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When Might Institutions Change? Elite Support for Direct Democracy in Three Nations

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Legislators typically control the design of political institutions, and can be expected to craft rules that work to their advantage. In some nations, however, legislators adopt provisions for direct democracy—an institution that might weaken the control that established parties and incumbents have over political agendas. We examine the nature of legislative support for direct democracy by surveying legislators and legislative candidates in Canada, New Zealand and the United States. We find that support is conditioned by factors internal to the legislative setting (affiliation with a governing party, incumbency, and tenure) and by ideology and subjective attitudes about democracy. We discuss how our findings relate to broader questions about when elites might change democratic institutions they control.

In this article we examine support for direct democracy among legislators from three nations: Canada, New Zealand, and the United States. Each country provides a different context regarding how extensively citizen initiated referenda

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(CIRs), often known in the U.S. as a direct initiative, have been utilized. CIRs¹ allow groups and individuals outside a legislature to draft policies that, if approved in a popular vote, may be binding on government. Some observe that such practices are fundamentally inconsistent with representative democracy (Bell 1978; Rosenthal 1998: 31-44), with parties as organization (Smith 1976; Williams and Chin 2000: 38), and with responsible government in particular (Riker 1983). Given the potentially antagonistic relationship between legislative institutions and the direct initiative, and the fact that the direct initiative might alter how legislatures operate, support for CIRs among legislators would appear somewhat paradoxical. We examine the nature of this support as a way of testing hypotheses about elite motivations for changing political institutions among legislators with direct experience of CIRs using data from a survey of state and provincial legislators in the U.S. and Canada and members of New Zealand's Parliament.

We begin by reviewing, in turn, literature on institutional change and, then, the use of direct democracy in the three nations under view. From here we outline our hypotheses and discuss our cross-national research design and the survey data we use to test those hypotheses. After this we report our results and conclusions.

WHY DO ELITES CHANGE INSTITUTIONS?

Political institutions shape social choices, yet they are themselves the overt product of political choices. Sometimes many of these choices are made simultaneously at moments of constitutional formation. At other times, the choices are shaped through incremental adjustments to established rules. Most of the time, choices about such matters are ultimately controlled by legislators who, at a minimum, typically have substantial discretion in shaping reform proposals that citizens may be able to approve. At the other extreme, legislators not only control the agenda of proposals, but also make the final decisions to adopt any changes. In the past decade, use of referendums and CIRs has increased in places where it had been used frequently, and in places where it had been used rarely (Magleby 1994; Mendelsohn and Parkin 2001). Consequently legislators in many settings are now increasingly faced with making choices about changing rules to allow for direct democracy (Butler and Ranney 1994; Scarrow 1997; Gunlicks 1998).

Changes in political institutions "do not arise in a vacuum, but from political debate and struggle" (Taagepera and Shugart 1989: 234). One of the major reasons for such struggles is that institutions are of such consequence for policy outcomes. Knowing this, and having some expectations concerning how outcomes may change under different rule structures, legislators will choose institutions with an eye to the outcomes each produces (Riker 1980; Shepsle and Weingast 1981). The attention legislators pay to anticipating changing outcomes is

¹ Here we use the terms CIR and direct initiative interchangeably.

especially keen in light of what Tsebelis (1990:110-15) calls the “redistributive” consequences of some institutions. That is, some institutional changes may alter who wins and who loses. The political consequences of electoral systems offer perhaps the most graphic example of this kind of redistributive effect with relatively clear winners and losers, but the argument can apply to many (and for Knight 1992 almost all) political institutions.

A number of consequences follow this basic insight. First, given that legislators will be extremely reluctant to alter rules that allow them to govern, we expect that changes in such institutions should be both rare and unwelcome (Fishburne 1986). This is especially likely to be the case if legislators are unsure of the consequences of rule changes, for the costs of “getting it wrong” could be quite high.

A second consequence is that issues of winning and losing are likely to be at the fore in shaping legislative attitudes to institutional changes. This assessment has been advanced to explain legislative choices about voting rules in Korea (Brady and Mo 1990), Germany (Bawn 1993), and the European Parliament (Garrett 1992). Similar portraits of elite preferences have been offered to explain support for new electoral rules in Spain (Gunther 1989: 838) and British Columbia (Angus 1953). In each study, competing elites press for rules that will benefit them. Some simple propositions follow immediately from this discussion that suggest explanations of institutional change endogenous to the legislature itself. One is a natural extension of Riker’s (1983) argument that losers raise issues to break up existing majorities: those who lose under current institutional arrangements are likely to propose changes. It should come as little surprise, for example, to discover that Britain’s Liberal Democrats favor the move toward a more proportional system of elections while the two main parties remain skeptical. Likewise, Labour’s enthusiasm for electoral reform dampened when they came to power under Tony Blair. A second proposition is that existing “winners” introduce changes in order to keep themselves as such. Changes in ballot access rules for U.S. elections which limit the entry of minor party candidates provide an example of this second kind.

Other perspectives look to exogenous factors that may induce a legislator to challenge existing institutional arrangements. Indeed some responses to institutional questions need not be strategic calculation about agenda control generally but may be ideological or principled in nature. Legislators need not, always and everywhere, be concerned with their personal ability to have influence in an institution. They may also have subjective attitudes that lead them to object to current institutions and prefer alternatives. Some of these opinions may be formed as legislators seek to reflect and represent the opinions of their vote base. Strategic maneuverings over institutional changes may not so much be seen as Machiavellian scheming as percolating in response to exogenous shocks. Sometimes these shocks will be influenced by social or technological changes, or policy crises, that make old modes of politics increasingly obsolete and at odds with the interests of incumbent politicians (Dunleavey and Margetts 1995; Cox

1997: 18). In established democracies, political reforms, in addition to being institutional adjustments to moments of crisis, may often reflect the further extension of democratic practices in response to popular demands for more participatory institutions (Norris 1997).

But satisfying demands for participatory institutions is a double edged sword, at least from the point of view of legislators. Direct participation may mollify voters, but participatory institutions may threaten legislative power. Unlike many forms of legislative referendums, CIRs leave legislators little control over shaping questions put before voters. They can be, in Smith's (1976: 15) categorization, "uncontrolled and anti-hegemonic" and cause "drastic upheavals" for political parties. At the very least, without suitable controls or limitations, direct democracy can produce a range of very unsettling outcomes for legislators. Tax and expenditure limits may constrain legislative control over policy making or, worse yet, term limits can end their hold on office.

The wide range of outcomes that may be directly produced by the initiative process in the face of legislative opposition is in fact, one of the major advantages claimed by supporters of the initiative process. Approving phrases used by supporters include the imagery of the initiative process as a "spur in the flank" or the "bit in the teeth" for voters in their relationship with legislatures (Johnson 1944). Whichever metaphor one favors, the initiative was intended to be the procedure by which those outside the corridors of power got their views heard by those inside the corridors. From the point of view of the legislators, however, the very same properties which make direct legislation appealing to outsiders makes it a potential source of large, frequent, and unpleasant shocks. In terms of the broader discussion of institutions it is likely, then, that legislators will find direct democracy an unappealing institution and will typically have both low regard for it and, further, be likely to oppose institutional changes that expand its use and scope.

Nevertheless, the brief preceding discussion suggests that we should be careful about seeing legislators as an undifferentiated and homogenous bloc in terms of their attitudes. We are likely to see variation in attitudes among candidates and legislators; variation by party, ideology, and by status (as "winner" or "loser" under the current system). We are also likely to see variation across settings: legislators face different kinds of direct democracy institutions—some of which may be more threatening to legislative power and perquisites than others, some of which may be more readily dominated by legislators than others. Such variation in institutional framework is also likely to color legislative views of direct democracy.

USE OF DIRECT DEMOCRACY IN THREE NATIONS

Canada, New Zealand, and the U.S., to varying degrees, each make use of direct democracy. Of these three nations, the U.S. makes the most extensive use of direct democracy at the state level and so state legislators are the ones most directly impacted by and directly experienced with, direct democracy. In about

half of the states, primarily in the west, citizens may draft binding referendums that are placed on state ballots if a proponent secures an adequate number of signatures (Magleby 1984). The vast majority of these states adopted forms of direct democracy during the first decades of the 20th Century when Progressive and Populist forces united to change state constitutions (Cronin 1989). Pro-direct democracy forces varied across the states but often included prohibitionists, municipal reformers, labor, socialists, farm (grange) organizations, and others opposed to strong party rule in legislatures (*ibid.*). Major party dissidents (Silver Republicans, progressive Democrats) and third parties (e.g., Populists, Progressives) often joined with various pro-initiative forces to pass direct democracy legislation (Mason 1994; Warner 1995; Lubinski and Smith *nd*). To qualify a measure for the ballot in most states, proponents typically need signatures equivalent to between 5-8 percent of the turnout in a recent state election.

The United States has never used a national referendum on any question, but many states require that amendments to their policy-laden state constitutions be made via legislative referendums or CIRs, exclusively. In states where direct democracy is used frequently, there may be, on average, between 5 to 10 CIRs placed on the ballot in each (two-year) election (Tolbert et al. 1998), in addition to referendums put forward by the legislature. Although there is limited discussion about establishing a national CIR in the U.S. (Cronin 1989), many state legislatures have responded to a recent surge in CIRs by advancing regulations that would constrain or stabilize their use (Waters 2000). Since the Progressive Era, however, there have been no major changes in state laws governing the use of CIRs. Given a century of frequent practice with direct democracy, CIRs are well established in western U.S. Magleby (1994) estimates that between 1898 and 1992, approximately 1700 initiatives appeared on state ballots in the U.S.

Some of Canada's provinces also have experience of direct democracy. The western and Prairie provinces adopted versions of popular referendum, recall, and the citizen's initiative in the early twentieth century. Boyer (1982: 26-31) illustrates that pro-direct democracy forces in Canada included prohibitionists and western farmers, and some political parties, as in the U.S. Most statutes providing for direct democracy, particularly CIRs, were nullified very soon after adoption via judicial action, or they were later removed from statute books by subsequent provincial governments after being left unused (Ruff 1992). Nevertheless, tools of direct democracy took root in Canada after this period. Several provinces retain provisions for local referendums, and between 1898 and 1991, 52 consultative referendums appeared on provincial ballots, with 33 of these held in British Columbia, Alberta, Saskatchewan, and Manitoba (Boyer 1992: 232-33). At the federal level, two consultative referendums were held between 1898 and 1990, and the Referendum Act allowed Government to refer non-binding questions on constitutional matters, such as the 1992 Charlottetown Accord, to a popular vote.

More recently, provincial governments have been attempting to expand—or at least appear to expand—the use of direct democracy in Canada. British Columbia's right-of-center Social Credit Government adopted a Referendum Act in 1990, which allowed a 1991 vote to measure support for a provincial CIR and provisions for recall of legislators. Each question received over 80 percent support (Ruff 1992). Three years later, the left-of-center NDP Government adopted a statute providing for CIRs if signatures are secured from 10 percent of the voters in each electoral district, in 90 days.² As Mendelsohn (1996: 453) notes, these and other provisions mean CIRs will be extremely rare in BC. In 1992 Alberta adopted statutes that require provincial approval of any constitutional matter be by a binding, popular vote. The province adopted a similar requirement for any sales tax increases in 1995, and a 1999 bill would also require binding popular votes on the use of the notwithstanding clause.³ The Saskatchewan Referendum and Plebiscite Act of 1993 includes provisions for CIRs (if 15 percent sign) as well as for initiatives by Government or the Legislature. A 1995 law adopted by the Manitoba Government also requires that tax increases be submitted for popular approval. To date, no CIRs have qualified for the ballot in Saskatchewan or Manitoba. Legislation proposed in Ontario in 1998 and 1999 would require popular votes on tax increases, and the right-of-center Harris government has drafted legislation that would provide for CIRs.

As with Canada, governments in New Zealand have historically placed referendums before citizens. Between 1947 and 1990, citizens voted on six separate national consultative referendums, and from 1911 to 1987 New Zealand citizens also voted every three years on questions about the number of "licensed premises" that may operate locally (Hughes 1994: 156). Hughes (1994: 158) notes that the early twentieth century impetus for using referendums and initiatives in New Zealand "reflected the contemporary North American enthusiasms of the Populist and Progressive movements." In 1919 New Zealand's Labour Party, the nation's third party at the time, included the initiative, referendum and recall in its platform (*ibid.*: 156). Although CIRs were not immediately embraced in New Zealand, it mirrors the North American cases in that pro-direct democracy forces included the Women's Christian Temperance Union, reflected a distrust of professional politicians, and its referendums were used to resolve local and rural moral questions such as prohibition and religious instruction in school (Hughes *ibid.*: 158).

² Social Credit placed the referendums before voters at the 1991 provincial election. The non-binding referendums passed while the Social Credit Government was defeated. The subsequent left-of-center NDP Government was not supportive of CIRs, and did not pass an act establishing CIRs and the recall until 1994.

³ S.33 of the constitution permits both the federal and provincial Legislatures to pass legislation which overrides certain rights and freedoms guaranteed in the Charter of Rights if this clause is used.

In New Zealand, as in Canada, there has been growing advocacy of direct democracy, with provisions for national CIRs established in the past decade. By contrast with the US and Canada this advocacy has involved national-level politics in New Zealand's unitary system of government.⁴ Between 1990 and 1999, seven national measures were placed before voters, including three CIRs and four questions referred by Government (Chief Electoral Office 1999). In 1993 the National Government honored an electoral commitment and passed the Citizen Initiated Referendum Act establishing a non-binding CIR process. For a CIR to take place, petitioners must secure signatures from 10 percent of eligible voters in one year.⁵ If they succeed, government must hold a referendum within one year.

Within two years of its passage, close to 20 petitions were approved for circulation on a wide variety of topics, such as the prohibition of egg production from battery hens, ending of parole for murderers sentenced to life imprisonment, and preference on the basis of ethnic origins (Catt 1996). Yet all of these petitions failed to gain the requisite number of signatures within the year (*ibid.*). Prior to 1999, only one CIR appeared before the voters (in December 1995). Sponsored by the Firefighters Union, the measure was intended to protect firefighter jobs by proposing a reduction in the number of employed full time fire fighters. Consistent with the Union's intent, voters decisively rejected the measure by 88 percent. The government refused to take notice of the result, citing low turnout and the general inappropriateness of using CIRs to deal with a complex issue of industrial relations and budgeting priorities (Mulgan 1997: 284). At the 1999 general election, two more initiatives appeared on the ballot proposing to impose tougher sentences on violent crime and reduce the size of parliament. Both initiatives received overwhelming support with 92 and 82 percent of the vote respectively.

In the following section we tie together this discussion of direct democracy with the earlier discussion of elites by outlining some specific hypotheses about how politicians may see the process of direct democracy and how they view its use.

HYPOTHESES ABOUT SUPPORT FOR NEW INSTITUTIONAL ARRANGEMENTS

Politicians' preferences may be affected by forces endogenous to the legislature, including the individual's potential access to agenda control within the institution. Changing institutional rules to allow the expansion of direct democracy would give new actors ("outsiders") access to the public policy agenda, if not influence over setting policy. It is not surprising, then, to find examples of legislators supporting bills in favour of CIRs while in Opposition, yet opposing an identical bill, or letting authorizing legislation languish, once they win

⁴ Hence, in what follows, in surveying legislators with experience of direct democracy we surveyed members of the NZ Parliament and state and provincial legislators in the US and Canada

⁵ In 1999, this was the equivalent of about 250,000 valid signatures.

Government (Williams and Chin 2000: 35, 39). If preferences for institutional arrangements derive from politician's expectations about the consequences of change, we expect that those most advantaged by status quo arrangements are, as rational actors, unwilling to give up agenda control. Thus:

- H₁: Support for the use and expansion of direct democracy is lower among those who are members of the party in government.*
- H₂: Support is greater among those with less tenure in office.*
- H₃: Support is greater among challengers than among incumbents.*

Legislators' preferences for CIRs may also reflect forces exogenous to the legislature and the individual's relative access to the legislature. Each individual's subjective attitudes about CIRs are probably affected by their preferences over policies either recently made the subject of referendums, or by their expectations about what might end up as a CIR in the future. Although it is difficult to generalize about who anticipates any particular policy outcomes from the expansion of direct democracy, we expect that the effects of ideology may be in the same direction in each of these nations. In the U.S., a large proportion of recent CIRs have limited the state's ability to raise and spend revenue, or advanced conservative social policies (Tolbert 1998; Smith 1999). In NZ, recent CIRs included a "tough on crime" measure and a proposal to reduce the size of parliament (and, indirectly, the proportionality of elections). In Canada, recent public opinion polls showed most citizens wished to see recriminalization of abortion and reintroduction of the death penalty as national referendums in the future (Mendelsohn and Parkin 2000).

More generally, it has been proposed that direct citizen participation in decisions about revenue may constrain the growth of the contemporary state (Buchanan and Wagner 1977). There is also evidence that late twentieth century voters are much more supportive of tax limitation referendums than tax increase referendums in the U.S. (Donovan and Bowler 1998: 257). Although CIRs may have previously acted to expand the public sector when it was relatively small, now they might act to constrain it. Matsusaka (1995) demonstrates that while CIRs constrained public spending (in the U.S.) in recent decades, in the 1930s they were associated with greater spending (Matsusaka nd). If such effects occur cross-nationally, this might explain why CIRs were embraced in Australia and New Zealand by labor parties in 1919 and 1920, respectively, but subsequently dropped from their platforms.⁶ It would also explain why elements of the more conservative Liberal Party of Australia are now the major advocates of CIRs in Australia (Williams and Chin 2000), and why a National Government, rather than Labour, eventually implemented CIRs in New Zealand.

⁶ The ALP dropped their support for CIRs in 1963 upon new found fears that Australian voters would be unable to understand CIR legislation (Williams and Chen 2000: 38).

If CIRs currently serve more frequently as vehicles for advancing conservative policies, this would suggest that:

H₄: Right-of-center politicians are more supportive of the use and expansion of direct democracy than left-of-center politicians.⁷

Support for the use of CIRs and the expansion of direct democracy may also be part of a larger set of subjective attitudes—or “culture shift”—that embraces further democratization of political institutions (e.g., Inglehart 1990). These attitudes may transect traditional left-right ideological cleavages. Some may view greater use of CIRs as the next stage in the maturation of advanced democracy, following such older innovations as expansion of the franchise and the rise of stable multi-party democracies in the twentieth century. Thus, we expect that:

H₅: Those elites who favor direct voter involvement in party affairs (candidate selection) also support CIRs and increased use of direct democracy.

Demographic traits of individuals that are associated with access to the legislature may also affect opinions about CIRs. Groups traditionally excluded from power may have more interest in changing rules that affect who influences the policy agenda. If support is greater among members of groups typically excluded from power then we should see that

H₆: Women legislators may be more supportive of direct democracy

DATA AND METHODS

Data used to test these hypotheses were collected via postal surveys of provincial legislators in Canada, state legislators in the United States and members of the NZ Parliament. The New Zealand and USA surveys were conducted in conjunction with legislative elections in 1999 and 1998, respectively. This allowed us to question incumbent legislators seeking reelection, as well as challengers. In Canada, however, our population was limited to incumbents, as there were no elections at the beginning of our 1999 survey.⁸ In each nation, subjects were sent multiple waves of surveys and reminders, and telephone calls were also used to encourage returns. The Canadian and US versions of the surveys were designed entirely by the authors, with a majority of content asking about initiatives and referendums. These surveys were

⁷ There is another, perhaps more complex reason for expecting this. Left of center parties are often more hierarchical in their organizations when it comes to candidate recruitment, setting policy programs, campaigning, and discipline of members. This might cause left of center politicians to oppose CIRs for reasons associated with process as well as policy.

⁸ A provisional election was called in Ontario after multiple waves of survey mailings to incumbents had already been sent out.

structured with identical question order. In New Zealand, a small set of the authors' questions about initiatives and referendums were part of the larger 1999 New Zealand Election Candidate Survey. The response rates (which account for refusals and non-respondents) were 44 percent for Canada, 62 percent for New Zealand, and 42 percent for the U.S. There is little evidence of systematic over or under-representation of respondents by party or legislature within each nation.⁹

These three nations provide a sound setting for testing hypotheses about why legislators might wish to expand the use of direct democracy. Each has practical experiences with direct democracy, but their experiences with direct democracy varies quite substantially. State legislatures in the western U.S. have substantial experience with CIRs, while legislatures in NZ and Canada have less. In addition, Canada and the U.S. have federal systems, which increases the number of legislative settings available for study. This provides us with some leverage to separate the effects that party affiliation, incumbency, and membership in a governing party might have on support for expanding the use of direct democracy. In some of the legislatures we surveyed, right of center parties were in power, in others, left-of-center parties governed.

In each nation, moreover, pressure groups exist that advocate greater use of CIRs, and opinion polls in each nation illustrate that popular majorities support the CIR process. Surveys find consistently high support for state-level CIRs where they are used in the U.S. (Bowler and Donovan 1998), and national polls show majority support for the adoption of statutory national CIRs in the US (Cronin 1989: 1774-5). Likewise, a recent Canadian poll found majority support for "sometimes" using national referendums on major policy questions (Mendelshohn and Parkin 2000), and a 1993 a national poll found that over 71 percent of respondents agreed that New Zealand's CIR should be binding (NZES 1993), although a 1999 poll found much less popular support for this. We present hypotheses about how legislators and aspiring legislators might respond to mass preferences that would call for an alteration in how their legislature operates. The resulting tests of these hypotheses will shed light on the conditions that might change national rules about the use of CIRs.

Since we are interested in the preferences of legislators (and aspiring legislators) who have actual exposure to, and debates about, the direct initiative our surveys were directed to individuals in settings where direct democracy is used. We surveyed candidates for the New Zealand Parliament (including incumbents seeking reelection), Canadian legislators from British Columbia, Alberta,

⁹ In Canada, return rates were largely the same for all parties and legislatures. British Columbia was slightly under-represented due to low responses from BC Liberals. In the US, returns were largely the same across states, with return rates from Republicans running 5 percent lower than Democrats. In New Zealand, returns from NZF and National were below average, while returns for ACT and Greens were above average.

Saskatchewan, and Ontario (provincial MLAs, MPPs, and federal MPs from these provinces), and state legislative candidates and incumbents from three Pacific Coast U.S. (California, Oregon, and Washington). Since we are also interested primarily in elites who have a credible chance of affecting the rules that define political institutions, we limit our analysis here to respondents from the major parties in each nation. "Major parties" are defined broadly to include those holding multiple seats in a legislature at the time of the survey. In Canada these include the New Democratic Party (NDP), Progressive Conservatives (PC), Reform, Liberal, and Saskatchewan Party. For New Zealand these are Labour, National, New Zealand First (NZF), ACT, Alliance, and Green. In the USA only Democrats and Republicans held legislative seats. These criteria result in 174 respondents from Canada, 282 from New Zealand, and 210 from the U.S.

We begin our assessment of the hypotheses with descriptive and bivariate data, then proceed to tests based on multivariate models. Table 1 displays the frequencies of responses to our main questions about CIRs (see appendix for full question wordings). The questions are designed to measure general attitudes about the direct democracy process, as well as support for expanding the scope of how CIRs are used in each nation. Despite differences in how much direct democracy is used, we find a large level of consistency in some attitudes across these nations. The proportions of respondents in each country who agree that CIRs get the attention of politicians were roughly equal (U.S. 71 percent, Canada 84 percent, NZ 87 percent), as were the proportions agreeing that CIRs can restrain what a legislature might do (USA 39 percent, Canada 40 percent, NZ 44 percent).

In each nation, a majority of respondents agreed that "referendums and citizen initiated referendums are good things," although in Canada and New Zealand these majorities were small (54 percent and 50 percent, respectively). Respondents from the USA are distinguished from Canadians and New Zealanders in their likelihood of agreeing that CIRs are good (70 percent), but they are also more likely to think that CIRs are too complicated for voters and that CIRs will make bad laws. It would seem then that at on this level, greater familiarity with the use of direct democracy breeds greater contempt for CIRs among legislators and candidates for the legislature.

We find tremendous differences across each nation in willingness to expand the use of direct democracy beyond the status quo. In Canada and the U.S. we measured support for expansion of direct democratic institutions by asking if the respondent supported national CIRs, a process which neither country has provisions for at present. In New Zealand, where a non-binding national CIR is already established, we asked if the respondent favored making CIRs binding on parliament. Once again, we find more evidence that familiarity breeds contempt. Support for a national CIR was greatest in Canada (48 percent), where the fewest CIRs have been used. Conversely, only 20 percent of respondents from the western U.S. favored a national initiative, and only 9 percent of legislators and

≡ TABLE 1.

LEGISLATOR AND MAJOR PARTY CANDIDATE'S ATTITUDES ABOUT DIRECT DEMOCRACY

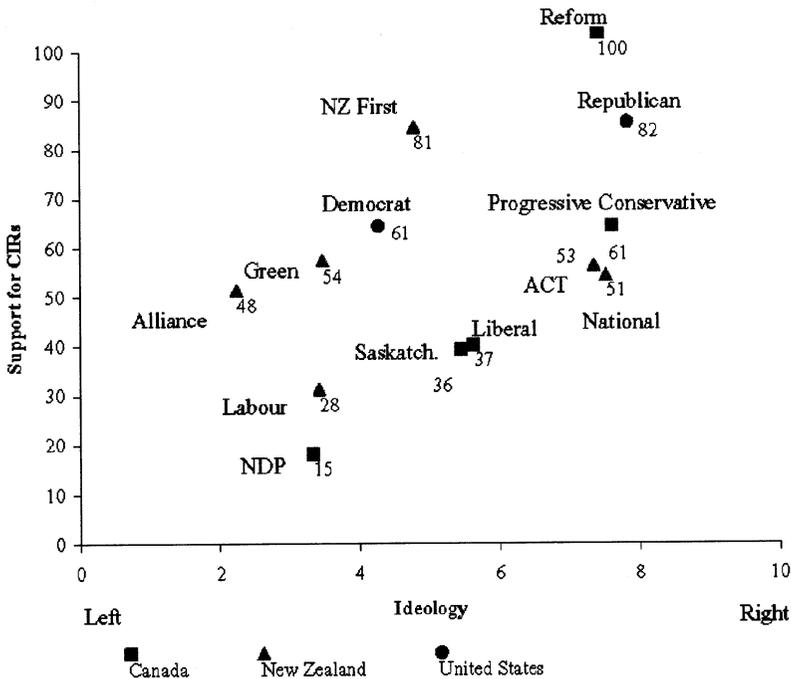
	Canada	New Zealand	United States
Referendums and CIRs good or bad?			
good	54	50	70
bad	32	13	23
no difference	13	34	8
	(158)	(273)	(155)
CIRs are too complicated for voters?			
agree	25	37	56
disagree	66	44	40
no opinion/neither	9	19	4
	(165)	(273)	(203)
Get politicians attention?			
agree	84	87	71
disagree	14	8	21
no opinion/neither	2	5	7
	(169)	(276)	(205)
CIRs will make bad laws?			
agree	35	44	57
disagree	59	24	31
no opinion/neither	12	32	8
	(159)	(272)	(205)
Restrain legislature/parliament?			
agree	40	44	39
disagree	53	31	49
no opinion/neither	6	24	9
	(170)	(275)	(204)
Support a (Binding) National Initiative?			
support	48	9	20
oppose	44	81	70
	(169)	(278)	(204)

Note: Major parties include: Canada—NDP, PC, Reform, Liberal, Saskatchewan; New Zealand—Labour, Alliance, National, NZF, ACT, Green; U.S.—Democrat, Republican. Canadian respondents include provincial and federal incumbents (BC, AB, SK, ON). U.S. respondents include state incumbents and legislative candidates from WA, OR, and CA.

Source: Authors' survey of Canadian legislators (1999), Authors' survey of US legislators (1998-1999), New Zealand Election Study Candidate Survey (1999).

FIGURE 1.

VIEWS OF CITIZEN INITIATED REFERENDUM, BY PARTY



Note: Placement on the ideological continuum is based on the mean of each respondent's self-placement on a 10-point scale where 1 = left of center (or liberal, in the US) and 10 = right of center (or conservative). Mean scores are Alliance (2.04), NDP (3.13), Labour (3.22), Green (3.27), Democrat (4.07), NZ First (4.58), Saskatchewan (5.25), Liberal (5.43), ACT (7.15), Reform (7.22), National (7.32), Progressive Conservative (7.41), Republican (7.63).

candidates from New Zealand favored making their CIR process binding. These figures are particularly striking for the USA given the margin of popular support for this proposal (Cronin 1987: 174-75).

Figure 1 plots the aggregate relationship between party and approval of direct democracy for 13 parties. Placement on the horizontal axis is based on each party's respondents' average score on a 10-point ideological self-placement question, while location on the vertical axis is based on the percent of party respondents who agree that referendums and CIRs are a good thing. There is a clear, linear relationship between these data that is consistent with our hypotheses that right-of-center parties would be more supportive of direct democracy. Respondents from Canada's NDP and New Zealand's Labour Party, two of the most left-of-center parties in the data set, were, on average, the least supportive

of direct democracy. Only 15 percent of NDP respondents thought that referendums and CIRs were a good thing. In contrast, overwhelming majorities of respondents from Canada's Reform Party and the U.S. Republican Party, two of the most right-of-center parties, were supportive of direct democracy. The Pearson's correlation coefficient for this relationship is .52 ($p < .01$).

We employ multivariate models to estimate key determinants of elite attitudes about referendums in each nation (Table 2), and to estimate elite support for the expansion of direct democracy (Table 3). It would be relatively easy for respondents to our survey to make the general claim that direct democracy was a "good thing" and then list a whole series of specific flaws undercutting that general claim. In order to assess legislative responses to more specific pros and cons of the initiative process we construct an index using the first four survey questions listed in Table 1. For each response that is sympathetic to referendums (that they were good, were not too complicated, get politician's attention, and that they did not make bad laws) a respondent was given a point on the index.¹⁰ For each negative response, a point was deducted. Neutral responses and respondents who marked no opinion were coded as 0. In this way we can construct a legislator's overall view of the CIR process based on assessing its specific successes and failings. Respondents were only given scores on the index if they replied to all four questions—those failing to mark a response or mark "no opinion" were treated as missing data.¹¹ The final question listed in Table 1 is used as a separate dependent variable to represent attitudes about changing status quo arrangements in each nation by expanding the application of direct democracy.

Forces endogenous to the legislature that shape elite preferences are represented by three variables. Dummy variables indicate if the respondent was from the party in government, and (in nations where challengers were surveyed) if the respondent was an incumbent at the time of the survey. We also include a measure of the respondent's tenure in office (in years) if an incumbent. In the U.S. and Canada, coding governing party status was straightforward and the number of legislatures (6 in the U.S., 5 in Canada) allowed for substantial difference between this measure and a measure of party affiliation.¹² Governing party status,

¹⁰ Scores on the index thus range from -4 to +4. The alpha for the index is: Canada (.68), New Zealand (.62), U.S. (.70). The range for the index is 8, with a distribution: Canada (mean = 1.5 sd = 2.4); New Zealand (mean = .96, s.d = 2.0); U.S. (mean = .41, sd = 2.4).

¹¹ An alternative index that included non-responses as a neutral reply produced results nearly identical to those reported below. The size of some parameters shifts, but the direction and significance of each coefficient are identical using either method of constructing the index. We therefore report the results using the original index. Space limitations preclude reporting these and other experiments in any great detail.

¹² For New Zealand, a change in government after the 1999 election complicates matters. Labour won the election, and the survey was conducted post-election, so we code Labour respondent's as members of the party in government. Ruling parties in other jurisdictions at the times of survey

TABLE 2.
ESTIMATES OF ELITE ASSESSMENTS OF CITIZEN INITIATED REFERENDUMS

	Canada	NZ 1	NZ 2	USA 1	USA 2
Factors Endogenous to Legislature					
Party in Government	-1.11** (0.36)	-0.94** (0.33)	-0.94** (0.34)	-1.64** (0.42)	-1.56** (0.35)
Incumbent	—	—	-0.43 (0.36)	—	-0.77* (0.43)
Years in legislature	-0.08* (0.05)	-0.04 (0.03)	—	-0.09*** (0.06)	—
Subjective Attitudes of Individual					
Voters select candidates	0.66* (0.40)	1.01* (0.60)	1.00* (0.60)	0.35 (0.46)	0.13 (0.36)
Ideology	0.62** (0.10)	-0.05 (0.06)	-0.05 (0.06)	0.26** (0.08)	0.24** (0.07)
Woman	0.15 (0.43)	-0.14 (0.06)	-0.11 (0.27)	-0.17 (0.37)	-0.17 (0.44)
Constant	-1.23* (0.65)	1.59** (0.27)	1.60** (0.42)	-0.01 (0.64)	0.14 (0.65)
Number of cases	149	247	247	151	151
Adjusted R ²	0.33	0.05	0.05	0.15	0.15

Note: Entries are OLS regression coefficients. Standard errors are in parenthesis.

significant at $p < .01$; * $p < .05$; * $p < .10$ (all one-tail).

incumbency, and tenure are used to test if views about CIRs are conditioned by the respondent's access to agenda control in the legislature.

Models also include measures reflecting forces exogenous to the legislature in the form of individual-level attitudes. Each model includes a variable representing the respondent's self-placement on a 10-point left-right ideological continuum (higher scores indicate more conservative),¹³ with the assumption that

were: British Columbia (NDP); Alberta (Progressive Conservative); Saskatchewan (NDP); Ontario (Progressive Conservative); Canadian Federal MPs (Liberal); California (Democrat); Oregon (Republican); Washington (Republican if lower house, Democrat if upper house).

¹³ Given that measures of party are used to measure association with the governing party, and given high (but not debilitating) collinearity between self-placed ideology and party, we do not include terms reflecting association with left or right of center parties.

≡ TABLE 3.
ESTIMATES OF ELITE SUPPORT FOR EXPANSION OF CIR PROCESS

	Canada	NZ 1	NZ 2	USA 1	USA 2
Factors Endogenous to Legislature					
Party in Government	-0.85* (0.37)	-1.75** (0.65)	-1.64** (0.64)	-0.87* (0.43)	-0.80* (0.44)
Incumbent	—	—	-0.47 (0.84)	—	-1.01* (0.52)
Years in legislature	-0.05 (0.05)	0.03 (0.07)	—	-0.14	— (0.09)
Subjective Attitudes of Individual					
Voters select candidates	1.22** (0.39)	2.05** (0.67)	2.04** (0.66)	0.14 (0.39)	0.17 (0.39)
Ideology	0.41** (0.11)	-0.21*** (0.11)	-0.20*** (0.10)	0.04 (0.08)	0.03 (0.08)
Woman	-0.12 (0.45)	0.22 (0.46)	0.18 (0.45)	-0.86*** (0.49)	-0.85*** (0.49)
Constant	-2.31** (0.72)	-1.18*** (0.61)	-1.15*** (0.60)	-1.08* (0.54)	-0.99 (0.55)
Number of cases	168	269	269	204	204
Correctly predicted	67.8	91.4	90.7	80.4	80.4
Model improvement	47.92**			13.61*	15.64**

Note: Entries are logistic regression coefficients. Standard errors are in parenthesis.

significant at $p < .01$; * $p < .05$; * $p < .10$ (based on Wald statistic).

this tests if expectations about policy outcomes affect support. If rules for CIRs are evaluated independently of expectations about outcomes, we would expect that ideology would have no relationship with the dependent variables. Another attitudinal measure drawn from our surveys is used to reflect the respondent's willingness to expand the direct democratic nature of political institutions generally. We include a term representing support for greater direct citizen influence over the selection of party candidates (see appendix).

Finally, we include a dummy variable for gender to test if women, as an under-represented demographic group, are more supportive of opening the legislative process to outsiders. We estimate separate models for each nation. Table 2 reports

OLS estimates of attitudes about CIRs, and Table 3 reports logistic regression estimates of support for changing rules to expand use of CIRs at the national level.¹⁴

RESULTS

Tables 2 and 3 demonstrate that most of our hypotheses receive support in the Canadian case, and, slightly less so, in the U.S. In all three nations, we find evidence that forces endogenous to the legislature shape elite attitudes about CIRs (Table 2) and shape elite support for the expansion of direct democracy (Table 3). For each nation, those affiliated with the party in government in their respective legislature are significantly less likely to offer responses sympathetic to direct democracy, and are significantly less supportive of expanding the scope of direct democracy in their nation. Indeed, the magnitude of the effect of membership in the governing party on attitudes about CIRs is quite similar in each nation.¹⁵ Incumbents in the U.S. are also less supportive of CIRs generally and of expanded use of the direct initiative. The sign for the effect of incumbency is in the expected direction in the New Zealand estimates, but the effect is not significant (recall that we have no challengers in the Canadian data set). Our final indicator of endogenous forces, years of service in the legislature, is in the expected direction in each nation, but is significant only in Canada and the U.S. Longer serving legislators in these nations have significantly less regard for CIRs generally (Table 2).

The results also demonstrate that subjective attitudes of individual respondents have independent effects on evaluations of CIRs in each nation, and on support for expanding the scope of CIRs in Canada and New Zealand. The results illustrate that provisions for direct democracy are evaluated through an ideological filter, which, we assume, reflects expectations about potential policy outcomes. In both Canada and the U.S., right-of-center candidates and legislators are more sympathetic to CIRs than leftists. As Figure 1 illustrates, ideological divisions are particularly pronounced among Canadian legislators, with those on the political right much more supportive of referendums than those on the left. Canadian conservatives are more receptive to CIRs generally, and they also support greater use of CIRs at the national level in Canada. In the U.S., the effects of ideology are also significant, with conservatives more sympathetic to CIRs, but the magnitude of the effect is much smaller than in Canada and American conservatives are not more likely to support using CIRs at the national level. In New Zealand, the effect of ideology is insignificant in the estimate of general attitudes about CIRs, and

¹⁴ Pooled analysis that combined respondents from each nation into a single sample produced results similar to those reported below.

¹⁵ Fifty respondents from the U.S. failed to answer the first question used in the index. When non-responses to this item (Initiatives a good thing?) are coded as neutral and these cases are included in the estimate of elite attitudes about CIRs, the parameter for party in government in the USA drops to 1.10.

reversed and significant in the estimate of support for having New Zealand's CIRs become binding. In New Zealand, those on the left were actually slightly more likely to support making CIRs binding there, suggesting that ideologically relevant policy evaluations about CIRs are not uni-directional across all nations.

We also find that attitudes about democratizing party candidate selection procedures is strongly associated with positive attitudes about CIRs in Canada and New Zealand, and with support for expanding the application of CIRs in those nations. We do not find similar effects in the U.S. This may be due to the fact that there is less variance on this measure in the American cases due to greater consensus among American respondents about voters directly select party nominees, or due to the fact that we were required to use different question wording in each nation to measure these attitudes. Finally, we find no evidence that women are more supportive of CIRs. In fact, women in the U.S. are significantly less likely to respond that they wish to see a national CIR process.

DISCUSSION

Our findings are consistent with expectations that elite support for opening the legislative process to greater citizen control is conditioned by factors both endogenous and exogenous to the legislature. Factors endogenous to the legislature, such as governing party status, tenure, and perhaps, incumbency, tend to be associated with pessimism about CIRs and with resistance to institutional change. Exogenous forces such as the ideology of individual respondents and subjective attitudes about democratization, are also associated with sympathy for direct democracy and with support for opening political institutions to greater citizen control over policymaking in Canada and New Zealand. Policy expectations (as measured by ideology) may be associated with support or opposition, as expectations about outcomes are likely to vary across political settings. We demonstrate that some of these results hold across three nations that have substantial variation in their experience with and use of direct democracy.

What does all of this say about when these elites might alter the rules that structure the use of CIRs? When our findings are considered along with measures of public support for CIRs in these three nations (noted above), it would seem that the best case for prospects of further expansion of direct democracy would be greatest in Canada. It must be stressed that this is not a prediction. Rather, of the three places we studied and based on the survey responses we received, it is in Canada we find relatively high levels of elite support for CIR. By contrast, even if we assume non-respondents to our survey are, on balance, neutral, it would seem that any expanded national role for CIRs in New Zealand and the U.S. would be relatively less likely. In each of these nations, elite support for a national CIR process (western U.S.) or a binding CIR process (NZ) is quite low among all parties. Thus, regardless of surveys that show higher levels of popular support for such institutions, the actors who would have to implement

legislation enabling the expansion of direct democracy remain overwhelmingly opposed to it.¹⁶

How might we generalize from this study to broader questions about when elites might change political institutions? Our results suggest that an individual legislator's or candidate's position on institutional change is shaped by their place in the political order of things—in other words, “where they stand depends on where they sit.” This is not, of course, unique to elite views of CIRs. Mass opinions of partisans about adopting term limits in the U.S., for example, have been shown to be affected by the status of the respondent's party in the legislature: limits on tenure looked good to Republicans in places where Democrats were in power, while looking good to Democrats where Republicans were in power (Bowler and Donovan 1998: 144). But when are conditions such that a sitting legislature would adopt major alterations in rules about who has influence over its agenda?

If resistance to institutional changes in general is greater among the governing party, our findings suggest that change would be more likely when the ruling party (or coalition) in a legislature is weak (in relation, see Scarrow 1997). Under this condition, the party is more readily out-flanked by a pro-reform coalition, or more likely to seek rule changes to protect its fading control. The implementation of proportional representation (PR) elections in New Zealand in 1996 may reflect the former condition (Vowles 1995), while adoption of PR for Australian Senate elections in 1949 (Hughes and Graham 1968), and a short-lived experiment with the Alternative Vote in British Columbia in 1952 (Angus 1953) may reflect the latter condition. Likewise, our finding that longer-serving members are more resistant to change would suggest that a rapid influx of new legislators may increase the odds that a legislature would change institutional rules that structure its operation. The alterations in the nature of sub-committee government in the U.S. House between 1964 and 1975 that resulted from a large influx of freshman Democrats may be an example of this (Dodd 1977).

Related to this, legislative turnover that is driven by popular demands for institutional change or by popular support for a party that make institutional change part of its platform, may also increase the likelihood that a legislature might alter how its agenda is controlled and/or change electoral rules that affect its composition. In an analysis not reported here, we found that Canadian legislators from parties other than Reform were more supportive of CIRs if they represented ridings where Reform candidates received more electoral support (these results are available upon request). Future research into the forces that cause elites to change the institutions they control should consider the nature of public

¹⁶ In the U.S., state legislators would have to vote to approve any constitutional amendment establishing a national CIR process. Only 17.9 percent of Democrats we surveyed approved of national CIRs, and only 21.7 percent of Republicans did.

preferences for altering or maintaining institutions, and also consider how, or if, elites respond to popular demands for change if such demands do exist.

APPENDIX. SURVEY QUESTION WORDING

CIRs good/bad?

CAN. The citizen-initiated referendum (or plebiscite) allows groups or individuals to draft municipal or provincial laws independently of the legislature, then have a public vote on the matter. Referendums are also held on laws drafted by legislatures, particularly for consultation on matters of constitutional change. We would like your opinions on these. Overall do you think that referendums and citizen-initiated referendums are good things, bad things, or do you think they make no difference?

NZ. Overall do you think that referendums and citizen-initiated referendums are good things, bad things, or don't you think they make much difference?

U.S. The citizen's initiative allows groups or individuals to draft laws independently of the legislature. Referenda are laws drafted by legislatures and placed before voters for approval. We would like your opinion on both of these ways to deal with ballot propositions. Overall, do you think that statewide ballot propositions are a good thing for the state, a bad thing, or do you think they make no difference?

In each nation: 1 = Good Thing; 0 = Bad Thing, No Difference, No Opinion.

Additional questions listed in Table 1 were prefaced with the following statement:

In Canada and U.S.: Evaluate each of the following statements about direct democracy and check the appropriate response for each statement. In New Zealand: Do you agree or disagree with these statements about referendums. Response categories were: Agree? Disagree? No Opinion?

CIRs too complicated?

(In Canada and NZ) Referendums are too complicated for the average voter.
(In USA) Initiatives are too complicated for the average voter.

Get politicians attention?

(In Canada and NZ) Citizen-initiated referendum enable citizen to get the attention of the political parties and politicians. In U.S. CIR replaced with "initiatives."

CIRs will make bad laws?

(In Canada and NZ) Most citizen-initiated referendum will be poorly thought out and bad law. In U.S., CIR replaced with "initiatives."

Support for expansion of direct democracy:

CAN. There should be a process for a Canada-wide citizen-initiated referendum, where citizens could propose legislation for the entire nation.

U.S. There should be a national initiative process, where voters and groups could establish ballot propositions for the entire nation.

For CAN and U.S.: 1 = Favor; 0 = Oppose, No Opinion.

NZ. Results of CIRs should automatically become law.

For NZ: 5 = strongly agree, 1 = strongly disagree (recoded to dichotomous variable).

Voters select candidates:

CAN: If the federal parties were to change the process of selecting their leaders, would you favor a poll of rank and file party members, or the present national leadership conventions?

1 = Strongly favor poll of rank and file voters, Favor a poll of rank and file voters. 0 = Favor selection by national leadership conventions, Strongly favor selection by national leadership conventions.

NZ: Voters, not parties, should decide which of the candidates on the party list get the seats the party has won.

1 = agree, 0 = neutral, disagree, don't know.

U.S.: Political parties become healthier and stronger in open primaries.

1 = Agree; 0 = Disagree, No Opinion.

Ideology:

CAN: Many people can place themselves on a left/right scale where "1" is very left-wing and "10" is very right-wing. Where would you put yourself on that scale?

NZ: In politics, people sometimes talk about the 'left' and the 'right'. If you can, where would you place yourself on a scale from 1 to 10, where 1 means the most left and 10 means the most right?

U.S.: Generally speaking, where would you place your political views on the following left-right scale, with left being more liberal and right more conservative? Circle the number that best applies to you.

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