefits when votes for the status quo can be interpreted as genuine preferences for continuation of the current policy rather than being muddled with off-topic objections or desires for amendments. Voters are therefore empowered in their preference expression both for the status quo and for change alternatives when they are presented with more explicit and detailed ballot options.

Voting methods have diverging advantages and challenges for voters to express their preferences. For example, approval voting does not allow voters to express relative preferences, and forcing voters to rank all options does not show how many voters agree with, or at least acquiesce to, an option (Chapter 5). There are two voting methods which combine approval and relative preferences: ranking a limited number of options in a single question or using a multiple binary question structure. A special benefit of the latter is that the deciding question not only allows voters approving of change to rank the change proposals – as in limited ranking – but also allows voters not approving change to express their opinion on the relative desirability of the change proposals (Chapter 4). A similar expression of preferences could be deployed in a gateway-filter design if all voters can vote in the filter question regardless of their preference for policy change in the gateway question.

An issue often raised by referendum critics is voter competency. Offering multiple options increases complexity for voters, requiring them to weigh the characteristics of multiple proposals (Chapter 5). On the other hand, the fact that the options are more detailed can make it easier for voters to understand the policy consequences of options as opposed to more broadly defined policy scenarios (e.g. 'leave the EU') or the uncertain implications of vetoing new legislation. Neither survey found compelling evidence that multi-option voting was particularly difficult for voters, judging by consistent voting results and additional survey questions (Chapters 4 and 5). When voters were questioned on two or three change proposals in a multiple binary question design, outcomes showed high levels of internal consistency (Chapter 4), indicating that multi-option referendums pose a serious alternative to their binary counterpart. The cognitive demands placed on voters can be minimised by ensuring that only realistic and obtainable options are presented to voters (Chapter 2).

Extended choice in multi-option referendums empowers voters to the extent that the available options reflect their preferences. The ballot content, in terms of referendum topic and ballot options, is therefore highly relevant. Excluding highly supported options may result in citizens boycotting the referendum (Chapter 2). Influence over the initiation and content of multi-option ballots empowers citizens by giving them an agenda-setting role. In bottom-up referendums, a committee of citizens can initiate a referendum and qualify a policy proposal for the ballot by gathering citizen signatures (Chapter 3). An initiating committee can also field a counter-proposal to a contested legislative proposal, which provides for a more constructive response than a binary veto referendum and feeds into voter empowerment as well as benefiting the interpretation of the outcome (Chapter 5). The empowerment of citizens as agenda-setters in citizen initiatives and civic counter-proposals operates on two levels: a small leading group has large influence over the proposed policy, whilst a larger group of citizens validates this proposal through the signature collection process. Similar to binary referendum procedures, giving the initiating committee a superior position compared to other citizens may cause a rupture of equality (Taillon, 2018). As with binary referendums and democratic innovations in general, these initiating committees tend to entail a disproportionate number of politically highly engaged citizens. Arguably, the extension of ballot options compared to binary referendums on citizen initiatives does reduce the rupture of equality as the initiating committee does not control the full ballot content.

In top-down referendums, citizens have no influence over the triggering and topic of the referendum, though some agenda-setting models provide for citizen input before the options are formulated (Chapter 3). Such processes also provide opportunities for the inclusion of participative and deliberative instruments in the pre-referendum process. The concession for citizen involvement is that the larger the number of citizens that can participate, the lower each individual impact will be.

Multi-option referendum agenda-setting processes can also empower other actors, such as political minorities, civic organisations and experts (Chapter 3). Depending on their links to society and their ability to discover and defend feasible ballot options, their engagement

in the process may benefit the spread of ballot options to the advantage of voters. Similar to binary referendum processes, however, a certain degree of political control in the referendum process is always present. Political control can assert itself in triggering top-down referendums (Chapters 2 and 3), formulating or approving ballot content (Chapters 2 and 3), designing the question structure (Chapters 2 and 4) and selecting the voting method used in the referendum (Chapters 2 and 5).

6.1.2 Implications of balloting procedures for reaching unequivocal outcomes

Various different question structures and voting methods have been used in multi-option referendums, particularly in recent decades.⁶⁰ As discussed extensively in theoretical debates on multi-option voting, plurality rule entails a significant risk of not electing an absolute majority winner. Arguably, the lack of an absolute majority winner is to be expected when diverse options with reasonable support bases are offered, sometimes forming part of a single dimension such as various legislative terms. Support is likely to spread between these options, despite voters possibly or even probably approving more than one of the options on offer. Indeed, many plurality-decided multi-option referendums led to uncertain or controversial outcomes resulting from a lack of absolute majority support (Chapter 2). The results of the surveys also indicated that in the event of three or four ballot options, no option received absolute majority support based on first preferences alone (Chapters 4 and 5). Moreover, empirical observations as well as survey findings confirm that the plurality winner is not always the most supported option overall when further preferences are taken into account (Chapters 2 and 5). Plurality rule therefore does not contribute to clear referendum outcomes and can in fact be applied strategically to spread support over politically less desired options.

Alternative voting methods are thus a necessity for multi-option referendums to function effectively. Voters must be able to approve or rank several ballot options in accordance with their levels of acceptance or relative support. For multiple binary questions this necessitates 'double yes' provisions, allowing voters to approve either one, several or none of the policy proposals.

Theoretical literature on multi-option voting stresses the diverging outcomes that could follow from different methods. Whilst this is theoretically undeniable, it is important not to overstress the differences for referendum voting situations. For realistic voter preferences, different voting methods do not necessarily yield different results, as was exemplified for preference data on four multi-option policy alternatives, in which the same option was elected under various alternative balloting methods and aggregation rules (Chapter 5). Other potential issues with multi-option voting also do not necessarily occur in real voting situations, as demonstrated by the lack of vote cycling (Chapters 4 and 5) and the absence of significant ordering effects (Chapter 4). The relatively small number of options offered in multi-option referendums – often three or four (Chapter 2) – compared to voting in elections is less likely

⁶⁰ Almost all twenty-first century cases (see Table A2.1) employed either multiple binary voting, alternative voting methods in a single question or run-off provisions. In earlier decades, plurality rules were dominant (Chapter 2).

to disproportionately benefit higher-listed alternatives or cause design effects on preference expression.

Moreover, when differences in outcomes under various methods are to be expected – which is especially the case when comparing outcomes between plurality rule and alternative voting methods, but can also occur when preferences for options are overlapping or very close together – a voting method can be selected deliberately depending on its properties and underlying values. Though referendums are in essence a majoritarian instrument, multi-option referendums can vary in their degree of majoritarianism or consensualism depending on the design of the balloting process. Some methods place strong emphasis on first preference support, whereas other methods prioritise broader support whereby the winning option does not have to be a majority's first choice but ought to enjoy broad acquiescence across society. For example, Coombs' method rewards options with high levels of second-choice support, in contrast with alternative vote procedures which eliminate options based on their levels of first choice support (Chapter 5). Using multiple binary questions with a deciding question could also be considered a highly consensual method because it does not elect the proposal with the highest number of approvals but rather the proposal which enjoys both absolute majority support as well as relative support over its competing proposal. It thereby takes into account the relative preferences of all voters, including those of the minority opposing change. The fact that different voting methods have more majoritarian or consensual properties can thus be constructively employed to select a voting method that matches the desired properties of the referendum outcome. A larger focus on consensualism may be particularly relevant for example for topics on which societal opinions are highly polarised or for decisions which are difficult to reverse.

Voting methods also differ in their tendencies to centralise and conserve the status quo. When the status quo is offered as a ballot alternative in response to a single question in a plurality contest, it is on equal footing with other options. When a run-off between an alternative option and the status quo is explicitly foreseen, the status quo is in a more favourable position. In case of absolute majority – or even supermajority – requirements, the status quo is always advantaged as it will win both when it is the most popular option and when no alternative option satisfies the majority requirement. Conditions on changing the status quo may be perfectly defensible, particularly for policies with high and long-term impact, but the designated position of the status quo is best determined deliberately and made explicit when selecting a multi-option referendum voting method.

6.2 Academic contribution and reflection

This section elaborates on the academic contribution of this thesis (6.2.1), its limitations (6.2.2) and various avenues for further research on the topic (6.2.3).

6.2.1 Contribution to knowledge

Section 6.1 reflected on the implications of procedural variations in multi-option referendums for citizen empowerment and unequivocal outcomes. The contribution to academic knowledge is threefold: (1) empirical – a unique dataset of multi-option referendum cases at national and territorial levels, bringing together scattered case studies and mentions into a single empirical overview; (2) theoretical – a typology of agenda-setting models capturing observed variation in the initiation and ballot formulation procedures of multi-option referendums and their respective implications for the democratic empowerment of citizens; and (3) experimental – insights from referendum-specific survey data into the various question structures and voting methods which are being used, or could be used, in multi-option referendum balloting processes, and their implications for voter behaviour, citizen empowerment and voting outcomes. The contributions provide a foundation for further research on the topic as well as experimentation with various design features in diverse contexts (see also subsection 6.2.3).

6.2.2 Research limitations

The focus of the empirical part of this thesis is subject to two main limitations. First, this thesis did not zoom in on the question why particular voting methods or ballot structures were selected for multi-option balloting or indeed why a multi-option format was opted for. Whilst this could be very insightful, it requires in-depth qualitative information and subsequently an entirely different research strategy involving extensive document analysis and interviews. Particularly for more dated cases, lack of access to key actors would impede such an analysis. Moreover, the concession of this research strategy would be that only a limited number of cases could be analysed. Contrastingly, the decision to focus on design aspects enabled a broader scope of analysis with greater potential for learning from experience and seeking patterns. Insights into how multi-option referendums can be designed and what the implications of such choices are can be used as a starting point for further in-depth qualitative research on why particular design choices are made.

Secondly, this thesis did not focus on the political uptake of multi-option referendum results. Chapter 2 refers to several examples of either successful or unsuccessful implementation and relates them to various design choices such as the voting method to stress the importance of ensuring unequivocal outcomes. A more structural investigation into the concrete policies developed after each referendum is beyond the scope of this research project on design variations. Political uptake could be considered the final chord in a referendum process with carefully designed agenda-setting and balloting procedures.

For the execution of the empirical research, various databases, academic overviews and official sources were exhausted (see subsection 1.5.1). The dataset of national-level multi-option referendums was presented at academic conferences and published in Wagenaar (2020), inviting feedback and additions from the academic community as well as practitioners. Whilst this has resulted in clarifications on some older cases and the sporadic elimination

of cases,⁶¹ no missing cases have been identified through this process. It can nevertheless not be ruled out that cases exist which were not documented in any of the sources used to establish the dataset. In a similar vein, it is cogitable that agenda-setting models are employed which have not been identified in Chapter 3. Continued sharing of experiences is encouraged to facilitate refinement and supplementation of the multi-option referendum dataset and the agenda-setting typology. To further this goal, the data collected for this thesis have been published in a publicly accessible data repository.⁶²

The survey studies have several limitations with respect to generalisability. Both were conducted in the Dutch political context, which is highly consensual and may be more conducive to compromise options. As argued by Vatter (2009), though referendums can be viewed as an independent dimension of democracy, they do not operate independently of the majoritarian or consensualist traits of the representative system. Whilst multiple conceivable policy scenarios may equally well be present in majoritarian systems, they could either be more commonly excluded by ballot designers or, if included on the ballot, they may be less successful if voters are not inclined to vote for compromise options. On the other hand, as the experiences in New Zealand demonstrate, multi-option referendums with alternative voting procedures have also been observed to pose a counterbalance to majoritarian political systems. The extent to which various multi-option referendum designs can be employed to balance the broader political and democratic system, or are impeded by it, poses a fruitful avenue for future theoretical and practical research.

The surveys necessarily involved a limited number of topics, with respondents only expressing their preferences on a single issue in each survey. This ensured comparability with a referendum context as opposed to public opinion polling taking place simultaneously on multiple issues.⁶³ The spread of preferences is evidently likely to differ between topics, and may also carry over into the effects of different ballot designs on voter behaviour and referendum outcomes. For different spreads of preferences than those observed in the survey studies, it is possible that outcomes under various voting methods contrast in different ways. Extending research to a variety of different issues could provide insight into the extent to which effects hold across various topics. A final limitation of the survey studies is that preferences were derived outside a real-world multi-option referendum context. Neither survey operated in a vacuum in this respect, as the topics posed to voters were the subject of societal debate (Chapter 4) and a binary referendum campaign (Chapter 5) at the time of the survey respectively. However, multi-option referendums are likely to be accompanied by specific voter education, media coverage and campaign dynamics (see also subsection

61 The 1793 constitutional referendum in France at first instance appeared to be a multi-option referendum, posing 'yes', 'yes, with conditions' and 'no' options. Through conference feedback and the exchange of official sources it was verified that French regions each posed a binary choice to voters either between 'yes' and 'no' or between 'yes, with conditions' and 'no'. Some referendum datasets display the results at the aggregate level, presenting the cumulative results for the three options.

62 <https://doi.org/10.34894/4IZAZ2>

63 In countries such as Switzerland and the US it is common for voters to face multiple proposals during any polling day but for Dutch voters the limited experience with referendums on both national and local levels has always concerned a single issue at a time.

6.2.3) which may influence voter behaviour in the referendum, both in terms of preference distributions and in terms of strategic calculations on participation and ballot completion.

6.2.3 Suggestions for further research

Additional research could further enhance our knowledge and aid the development of good practice for multi-option referendum design. In this subsection, six fruitful avenues for further research on multi-option referendums are proposed. The first three relate to the design process: exploring additional balloting variations, seeking out deliberative additions to agenda-setting and encouraging experimentation and knowledge-sharing. Three further suggestions propose to reflect on the context in which multi-option referendums are designed and executed, focusing on their fit with the political and democratic context, motivations for design choices and campaign dynamics.

Additional balloting variations

Various balloting methods that can be employed for multi-option voting are tested on surveyed preferences in Chapters 4 and 5. Because of the wealth of electoral rules available, the chapters focus on methods used in national or subnational referendum practice or central to the literature on referendums. Further variations on balloting methods are conceivable. Two additional features of preference expression could be incorporated into multi-option voting: intensities of preference and explicit disapproval. Regarding the first, permitting voters to express intensities of preference allows them to not only rank options but also to express how much they prefer some alternatives over others (Marti, 2006). The preference gap between any two options may vary from that between two others, but cannot be expressed in a regular ranking order. Approval voting could partially incorporate intensities of preferences by allowing both a regular vote on each proposal and a single bonus vote to be cast (as suggested by Casella & Gelman, 2008). The second feature would be to allow voters to not only approve of various ballot options but also to cast an explicit vote of disapproval on others, known as negative voting (Reynolds & Steenbergen, 2006).

Both intensities of preference and disapproval can be expressed in methods such as evaluative voting. An experiment by Baujard et al. (2014) posed this method to voters in a simulation study alongside a French presidential election. Similar methods include score voting, cumulative voting and limited voting (Bowler, Donovan & Brockington 2013). Their application must strike a balance between enhanced preference expression and increased complexity for users. Further research should thus focus not only on the effects on outcomes but also on voter experiences, explicitly analysing voter understanding and perhaps including opinions of voters on the added value of different methods of preference expression compared to simpler methods.

Deliberative additions to agenda-setting

As mentioned in Chapter 3, the institution of mini-publics between referendum triggering and option formulation could be a fruitful strategy to select multiple ballot options. By combining the more deliberative mini-public with the aggregative referendum in what could be called a sequencing of innovations, the various limitations of each instrument can be balanced by the strengths of the other (Saward, 2003). Small scale mini-publics could not only foster deliberation in general but serve a particular purpose to concretise ballot alternatives (Hendriks, 2019) and contribute to the surfacing of new and improved alternatives (Goodin & Spiekermann, 2018).

In referendums, it is usually not possible to question voters on all possible combinations of elements relevant to a new policy (Fargier, Lang, Mengin & Schmidt, 2012). Mini-publics could play a valuable role in conducting the preparatory groundwork for the referendum by distilling feasible and favourable combinations which can be offered on the ballot (a.o. McKay, 2019; Hendriks, Jacobs & Wagenaar, 2020). Mini-publics allow for intensified deliberation on ballot proposals and, if representative of the electorate, can help to offset the rupture of equality on the part of initiating committees (Fishkin, Kousser, Luskin & Siu, 2015).

Examples of mini-publics leading up to binary referendums include successful cases in British Columbia and Ireland. The Irish Citizens' Assembly used multi-option voting in its internal decision-making procedures and even though it ultimately presented a single ballot proposal – as tasked – it recommended that multi-option referendums should be possible on constitutional issues (Citizens' Assembly, 2017; 2018). In the context of multi-option referendums, mini-publics could formulate a shortlist of options rather than a final proposal. Further research could explore more concretely how mini-publics can be designed to constitute a formal part of the multi-option referendum process, reflect on the added strengths and challenges of this approach and employ experimentation (see also next recommendation) to test practical implications.

Academic and practical experimentation and knowledge-sharing

There is increasing attention to the use of experiments both in academic research and as a governing method (Huitema, Jordan, Munaretto & Hildén, 2018). Such experimentation would also greatly benefit the field of multi-option referendum design. Academic research could broaden our understanding of the effects of design variations by applying the research strategies used in Chapters 4 and 5 to different topics and political contexts. Conjoint experiments could enhance insights into how citizens judge various design aspects and how they perceive the legitimacy of various types of agenda-setting procedures. If rolled out on an international level, conjoint or vignette experiments could ascertain insights into which design features appeal to voters in specific democratic cultures and political contexts.

Experimentation could also take place in the governing domain, with various types of multi-option referendums being tested in practice. Local government levels could provide a good testing ground for such an endeavour, particularly in countries such as the Netherlands

and Switzerland where municipalities and cantons have considerable freedom in designing referendum legislation. Experimentation could either take place as a formal referendum vote using a multi-option format, or as an informal referendum conducted in a polling-station setting alongside a formal binary referendum (a similar research strategy to the one employed for elections by Baujard et al., 2014).

As with the introduction of referendums in general, it is of utmost importance to provide new instruments with both good embedding and time to grow. Voter information and instructions are essential, as is a careful evaluation involving all actors concerned in the process. If shared widely, evaluations of experiences can feed into improvements for future referendums both in the same location as well as in others. A knowledge sharing platform or database could keep track of experiences with multi-option referendums and ensure continued learning from experience. Experimentation could further focus on different methods of voter education to test how alternative voting methods are best conveyed to voters in order to limit the occurrence of unintentional or invalid votes. As with other political institutions, the multi-option referendum must not only be properly designed but also properly manned (Popper, 1945) and organised (Morel & Qvortrup, 2018) and time and patience must be devoted to develop effective ways of working with multi-option referendums.

Contextual fit

Further research on the applicability of different models in particular political and democratic contexts is highly encouraged. The context of democratic innovations can influence their success (Elstub & Escobar, 2019). Institutional context and the political system have been linked to referendum effectiveness (Sager & Rissi, 2011). For example, the degree of majoritarianism may influence the openness to multi-option referendums, either being in line with the broader system or providing a counter balance to it (see also subsection 6.2.2). The application of agenda-setting variations may also correspond to the context in which they are employed, as particular types of referendum agenda-setting have more majoritarian or more consensual characteristics (Vatter, 2000). Future research could adopt theories of policy learning and transfer to discover to which extent multi-option referendum designs and agenda-setting procedures can travel between political systems and to which degree their relative opportunities and limitations are generalisable.

Motivations for design choices

Future research could build on the insights exposed by this thesis and explore why particular agenda-setting models or provisions were selected and why particular ballot design choices were made by policymakers. In-depth interviews and discourse analysis could be feasible strategies to shed light on the motivations for design choices and to develop theories. For recent as well as future cases, such research strategies could yield interesting insights into which considerations practitioners take into account when selecting a multi-option format –

or any particular question structure or voting method – and to which extent political context, electoral system, earlier experiences and strategic motivations play a role in such decisions.

Multi-option referendums, like binary referendums, can be employed for politically strategic purposes. The power to trigger and design referendums can be subject to strategic considerations (Hug & Tsebelis, 2002; Holcombe, 1989). Particularly when voter preferences are known, political manipulation can target ballot option formulation and the selection of a voting method (Setälä, 1997). As discussed in Chapter 5, the lack of a universally preferred voting method paves the way for strategic selection strategies. Research on motivations could help to distinguish democratic from strategic motivations in multi-option referendum deployment and design.

Campaigning in multi-option referendums

A final line of investigation is the conduct of campaigning for multi-option referendums. For binary referendums, the no-side of the campaign may be politically advantaged. Rather than making a coherent case against the proposal, it can benefit from generating uncertainty about the proposal, exploiting fears or linking the proposal to unpopular issues or persons (LeDuc, 2007). Binary referendum campaigns to preserve the status quo therefore tend to be more successful than those focused on changing the status quo (Gerber, 1999; Kriesi & Bernhard, 2011). Because multi-option referendums involve more than a single central proposal which can be targeted, and single-question formats furthermore lack an explicit no-option, this raises expectations for the quality of campaign deliberations. Because gateway questions in gateway-filter designs explicitly ask voters to vote in favour or against changing the status quo they may be more vulnerable to conservative campaign tactics.

The increased number of options is likely to mobilise campaign coalitions which are smaller and more dispersed compared to the sometimes extensive coalitions in binary campaigning (on the latter, see a.o. Bernhard & Kriesi, 2011). Political elites may nevertheless use campaigning strategically to control information on, and framing of, various alternatives (Setälä, 1997). Further research could analyse to which extent multi-option campaigns encourage constructive deliberation over conservative or negative campaigning. Finally, it could be explored to which extent voter understanding of available policy routes and of voting procedures are aided by campaigning.

6.3 Considerations for multi-option referendum practice

Though empirically exceptional compared to their binary counterpart, multi-option referendums have been used for centuries, with cases occurring almost yearly in the past decade at the national level alone. Moreover, there is potential for extending their use, as illustrated by controversies over binary formats applied to take highly salient decisions such as the UK referendum on EU membership.

Multi-option referendums could be a suitable instrument when aggregative power and inclusiveness are required but a sharp majority decision is not desirable. They can prove useful when the precise characteristics of a new policy have not yet been outlined or when multiple scenarios are feasible, particularly on sensitive topics or in pluralist societies. They have the potential to better align societal preferences with policy outcomes by offering alternatives that correspond more closely to voter preferences. Multi-option referendum processes can also incorporate forms of democratic co-creation, in which citizens participate in designing referendum options as opposed to only voting on predefined options.

In an ideal situation, a multi-option referendum captures the full range of preferences in society whilst still offering a clear and decisive outcome. However, when they are ill-designed, multi-option referendums can have the opposite effect, causing confusion or increasing conflict over the outcome and interpretation of the vote. This may decrease the electorate's support not only for the policy measure in question but also for the referendum instrument in general and for the policymakers involved. The careful selection of a multi-option format is therefore essential. Until recently, evidence on multi-option referendums was presented in a sporadic fashion, lacking an overview of design choices and relative opportunities and challenges which could guide considerations on their application. This section translates the new insights from this thesis into practical considerations for the decision whether or not to employ a multi-option format and if so, what to consider when designing it.

6.3.1 Considerations for selecting a multi-option format

Whilst choosing from multiple options is not uncommon to most citizens, facing for example multiple candidates on an electoral ballot or multiple options in an opinion poll, the binary choice format still dominates referendum voting. A compelling argument at first instance is that binary ballots mimic the final decision which is required at the end of a parliamentary trajectory, cumulating in votes in favour or against a particular legislative proposal. However, this argument can be countered by the fact that parliamentary debates preceding the vote include possibilities to propose and vote on amendments. Such possibilities are not available to referendum voters. Particularly when parliamentary opinions do not reflect societal opinions on a particular issue, known as the Ostrogorski paradox, this can be reason for citizens to trigger referendums (Van der Meer, Wagenaar & Jacobs, 2020). When referendum provisions only allow citizens to provoke a referendum vote to veto the legislation in question rather than propose changes to improve it, this does not optimise the referendum process from a democratic perspective.

A second reason for the underrepresentation of multi-option ballots is of a more practical nature: a referendum is more readily initiated on a single proposal. Multi-option referendums require procedures through which the options can be formulated or selected, either as part of permanent provisions to be used by citizens or as provisions for a specific referendum. However, for decisions which have significant impact, particularly long-term impact, the

investment of time and resources into designing a multi-option format may be well worth the effort.

A third type of criticism is the aforementioned possibility of voting paradoxes. The potential that a paradox arises must certainly be acknowledged, but should not be reason to avoid multi-option referendums in principle. The challenges and limitations of a multi-option format should be considered in relation to its opportunities and advantages, and weighed against the advantages and limitations of the binary format, which is also not without issues.

Multi-option referendums may not always be feasible and neither are they always necessary or desirable. Below I outline three considerations which can help to determine whether a multi-option format has added value over a binary format. The considerations are of particular relevance to ad hoc top-down referendums, as a multi-option format is a deliberate choice for such referendums. In bottom-up corrective referendums, this choice is out of the hands of policymakers, and the responsibility to demonstrate support for an alternative proposal rests with its initiators who must collect sufficient citizen signatures to demonstrate support for their proposal.

The first consideration is whether a multi-option vote is conducive to the nature of the topic. In other words, *there must be more than two realistic options* for the ballot. This depends on the nature of the referendum topic, as for some issues a binary choice may be logical and desirable. Examples include naturally binary issues, such as left-hand or right-hand traffic, issues where choice realistically spreads over two main options, such as the choice between a republic or a monarchy, and issues where the only realistic choice is to accept or reject a particular policy alternative, such as whether or not to adopt the euro. Generally speaking, technical issues lend themselves well to binary voting, whilst moral and symbolic issues are considered highly suitable for multi-option referendum voting (Orr, 2001). Polarisation on moral issues, for example for or against abortion, can be mitigated to some extent when voters can also express themselves on the characteristics of the new policy and the conditions of its implementation. In the 2018 Irish referendum on abortion the choice offered to voters was binary, but preceded by a Citizens' Assembly which reached the final policy proposal through both deliberation and a series of multi-option votes on the desired characteristics of the new abortion policy (Citizens' Assembly, 2017). In a multi-option referendum, desirable policy characteristics can be discovered by posing multiple alternatives with unique characteristics directly to the electorate on the referendum ballot. Changes to electoral systems or electoral rules and other constitutional changes such as legislative terms are therefore highly suitable because they inherently entail various possible variations and characteristics. Cultural and moral issues such as a national hymn, flag design and conditions for the death penalty also featured in multi-option referendums (see Chapter 2). More generally, multi-option referendums could be suitable for contentious decisions as they help to reduce the ideological distance between 'winners' and 'losers' compared to binary referendums (Tsebelis, 2018). Particularly when voting methods with a focus on approval as opposed to first preference support are used, multi-option formats can introduce

more consensualism in an otherwise highly majoritarian instrument. This can contribute to the protection of individual rights (Tierney, 2016).

Secondly, *more than two alternatives must be genuinely implementable*. Options offered in a multi-option referendum – or any referendum, for that matter – must be implementable and their consequences clear to voters. Offering unfeasible options or options with unclear policy consequences is deceiving for voters and risks backfiring by causing confusion and disenfranchisement with the referendum process. Both the national and international context may determine whether an option is implementable. A binary design is arguably most relevant for issues on which amendments are politically not feasible and the choice has thus been reduced to either a full approval or a full rejection. An example of the latter could be an international treaty which is no longer open to amendments or conditional approval. For status referendums, pre-referendum coordination with the relevant sovereign state on acceptable ballot options is essential. On a national level there must be sufficient financial and human resources to implement the policy and a minimum programmatic fit to ensure its implementation. Political commitment to the implementation of the winning policy – even if not the first preference of the political majority – is also essential.

Thirdly, at least three *realistic and implementable alternatives must enjoy a minimum amount of societal support*. To promote clarity, to minimise the increase in cognitive demands on voters and to enhance the chances of a reasonable support percentage surfacing for the winning option, it is preferable to limit the number of ballot options to those options which enjoy realistic support in society. This may be especially important if options are multidimensional, as voters tend to have a little more difficulty to vote consistently on issues which do not clearly form part of a single dimension (Chapter 4). It is, however, essential to clearly separate the options, as clustering multiple policy scenarios on the ballot can lead to misleading outcomes (Goodin & Spiekermann, 2018). To strike the best balance, the choice to employ a multi-option format is ideally preceded by an initial investigation that explores which alternatives enjoy realistic support in society. Such an investigation could build on inputs from societal organisations or independent research institutes or could use additional tools such as mini-publics, deliberative polls or focus groups. With the growing use of e-tools, a pre-referendum inventory does not have to be onerous.

It depends on the context of the referendum whether a multi-option format is also feasible from a more practical point of view, for example whether sufficient financial and human resources are available to design and execute a multi-option referendum. Sufficient time is required for its proper preparation and execution, in particular if multiple voting stages are used. For example, the preparation process may take longer to allow for more extensive question testing and the adaptation of campaign conduct regulations (Sargeant et al., 2018).

6.3.2 Considerations for designing multi-option referendum procedures

This subsection provides preliminary reflections on choosing particular variations of multi-option referendums. It first reflects on agenda-setting, reviewing which actors can trigger

multi-option referendums and can formulate ballot options. It then discusses balloting, providing considerations for selecting a question structure and a voting method and for the application of staging and additional thresholds. Agenda-setting and balloting procedures can theoretically be designed separately of one another, as there is no intrinsic link between the way ballot content is determined and the way preferences are expressed on the options. In practice, bottom-up referendums are more commonly decided using multiple binary questions whereas top-down referendums have mostly featured single-question designs.

Considerations for triggering and option formulation

The most important distinction in terms of triggering multi-option referendums is whether legal provisions are implemented which enable citizens to trigger a referendum. Citizen triggering can either directly lead to a multi-option referendum if the initiating committee proposes a counter-proposal to newly proposed legislation, or can indirectly trigger a multi-option referendum if a proposed citizen initiative is later subjected to a political counter-proposal. Legal provisions for bottom-up referendum triggering entail a loss of political control over the topics and policy options subjected to a referendum.⁶⁴ Contrary to binary referendums on citizen initiatives, however, the political counter-proposal also involves political majorities in the option formulation process.

Some referendum topics lend themselves better to either top-down or bottom-up triggering. Generally speaking, topics submitted to bottom-up referendums tend to be of a more detailed and more reversible nature than those submitted to top-down referendums. Contrastingly, more visionary and lasting decisions such as those on status changes do not tend to be subjected to citizen-initiated referendums. The nature of the topic may also influence the actors involved in formulating ballot options for top-down triggered referendums. For highly complex topics, it may be advisable to involve experts which have better insights into feasible policies on specialist issues and can prepare a balanced selection of options, either with or without direct citizen inputs.

Bottom-up referendums empower an initiating committee to formulate an initiative or counter-proposal which may introduce the aforementioned rupture of equality. Yet, when voters can select from multiple alternatives, they retain more influence over policy than when they can only accept or reject a single plan designed by others, mitigating the influence of the initiating committee compared to binary referendums. Furthermore, diversifying referendum agenda-setting for referendums in such a way that multiple groups may propose ballot options lowers incentives for initiators to strategically formulate their proposals to maximise votes (Tsebelis, 2018).

As discussed in Chapter 3, bottom-up referendums may upset programmatic coherence by singling out a particular issue for a popular vote, though cultures tend to develop which increase insight into the implementation consequences of the various ballot options. For

⁶⁴ By shaping the conditions under which referendums may be triggered and the policies which are exempt from referendum triggering, policymakers do retain some control over the topics that can be submitted to future votes.

instance, Swiss voters receive an information booklet prior to each referendum – both binary and multi-option – detailing the contents of the policy as well as its programmatic and financial consequences.⁶⁵ In top-down referendums, political majorities retain influence over the selection and framing of issues put to a referendum vote and can weigh their programmatic implications. A relatively large share of top-down triggered multi-option referendums have focused on issues that could be singled out to a certain extent, such as changes to electoral systems or distinct moral decisions.

Various agenda-setting models differ in their approach to participation and deliberation opportunities. Under the filtered civic input model (see Chapter 3), individual citizens as well as civic organisations can submit ballot options and general remarks. This referendum model tends to be accompanied by an extensive participation and deliberation trajectory with online and offline workshop, forums, surveys or other participation tools. At the end of the day, concrete influence over ballot options by citizens is contingent on option filtering and selection by experts. An alternative approach would be the institution of mini-publics, which could merge the concrete ballot influence of initiating committees on the one hand and a more accurate representation of the electorate on the other.

As with binary veto referendums, political minorities can have a role in the triggering process (Bulmer, 2011). Provisions for political minority referendum triggering may depend on how pluralistic society is and on the presence of other forms of extraparliamentary or intraparlimentary minority representation such as proactive civil society organisations or minority seats. In some countries the upper chamber has a unique representative role which may justify granting this chamber the ability to trigger a referendum. Apart from referendum triggering, parliamentary minorities or upper chambers may also be empowered to contribute a ballot option to a referendum. This could compensate for lower participation of less vocal groups in society in triggering referendums and encourage that diverging views are also included on the referendum ballot.

Considerations for question structure and voting method

A first and pressing recommendation with regard to balloting is to use an alternative voting method. Which method is chosen will depend on the desirable properties of the method such as its likelihood to elect an absolute majority winner and the desired level of support or acquiescence for changing the status quo. These choices may in turn depend on the democratic and political context and the significance of the policy subjected to the referendum, for example regular or constitutional. For bottom-up referendums, procedures are laid down in law and are therefore the same for each individual referendum. For top-down referendums, choices can be tailored to the specific topic of the referendum and its likely impact and reversibility.

When selecting a voting method, the trade-off between yielding more detailed and precise outcomes on the one hand and being more cognitively demanding for voters and thereby

⁶⁵ On the federal level, these booklets are known as the *Erläuterungen des Bundesrates*.

more prone to invalid voting on the other must be taken into account. Voter experience with specific voting methods can ease the selection of alternative, and in particular more complex, balloting methods. When voters are already familiar with specific voting methods from national or subnational elections, this lowers the chances of erroneous voting and can increase voter confidence in expressing preferences in a multi-option referendum. This does not exclude the possibility for inexperienced voters to participate in multi-option ballots, but additional attention must be paid to voter education on how to complete a valid ballot.

The number and character of ballot options may influence the design of the balloting process. Voting on a higher number of options may benefit from multiple binary questions as the cognitive load to rank options in answer to a single question increases exponentially. The Independent Commission on Referendums (2018) suggests that with more than three options, preferential voting may become too confusing for voters without prior experience, although no hard evidence exists on the maximum number of choices that can effectively be offered under this balloting method. The survey underlying Chapter 5 demonstrates that ranking four options can also be a realistic approach, especially if a single dimension underlies the proposals. With multiple binary questions, voters can evaluate each change proposal in its own right and tend to approve of a higher number of options than in a single question. Particularly for ordinal issues, voter behaviour in multiple binary questions is highly consistent. Abstention or limited preference expression on the deciding question should not invalidate voters' approvals in the preceding questions.

A high number of options, particularly when they present distinct policy scenarios, may also be well suited to the use of multiple voting stages. A second voting stage could either pose a run-off between the two most popular options of an approval or ranking stage or between the most popular alternative and the status quo. Particularly when many options are on the horizon, a second stage can help to avoid electing a winning option with narrow majority support. Multiple stages allow further reflection time on the shortlisted options before a final decision is reached. The additional time can be spent to focus the debate specifically on a more detailed discussion of the content and implications of the most promising alternative or alternatives. The drawback is an extended risk of voter fatigue or disengagement of voters whose favourite option has been excluded from the second stage.

The advancing or corrective nature of the referendum may also favour diverse voting methods. A corrective referendum would normally ask voters to approve or reject a policy. A multi-option variant offering multiple variations of a policy could adopt a similar method, asking voters to approve of options they consider acceptable using either single-question approval voting or multiple binary questions. For advancing referendums, the available options are usually more distinct policy options which differ from each other in various respects, for example electoral systems. Such referendums may also be used to collect insights into initial preferences in earlier stages of decision-making. Ranking may be a suitable technique to provide a broader picture of voters' relative preferences on various distinct options.

The policy impact of the referendum largely determines whether a simple, absolute or special majority should be required for a proposal to pass. Higher thresholds are deliberately conservative as they make it harder for change proposals to beat the status quo. To which extent this is desirable will depend on the properties of the topic, such as its impact and reversibility, and the political context of the country, such as its degree of majoritarianism. Referendums could follow the same rules as parliamentary policymaking, for example two thirds majorities for significant constitutional changes and absolute majorities for regular policy. Supermajorities may be defensible to avoid snapshot decisions on issues that have far-reaching consequences and are difficult to reverse in the future. Supermajorities and approval thresholds are decidedly more suitable in combination with approval-based methods such as approval voting and multiple binary questions.⁶⁶ The survey results in Chapter 4 found that voters tend to approve more options in multiple binary question designs than in single-question approval voting, which could be relevant in case of special majority requirements. With single-question plurality voting, the chances of reaching a supermajority decrease with each additional option on the ballot. Ranking with AV provides some refuge, but since the total percentage of votes cast per voter remains at 100%, supermajorities may not be obtained even after redistributions of votes. Since approval voting and multiple binary questions allow voters to approve of several options, the chances of reaching a supermajority are higher. A points system such as Borda count or its modified form MBC⁶⁷ could provide an alternative consensual strategy, as it provides higher scores for options that enjoy a lot of higher ranked support from voters but also takes into account lower-level acceptance.

6.4 Concluding remarks

Multi-option referendums can provide a constructive alternative to binary referendums when a single policy proposal does not suffice to adequately capture the preferences of the electorate. Both binary and multi-option referendums are subject to advantages and limitations, presenting trade-offs for referendum design. Whilst binary voting guarantees a majority outcome and is not subjected to choosing a voting method, the sacrifice is that the limited choice set offered to voters may muddle referendum outcomes as voters may veto a proposal for a diversity of reasons. This also inhibits the interpretation of the referendum outcome which, though clear in numerical terms, may not be unequivocal in terms of clearly reflecting the societally most supported policy scenario.

If more than two policy scenarios deserve serious attention, this calls for a realistic assessment of the advantages and limitations of applying a multi-option format. The decision

⁶⁶ Turn-out thresholds can also be applied but are not discussed here since the wealth of binary referendum literature on such thresholds is equally applicable to multi-option referendums.

⁶⁷ Under modified Borda count (MBC), the score for a voter's highest-ranked option depends on the total number of options ranked. This discourages strategically voting only for one's most favoured option, thus increasing the consensualism of the outcome.

to opt for a multi-option design needs neither be the default nor a marginalised choice. Though there is no universally accepted way to vote on multiple ballot options, all alternative voting methods provide some refuge to the limitations of plurality rule. Their limitations should be assessed realistically, taking into account practical experiences with various methods as opposed to deriving them solemnly from theoretical literature. After all, trade-offs are inherent to democratic proceedings in general and balancing various democratic and procedural values is also a familiar characteristic of the selection of an electoral system. Moreover, many of the criticisms against referendums, such as majoritarianism and elite manipulation, also apply to representative democracy (Budge, 2006). When considering multi-option formats as a serious alternative to binary formats, we must be prepared to weigh the undeniable challenges of multi-option voting against the downsides of the binary alternative. Even though no single best model for using them exists, there are likely situations in which multi-option referendums are more fruitful tools for decision-making. Technical advancements are likely to enhance future opportunities for multi-option referendum use. For example, developments in the field of electronic voting could enable in-built voter instructions and guidance to ease cognitive burden and mitigate invalid voting.

Sharing knowledge and experiences on multi-option referendum practice can be helpful to open up the debate about extending the number of referendum ballot options. This thesis lays the foundation for further consideration, investigation and experimentation. Institutions operating in the field of democratic good practice could fulfil a role in promoting debate and sharing knowledge on best practice. The recommendations for effective multi-option referendum design included in the recently revised guidelines on referendums of the Venice Commission (2020, Section III.5.b) are applauded. Documenting considerations and prerequisites for multi-option referendum design can help to inform policymakers of possibilities as well as limitations. Institutions such as International IDEA, or knowledge networks and think-tanks like the ACE Electoral Knowledge Network or the Initiative and Referendum Institute Europe could also play a role in capturing design variations and facilitating the exchange of practical experiences.

This thesis does not propose to move beyond binary ballots altogether, but does advocate a shift in the currently dominant mindset to use binary referendums by default. Opening the door to civic counter-proposals can turn out to be beneficial rather than counteractive for policymakers, as referendum initiators are encouraged to adopt a constructive approach rather than an obstructive one. For top-down referendums, exploring the feasibility of alternative scenarios may help to identify which proposal meets with least resistance in society. These pathways to multi-option referendums can help to settle an issue in a more satisfiable manner and with a more sustainable result.

References

- Abramson, P.R., Aldrich, J. H., Diskin, A., Houck, A.M., Levine, R. & Scotto, T.J. (2013). The British general election of 2010 under different voting method. *Electoral Studies*, 32(1), 134-139.
- Achen, C.H. & Bartels, L.M. (2016). Democracy for Realists. *Why elections do not produce responsive government*. Princeton: Princeton University Press.
- Akkerman, T. (2004). *Talking, voting and violence. Divisive issues and the limits of democratic deliberation*. Amsterdam School for Social Science Research working paper 04/05.
- Altman, D. (2011). *Direct Democracy Worldwide*. Cambridge: Cambridge University Press.
- Alvarez, R. M., Sinclair, B. & Hasen, R.L. (2006). How much is enough? The “ballot order effect” and the use of social science research in election law disputes. *Election Law Journal*, 5(1), 40-56.
- Alwin, D.F., Baumgartner, E.M. & Beattie, B.A. (2017). Number of Response Categories and Reliability in Attitude Measurement. *Journal of Survey Statistics and Methodology*, 6(2), 212-239.
- Arrow, K. J. (1951). *Social choice and individual values*. New Haven: Yale University Press.
- Attorney General (2018). *How We Vote: 2018 Electoral Reform Referendum Report and Recommendations of the Attorney General*. British Columbia.
- Baker, J. & Sinnott, R. (2000). Simulating multi-option referendums in Ireland: Neutrality and abortion. *Irish Political Studies*, 15(1), 105-125.
- Baker, M. (2003). *Falling into the Canadian Lap: The Confederation of Newfoundland and Canada, 1945-1949*. Royal Commission on Renewing and Strengthening Our Place in Canada.
- Barber, B. (1984). *Strong democracy: Participatory politics for a new age*. Berkeley: University of California Press.
- Baujard, A., Igersheim, H., Lebon, I., Gavrel, F. & Laslier, J. (2014). Who’s favored by evaluative voting? An experiment conducted during the 2012 French presidential election. *Electoral Studies*, 34, 131-145.
- Baumgartner, C. & Bundi, C. (2017). *Eventualantrag und Volksvorschlag im Kanton Bern*. Leges 2017/1, 83- 96.
- Bell, D.A. (1978). The Referendum: Democracy’s Barrier to Racial Equality, *Washington Law Review*, 54(1).
- Bernhard, L. & Kriesi, H. (2011). Coalition Formation. In H. Kriesi (Ed.). *Political Communication in Direct Democratic Campaigns: Enlightening or Manipulating?* (pp. 54-68). Basingstoke: Palgrave Macmillan.
- Binder, M. M. (2010). *Getting it right or playing it safe? Confusion, the status quo bias and correct voting in direct democracy*. PhD Thesis. San Diego: University of California.
- Bisaz, C. (2020). *Direktdemokratische Instrumente als «Anträge aus dem Volk an das Volk»: Eine Systematik des direktdemokratischen Verfahrensrechts in der Schweiz*. Habitationsschrift. Zürich: Dike Verlag.
- Bjørklund, T. (1982). The demand for referendum: when does it arise and when does it succeed? *Scandinavian Political Studies*, 5, 237–59.

- Bochsler, D. (2010). The marquis de Condorcet goes to Bern. *Public Choice*, 144(1–2), 119–131.
- Boogers, M.J.G.J.A. & De Graaf, L. (2008). *Een ongewenst preferendum: Een evaluatie van het Arnhemse preferendum van 6 juni 2007 over Rijnboog-Havenkwartier*. Tilburg: Tilburgse School voor Politiek en Bestuur.
- Bowler, S. & Donovan, T. (2000). *Demanding choices: Opinion, voting, and direct democracy*. Ann Arbor: University of Michigan Press.
- Bowler, S., Donovan, T. & Brockington, D. (2003). *Electoral reform and minority representation: Local experiments with alternative elections*. Columbus: Ohio State University Press.
- Brams, S. J. & Fishburn, P. C. (2005). Going from theory to practice: the mixed success of approval voting. *Social Choice and Welfare*, 25(2-3), 457-474.
- Bua, A. (2012). Agenda setting and democratic innovation: The case of the Sustainable Communities Act (2007). *Politics*, 32(1), 10-20.
- Budge, I. (2006). Direct and representative democracy: Are they necessarily opposed? *Representation*, 42(1), 1-12.
- Budge, I. (2012). Implementing popular preferences. In B. Geissel & K. Newton (Eds.). *Evaluating Democratic Innovations: Curing the Democratic Malaise?* (pp.23-38). Oxon: Routledge.
- Bulmer, W.E. (2011). Minority-Veto Referendums: An Alternative to Bicameralism? *Politics* 31(3), 107-120.
- Casas, A., Diaz, G. & Mavridis, C. (2020). How influential is ballot design in elections? *Journal of Elections, Public Opinion and Parties*. Advance online publication. <https://doi.org/10.1080/17457289.2020.1844219>.
- Casella, A. & Gelman, A. (2008). A simple scheme to improve the efficiency of referenda. *Journal of Public Economics*, 92(10-11), 2240-2261.
- Christiano, T. (2012). Rational Deliberation among Experts and Citizens. In J. Parkinson & J. Mansbridge (Eds.). *Deliberative Systems* (pp. 27-51). Cambridge: Cambridge University Press.
- Citizens' Assembly (2017). First Report and Recommendations of the Citizens' Assembly: The eighth amendment of the constitution.
- Citizens' Assembly (2018). Report and Recommendations of the Citizens' Assembly on the fourth and fifth topics: The manner in which referenda are held & fixed term parliaments.
- Cobb, R.W. & Elder, C.D. (1971). The Politics of Agenda-Building: An Alternative Perspective for Modern Democratic Theory. *The Journal of Politics*, 33(4), 892-915.
- Collier, D. & Mahon, J. E. Jr. (1993). Conceptual "stretching" revisited: Adapting categories in comparative analysis. *American Political Science Review*, 87(4), 845-855.
- Collin, K. (2020). Peacemaking referendums: the use of direct democracy in peace processes. *Democratization*, 27(5), 717-736.
- Edwards, M. L. (2018). Public perceptions of energy policies: Predicting support, opposition, and nonsubstantive responses. *Energy Policy*, 117, 348-357.
- Elstub, S. & Escobar, O. (Eds.). (2019). *The Handbook of Democratic Innovation and Governance*. Cheltenham: Edward Elgar Publishing.
- Emerson, P. (1993). Letter to the Editor. *Representation*, 31(116), p.87.
- Emerson, P. (2012). *Defining Democracy. Voting Procedures in Decision-Making, Elections and Governance*. Heidelberg: Springer.
- Fargier, H., Lang, J., Mengin, J. & Schmidt, N. (2012). *Issue-by-issue voting: an experimental evaluation*. Proceedings of MPREF 2012.
- Farrell, D.M. (2011). *Electoral systems: A comparative introduction (2nd ed.)*. Basingstoke: Palgrave Macmillan.
- Farrell, D.M., Suiter, J. & Harris, C. (2019). 'Systematizing' constitutional deliberation: the 2016-2018 citizens' assembly in Ireland. *Irish Political Studies*, 34(1), 113-123.
- Fishkin, J., Kousser, T., Luskin, R. & Siu, A. (2015). Deliberative Agenda Setting: Piloting Reform of Direct Democracy in California. *Perspectives on Politics*, 13(4), 1030-1042.
- Garry, J., Marsh, M. & Sinnott, R. (2005). 'Second-order' versus 'issue-voting' effects in EU referendums: Evidence from the Irish Nice Treaty referendums. *European Union Politics*, 6(2), 201-221.
- Gastil, J. & Richards, R. (2013). Making direct democracy deliberative through random assemblies. *Politics & Society*, 41(2), 253-281.
- Gerber, E.R. (1999). *The Populist Paradox: Interest Group Influence and the Promise of Direct Legislation*. Princeton, NJ: Princeton University Press.
- Gherghina, S. (2017). Direct democracy and subjective regime legitimacy in Europe. *Democratization*, 24(4), 613-631.
- Gibbard, A. (1973). Manipulation of Voting Schemes: A General Result. *Econometrica*, 41(4), 587-601.
- Glaser, A., Serdült, U. & Somer, E. (2016). Das konstruktive Referendum—ein Volksrecht vor dem Aus? *Aktuelle Juristische Praxis (AJP)*, 10, 1343-1355.
- Goodin, R. E. & Spiekermann, K. (2018). *An epistemic theory of democracy*. Oxford: Oxford University Press.
- Hayes, P. (1998) Parallel governments: An option for Northern Ireland. *Regional & Federal Studies*, 8(3), 89-103.
- Hendriks, F. (2019). Democratic innovation beyond deliberative reflection: the plebiscitary rebound and the advent of action-oriented democracy. *Democratization*, 26(3), 444-464.
- Hendriks, F., Jacobs, D.J. & Wagenaar, C.C.L. (2020). *Referenderen en delibereren. Een verkenning van bindend correctieve referenda en combinaties met deliberatieve democratie*. Tilburg: Tilburg University research report.
- Hendriks, F., Van der Krieken, K.H.J. & Wagenaar, C.C.L. (2017). *Democratische zegen of vloek? Aantekeningen bij het referendum*. Amsterdam: Amsterdam University Press.
- Hodge, J.K. (2011). The Mathematics of Referendum Elections and Separable Preferences. *Mathematics Magazine*, 84(4), 268-277.
- Holcombe, R.G. (1989). The median voter model in public choice theory. *Public Choice*, 61, 115-125.
- Hsiao, D. H. (1991). Invisible Cities: The Constitutional Status of Direct Democracy in a Democratic Republic. *Duke Law Journal*, 41, 1267.
- Hug, S. & Tsebelis, G. (2002). Veto players and referendums around the world. *Journal of Theoretical Politics*, 14(4), 465-515.

- Huitema, D., Jordan, A., Munaretto, S. & Hildén, M. (2018). Policy experimentation: core concepts, political dynamics, governance and impacts. *Policy Sciences*, 51(2), 143-159.
- Independent Commission on Referendums, 2018. *Report of the Independent Commission on Referendums*. London: Constitution Unit.
- Jacobs, K. (Ed.). (2018). *Het Wiv-referendum: Nationaal Referendum Onderzoek 2018*. Stichting KiezersOnderzoek Nederland (SKON).
- Kaufmann, B., Büchi, R. & Braun, N. (2010). *Guidebook to direct democracy: in Switzerland and beyond*. Marburg: Initiative & Referendum Institute Europe.
- Koppell, J.G.S. & Steen, J.A. (2004). The Effects of Ballot Position on Election Outcomes. *The Journal of Politics*, 66(1), 267-291.
- Kriesi, H. (2005). *Direct democratic choice: The Swiss experience*. Lexington Books.
- Kriesi, H. & Bernhard, L. (2011). The Context of the Campaigns. In H. Kriesi (Ed.). *Political Communication in Direct Democratic Campaigns: Enlightening or Manipulating?* (pp. 17-38). Basingstoke: Palgrave Macmillan.
- Lagerspetz, E. (2016). *Social Choice and Democratic Values. Studies in Choice and Welfare*. Cham: Springer International Publishing.
- Lebon, I., Baujard, A., Gavrel, F., Igersheim, H. & Laslier, J. (2017). Ce que le vote par approbation révèle des préférences des électeurs français. *Revue économique*, 68(6), 1063-1076.
- LeDuc, L. (2007). Opinion Formation and Change in Referendum Campaigns. In: C.H. de Vreese (Ed.). *The Dynamics of Referendum Campaigns* (pp. 21-44). Basingstoke: Palgrave Macmillan.
- LeDuc, L. (2009). Campaign tactics and outcomes in referendums: a comparative analysis. In M. Setälä & T. Schiller (Eds.). *Referendums and Representative Democracy: Responsiveness, accountability and deliberation* (pp. 139-161). Abingdon: Routledge.
- LeDuc, L. (2015). Referendums and deliberative democracy. *Electoral Studies*, 38, 139-148.
- Leininger, A. & Heyne, L. (2017). How representative are referendums? Evidence from 20 years of Swiss referendums. *Electoral Studies*, 48, 84-97.
- Levin, J. & Nalebuff, B. (1995). An introduction to vote-counting schemes. *Journal of Economic Perspectives*, 9(1), 3-26.
- Levine, S. & Roberts, N.S. (1993). The New Zealand electoral referendum of 1992. *Electoral Studies* 12(2), 158-167.
- Levy, R. (2013). "Deliberative Voting": Realising Constitutional Referendum Democracy. *Public Law Review*, 24, 555-574.
- Lissidini, A. (1998). Una mirada crítica a la democracia directa: el origen y las prácticas de los plebiscitos en Uruguay. *Perfiles Latinoamericanos* 12, 169-200.
- Lundberg, T. C. (2007). Electoral system reviews in New Zealand, Britain and Canada: a critical comparison. *Government and Opposition*, 42(4), 471-490.
- Lupia, A. & Johnston, R. (2001). Are voters to blame? Voter competence and elite maneuvers in referendums. In M. Mendelsohn & A. Parkin (Eds.). *Referendum democracy* (pp. 191-210). Basingstoke: Palgrave Macmillan.
- Lupia, A. & Matsusaka, J.G. (2004). Direct democracy: New approaches to old questions. *Annual Review of Political Science*, 7, 463-482.
- Lupia, A., McCubbins, M. D. & Arthur, L. (1998). *The democratic dilemma: Can citizens learn what they need to know?* Cambridge: Cambridge University Press.
- Mackerras, M. (1994) Reform of New Zealand's voting system, 1985-1996. *Representation*, 32(118), 36-40.
- Magleby, D.B. (1995) Let the voters decide? An assessment of the initiative and referendum process. *University of Colorado Law Review*, 66(1), 13-46.
- Marti, J.L. (2006). The Epistemic Conception of Deliberative Democracy Defended. In S. Besson & J.L. Marti (Eds.). *Deliberative Democracy and Its Discontents* (pp. 27-56). Aldershot: Ashgate.
- Matsusaka, J. G. (2016). Ballot order effects in direct democracy elections. *Public choice*, 167(3-4), 257-276.
- May, K.O. (1952). A set of independent necessary and sufficient conditions for simple majority decisions. *Econometrica*, 20, 680-684.
- McKay, S. (2018). Designing Popular Vote Processes for Democratic Systems: Counter-Proposals, Recurring Referendums, and Iterated Popular Votes. *Swiss Political Science Review*, 24(3), 328-334.
- McKay, S. (2019). Building a Better Referendum: Linking Mini-Publics and Mass Publics in Popular Votes. *Journal of Public Deliberation*, 15(1), Article 8.
- McLean, I., Spirling, A. & Russell, M. (2003). None of the above: the UK House of Commons votes on reforming the House of Lords, February 2003. *The Political Quarterly*, 74(3), 298-310.
- Meer, T.W.G. van der, Van der Kolk, H. & Rekker, R. (2017). *Aanhoudend wisselvallig: Nationaal Kiezersonderzoek 2017*. Stichting KiezersOnderzoek Nederland (SKON).
- Meer, T.W.G. van der, Wagenaar, C.C.L. & Jacobs, K.T.E. (2020). The rise and fall of the Dutch referendum law (2015-2018): Initiation, use, and abolition of the corrective, citizen-initiated and non-binding referendum. *Acta Politica*. Advance online publication. <https://doi.org/10.1057/s41269-020-00175-3>.
- Mendelsohn, M. & Parkin, A. (2001). Introduction: Referendum Democracy. In M. Mendelsohn & A. Parkin (Eds.). *Referendum Democracy* (pp. 1-22). Basingstoke: Palgrave Macmillan.
- Menzi, B. (2010). Umverteilung zugunsten von nachhaltigen Energiequellen ist nicht mehrheitsfähig. In W. Linder, C. Bolliger & Y. Rielle (Eds.). *Handbuch der eidgenössischen Volksabstimmungen 1848-2007* (pp. 591-592). Bern: Haupt Verlag.
- Michels, A. (2011). Innovations in democratic governance: how does citizen participation contribute to a better democracy? *International Review of Administrative Sciences*, 77(2), 275-293.
- Mitchell, J. (1992). The multi-option referendum: a comparative perspective. In A. Macartney, (Ed.). *Asking the People: The Referendum and Constitutional Change* (pp. 7-19). Edinburgh: Unit for the Study of Government in Scotland, Edinburgh University.
- Mitchell, J. (2016). The Referendum Campaign. In A. McHarg, T. Mullen, A. Page & N. Walker (Eds.). *The Scottish Independence Referendum* (pp. 75-98). Oxford: Oxford University Press.
- Moore, A. (2017). *Critical elitism: Deliberation, democracy, and the problem of expertise*. Cambridge: Cambridge University Press.

- Morel, L. (2018). The democratic criticism of referendums. In L. Morel & M. Qvortrup (Eds.). *The Routledge handbook to Referendums and Direct Democracy* (pp. 149-168). London: Routledge.
- Morel, L. & Qvortrup, M. (Eds.). (2018). *The Routledge handbook to Referendums and Direct Democracy*. London: Routledge.
- Morison, J. & Newman, D.R. (2001). On-line Citizenship: Consultation and Participation in New Labour's Britain and Beyond. *International Review of Law, Computers & Technology*, 15(2), 171-194.
- Müller, W.C. (1999). Plebiscitary agenda-setting and party strategies: theoretical considerations and evidence from Austria. *Party Politics*, 5(3), 303-315.
- Nagel, J.H. (1994). What Political Scientists Can Learn from the 1993 Electoral Reform in New Zealand. *PS: Political Science and Politics*, 27(3), 525-529.
- Nikolenyi, C. (2011). When Electoral Reform Fails: The Stability of Proportional Representation in Post-Communist Democracies. *West European Politics*, 34(3), 607-625.
- Nohlen, D. (2005). *Elections in the Americas II: South America*. Oxford: Oxford University Press.
- Nohlen, D., Grotz, F. & Hartmann, C. (2001). *Elections in Asia and the Pacific I: Middle East, Central Asia, and South Asia*. Oxford: Oxford University Press.
- Nohlen, D., Krennerich, M. & Thibaut, B. (1999). *Elections in Africa*. Oxford: Oxford University Press.
- Nohlen, D. & Stöver, P. (2010). *Elections in Europe*. Baden-Baden: Nomos.
- Nurmi, H. (1998). Voting paradoxes and referenda. *Social Choice and Welfare*, 15(3), 333-350.
- O'Flynn, I. & Levy, R. (2020). Deliberative Constitutional Referendums in Deeply Divided Societies. *University of British Columbia Law Review*, 53(1), 205-240.
- Orr, G. (2001). Referenda: the constitutionality of multiple option referenda. *Constitutional Law and Policy Review*, 3(4), 68-72.
- Papadopoulos, Y. (1995). Analysis of Functions and Dysfunctions of Direct Democracy: Top-Down and Bottom-Up Perspectives. *Politics & Society*, 23(4), 421-448.
- Parkinson, J. (2001). Deliberative democracy and referendums. In K. Dowding, J. Hughes & H. Margetts (Eds.). *Challenges to Democracy* (pp. 131-152). Berlin: Springer.
- Popper, K. (1945). *The open society and its enemies*. London: Routledge.
- Prast, H. (2007). *The psychology and economics of attitudes in The Netherlands*. WRR Webpublicatie 18.
- Qvortrup, M. (2005). *A Comparative Study of Referendums: Government by the People*. Manchester: Manchester University Press.
- Qvortrup, M. (Ed.). (2014). *Referendums around the world: The continued growth of direct democracy*. Heidelberg: Springer.
- Ranney, A. (1981). *The Referendum Device*. Washington, D.C.: American Enterprise Institute.
- Renwick, A. (2009). Do 'wrong winner' elections trigger electoral reform? Lessons from New Zealand. *Representation*, 45(4), 357-367.
- Renwick, A., Palese, M. & Sargeant, J. (2018). Discussing Brexit—Could We Do Better? *The Political Quarterly*, 89(4), 545-552.
- Reynolds, A. & Steenbergen, M. (2006). How the world votes: The political consequences of ballot design, innovation and manipulation. *Electoral Studies*, 25, 570-598.
- Rohr, C., Pollitt, A., Howarth, D., Lu, H. & Grant, J. (2017). *What sort of Brexit do the British people want? A proof-of-concept study using stated preference discrete choice experiments*. London: The Policy Institute at King's College London.
- Rosema, M. & Kock, T. (2009). *De stemming in Duiven: Evaluatie van het referendum op 23 april 2008 over het project Vitaal Centrum Duiven*. Enschede: Kennisinstituut Stedelijke Samenleving.
- Rosůlek, P. (2016). Secession, Referendum and Legitimacy of a Ballot Text – Scholarly Reflection. *Politické vedy*, 19(4), 93-118.
- Ruin, O. (1982). Sweden in the 1970s. In J. Richardson (Ed.) *Policy Styles in Western Europe* (pp. 141-68). London: George Allen & Unwin.
- Ruth, S.P., Welp, Y. & Whitehead, L. (Eds.). (2017). *Let the People Rule? The contradictory world of direct democracy*. Colchester: ECPR Press.
- Sager, F. & Rissi, C. (2011). The limited scope of policy appraisal in the context of referendum democracy—the case of regulatory impact assessment in Switzerland. *Evaluation*, 17(2), 151-163.
- Sargeant, J., Renwick, A. & Russell, M. (2018). *The Mechanics of a Further Referendum on Brexit*. London: The Constitution Unit.
- Saward, M. (2003). Enacting democracy. *Political studies*, 51(1), 161-179.
- Schuck, A.R. & De Vreese, C.H. (2015). Public support for referendums in Europe: A cross-national comparison in 21 countries. *Electoral Studies*, 38, 149-158.
- Scottish Affairs Committee, 2012. *The Referendum on Separation for Scotland: a multi-option question?* (Third Report of Session 2012-13), HC 543. London: House of Commons.
- Selb, P. (2008). Supersized votes: ballot length, uncertainty, and choice in direct legislation elections. *Public Choice*, 135(3-4), 319-336.
- Şen, I. G. (2015). *Sovereignty referendums in international and constitutional law*. Heidelberg: Springer.
- Setälä, M. (1997). *Theories of Referendum and the Analysis of Agenda-setting*. PhD Thesis. London: LSE.
- Setälä, M. (1999). *Referendums and democratic government: normative theory and the analysis of institutions*. Houndmills: Macmillan Press.
- Setälä, M. (2011). The role of deliberative mini-publics in representative democracy: lessons from the experience of referendums. *Representation*, 47(2), 201-213.
- Shugart, M.S. & Carey, J.M. (1992). *Presidents and assemblies: Constitutional design and electoral dynamics*. Cambridge: Cambridge University Press.
- Simon, H.A. (1957). *Models of Man, Social and Rational: Mathematical Essays on Rational Human Behavior in a Social Setting*. New York: John Wiley & Sons.
- States' Assembly & Constitution Committee (2017). *Referendum on Guernsey's voting system*. P.2017/49.
- States of Jersey Electoral Commission (2013). *Final Report January 2013*. St. Helier: Electoral Commission.
- Suksi, M. (1993). *Bringing in the people: A comparison of constitutional forms and practices of the referendum*. Groningen: Martinus Nijhoff Publishers.
- Taillon, P. (2018). The democratic potential of referendums. In L. Morel & M. Qvortrup (Eds.). *The Routledge handbook to Referendums and Direct Democracy* (pp. 169-191). London: Routledge.
- Tchintian, C.R. (2017). *Ballots, Vote Casting Procedures and Electoral Outcomes*. PhD Thesis. Houston: Rice University.

- Tierney, S. (2012). *Constitutional Referendums. The Theory and Practice of Republican Deliberation*. Oxford: Oxford University Press.
- Tierney, S. (2013). *The Multi-Option Referendum: International Guidelines, International Practice and Practical Issues*. Edinburgh: University of Edinburgh, School of Law, Working Papers.
- Tierney, S. (2016). 'Should the People Decide?' Referendums in a Post-Sovereign Age, the Scottish and Catalan Cases. *Netherlands Journal of Legal Philosophy*, 45(2), 45, 99.
- Tsebelis, G. (2018). How Can We Keep Direct Democracy and Avoid "Kolotoumba". *Homo Oeconomicus*, 35(1-2), 81-90.
- Uleri, P.V. (1996). Introduction. In M. Gallagher & P.V. Uleri (Eds.). *The referendum experience in Europe* (pp. 1-19). Basingstoke: Macmillan Press.
- Uleri, P.V. (2002). On referendum voting in Italy: YES, NO or non-vote? How Italian parties learned to control referendums. *European Journal of Political Research*, 41(6), 863-883.
- Vatter, A. (2000). Consensus and direct democracy: Conceptual and empirical linkages. *European Journal of Political Research*, 38, 171-192.
- Vatter, A. (2009). Lijphart expanded: three dimensions of democracy in advanced OECD countries? *European Political Science Review*, 1(1), 125-154.
- Venice Commission (2001). *Guidelines for Constitutional Referendums at National Level*. CDL-INF(2001)010.
- Venice Commission (2007). *Code of Good Practice on Referendums*. CDL-AD(2007)008rev-cor.
- Venice Commission (2020). *Revised Guidelines on the Holding of Referendums*. CDL-AD(2020)031.
- Verhulst, J. & Nijeboer, A. (2007). *Direct democracy: Facts and arguments about the introduction of initiative and referendum*. Brussels: Democracy International.
- Vreese, C.H. de & Semetko, H.A. (2004). *Political Campaigning in Referendums. Framing the referendum issue*. Abingdon: Routledge.
- Wagenaar, C.C.L. (2019). Beyond for or against? Multi-option alternatives to a corrective referendum. *Electoral Studies*, 62, 102091.
- Wagenaar, C.C.L. (2020). Lessons from international multi-option referendum experiences. *The Political Quarterly*, 91(1), 192-202.
- Wagenaar, C.C.L. & Hendriks, F. (2021). Setting the voting agenda for multi-option referendums: Process variations and civic empowerment. *Democratization*, 28(2) 372-393.
- Weber, M. (1994 [1917]). Parliament and Government in Germany under a new political order. In P. Lassman & R. Speirs (Eds.). *Weber: Political Writings* (pp. 130-271). Cambridge: Cambridge University Press.
- Wetenschappelijke Raad voor het Regeringsbeleid (WRR). (2007). *Europa in Nederland*. Amsterdam: Amsterdam University Press.

Appendices

Appendix 1. National-level multi-option referendum experiences

Published as part of Chapter 2.

Table A2.1 Multi-option referendum cases (1848-2019).

Guernsey	2018	Electoral system
Puerto Rico	2017	Status
New Zealand	2015	Flag
St. Eustatius	2014	Status
Liechtenstein	2014	Pension system
Jersey	2013	Electoral system
Puerto Rico	2012	Status
New Zealand	2011	Electoral system
Switzerland	2010	Criminal foreigners
Pitcairn	2009	Port construction
Liechtenstein	2005	Abortion and euthanasia
St. Eustatius	2005	Status
Curaçao	2005	Status
Saba	2004	Status
Bonaire	2004	Status
Liechtenstein	2003	Constitutional reform
Switzerland	2002	Gold reserves
Switzerland	2000	Solar energy
St. Maarten	2000	Status
Puerto Rico	1998	Status
Slovenia	1996	Electoral system
Cook Islands	1994	Legislative term
Saba	1994	Status
St. Maarten	1994	Status
St. Eustatius	1994	Status
Bonaire	1994	Status
Curaçao	1993	Status
Puerto Rico	1993	Status
Virgin Islands	1993	Status
New Zealand	1992	Electoral reform

Benin	1990	Constitutional reform
New Zealand	1987	Alcohol policy
Switzerland	1986	Culture
Liechtenstein	1985	Sexual equality
Liechtenstein	1985	Political reform
New Zealand	1984	Alcohol policy
Cocos (Keeling) Islands	1984	Status
Micronesia	1983	Status
Switzerland	1982	Pricing
Andorra	1982	Electoral system
Guam	1982	Status
New Zealand	1981	Alcohol policy
Sweden	1980	Nuclear power
New Zealand	1978	Alcohol policy
Virgin Islands	1978	Capital punishment
Andorra	1978	Political reform
Andorra	1977	Political reform
Switzerland	1977	Rent control
Australia	1977	National hymn
Switzerland	1977	Referendum legislation
Guam	1976	Status
Switzerland	1976	Employee participation
St. Pierre and Miquelon	1976	Status
New Zealand	1975	Alcohol policy
Switzerland	1974	Health insurance
Switzerland	1972	Pension system
New Zealand	1972	Alcohol policy
Switzerland	1972	Housing
Liechtenstein	1970	Tax adjustment
Virgin Islands	1970	Voting age
New Zealand	1969	Alcohol policy
Northern Mariana Islands	1969	Status
Puerto Rico	1967	Status
Uruguay	1966	Constitutional reform
New Zealand	1966	Alcohol policy
Northern Mariana Islands	1963	Status
New Zealand	1963	Alcohol policy
Singapore	1962	Status
Northern Mariana Islands	1961	Status

New Zealand	1960	Alcohol policy
Cambodia	1960	Governor
Uruguay	1958	Constitutional reform
New Zealand	1957	Alcohol policy
Sweden	1957	Pension system
Switzerland	1955	Consumer protection
Liechtenstein	1954	Fishing licence
New Zealand	1954	Alcohol policy
New Zealand	1949	Alcohol policy
Newfoundland	1948	Status
New Zealand	1946	Alcohol policy
Uruguay	1946	Constitutional reform
New Zealand	1943	Alcohol policy
New Zealand	1938	Alcohol policy
New Zealand	1935	Alcohol policy
Saar	1935	status
Finland	1931	Prohibition
New Zealand	1931	Alcohol policy
New Zealand	1928	Alcohol policy
Liechtenstein	1927	Building industry
Liechtenstein	1925	Civil order
New Zealand	1925	Alcohol policy
Chile	1925	Constitution
New Zealand	1922	Alcohol policy
New Zealand	1919	Alcohol policy
Luxembourg	1919	Status
New Zealand	1908	Alcohol policy
New Zealand	1905	Alcohol policy
New Zealand	1902	Alcohol policy
New Zealand	1899	Alcohol policy
New Zealand	1896	Alcohol policy
New Zealand	1894	Alcohol policy
Greece	1862	Head of state
Reggio	1848	Status
Modena	1848	Status
Parma	1848	status
Piacenza	1848	status

Appendix 2. Elaboration on data collection

Published as part of Chapter 3.

For the typology in this paper, we based ourselves on multi-option referendum cases compiled into a dataset by the first author. The full set of countries included in the dataset is listed in Appendix 1. The dataset draws on other direct democracy databases, most notably *www.sudd.ch* and *www.c2d.ch*, verified and supplemented with data found in electoral data handbooks and on official voting data websites of the countries in which the referendums took place.

Handbooks used for data collection include:

- Nohlen, D. (2005). *Elections in the Americas II: South America*. Oxford: Oxford University Press.
- Nohlen, D., Grotz, F. & Hartmann, C. (2001). *Elections in Asia and the Pacific I: Middle East, Central Asia, and South Asia*. Oxford: Oxford University Press.
- Nohlen, D. & Stöver, P. (2010). *Elections in Europe*. Baden-Baden: Nomos.
- Qvortrup, M. (Ed.). (2014). *Referendums around the world: The continued growth of direct democracy*. Heidelberg: Springer.

Keywords used to find and verify both national and sub-national level data include:

- English: multi-option referendum, multiple choice referendum, multichoice referendum, preferendum, counter-proposal, “referendum with people’s amendment”, “referendum with multiple options”, “referendum with multiple alternatives” (all repeated for ‘referenda’ and without dashes)
- German: Gegenvorschlag, Gegenentwurf, Volksvorschlag, Eventualantrag, konstruktive Referendum
- Dutch: multi-optie referendum, preferendum, meerkeuzereferendum, “referendum met meerdere opties”

For cantonal Swiss referendums, official cantonal websites were consulted for voting data on referendums with counter-proposals. For further background to the cases, we largely relied on the following legal-academic reflections:

- Baumgartner, C. & Bundi, C. (2017). *Eventualantrag und Volksvorschlag im Kanton Bern*. *Leges* 2017/1, 83-96.
- Glaser, A., Serdült, U. & Somer, E. (2016). Das konstruktive Referendum—ein Volksrecht vor dem Aus? *Aktuelle Juristische Praxis (AJP)*, 10, 1343-1355.

Appendix 3. Initiation and voting procedures in illustrative examples

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In this appendix we elaborate on the referendum initiation and voting procedures of the six illustrative examples. The explanations serve to better understand the specific examples. It must be stressed that the signature requirements and voting procedures applied in the illustrative examples are not necessarily representative for the voting procedures of all referendums under that model. We based our classification of the six models on agenda-setting actors and procedures rather than on voting procedures. Various combinations of agenda-setting procedures and voting procedures can occur in any unique multi-option referendum case.

Illustrative case model I: Switzerland (2000) Solar energy initiative

Initiation procedure:

Signature requirement: 100,000

Legislative basis: Swiss constitution articles 138 and 139

Constitutional initiatives – either as a specific draft or a general proposal – can be submitted by any citizen with political rights. Within 18 months, 100,000 signatures must be collected. In case of a general proposal, the Federal Assembly drafts the corresponding bill. Parliament and the Federal Council can formulate a counter-proposal.

Voting procedure:

Question structure: multiple binary questions

Preference expression: binary choice on each proposal; voters may vote yes multiple times

Voters faced three binary questions. In the first question, voters expressed their approval of the popular initiative by voting yes or no. In the second question, voters expressed their approval of the counter-proposal by voting yes or no. Voters could approve of both proposals. In this type of procedure, the status quo is not described explicitly on the ballot but prevails if neither proposal receives majority support (similar to a binary referendum on a new proposal). In a third question, the deciding question (*‘Stichfrage’*), voters express their relative preference for either the initiative or the counter-proposal. All voters can vote in the deciding question, regardless of their preferences on the previous questions. The results of this final question only come into play in case both proposals are approved by an absolute majority of voters. The latter was not the case for this example, as neither proposal received majority support.

Referendum results:

31.3% approved of the initiative

45.3% approved of the legislative counter-proposal

Therefore, the status quo prevailed.

Illustrative case model II: Uruguay (1958) Constitutional reform

Initiation procedure:

Signature requirement: 1/10 of electorate

Legislative basis: Uruguayan constitution 1952, article 331A

Voting procedure:

Question structure: single question with multiple answer options

Preference expression: plurality vote on most favoured option

Voters faced a single question asking them which proposal they favoured most. Separate ballots were available for each option. Voters selected the ballot paper of their choice and voted only for their favourite proposal. For this referendum, a 35% approval quorum was in place, requiring a winning option to receive 35% of the votes of all *eligible* voters.

Referendum results:

16.6% of *eligible voters* approved of the first popular initiative

10.9% of *eligible voters* approved of the second popular initiative

Neither proposal met the 35% approval threshold. Thus, the status quo prevailed.

Illustrative case model III: Bern (2011) Cantonal energy bill

Initiation procedure:

Signature requirement: 10,000

Legislative basis: Cantonal constitution of Bern, article 63 paragraph 3

Voting procedure:

Question structure: multiple binary questions

Preference expression: binary choice on each proposal; voters may vote yes multiple times

Voters faced three binary questions. In the first question, voters expressed their approval of the popular initiative by voting yes or no. In the second question, voters expressed their approval of the counter-proposal by voting yes or no. Voters could approve of both proposals. In this type of procedure, the status quo is not described explicitly on the ballot but prevails if neither proposal receives majority support (similar to a binary referendum on a new proposal). In a third question, the deciding question (*‘Stichfrage’*), voters express their relative preference for either the initiative or the counter-proposal. All voters can vote in the deciding question, regardless of their preferences on the previous questions. The results of this final question only come into play in case both proposals are approved by an absolute majority of voters. The latter was not necessary in this case, as only the popular counter-proposal received majority support.

Referendum results:

32% approved of the legislative proposal

79% approved of the civic proposal

Therefore, the civic proposal was approved.

Illustrative case model IV: Sweden (1980) Nuclear energy

Legal basis:

The *Instrument of Government* (Chapter 8, article 2) regulates parliamentary majority triggering of consultative referendums. It had previously legislated the 1957 three-way vote on pension plans. The specific referendum was further regulated by the *Act on Referendum concerning Nuclear Energy* of 17th January 1980.

Voting procedure:

Question structure: single question with multiple answer options

Preference expression: plurality vote on most favoured option

Voters faced a single question asking them which proposal they favoured most. Separate ballots were available for each option. Voters selected the ballot paper of their choice and voted only for their favourite proposal. For this referendum, plurality rule determined the winning proposal.

Referendum result:

18.9% approved of the first alternative

39.1% approved of the second alternative

38.7% approved of the third initiative

The second alternative was considered the winning option.

Illustrative case model V: New Zealand (1992) Electoral reform

Legal basis:

The *Electoral Referendum Act 1991 (1991 No 152)* provided for the holding of the 1992 indicative referendum on proposals for electoral change.

Voting procedure:

Question structure: gateway-filter model

Preference expression: binary question on change and question on change options

Voters faced two questions. In a binary question voters were first asked whether they preferred to retain the status quo or change it (“gateway” question). The second question (“filter” question) provided all change proposals and asked voters to vote for their favourite change option. The results of the filter question would only be taken into account if a majority of voters opted for change in the gateway question, which was the case. A run-off round was provided for in case a majority of voters preferred to change

the status quo. It would be held the following year, posing the status quo option against the most popular change proposal.

Referendum results:

Gateway question

15.3% in favour of retaining status quo

84.7% in favour of change

Filter question

5.5% favoured SM

17.4% favoured STV

70.5% favoured MMP

6.6% favoured PV

MMP was the winning option. It faced the status quo option (FPTP) in a binding 1993 run-off round and defeated it.

Illustrative case model VI: New Zealand (2015) Flag design

Legal basis:

The *New Zealand Flag Referendum Act 2015 (2015/66)* provided for two postal referendums on a possible change of the flag.

Voting procedure:

Question structure: single question with multiple answer options

Preference expression: ranking

Voters faced a single question asking them to rank the change proposals (i.e. alternative flag designs). Because no design received an absolute majority of first preference votes, alternative vote (AV) procedures determined the winning design. A run-off round was provided for, to be held in the following year between the status quo option and the most popular change proposal.

Referendum results:

40.15% preferred the Silver Fern (black, white and blue)

8.77% preferred the Red Peak

3.78% preferred the Koru

5.66% preferred the Silver Fern (black and white)

41.64% preferred the Silver Fern (red, white and blue)

After a redistribution of preferences, the Silver Fern (black, white and blue) won with 50.58% support.

Appendix 4. Translated survey questions (Chapter 4)

Translated from Dutch to English. Constitutes part of Chapter 4.

Group approval-ord

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on the speed limit in effect between 06:00 and 19:00. Which proposals do you consider acceptable? Tick those options. You may tick as many or as few options as you would like.

- A 100 km/h speed limit
- A 120 km/h speed limit
- A 130 km/h speed limit

Group ranking-ord

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on the speed limit in effect between 06:00 and 19:00. Which of the following options do you prefer? Mark your first choice with the number 1. Mark your second choice with the number 2 and your third choice with the number 3. If you find none of the options acceptable, you do not have to indicate a choice.

- A 100 km/h speed limit
- A 120 km/h speed limit
- A 130 km/h speed limit

Group multiple-ord

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on the speed limit in effect between 06:00 and 19:00. You may accept or reject the proposals independently of each other.

Do you accept a 100 km/h speed limit on motorways?

- Yes
- No

Do you accept a 120 km/h speed limit on motorways?

- Yes
- No

In case a majority of Dutch voters accept both proposals, which proposal do you prefer? You may also answer this question if you either accepted or rejected both proposals.

- A 100 km/h speed limit
- A 120 km/h speed limit

Group control-ord1

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on the speed limit in effect between 06:00 and 19:00.

Which of these proposals do you prefer?

- A 100 km/h speed limit
- A 120 km/h speed limit

Group control-ord2

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on the speed limit in effect between 06:00 and 19:00.

Which of these proposals do you prefer?

- A 120 km/h speed limit
- A 130 km/h speed limit

Group control-ord3

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on the speed limit in effect between 06:00 and 19:00.

Which of these proposals do you prefer?

- A 100 km/h speed limit
- A 130 km/h speed limit

Group approval-cat

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on alternative proposals for the new speed limit.

Which proposals do you consider acceptable? Tick those options. You may tick as many or as few options as you would like.

- 100 km/h speed limit during rush hour and 130 km/h at other times
- 120 km/h speed limit on all routes and at all times
- 100 km/h speed limit on specific routes and 130 km/h on all others

Group ranking-cat

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on alternative proposals for the new speed limit.

Which of the following options do you prefer? Mark your first choice with the number 1. Mark your second choice with the number 2 and your third choice with the number 3. If you find none of the options acceptable, you do not have to indicate a choice.

- 100 km/h speed limit during rush hour and 130 km/h at other times
- 120 km/h speed limit on all routes and at all times
- 100 km/h speed limit on specific routes and 130 km/h on all others

Group multiple-cat

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on alternative proposals for the new speed limit.

You may accept or reject the proposals independently of each other.

Do you accept a 100 km/h speed limit during rush hour and 130 km/h at other times?

- Yes
- No

Do you accept a 120 km/h speed limit on all routes and at all times?

- Yes
- No

Do you accept a 100 km/h speed limit on specific routes and 130 km/h on all others?

- Yes
- No

In case a majority of Dutch voters accept both proposals, which proposal do you prefer?

Mark your first choice with the number 1. Mark your second choice with the number 2 and your third choice with the number 3.

- 100 km/h speed limit during rush hour and 130 km/h at other times
- 120 km/h speed limit on all routes and at all times
- 100 km/h speed limit on specific routes and 130 km/h on all others

Group control-cat1

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on alternative proposals for the new speed limit.

Which of these proposals do you prefer?

- 100 km/h speed limit during rush hour and 130 km/h at other times
- 120 km/h speed limit on all routes and at all times

Group control-cat2

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on alternative proposals for the new speed limit.

Which of these proposals do you prefer?

- 100 km/h speed limit on specific routes and 130 km/h on all others
- 120 km/h speed limit on all routes and at all times

Group control-cat3

The government has decided to lower the 130 km/h daytime speed limit on motorways. Suppose you are asked to vote on alternative proposals for the new speed limit.

Which of these proposals do you prefer?

- 100 km/h speed limit during rush hour and 130 km/h at other times
- 100 km/h speed limit on specific routes and 130 km/h on all others

Appendix 5. Additional tables on question structure effects

Constitutes part of Chapter 4.

Table A4.1 Aggregate-level consistency for multiple binary voting.

Group	Option	Approval rate (individual change proposals)	Deciding question (binary winner or first preference support)
Multiple-ord	100 km/h	70.51%	39.10%
	120 km/h	83.33%	60.90%
Multiple-cat	100_rush	73.04%	34.81%
	120 km/h	71.67%	33.97%
	100_routes	76.45%	31.40%

Table A4.2 Logistic regression analysis of individual-level cycling (1=voted inconsistently).

	Model 1		Model 2		Model 3	
	b	S.E.	b	S.E.	b	S.E.
Constant	-4,041***	(1,110)	-4,260***	(1,160)	-5,226***	(1,405)
Sex (Female =1)	0,028	(0,352)	0,058	(0,353)	0,067	(0,366)
Education (7 cat)	0,039	(0,104)	0,011	(0,110)	0,061	(0,120)
Age (Years)	0,020	(0,011)	0,019	(0,011)	0,021	(0,012)
Political interest (Likert scale)			0,114	(0,160)	0,136	(0,162)
Preferences for referendum as primary decision-maker (Likert scale)					0,166	(0,139)
McFadden pseudo R ²		0,014		0,031		0,052
N		605		605		605

Note: Given the low number of voters that voted inconsistently (35/605) we use Firth logistic regression. *p < 0.05, **p < 0.01, ***p < 0.001.

Appendix 6. Translated survey questions (Chapter 5)

Translated from Dutch to English. Published as part of Chapter 5.

Ranking question

Please read the following text about the new legislative proposal carefully.

The Intelligence and Security Services may intercept and collect cable-transferred data communication between persons on an extended scale.

- This is only permitted for a pre-determined goal.
- Permission is required from the Minister and an independent supervisory commission.
- The services must determine the relevance of the collected data within three years.
- Data that are judged to be irrelevant must be destroyed immediately.
- Permission from the Minister is required to share data with foreign partner services. This includes relevant data and data for which relevance has not yet been established.
- At the end of the process, a second independent commission verifies whether data were collected in the correct manner.

Several variations of this proposal are listed below. Which one do you prefer?

Use the numbers 1 to 4 to indicate your relative preference for the four options. Indicate your **most preferred option** using number **1**, followed by number 2 and number 3 and your **least preferred option** using number **4**.

- The legislative proposal as described above.
- The legislative proposal as described above, but with stricter requirements for the storage and sharing of collected data.
- The legislative proposal as described above, but with stricter requirements for the storage and sharing of collected data as well as stronger independent oversight.
- No new legislation. The 2002 legislation remains in place¹.

Note

¹According to the 2002 legislation, the services may only collect cable data on individual suspects. There is no maximum storage time for collected data. A commission supervises the process.

Approval voting question

In the previous question, you have indicated your relative preferences for different variations on a legislative proposal.

If, instead, you were to indicate which variations you would accept as policy, would you accept the following variations?

The legislative proposal as described above.¹

Yes/No

The legislative proposal as described above, but with stricter requirements for the storage and sharing of collected data.

Yes/No

The legislative proposal as described above, but with stricter requirements for the storage and sharing of collected data as well as stronger independent oversight.

Yes/No

No new legislation. The 2002 legislation remains in place.²

Yes/No

Notes

¹The Intelligence and Security Services may intercept and collect cable-transferred data communication between persons on an extended scale.

- This is only permitted for a pre-determined goal.
- Permission is required from the Minister and an independent supervisory commission.
- The services must determine the relevance of the collected data within three years.
- Data that are judged to be irrelevant must be destroyed immediately.
- Permission from the Minister is required to share data with foreign partner services. This includes relevant data and data for which relevance has not yet been established.
- At the end of the process, a second independent commission verifies whether data were collected in the correct manner.

²According to the 2002 legislation, the services may only collect cable data on individual suspects. There is no maximum storage time for collected data. A commission supervises the process.

Appendix 7. Approval combinations on four policy alternatives

Published as part of Chapter 5.

The table below shows the weighted number of respondents that accepted a particular combination of policy variations on the Wiv-legislation.

Table A5.1 Approval combinations of policy alternatives for Wiv-legislation.

Wiv 2017	Alternative 1	Alternative 2	Wiv 2002	Frequency
Yes	Yes	Yes	Yes	125
Yes	Yes	Yes	No	423
Yes	Yes	No	Yes	10
Yes	Yes	No	No	67
Yes	No	Yes	Yes	9
Yes	No	Yes	No	39
Yes	No	No	Yes	16
Yes	No	No	No	68
No	Yes	Yes	Yes	80
No	Yes	Yes	No	197
No	Yes	No	Yes	15
No	Yes	No	No	22
No	No	Yes	Yes	114
No	No	Yes	No	162
No	No	No	Yes	195
No	No	No	No	129
			Total	1,671

Summary

Multi-option referendums present voters with three or more mutually exclusive policy options on the ballot. The multi-option format provides a constructive alternative to binary referendums by mitigating protest voting and polarisation and by painting a more detailed picture of the policy preferences of the electorate. At the same time, the extension of ballot choice beyond two options is subject to new challenges: how the ballot options are selected and how a clear and consistent outcome can be reached when an absolute majority is no longer guaranteed with a first preference vote. This thesis provides insights into design variations for multi-option referendums in the two corresponding phases of the process, agenda-setting and balloting, and reflects on the implications of such variations for citizen empowerment and unequivocal voting outcomes.

Binary referendum literature is only partially applicable to multi-option balloting, as it assumes a single-authored policy proposal and the application of plurality rule. Insights into the properties of various modes of multi-option voting from social choice literature are mostly theoretical and hypothetical in nature. Practical experiences have only been analysed in a sporadic manner in political science literature. Despite various references to the possible benefits of multi-option referendum voting both in academic literature and policy reports, a connection between empirical and theoretical insights has not been made in a systematic fashion. This thesis addresses (a) what we can learn from empirical observations of multi-option referendum voting, (b) which actors have been involved in triggering multi-option referendums and formulating ballot options, (c) to which extent the way voters are questioned on alternatives affects voter behaviour and (d) what the comparative advantages and limitations of the multi-option format are compared to its binary counterpart. The main research question guiding this research reads: *What are the implications of variations in multi-option referendum agenda-setting and balloting procedures for citizen empowerment and unequivocal voting outcomes?*

The main question is addressed in virtue of four research questions. The four core chapters of this thesis each centralise one question, as summarised in the next four sections. Chapters 2 and 3 draw on empirical research and Chapters 4 and 5 build on survey data collected in two separate survey studies. The empirical chapters use data on observed multi-option referendums, for which a novel dataset was assembled including all national-level cases. Chapter 2 reflects on observed variation in terms of ballot content and ballot design and draws lessons for future practice. Chapter 3 analyses the diversity of agenda-setting processes, broadening the scope to also include subnational examples. The survey studies provide unique opportunities to compare the results of various modes of multi-option referendum voting for realistic voter preference data. The survey experiment underlying Chapter 4 explicitly compares the effects of various question structures on the manifestation

of a number of voting challenges. The survey forming the basis for Chapter 5 captures preferences on multiple policy alternatives in relation to a binary referendum on the same issue, facilitating reflection on the comparative advantages and challenges of a binary format and a multi-option format under various voting methods.

Ballot content and design in observed multi-option referendums

Chapter 2 addresses the research question *What can we learn from existing multi-option referendum experiences with regard to variations in ballot content, ballot questions and voting methods?* In 106 multi-option referendums at national and territorial levels around the world, voters were questioned on a range of issues. From these observed experiences, various lessons were drawn for ballot content and ballot design of multi-option referendums.

Ballot content entails the topic of the referendum and the number, nature and spread of the ballot options offered. Electoral and constitutional status issues generally constituted popular topical realms. Many referendums centred around a choice between the status quo situation and two or more alternative scenarios. Cases in which the status quo or another popular option was excluded from the ballot relatively often resulted in boycotts or other expressions of voter dissatisfaction. Problematic situations also arose when a winning referendum option was not practically implementable. Insights into which options are feasible and enjoy societal support can be helpful to design a ballot with a minimal number of viable options. In this respect it is also important to take into account potential dependencies on external political actors for the implementation of foreseen policy scenarios.

Ballot design encompasses the way voters are questioned on the options. Various question structures were used to elicit voter preferences using either one question (posing all alternatives in answer to a single question) or multiple questions (multiple binary questions, posing each change proposal in a separate question, or gateway-filter designs, first asking voters whether they desire change and then asking them to indicate their preferred change proposal). Despite the risk of obtaining an inconclusive outcome, almost two thirds of single-question referendums employed plurality rules, empowering voters only to a limited extent since they could not express whether they accepted more than one of the options. Plurality rule also caused many controversial outcomes when levels of first preference support for several options were similar. In several cases, the status quo prevailed despite an absolute majority preferring some kind of change, because support for change spread over two or more proposals. Plurality rules can therefore severely diminish or even reverse the value of multi-option referendums as a decision-making instrument. Various alternative voting methods, in which voters can approve of more than one option, circumvent the limitations in preference expression and increase the probability of an absolute majority winner compared to plurality rule. Alternatively, several referendums provided for a run-off stage at a later date. An added benefit of alternative voting methods is that they are compatible with supermajority requirements which may be useful for issues of high salience and low reversibility.

Ballot agenda-setting for multi-option referendums

Chapter 3 addresses the research question *How can participation in multi-option referendum triggering and option formulation democratically empower citizens?* Agenda-setting for referendums entails two essential steps: triggering a referendum and formulating the ballot options. Similar to binary referendums, multi-option referendum triggering takes two main forms: top-down triggering by a political majority and bottom-up triggering by citizens collecting a predefined number of citizen signatures. For both types of triggering, further variations materialised in the option formulation process. Empirical experiences with these two steps of agenda-setting for multi-option referendums led to a categorisation of six main models of agenda-setting.

The option formulation process for bottom-up referendums is regulated by clear provisions. At least one of the ballot options is formulated by the initiating committee which triggered the referendum, either in the form of a citizen initiative or a counter-proposal to a legislative proposal. This provides fairly large influence to the initiating committee, which either tends to be made up of citizens with higher political and financial resources, or of political minorities and civic organisations. Their influential role is somewhat moderated by the signature collection process through which a larger share of the electorate retains control over options submitted to the ballot. In one of the models, option formulation is dispersed over multiple initiating committees, diversifying agenda-setting powers even further. It follows from the reactive nature of counter-proposals that bottom-up triggered ballots tend to feature relatively nuanced variations on a policy rather than clearly distinct policy scenarios.

In the top-down category, the final selection of ballot options is delegated either to political parties or experts. The role of experts may either be to formulate ballot options or to gather and filter input from civil society to arrive at a limited set of options. The latter provides the easiest access for citizens with low political resources to the option formulation process and also provides the most elaborate deliberation and participation opportunities. Because of the high volume of inputs received, however, the impact of each contribution may be low. Ballot options in top-down referendums tend to feature distinct scenarios rather than variations on the same policy. The option formulation process is generally of a proactive rather than a reactive nature, though political parties may strategically tune their proposals in relation to those of competing parties. When political parties or experts formulate options without societal input, citizens have no direct agenda-setting role, though they may nevertheless be empowered as voters when presented with various proposals rather than a single proposal.

The multi-option referendum transcends the binary process not only in terms of the number of options but also in terms of variation in process steps, actor involvement and democratic empowerment opportunities in the agenda-setting process. Each model has its own opportunities and limitations in terms of the number and diversity of citizens involved in the ballot formulation process and the level of impact of citizen involvement.

Question structure effects on voting behaviour

Chapter 4 addresses the research question *To which extent do different ways of questioning voters on multiple options affect voter behaviour?* Various question structures are employed in practice for voters to express their preferences on more than two ballot options. This survey study directly compares voter behaviour under two common structures: a single question and multiple binary questions. It tests their effects on three voting challenges: status quo voting, ordering effects and inconsistent voting. Effects are tested for both ordinal and categorical issues; in other words, alternatives that could or could not be ordered on a single dimension.

The survey experiment demonstrates that both question structures decrease status quo voting compared to binary formats posing a single alternative against the status quo. Even when an explicit no-option was available, which was the case in the multiple binary question design, more voters approved of change proposals than in a binary decision between explicit descriptions of the status quo and one alternative policy. It is also noteworthy that in the approval voting design, the status quo benefitted from the fact that respondents, on average, approved of far fewer options than in the ranking and multiple binary question designs.

The survey data displayed no evidence of ordering effects as outcomes did not differ significantly depending on which of the alternatives was listed at the top. This result held for both ordinal and categorical issues. On an aggregate level, all question structures displayed consistent preference scales. When ranking the ordinal alternatives, the vast majority of respondents expressed single-peaked preferences. When answering the multiple binary questions, voters generally expressed internally consistent preferences, preferring the same alternative over another when facing them in separate questions as when ranking them in the deciding question (the run-off question which comes into force in case both proposals are approved).

Although respondents appear to be reluctant to approve of a larger number of options under approval voting, both main multi-option question structures were well understood by voters and did not evoke distorting effects. The findings provide confidence in the abilities of referendum voters to understand and use various question designs and in the constructive potential of multi-option formats.

Opportunities and challenges of multi-option referendum voting

Chapter 5 addresses the research question *What are the relative advantages and challenges of multi-option voting under various voting methods compared to binary referendum voting?* Binary referendums have four main advantages over multi-option formats: balloting is easy to understand for voters, the ballot design process is simple both in terms of alternative selection and method selection (since plurality rule suffices) and voting does not suffer from possibly diverging outcomes depending on the voting method applied. However, they also suffer from four main challenges: limitations for voters to express their true preferences, bias for voters to reject policy in case of uncertainty or general dissatisfaction, unclear policy consequences and a tendency to polarise debates.

Multi-option referendums can potentially counter these various challenges. Inherent to an increase in the number of ballot options is that voters are empowered through extended choice and that the outcome of the referendum provides a clearer picture of what kind of policy voters prefer. The extent to which voters are empowered further depends on the voting method used. Alternative voting methods enable voters to express their preference for or approval of more than one of the options. Collected survey data demonstrate that multi-option voting can make voting more constructive, as a majority of voters expressed a clear preference for new policy under specific conditions as opposed to rejecting new policy in a binary format. Not only did one of the alternative proposals receive most first preference votes, it received two-thirds majority support as well when taking into account further preferences through ranking and approval voting. Thus, the multi-option referendum can signal broad consensus on a policy.

Multi-option formats however also raise new challenges. The survey proved that plurality rule no longer sufficed to yield a winning option with absolute majority support. Contrastingly, all alternative voting methods did elect an absolute majority winner. The theoretical risk that different voting methods produce different winners did not apply in this case, as all methods elected the same winning option, albeit with different support percentages and runners-up. First preferences largely spread over the two options that presented an alternative to the proposed legislation. The popularity of one of them was largely concealed under voting methods that did not take into account voters' second-most preferred options. Two further challenges are inherent to multi-option formats: they require procedures to determine which options will be included on the ballot and are cognitively more demanding for voters depending on the complexity of the voting method used. The survey showed that respondents did not consider the multi-option questions to be of particular difficulty.

By effectively distinguishing between rejections of new policy in general and rejections of a specific policy proposal, the multi-option design motivated many voters to vote constructively for a concrete policy alternative, whilst maintaining and better defining the option to completely reject new policy. Though multi-option balloting asks a little more of voters in terms of weighing various proposals, it offsets the uncertainty for voters in binary referendums that follows from not being able to properly evaluate the policy consequences of a rejection.

Conclusion and implications

Multi-option referendums can empower citizens both as voters and as agenda-setters, allowing them to express their preferences in more detail and to have more influence over the options on which the vote is taken. No strong indications arose from the survey studies that voters find multi-option balloting on three or four alternatives particularly difficult and voting generally resulted in consistent outcomes. Results under various voting methods were similar, with the exception of plurality rule, which can distort preferences compared to alternative voting methods. Neither the theoretically proven voting paradoxes nor the

ordering effects witnessed in elections surfaced in the survey studies. Varying support percentages resulting from diverse alternative voting methods can usually be traced back to the inherent majoritarian or consensual properties of different voting methods. Methods can therefore be employed deliberately depending on the desired properties of the referendum outcome. Survey studies showed that voters are less likely to reject policy change when presented with more than a single alternative. When ballot options accurately represent societal views and an alternative voting method is used to express and aggregate preferences, multi-option referendums can mitigate polarisation and protest voting compared to binary referendums with negligible sacrifices in terms of accessibility and outcome clarity.

This thesis makes a threefold contribution to academic knowledge on multi-option referendums: (1) empirical by contributing a unique dataset of multi-option referendum cases at national and territorial levels, (2) theoretical by providing a typology of agenda-setting models and their implications for civic empowerment; and (3) experimental by testing the effects of various multi-option question structures and voting methods on voter behaviour and voting outcomes. Future research could build on the findings of this thesis and explore further variations in how voters cast their votes as well as deliberative additions to the agenda-setting process involving, for example, mini-publics. Experimentation with various models and the sharing of best practices and experiences is also encouraged. Other lines of research could pursue the fit of various referendum models with particular political or democratic contexts and their applicability to various topics. A contextual perspective could also take into account motivations in the referendum design process as well as various properties of the campaigning phase.

Several practical recommendations follow from the findings of the empirical analysis and survey studies. The decision to employ a multi-option format first of all depends on the availability and practical feasibility of multiple policy alternatives on an issue. Offering multiple alternatives can be particularly fruitful for contentious decisions such as moral or otherwise divisive issues and for decisions with long-term impact and low reversibility, such as status and electoral system changes. Legal provisions for citizens to trigger multi-option referendums allow citizens to amend policy rather than reject it and can be particularly suitable for policymaking which benefits from more nuanced variations on a single policy. Top-down referendums could be useful for important decisions for which distinct scenarios are conceivable. Empowering political minorities or civic organisations to formulate ballot options can contribute to the representation of less vocal citizens. The involvement of experts can benefit the development of balanced and understandable ballot alternatives on technical issues. The use of alternative voting methods rather than plurality voting is a necessity to avoid equivocal voting outcomes. The selection of any particular method can depend on the nature of the topic, number of alternatives and voter familiarity with different methods. The selection process can also take into consideration the desired properties of the method in terms of preserving the status quo and reaching a more majoritarian or consensual outcome.

Special majorities and thresholds can be effective in conjunction with alternative voting methods which allow for the approval of multiple proposals.

Much like the design of other democratic institutions such as electoral systems, both binary and multi-option referendums face trade-offs between various advantages and limitations. Rather than avoiding the multi-option format, it is useful to assess the benefits and challenges of its various models of agenda-setting and balloting and to weigh them in relation to those of a binary format. More institutionalised knowledge sharing on experiences and reflections on good practice would benefit practitioners considering to adopt multi-option referendum formats. When the intention is to ascertain societal preferences and uncover the most supported policy proposal, it is beneficial to transcend the dominant mindset of using binary referendums by default.

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In the spring of 2016, a vacancy for a research position at Tilburg university caught my eye. The diverse responsibilities for research projects, teaching and a PhD component appealed to me instantly. For the first few months I became engrossed in a project on the role of referendums in the Dutch democratic context together with what would also be my promotor, Frank Hendriks, and my first referendum role model, Koen van der Krieken. In the spring of 2017, Linze Schaap came on board as my copromotor and I decided on the topic for PhD project: multi-option referendums. Voting processes had fascinated me for years, having drawn me to research on internet voting, policy work in electoral administration and engagement in the world of international election observation. I took interest in the different ways in which referendums were designed and executed, but I was bothered by their bluntness. My discovery that cases exist which empower citizens to vote on policies but which circumvent the binary choice set, encouraged me to find out more. Throughout the four years in which I worked on this thesis its topic has continued to fascinate me.

To my promotors I owe a word of thanks for their patience in my endless scope-defining endeavours. There was so much to find out about these curious multi-option referendums – or should they be called multichoice referendums? Or multiple option referendums? Eventually I made up my mind about both the terminology and my research plan. Conscientious planner as I am, I would have loved to start with a grand plan for my four articles, but reality turned out differently. My initial plan to finish the project with a comparison of multi-option formats in the context of an actual binary referendum was unhinged by the sudden announcement of the abolition of referendum legislation in the Netherlands. Thanks to additional research funding provided by the Tilburg Graduate Law School, I reversed my planned order and fielded a survey simultaneously with what would become the last national referendum. This process not only resulted in a first journal publication to be proud of but also in fruitful ideas for further lines of research which I would pursue in my next three articles.

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Curriculum vitae

Charlotte Wagenaar (1990) studied Public Administration (BSc) at Leiden University and graduated in Comparative Public Policy (MSc with distinction) from the University of Edinburgh with a dissertation on policy learning on internet voting. After graduating she worked as a policy officer at the elections department of the municipality of The Hague, where she was responsible for voting from abroad, and as a junior lecturer in public administration at Leiden University.

Between 2016 and 2020 Charlotte worked as a researcher at the Politics and Public Administration section at Tilburg University. Her collaborative research projects in the realms of referendums, elections and citizen participation culminated in a series of research reports, a co-authored book, various journal publications and a contribution to the 2018 National Referendum Study. Part of her employment was dedicated to developing a PhD project on the topic of multi-option referendums. Charlotte spent several months as a visiting researcher at the European University Institute in Florence. In 2020 she was shortlisted for the ECPR Rising Star Award for promising young scholars in the field of political science.

In the period leading up to her PhD defence, Charlotte worked as a legal officer at the Electoral Council of the Netherlands. She is a registered international election observer for the Dutch Ministry of Foreign Affairs and a member of the advisory referendum commission in several Dutch municipalities.

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