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UNIVERSITY OF CALIFORNIA, SAN DIEGO

Getting it Right or Playing it Safe?
Confusion, the Status Quo Bias and Correct Voting in Direct Democracy

A Dissertation submitted in partial satisfaction of the requirements for the degree
Doctor of Philosophy

in

Political Science

by

Michael M. Binder

Committee in charge:

>   Professor Thaddeus Kousser, Chair
>   Professor Shaun Bowler
>   Professor Amy Bridges
>   Professor Theodore Groves
>   Professor Zoltan Hajnal
>   Professor Gary Jacobson
>   Professor Stephen Nicholson

2010

The Dissertation of Michael M. Binder is approved, and it is acceptable in quality and form for publication on microfilm.

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                                                                 Chair

University of California, San Diego

2010

DEDICATION

This dissertation is dedicated to my mom, Terry Binder. Even though she's not here

to read these pages, not a word could have been written without her in my life.

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ACKNOWLEDGEMENTS

The hours that turned into days, months and eventually years over which I worked on this dissertation could not have been sustained without a lot of help along the way. I have been blessed to be surrounded by remarkable scholars, but more importantly, tremendous human beings. The list of acknowledgements is long and varied, but everyone was indispensible to the completion of this dissertation.

The Political Science Department at the University of California, San Diego has taught me invaluable lessons and given me a framework from which to view the world of social science, my thanks to go out to the faculty. Additionally, I owe thanks for the financial and professional support from UCSD and the California State University system that allowed me to travel to conferences and summer programs, without which my research could not have been completed. I would also like to thank the attendees and discussants at those conferences that provided me with valuable feedback. I would also like to the Bill Center for the American West at Stanford University for their generous fellowship support.

The core data for my analysis comes from a series of exit polls that enlisted the interviewing skills of hundreds of undergraduate volunteers from UCSD and San Diego State University. Though they received extra credit for their efforts, I am indebted to my students for their hard work and hours spent in the sun and (believe it or not) rain in San Diego. They went above and beyond the call—thank you all.

Professionally and personally, I owe a debt of gratitude that can never be repaid to the chair of my dissertation, Thad Kousser. Aside from the example he sets

as a stellar member of the political science community, his tireless devotion to his family and continuous smile are enough to keep even a jaded east coaster like myself motivated. Thad has invested countless hours of his personal time reading my drafts and clarifying my often cloudy ideas. When I was slacking on my research, he brought me to Stanford with him so I could finish my research without the distraction of being a teaching assistant at UCSD or teaching classes at SDSU. My dissertation may never have been written without his guidance.

While getting my MA from SDSU, my thesis advisor Richard Hofstetter, introduced me to what social science is, and more importantly, how it ought to be conducted. My time at SDSU, particularly the Sunday afternoons at Richard's apartment with my colleagues taught me the value of unselfish collaboration in the pursuit of knowledge. I must also thank Julie Sullivan for scooping me up and throwing me into her Freshman Success program. She infected me with the bug for standing in front of a room full of college students. More importantly, she was patient enough to show me what a real teacher is. Those morning coffees at Rich Ledet's house, kept our brains alive throughout our theses and that year before we started in our Ph. D. programs.

Before I was even admitted to UCSD, I took Amy Bridges' American Political Development course. Admittedly, I generally have pretty decent luck, but the good fortune I had to have this class takes the cake. I was able to sit with her and one other grad student for three hours every Friday at 9:00 AM and talk about some of the most interesting political history books written. Those three hours introduced to me to life

house, standing on second base waiting for Sam Seljan to hit me in or all of us racing to scoop up balls as Ellen Moule dodged for her life. I cannot thank you all enough; you have shaped not only my research but who I am as a person.

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VITA

1998   B.A., Political Science, Richard Stockton College of New Jersey

2003   M.A., Political Science, San Diego State University

2010   Ph. D., Political Science, University of California, San Diego

APPOINTMENTS

2009 – 2010   Research Fellow, Stanford University's Bill Lane Center for the
                American West

2009 – 2010   Lecturer in Political Science, University of California, San Diego

2005 – 2009   Lecturer in Political Science, San Diego State University

2004   Lecturer in Political Science, San Diego Mesa College

PUBLICATIONS

"Engaged by the Initiative? How the Use of Citizen Initiatives Increase Voter
Turnout" (with Matt Childers), *Political Research Quarterly*, forthcoming.

"How GAVEL Changed Politics in Colorado's General Assembly" (with Vlad Kogan
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ABSTRACT OF THE DISSERTATION

Getting it Right or Playing Safe?

Confusion, the Status Quo Bias and Correct Voting in Direct Democracy

by

Michael M. Binder

Doctor of Philosophy in Political Science

University of California, San Diego, 2010

Professor Thaddeus Kousser, Chair

I argue that voters do quite well translating their preferences to votes in ballot proposition races vis-à-vis presidential elections. Overall voters get it right almost 80% of the time, and on some ballot measures more than 85% vote correctly. Though some initiatives are 'harder issues' (see Carmines and Stimson 1980) and voters are less successful at voting correctly on those issues, they still get it right upwards of

70% of the time. Confusion, while not a clear cause of a status quo bias in direct democracy, does impair the ability of voters to vote correctly. Conversely, voters who are aware of political cues or heuristics are better able to match their stated preferences with their votes or more simply, vote correctly. No matter your judgment about the levels of correct voting, the 80% that get it right is a good level or the 20% that get it wrong is mind blowingly unacceptable, it is a rare occurrence that election results would actually change if everyone voted correctly.

Chapter 1

Theories of Voting in Direct Democracy

In the shadow of the Obama presidential campaign during the fall of 2008,
voters across the country debated and ultimately voted on more than one hundred fifty
statewide ballot measures. These propositions ranged from calling a statewide
constitutional convention to allowing states to issue bonds for special projects to some
of the most controversial social issues of our time, euthanasia, abortion and same sex
marriage. Initiatives and referenda often have direct and immediate impacts on the
citizenry of the state, taxes are affected, unborn children's fates are determined and
two people may or may not be able to get married. Love, life and taxes -- ballot
measures go straight to the heart of public policy.

That ballot measures carry such public policy weight raises the question, can
voters successfully deal with the decision making process involved in handling such
complex political issues? Are voters confused by the choices they are offered? Can
they translate their preferences into votes? Through survey questions and exit polls
that I designed for this research, my dissertation attempts to answer these difficult and
important questions. The arguments and evidence presented in the following chapters
address long standing debates among political scientists about voter competence and
the role of direct legislation in a representative democracy.

Democracy functions at its best when there is a connection between the leaders
and the governed. In 21st century democracy that connection routinely involves
elections and the simple act of voting. Citizens make their way to the polls to select a

party, person or policy that they think will best represent their interests in government. Assuming the mechanics of the election are run fairly, so that votes are counted equally and fraud does not prevent the true winners from obtaining victory, democracy is assumed to have successfully translated the citizens' preferences into votes. This basic assumption rests on the belief that voters correctly indicate their preferences are on Election Day. If this assumption is violated, the underlying belief that democracy represents the will of the people equally has to be questioned.

If "voters are not fools" as V.O. Key so boldly stated in *The Responsible Electorate*, does that mean they can successfully wade through the multitude of elections, political offices and ballot propositions facing the electorate today? No matter how optimistic scholars are about the electorate, nobody has claimed that voters are perfect. If voters are not perfect, is one of their imperfections confusion about the choices and potential policy outcomes associated with those choices? If so, who is most likely to be confused about ballot propositions? Are there any patterns to this confusion? Does confusion lead to any consistent voting patterns? I contend that voters can be confused about ballot propositions and these levels of confusion vary. The concern for public policy and democratic theorists is that these confused voters act in systematically different ways than those voters who are not confused. I contend that they do.

Simple 'yes' and 'no' votes are one piece of the puzzle when evaluating direct elections. Stemming from Kahneman and Tversky's (1979) work with prospect theory, the claim is that when people are faced with risk, they undervalue outcomes

that are probabilistic, in comparison to guaranteed outcomes, resulting in a status quo bias. More simply put, people prefer the devil they know to one that they do not, thus voting 'no' on propositions under conditions of uncertainty or confusion (Hyink 1969; Lupia and Matsusaka 2004). Risk and uncertainty are prevalent in direct democracy. Individuals can be uncertain of the public policy consequences of ballot initiatives for many reasons.

If voters consistently vote 'no' when faced with uncertainty or confusion, public policy that is truly preferred by the majority of the populace will not get enacted resulting in suboptimal democratic outcomes. I posit that once voters make the choice to vote in an election they use the information available to them to make good decisions, balanced with easy decisions (Payne, Bettman and Johnson 1993). What are the political consequences of voters making 'easy decisions'? What does it mean if voters are attempting to make 'good decisions'? How do we evaluate 'good decisions'? I argue that the ability of voters to 'vote correctly' – voting in line with one's underlying preferences – is a good decision. I make no normative about claims about the substance of their preferences, just whether or not those preferences match the vote that they cast.

There has been a great deal of work assessing whether or not voters are politically aware enough to function effectively in support of their goals in process of democracy. Although this debate is likely not finished, nearly fifty years of discussion has taught us that by and large voters do not have a great deal of factual information about politics stored in long term memory (Converse 1962, 1964 and Delli Carpini

and Keeter 1996). Nonetheless, minor political facts are not the only means that

enable citizens to understand their political preferences. Knowledge about candidates

and the issues they support is really all that is needed in a representative democracy.

Short term awareness of candidates and evaluations of candidates are greatly affected

by the amount of effort campaigns exert. Even though presidential campaigns spend

hundreds of millions of dollars to tell people about their candidates (Polsby,

Wildavsky and Hopkins 2008) and statewide spending on behalf of Senate candidates

successfully informs the electorate (Jacobson 2006), the effects of the electoral cycle's

informative powers peak during the election season and wane mid-cycle (Andersen,

Tilley and Heath 2005).

Absent specific information about candidates, a large body of work resting on

Downs' (1957) theory of rational ignorance, claims that using cheap and easily

obtained informational shortcuts are effective tools that can successfully allow people

to cast votes in line with their preferences. In candidate elections, partisanship serves

as a powerful cue at both national (Bartels 2000) and local levels (Pohlmann 1978).

Partisanship is often the greatest of cues available, as it allows the voter to quickly and

easily generate a rough idea of the policies a candidate stands for, and perhaps even

more importantly it is extremely accessible, as any voter can simply read the D or R

next to the candidate's name on the ballot.

Political heuristics like party-identification provide voters with a reasonable

base of knowledge reducing the cognitive demands necessary to participate in

representative democracy. Additionally, representative democracy presents a buffer

between the community and policy outputs which some find useful, as either a secondary check on ill-informed electorates or a tempering mechanism for the whims of the public (Madison 1787, Schumpeter 2006). Direct democracy lacks this safeguard. If voters slip up at the ballot box and get it wrong in candidate elections, the politician has a clear incentive (reelection) to act in accordance with the preferences of his constituents, thereby allowing for a successful implementation of the democratic process (Mayhew 1974).

Because direct democracy is an express route to public policy, ballot propositions require a clearer understanding and expression of individual preferences. In candidate elections voters can elect a person whom they trust to do what is right when faced with difficult policy choices. Direct legislation requires the voters to make specific policy decisions, often with little background information and awareness of the issues. This presents a worst case scenario for direct democracy voters: spending and media coverage on statewide initiatives and referenda pale in comparison to presidential elections, cues are harder to come by and politicians cannot be relied upon to correct the mistakes of the electorate. Although candidate elections are far more prevalent than direct legislation elections, if voters can show their mettle and get it right voting on complex and confusing propositions, this could reassure the skeptics that while not perfect, democracy in general and direct democracy specifically, can and do meet the requirements for a successful democracy.

Confusion

Risk and uncertainty are prevalent in direct democracy. Individuals can be uncertain of the public policy consequences of ballot initiatives for many reasons. First, an individual's interpretation of the initiative may be unclear, either due to a lack of information or a confluence of competing information, leading to a heightened level of confusion. The initiative itself may even be deceptive on its face. In 2001, Washington voters passed a tax limiting measure that was overturned by the State Supreme Court in November of 2007, because the court claimed, "the text of the initiative misled voters about the substantive impact of the initiative on existing law" (Gilmore 2007). Third, legislative and bureaucratic implementation of the initiatives is not always straightforward (Gerber, Lupia, McCubbins and Kiewiet 2001; Gerber, Lupia and McCubbins 2004). In a federal system, other levels of government can attempt to dilute or alter the results, or change the outcomes of these elections (as evidenced by the lawsuits in federal court against Proposition 187, the "Save Our State" initiative in California in 1994 that aimed to deny illegal immigrants social services). In addition to uncertainty about implementation, policy consequences are also far from certain and potentially confusing. For example, California's Proposition 140 instituting term limits has had numerous unintentional consequences, many of them negatively impacting the state (Kousser 2005).

Understanding confusion and its role in the political process rests on the ability to test hypotheses in a rigorous scientific method. Yet, confusion suffers from vague conceptual definitions and limited operationalizations in academic literature. Contrast confusion with the decades of scholarship elucidating clear conceptual and operational

definitions of political information (for a detailed review of political information and its effect on the electorate see Converse 2000 or Delli Carpini and Keeter 1996). Confusion is much like obscenity, in that it is difficult to describe, yet intuitively recognizable. As Justice Stewart stated, "I know it when I see it" (Jacobellis v. Ohio 1964). This dissertation attempts to resolve some of these problems. One major concern is the lack of consensus on how to operationalize the fuzzy concept of confusion. Instead of claiming that one operational choice is 'the' answer, I use multiple measures of confusion. Using two different measures of confusion (assuming the measures are reasonable operationalizations) enables for a more complete understanding of the role that confusion plays in the decision making process at the ballot box.

There are two direct measures of confusion that are at the heart of this analysis. The first directly asks respondents if they are confused about a specific proposition or initiative, the other asks voters if they thought the propositions were too confusing for the average voter. Further, I attempt to apply other measures of confusion and uncertainty that have been used in various aggregate studies (such as length of proposition, length of proposition title, overall ballot length and ballot position) to validate my measures and empirical choices. My research provides a clear demonstration of how individual level analysis can lead to different conclusions than aggregate analysis.

Status Quo Bias

Direct legislation, and the initiative process specifically, is designed to allow citizens to pass policies that a recalcitrant state legislature will not act on. However, legislatures generally match the public opinion of their state (Erikson, Wright and McIver 1993). Since legislatures tend to align with the ideological preferences of their state, it is not surprising that most political issues are addressed inside the legislature. From the perspective of lobbyists and other elites, why bother with the effort and expense of an initiative campaign if the legislature will do the work for you? But that only describes issues that the majority party is willing to act on. What about moderate policies that the majority wants kept off the agenda because it would split its party (Cox and McCubbins 1993)? There are some issues that neither party supports, like some governmental reforms such as term limits and pay reductions. What about issues that the out party wants pursued? What's a Republican in Massachusetts or Democrat in Utah to do? One such outlet in states with the initiative process is taking these issues directly to the public.

When interest groups or elites attempt to side step elected officials, it is not surprising that their levels of success in general are not very good. If elected officials do not support their efforts, and those officials generally match the ideological predispositions of their constituents, it makes sense that most initiatives are met with skepticism. Less than 40% of initiatives placed on the ballot actually pass and many others fail to acquire enough signatures to even get on the ballot in the first place (Lupia and Matsusaka 2004). Aside from simply backing unpopular causes, the most

palatable theory for the inability of supporters of initiatives to get their measures

passed is a voter bias against changing the status quo.

The status quo bias in direct democracy is attributed to risk aversion, and risk

aversion is theorized to act as the intervening variable for confusion or uncertainty

(Bowler and Donovan 1998; Magleby 1984). Assuming a status quo bias exists is one

thing, connecting the ensuing 'no' votes to underlying confusion on the voter's part is

quite another. Yes, clearly risk and uncertainty are prevalent in direct democracy, but

is it confusion that leads to more 'no' votes? This is an empirical question which has

not been satisfactorily answered.

If status quo bias exists, it should lead to an increase in 'no' votes and an

increase in those risk averse voters failing to accurately translate their policy

preferences into votes, as individuals who, in a vacuum, would prefer the new policy

are too hesitant to risk changing the current state of affairs. While a failure of

preference transfer through voting ought to concern academia, this status quo bias is

often used as solace to those concerned about the ignorant masses being duped and

negatively affecting policy (Lupia and Matsusaka 2004). Though aggregate studies

(Magleby 1984; Bowler and Donovan 1998; Higley and McAllister 2002 and

Goldsmith 2004), political consultants (in Magleby and Patterson 1998) and the

popular press (Walters 2009) have indicated the existence of a status quo bias, there

has been little individual level analysis of its existence, much less its cause, size or

scope. The evidence in support of the existence of a status quo bias that I present is

uneven and, if a status quo bias even exists, is much smaller than has been claimed for direct legislation.

Correct Voting

Public officials and scholars alike have exhibited concern about the voters' ability to 'get it right'. The concern follows from research that has assessed the equipment voters use (Kimball and Kropf 2005; Nichols 1998; Roth 1994) and the general cognitive capacities of the public (Achen 1975; Converse 1964; 2000; Key 1966 and Popkin 2006). Few have attempted to test how well voters translate their preferences into votes. Some of the best work assessing the ability of voters to get it right or "vote correctly" (conceptually defined as voting in line with ones preferences) has been accomplished by Bartels (1996) and Lau & Redlawsk (1997, 2006). Bartels (1996) used NES data to match demographic characteristics to infer underlying preferences. Also in candidate elections Lau and Redlawsk (1997, 2006) use both experimental and survey analysis to measure the "fully informed preferences" of individual respondents to determine if voters make 'correct votes'. For the experimental method, if subjects volunteered that they would have changed their vote after receiving a side by side comparison of the hypothetical candidates, they were coded as voting incorrectly. If the subjects opted not to change their vote, they were coded as voting correctly.

A second method of calculating correct votes rests on using a pre-experiment questionnaire that rated the importance of several aspects of the candidate (issue position, group endorsement and personal characteristics); the formula was calculated

to determine the preferred candidate. A third set of tests analyze NES data and have comparable results, which strengthens Lau and Redlawsk's overall claims and suggest that voters get it right most of the time when they enter the voting booth. The success of their work suggests that voters can get it right most of the time, but there is an inherent difficulty in estimating the voters' underlying preferences, since candidate elections take place across multiple dimensions of evaluation from domestic issue to foreign policy issues to personal characteristics. As political science begins to make inroads into the human brain with fMRI (Lieberman, Schreiber and Ochsner 2003) and studies of genetics (Fowler and Dawes 2008), we still fall short of Carnac the Magnificent's telekinetic abilities. Yet, survey and experimental research can provide insights into the effects of certain identifiable cognitive states.

Lau & Redlawsk's experimental work is a much improved measure of preferences as inferring preferences from demographic characteristics can lead to debatable conclusions. Unfortunately, experimental work often faces external validity concerns. Do fictional candidates and brief biographies on a computer screen effectively emulate a real life election where voters have a real stake in the outcome and often have some experience with the candidates or the issues under consideration? Probably not, but the inferences drawn from their work are nevertheless valuable. Combined with their analysis of NES data, along with Bartels' study, Lau and Redlawsk's work suggests that a clear majority of voters (between 75% and 80%) seem to vote correctly in presidential elections.

The research I present here builds upon the work already done on correct voting by extending this growing strand of literature to direct democracy. My dissertation does differ in several ways from Lau and Redlawsk's *How Voters Decide*. The first difference is that I am analyzing correct voting on ballot propositions, arguably more important than candidate elections because of the express route to policy outcomes. Second, I am using a very different set of data, exit polls, buttressed by surveys. The exit poll data is restricted to actual voters. Most of the surveys are limited to voters who are likely to vote (or have already voted) in the given election. The NES data used by Lau and Redlawsk (1997, 2006) and Bartels (1996) includes non-voters as social desirability can cause over reporting of turnout (see Abramson & Aldrich 1982, for problems specific to NES data see Teixeira 1987). The ability to accurately ascertain the actual vote choice of an individual is crucial for an analysis of the 'correctness' of their vote. Although it is unlikely that the over reported turnout would have altered Lau and Redlawsk's analysis very much if at all, including non-voters could have artificially increased the number of 'incorrect votes' and actually muted their findings (see Bernstein, Chadha and Montjoy 2001 for problems with using over-reported votes).

Of more importance is the misreporting of votes in survey research (see Wright 1993 for this problem with NES data). Election winners receive disproportionately more votes in the 'post' election portion of the survey, which could bias Lau and Redlawsk's analysis and, again, reduce the voting accuracy of their sample. Exit poll data essentially eliminates over-reporting of turnout by only interviewing voters as

they leave the polls and lessens misreporting of votes, as their memories are fresh and

the voters are unaware of election results at the time of their responses to the survey

(Carsey and Jackson 2001). Additionally, for my exit polls the respondents had a

placard listing all of the propositions while they answered the questions, further

reducing recall errors. The Washington Poll, Public Policy Institute of California

(PPIC) and *The Field Poll*, all conducted their surveys prior to Election Day.

Therefore, in this research it is unlikely that individuals misreported their vote either

by claiming to have voted for the winning proposition or claiming to have voted at all

when in fact they did not.

While information levels, issue specific and general political knowledge can

lead to increased voting accuracy, lacking traditional political knowledge does not

preclude a correct vote. Absent specific political information voters have the ability to

take advantage of heuristics such as elite endorsements (Popkin 1991 and Zaller

1992). The use of shortcuts (endorsement or cues) for voting has a long history, and

its usage by direct democracy voters is even more prevalent because of rational

ignorance due to the high costs of gathering the limited amounts of information

typically available to the voter (Downs 1957, Bowler and Donovan 1998, p. 32, see

Kriesi 2002 for comparative empirical evidence). Lupia (1994) showed that voters

can use cues to overcome informational shortcomings and vote similarly to those who

were knowledgeable about the specifics of ballot propositions. Therefore it is

practical to believe, or even expect, that cues could lead to increased correct voting.

For candidate elections, the easiest and most informative cue available to voters is often a candidate's partisanship. This cue is not directly available to initiative voters. One of the major goals of the turn of the century Progressives was to reduce the influence of parties on politics; ballot propositions were created to operate outside the scope of political parties and party bosses (Cronin 1989). Although it has been claimed that direct democracy has fulfilled that goal and ballot measures often fall out of the purview of parties (Magleby 1984), more recent evidence suggests that the role of parties is greater than previously thought, and even paramount in ballot initiative campaigns (Smith and Tolbert 2001; Nicholson 2005). Therefore, in addition to testing the influence of certain elite endorsements, I also look at the role partisan endorsements have on correct voting.

I argue that voters do quite well translating their preferences to votes in ballot proposition races vis-à-vis presidential elections. Overall voters get it right almost 80% of the time, and on some ballot measures more than 85% vote correctly. Though some initiatives are 'harder issues' (see Carmines and Stimson 1980) and voters are less successful at voting correctly on those issues, they still get it right upwards of 70% of the time. Confusion, while not a clear cause of a status quo bias in direct democracy, does impair the ability of voters to vote correctly. Conversely, voters who are aware of political cues or heuristics are better able to match their stated preferences with their votes or more simply, vote correctly. No matter your judgment about the levels of correct voting, the 80% that get it right is a good level or the 20%

that get it wrong is mind blowingly unacceptable, it is a rare occurrence that election results would actually change if everyone voted correctly.

Overview of My Dissertation

The four ensuing chapters communicate a story about how confusion affects voters and in turn the election results of ballot measures. This dissertation is not the first scholarly look at confusion and the status quo bias in direct democracy, nor is it the first paper about correct voting on ballot propositions. However, this is the first comprehensive research program that attempts to measure the amount of confusion in the electorate and its effects on vote choice at the individual level. I designed and conducted a series of exit polls and created survey questions specifically intended to test the status quo bias theory and assess levels of correct voting in proposition elections. The results of this research are detailed in the subsequent chapters. The second chapter lays out the political context for 22 propositions in California and Washington from 1999 through 2008 that are the foundation for the empirical analysis that follows. In the third chapter, I present evidence detailing the existence of confusion in the electorate about specific propositions. The fourth chapter tests claims in the literature about a status quo bias due to risk aversion at the individual level. The fifth chapter presents the levels of correct voting in direct democracy and shows how confusion can inhibit individual voters' ability to get it right.

Chapter 2: Political Context and Issue Difficulty

This chapter describes the data gathering process of the exit polls from 2005, 2006 and 2008 (from questionnaire design to implementation), the Washington Poll in

2007 and the survey data from PPIC and *The Field Poll* that are the key data sources.

Chapter 2 also outlines the political context of the 22 ballot measures used throughout

my dissertation. I describe the issues the propositions address, any unique features of

the campaign, and the propositions' fate on Election Day. After discussing the

political settings, I rank order the propositions according to Carmines and Stimson's

(1980) categorization of issue difficulty. The symbolic, end policy focused, long on

the agenda 'easy issues' such as abortion are contrasted with technical, means

oriented, newer issues dealing with the specifics of regulatory requirement of public

utilities.

Chapter 3: Confusion in the Electorate

In this chapter I measure the extent of confusion about ballot measures in the

electorate. The first section of the chapter lays out the various scenarios that can lead

to voter confusion in direct democracy. The following section addresses the three

different operationalizations of confusion that I employ, each of which has costs along

with benefits. Confusion levels range from 18% to upwards of 50% of the electorate

being confused. This variation is partially explained individual level characteristics,

but the bulk of the differences are due to the issue difficulty of the particular

proposition.

Chapter 4: I Don't "No": Confusion and the Status Quo Bias in Direct
Democracy

Stemming from Kahneman and Tversky's (1979) 'prospect theory' of decision

making, risk averse voters are expected to cast their ballots for the status quo.

Prospect theory claims that when people are faced with risk, they undervalue outcomes that are probabilistic, in comparison to guaranteed outcomes. Confused voters are unsure about the initiative's potential effects and are theorized to just vote 'no' in order to maintain the more familiar status quo (Hyink 1969; Lupia and Matsusaka 2004). Unlike previous scholarship that used aggregate level data to test these claims, my fourth chapter tests the theory at the individual level. This chapter unfolds as I first replicate previous work using aggregate data with the propositions used in this dissertation. I then provide individual level analysis that highlights the benefits of using a more theoretically appropriate unit of analysis.

Chapter 5: Getting it Right: Correct Voting in Direct Democracy

Many, if not the overwhelming majority of voters responsible for making key public policy decisions on Election Day are far from oracles of wisdom. This is particularly true when it comes to ballot propositions that get much less campaign attention than national elections. My research shows that, nevertheless, the amount of correct voting on ballot propositions rivals, and in some cases surpasses, the levels of correct voting in presidential elections. There is variation at the aggregate level across issues, the 'easier' the issue (Carmines and Stimson 1980) the greater amount of correct voting. And there is also variation in levels of correct voting across individuals. Voters who are confused about a given proposition are less likely to vote correctly, while voters who are aware of the cues and endorsements are more likely to vote correctly.

Chapter 2

Political Context and Issue Difficulty

In order to empirically test claims about confusion, the status quo bias and correct voting, I analyze two dozen propositions across eleven different elections. These propositions vary widely in political context and issue complexity. Some ballot measures, like 2008's Proposition 8 in California that dealt with same-sex marriage, were relatively easy issues that had been on the political landscape for many years and Californians were familiar with. Others, like 2008's Proposition 7 which attempted to dramatically increase the amount renewable energy used by public utilities, were complex and new to the public discourse. The elections ran the gamut from off year primaries to special elections to intense presidential contests. This wide variation in issue difficulty and political context provides a common metric by which to organize and analyze two dozen disparate ballot measures. Even though I group issues as 'easy', 'moderate' and 'hard', the real world of politics is complicated and I envision the 'easy' – 'hard' description more as a continuum with an ordinal ranking. This rank ordered list of propositions by issue difficulty also serves as a validity check on my measures of confusion (Chapter 3) and correct voting (Chapter 5).

Direct democracy does not come in one simple variety. Propositions come in many flavors and can reach the ballot in a myriad of ways. Citizen initiatives (both statutes and constitutional amendments) propose new laws and arrive on the ballot via a signature gathering process. In California, citizen initiatives have 150 days in circulation to collect the required signatures, for statutes 5% of the total votes cast for

Governor in the most recent election and for constitutional amendments that total is

8%. Washington State has similar criteria, requiring signatures totaling 8% of the

previous gubernatorial vote for all initiatives. Popular referenda, petitions by the

citizenry for an up or down vote on an existing law, also call for a set number of

signatures to reach the ballot (none of the propositions in this dissertation are popular

referenda). Legislatures can also place issues on the ballot for approval from the

electorate; these legislative referenda run the gamut from simple advisory votes to

statutes to constitutional amendments and even entirely new constitutions.   In

California, both houses of the state legislature need to have two thirds approval to

place an issue on the ballot. However, once a ballot measure is in front of the voter,

the process by which the issue arrived there becomes immaterial. A proposition is a

proposition is a proposition. Voters are concerned about the political choice in front

of them on Election Day, and as such, I include citizen initiatives (both statute and

constitutional amendments), as well as, legislatively referred measures in this analysis

of voter decision-making.

Working from the framework put forth by Carmines and Stimson (1980), I

rank order the propositions according to their three part categorization of issue

difficulty. The first piece of this puzzle compares whether the issue is symbolic or

technical, the second step requires easy issues to be policy ends oriented versus means

oriented, and thirdly, the length of time the issue has been on the public's radar will

also contribute to the issue's easiness. According to Carmines and Stimson,

> "As prescriptions for public problems, technical policies require
> knowledge of important factual assumptions to be appreciated.

Symbolic issues may be presented and understood simplistically…Easy
issues must almost inevitably concern the ends of public policy rather
than the means.   The easy issue, finally, is likely to be an unresolved
conflict long in the public eye. Even if the first requisites were met, a
new issue would not be likely to find its way to the 'gut' of those
paying least attention to politics. Simplicity alone is not enough, but
with time and simplicity an issue can permeate the electorate" (1980, p.
80).

In my work, the symbolic, end policy focused, long on the agenda 'easy issues'

such as same-sex marriage and abortion are contrasted with technical, means oriented,

'hard issues' dealing with the specifics of regulatory requirement of public utilities

and government operations. Several polls from the Public Policy Institute of

California (PPIC) and The Field Poll are used when the surveys had questions that

enabled the measuring of correct voting. However, in order to test the causes and

consequences of confusion and correct voting in direct democracy, the key portion of

this dissertation, I designed questions for a Random-Digit-Dial (RDD) survey and was

the principal investigator for four exit polls to collect the proper data in order to

overcome the obstacles of inferring voter preferences and confusion from

demographic or ballot characteristics. As PI for the exit polls, I wrote the survey

instrument and oversaw the implementation of the interviews.

In the following sections I will describe the main sources of data collection

(four exit polls, a random-digit-dial sample of Washington State voters and several

surveys from *The Field Poll* and the PPIC). After each of the data sources is

described, I will outline the crux of each proposition and the political context

surrounding the campaigns for these ballot measures. Finally, I present a rank ordered

list of the propositions from 'easiest' to 'hardest' and use this metric as an anchor throughout the dissertation to organize the propositions.

The Exit Polls

The sources of data essential to this analysis are the four exit polls that I designed and implemented for the express purpose of understanding the role of confusion in correct voting. The first exit poll was conducted on November 8, 2005 by trained student volunteers in an upper division political behavior course at San Diego State University (SDSU) and an introductory American politics course at the University of California, San Diego (UCSD). As with all four of the exit polls, the students received extra credit in their classes for conducting about 3 hours of interviewing at a given polling station. A total of 244 respondents from 10 distinct precincts were interviewed over the course of the day. Like the rest of the exit polls, the precincts were chosen using a random cluster sampling method. Four precincts were randomly selected from a list of precincts from the most recent election in San Diego (July 26, 2005 San Diego Special Election). The additional six precincts were located at the polling stations of the four originally selected precincts. There were two interviewers present at each polling station; the respondents were randomly selected, as every other voter (after completing an interview) was approached. These interviews took approximately 10 to 15 minutes per respondent with a response rate of 54%.[1]

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[1] One potential limitation of using an exit poll for analysis is that absentee voters are not part of the sample and they can differ in voting patterns for direct legislation (Dubin and Kalsow 1996). The only way this would affect the results of this test is if absentee voters responded differently to confusion, not

The sample (as with all four of the exit polls) was made up of voters consistently voting more liberally than the population of the sampled precincts. Though there are potentially innocuous reasons for this sampling bias, such as randomly getting more Democratic voters than Republicans, based on anecdotes from the field it is most likely due to Republicans being less likely to participate in the survey. Further evidence of this type of bias was discovered in the 2004 national exit polls (Edison Media Research and Mitofsky International 2005). Nonetheless, the increased number or liberal or Democratic voters, does not threaten to bias the study. Democrats, Republicans and Independents are not hypothesized to react any differently to confusion, and even if there was a difference, partisanship and ideology are controlled for across the analysis.

In the city of San Diego during the 2006 California Gubernatorial Election, I conducted a second exit poll. Again, the exit poll was implemented using student volunteers in an upper division political behavior course at SDSU, an introductory American politics course and a senior research methods course in Urban Studies & Planning at UCSD. A total of 638 respondents from 11 separate precincts were interviewed. Eight precincts were randomly selected from a list of precincts from the most recent election in San Diego (June 6, 2006 Gubernatorial Primary Election). The additional three precincts were located at the polling stations of the eight originally selected precincts. The response rate per voter contact was 52% with a completion rate of just over 80%.

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if their confusion levels were systematically higher or lower. There is no evidence or theory that would suggest this to be the case.

The two additional exit polls that I served as the PI for took place during 2008. The first poll during the California Presidential Primary on February 5, 2008 had a total of 615 interviews that were completed at 8 polling stations encapsulating 13 precincts in the city of San Diego. The response rate per voter contact was 56% with a completion rate of approximately 90%. The fourth exit poll was conducted during the Presidential Election on November 4, 2008. A trained group of undergraduates at SDSU and UCSD conducted interviews at thirteen polling stations encompassing 19 precincts across the city of San Diego. The interviewers had a response rate of approximately 48% and completion rate of nearly 90% resulting in 1,002 surveys.

The Washington Poll

The Washington Poll, which is a non-partisan academic survey research project sponsored by the Washington Institute for the Study of Ethnicity & Race (WISER), a research center at the University of Washington in the School of Social Sciences. This statewide random-digit-dial telephone survey (N = 601) was conducted from October 22 – 28, 2007 across the state of Washington, shortly before the November 6, 2007 statewide general election. The survey correctly predicted the outcomes all six of the statewide ballot measures, and the official returns were within the margin of error of the polling data on four of the six ballot measures (The Washington Poll). In the Washington Poll, voters were directly asked about their issue preference, state of confusion and vote choice on two ballot propositions.

The Field Poll

The Field Poll, a subdivision of Field Research Corporation which is marketing and opinion research organization based in San Francisco, is an independent and non-partisan survey of public opinion dating back to 1947. *The Field Poll* uses a registration-based sampling (RBS) methodology composed of virtually all statewide registered voters. The random digit dial sampling frame is chosen,

> "from this list of registered voters which has a telephone number for about 90% of the voters listed. In addition, RBS sampling does not rely on respondent testimony as to whether the respondent being sampled is a registered voter, and if so, what party the voter is affiliated with, since all persons contacted are known to be registered and their actual party registration is identified" (Field Poll 2008).

The Public Policy Institute of California

The final grouping of data sets comes from the PPIC, a private nonprofit organization dedicated to informing and improving public policy in California through independent, objective, nonpartisan research. The PPIC Statewide Surveys used in this research (from April 1998 through January 2008) took place over the course of one to two weeks and were conducted in both English and Spanish. All of the surveys had approximately 2000 respondents, "and interviews were conducted by an outside firm using a computer-generated random sample of telephone numbers that ensures that both listed and unlisted numbers are called. All landline telephone exchanges in California are eligible for the survey sample. Once a household is reached, an adult respondent is randomly chosen for interviewing using the 'last birthday method' to avoid age and gender biases" (PPIC 2008).

The Propositions

The following sections describe what each of the propositions were about and how the political campaigns played out during each election. Ballot proposition content, complexity and the length of time the issue has been on the public's radar are the key factors in determining the 'easiness' or 'hardness' of the proposition. I address each piece of that puzzle for all of the propositions that I analyze throughout the dissertation, ultimately concluding with a rank ordered list of propositions that was vetted by a group scholars, including Edward Carmines and James Stimson.

June 1998

In the spring of 1998 Proposition 226 titled, Political Contributions by Employees, Union Members, Foreign Entities, was placed on the June primary ballot.[2] This initiative, heavily supported by the Governor Pete Wilson, aimed to require union members to grant written permission to union leaders to use their dues and fees for political activity. The ballot measure campaign engaged in over $30 million of spending, with the supporters raising more than $6 million and the opponents, mostly unions, spending over $24 million.[3] The opposition campaign, largely funded by public employee unions, aired racist attacks against Pete Wilson that aimed at swaying the Californian Latinos who still harbored resentment toward the governor after his support of Proposition 187 (an initiative crafted to prevent illegal immigrants from

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[2] Summaries and full text of all California ballot measures are available at http://www.sos.ca.gov/elections/ballot-measures/voter-information-guides.htm, last accessed June 2, 2010.
[3] Unless otherwise noted, all campaign figures were obtained from the California Secretary of State's webpage Cal-Access http://dbsearch.ss.ca.gov/, last accessed May 15, 2010.

obtaining state services) back in 1994. Ultimately, Prop 226 failed at the polls with only 46.5% of the public supporting the measure.[4]

Nearly all political campaigns attempt to boil down complex issues to simple slogans and this campaign was no different. However, the simple campaign jargon was still laced with intricate implementation details. Additionally, campaign donation regulations are very much means oriented no matter how you slice it and this was a relatively new issue to the political landscape. Proposition 226 (labeled as Labor Union and Business Contributions) is one of the propositions that is difficult to classify as strictly a 'hard' issue and is therefore considered a 'moderate' proposition in this dataset.

March and November 2000

In the March primary of 2000, Californians voted on Proposition 22, the "Limit on Marriages" initiative, which added a provision to the family code limiting the recognition of marriages to only those between a man and woman. The campaign for Proposition 22 was heated and very public. Mormon and Catholic churches were very active in their support of the proposition, informally tagged the Knight Initiative which easily passed with 61% of the vote. These political efforts, though successful, literally left casualties in their wake. For people who think political campaigns are silly or of little import, I urge you to ask the Matis family how important they think campaigns can be. The intensity and culture of the campaign brought up too many

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[4] Unless otherwise noted, all election result totals were obtained from the California Secretary of State's webpage, http://www.sos.ca.gov/elections/elections_elections.htm, last accessed June 12, 2010.

painful issues for Stuart Matis. Three days before his suicide in February of 2000

Matis sent a letter to his alma mater Brigham Young University:

> "I am gay. I am also LDS. I realized the significance of my sexuality
> when I was around 13, and for the next two decades, I traveled down a
> tortuous path of internalized homophobia, immense self-hatred,
> depression and suicidal thoughts. Despite the calluses on my knees,
> frequent trips to the temple, fasts and devotion to my mission and
> church callings such as Elders' Quorum president, I continually failed
> to attenuate my homosexuality…I read a recent letter to the editor with
> great regret. The author compared my friends and me to murderers,
> satanists, prostitutes and pedophiles. Imagine having to live with this
> rhetoric constantly being spewed at you" (Egan and Vigh 2000).

The tenor of the campaign compounded with a man's deep internal struggles

led to a tragedy on the steps of a Mormon church early in the morning of February 25,

2000. Anti-Proposition 22 activist Jeanie Mortensen-Besamo believed the campaign

"was just ripping him apart" during Matis' last days. She lamented that the culture of

homophobia is what troubled Matis so much. "It's been so predominant in California

for several months. You can't go anywhere in California without seeing those stupid

blue and yellow signs [in favor of Proposition 22]," said Mortensen-Besamo, who

began corresponding with Matis about a month prior. "For him, it was paralyzing. He

couldn't handle it anymore" (Egan and Vigh 2000).

Same-sex marriage bans deal with clear policy ends: whether or not

homosexuals are allowed to marry. The tone of this campaign was very symbolic as

churches injected their morality into the public discourse. Even though same-sex

marriage bans were relatively new to the political landscape in the spring of 2000,

Congress had passed the federal Defense of Marriage Act (DOMA) back in 1996.

With the end policy focused symbolic nature of the debate, the 2000 same-sex marriage ban is one of the 'easier issues' in this analysis.

Later in the fall of 2000, amid the Bush v. Gore presidential election, Californians voted on a school voucher initiative supported by venture capitalist Tim Draper. Proposition 38 would have provided $4,000 vouchers to all students opting to attend a private school. The initiative failed miserably at the polls, garnering only 29.5% of the vote. Nonetheless, this proposition saw more $60 million spent during the campaign. Draper put out nearly $25 million of his own money supporting the proposition and the California Teachers Union matched that figure with $26 million donated to the opposition campaign. This voucher campaign dealt with end goal policy: funding vouchers for private schools or not. The campaign, like most voucher campaigns, used children prominently in the advertisements and was very symbolic. Vouchers have been around since the late 1800s and were popular in South to perpetuate segregation in the mid-twentieth century; their national prominence came in the 1980s when the Reagan administration pushed for the widespread use of vouchers. Therefore, this qualifies as an 'easy' issue.

November 2002

In the fall of 2002, Californians voted on Proposition 47, a $13 billon bond for school infrastructure. A group made up of labor and builders were responsible for most of the $12 million that was spent in support of Prop 47, no organized committees opposed the measure which passed with 59.1% of the vote. School infrastructure is not a new issue and school bonds campaigns tend to be symbolic using children in

their ads. These two pieces (symbolism and time in the public discourse) point to an 'easy' issue. However, building new schools and improving the infrastructure is a means to improving the educational outcomes of the children of California. Therefore, this issue tends to fall toward the middle of the 'easy' – 'hard' continuum.

October 2003

October 7, 2003 is date that brought California into the national spotlight for its recall of the sitting governor, Grey Davis, and the ensuing election of action movie star Arnold Schwarzenegger. The gubernatorial recall was not the only issue on the ballot though. Proposition 53, a legislative referred constitutional amendment proposed to dedicate 3% annually of the general fund to state and local infrastructure improvements. There was almost no spending on this ballot measure and very little public debate. The measure failed, garnering only 36.2% of the 'yes' votes. What little debate that was out there was technical and focused on the means to the policy implementation. Though infrastructure improvements are long on the political agenda, this was not the typical bond measure that funds infrastructure projects. Prop 53 was a fairly complicated method of dedicating funds that would necessarily reduce the available money for other projects. Therefore, Prop 53 (labeled as the Local Spending Set Aside) is 'harder' issue.

November 2004

The Bush v. Kerry general election in November of 2004 was hotly contested on the national level, but California was largely ignored by the presidential campaigns. Since California was clearly a blue state in the Democratic win column, neither

campaign expended many resources in the state (Shaw 2006). This lack of presidential campaign activity left an opening for advertising that was filled by several ballot measure campaigns. The first of these ballot measures was Proposition 71, an initiative that provided $3 billion for stem cell research funding. Nearly all of the $35 million of campaign spending was spent supporting the stem cell research initiative. Though the Republican Party was opposed to the initiative, Governor Schwarzenegger supported the proposition. The campaign was a one-sided affair as wealthy individuals who believed in the medical benefits of stem cell research and interest groups that stood to benefit from the passage of Proposition 71 poured over $35 million into the campaign.

Stem cell research had been on the political agenda for a few years and it is a fairly symbolic issue, particularly for Catholics. The opposition focused on the large bureaucracy, the California Institute for Regenerative Medicine, which would get created if the initiative were to pass (and ultimately Proposition 71 did pass with 59.1% of the vote). Even though Proposition 71 – the Stem Cell Research Initiative, involved an issue that is means focused as opposed to policy end focused, stem cell research is symbolic and familiar to the public debate, therefore it tends to fall closer to an 'easy' issue.

Also on the ballot in November 2004 was Proposition 63 – Mental Health Services Act, an initiative drafted by Assemblyman Darrel Steinberg that proposed to increase taxes by 1% on Californians earning over $1 million per year. These new funds would be dedicated to mental health services provided by the state. The "Yes

on 63" campaign spent almost $5 million, mostly donated by healthcare organizations, while the opposition spent almost nothing. Proposition 63 passed with 53.8% of the vote. Initiatives slated to increase taxes are nothing new to Californians, but funding mental health services is not an issue that has long been in public discourse. Even though the "Yes on 63" campaign attempted to paint this initiative as way to improve care for low income Californians struggling with mental health problems, funding state services is more means oriented that policy ends focused. Tax increases on specific segments of the income bracket lean toward technical issues, especially when one of the key opposition arguments was the wealthy Californians are over taxed with potentially dire results. The argument claimed that the wealthiest of Californians are most mobile and as their tax burden increases they are most likely to pick up and move out of state, thereby stripping the state coffers of all of their tax dollars. Therefore this initiative is more toward the middle of the continuum and is classified as 'moderate'.

The third ballot measure I am analyzing in 2004 was Proposition 1A, a legislatively-referred constitutional amendment titled, Protection of Local Government Revenues. This amendment was overwhelmingly approved by 83.7% of the vote. The campaign saw no opposition and almost $9 million of support from Walmart and local government organizations. This issue is very technical and means oriented, as it deals with federalism and control of state tax dollars. Additionally, this is issue has not been a staple of the public discourse in California, therefore Proposition 1A – Protection of Local Government Revenues is a 'hard' issue.

November 2005

The California Special Election on November 8, 2005 was called by Republican Governor Arnold Schwarzenegger after a failed attempt to push his reform agenda through a Democratic controlled state legislature in Sacramento. There were eight propositions on the statewide ballot, four of which were part of the Schwarzenegger reform package: Propositions 74 – Teacher Tenure, 75 – Union Dues, 76 – Spending Limit, and 77 – Redistricting. I only have data for three of the four initiatives, Propositions 74, 75 and 76. These three initiatives were chosen because there were popular elite supporters and opponents on each initiative providing clear cues for the electorate, a necessary condition for successful shortcut voting (Lupia 1994; Lupia and McCubbins 1998).

The electorate had access to an abundance of information and cues for these propositions, as evidenced by the staggering amount of money spent during the campaign. Governor Schwarzenegger led the charge in support of his reform package, raising and spending upwards of $30 million on the campaigns for Propositions 74, 75 and 76. He was clearly the most identifiable elite on the "yes" side of those propositions. Supporters of Proposition 74 and 76 spent $57.2 million, while opponents of 74 spent $16.8 million and the opponents of 76, mostly public employee unions, spent over $30.3 million. The story is even more overwhelming for Propositions 75 where supporters spent a total of $50.9 million, and opponents' expenditures totaled $55.9 million. These three propositions accounted for over $218

million in spending during this special election campaign. All eight of the propositions on the ballot failed.

First, Proposition 74 was an initiative proposing the alteration of teacher hiring and firing in the public schools. The key policy proposal was increasing the number of years teachers needed to work before being granted tenure from two years to five years. A new issue to the public debate, the teacher tenure ballot measure was means oriented and rather technical. Though there is a long history of public school issues being discussed in Californian, and across the country for that matter, the intricacies of teacher and the arguments on both sides of the issue are quite complex. The teacher tenure initiative is therefore categorized as more of a 'moderate' issue.

Second, Proposition 75 was an initiative proposed to restrict public employee labor unions' ability to use member dues for political contributions. Similar to Proposition 226 in 1998, this initiative saw intense political campaigning as the two sides combined for over $100 million in campaign spending. Nonetheless, the campaign advertisements were still full of intricate technical details about union dues and political spending requirements. Campaign donation regulations are means oriented and though this issue was put before the voters only 7 years earlier, this issue is not one that garners the gut reaction of issues like same-sex marriage and abortion. Therefore, because of the mixed descriptions, Proposition 75 (labeled as Union Dues) is one of the 'moderate' issues in this dataset.

Proposition 76 – State Spending and School Funding Limits, was an initiative designed to reduce state spending by limiting the increase in overall spending to the

prior year's level plus the three previous years' average revenue growth. This complicated initiative constitutional amendment would have altered Proposition 98 (passed in 1988) that requires approximately 40% of the state budget to be spent on K-14 education. Spending limits are fairly new to Californians, very technical and deal with how the size of the budget would be determined – a rather complex issue; therefore, Proposition 76 – Spending Limits is a 'hard' issue.

November 2006

During the 2006 election, Proposition 87 was a controversial proposal that would have introduced a severance tax on oil production within the state of California. The initiative would have generated between $225 and $485 million annually for the state to fund $4 billion in new alternative energy programs (California Secretary of State). Environmental organizations and other proponents of Prop 87 raised upwards of $61 million, $40 million of which came from a single donor – Hollywood producer Steve Bing. Opponents of Prop 87, mostly oil companies, managed to raise upwards of $90 million. The initiative failed on Election Day as it only garnered 45.4% of the vote.

The bulk of the Prop 87 campaign war was waged via television commercials, both in support and in opposition. The television commercials began airing in early August, three months before Election Day, as the opposition campaign made efforts to confuse voters and the supporting campaign focused on the popular aspects of the initiative. The supporters of Prop 87 emphasized the section of the initiative that mandated a 25% decrease of oil consumption over the next 10 years, resulting in a

reduced dependence on foreign oil and an increase in alternative fuel sources. While touting the proposed benefits, the "Yes On 87" campaign also pointed out that "California deserves its fair share" from the oil companies (YesOn87.org). Their first television commercial played on the public's negative feelings toward big oil as they aired an unflattering photo of ExxonMobil's CEO Lee Raymond and his $400 million "retirement" package, emphasizing that the oil companies could not pass the increased tax on to consumers. The campaigns tried make symbolic arguments, but the content of the issues were somewhat technical. Though there were undercurrents in the debate about reducing dependence on oil, the overarching theme suggested that the policy was mostly a punitive cash grab against oil companies. Even though, big oil and taxes were not new to California, oil severance taxes were new to the debate. Therefore, Proposition 87 – the Oil Tax, falls in between 'easy' and 'hard' issues, and is considered 'moderate'.

Proposition 89 was an effort to introduce publicly financed elections to California's state level campaigns, both executive and legislative. Candidates who met certain requirements, most notably the collection of a specified number of campaign donations of $5.00, would have been able to receive public funding for their campaigns. A .2% increase in corporate income tax rates would have funded the $200+ million program. Supporters of Prop 89 spent approximately $6 million, most of which was donated by the California Nurses Association, while opponents spent slightly less than $5.5 million. Proposition 89 – Clean Elections was resoundingly defeated and received barely 26% of the vote. Publicly financed elections had not

been in the public debate a great deal, but were not brand new to the electorate either. However, the initiative was quite complex and very much means oriented. Election law changes often focus on improved governance, an abstract concept, and Proposition 89 was no different. Therefore this is one of the 'harder' issues in the data set.

Another initiative on the ballot was Proposition 86 – Tax on Cigarettes. This initiative would have increased taxes on cigarettes by $2.60 per pack, tripling the existing excise taxes on cigarettes. Other tobacco products would have seen tax hikes had the initiative passed, however it did not pass, receiving only 48% of the vote. Cigarette regulation and taxing have been in the public debate since the 1950s when cigarettes were first linked to cancer. However, it was not until the 1990s that litigation exploded and ingrained tobacco politics into the public sphere. This cigarette tax initiative was a very symbolic anti-smoking measure that dealt with a tax hike. Though the money raised would have gone toward health care and anti-smoking campaigns, the tax hike campaign was painted more as an end goal policy implementation than a process to raise money for other spending priorities. Therefore, Proposition 86 – Tax on Cigarettes is more of an 'easy' issue.

November 2007

Washington's 2007 gubernatorial election produced two ballot propositions (one initiative and one legislatively referred constitutional amendment) dealing with legislative majority limits when passing tax increases. Initiative 960, The Taxpayer Protection Act, was a controversial measure aimed at reaffirming Initiative 601 (passed in 1993) which required a 2/3 majority for legislative passage of tax increases.

Tim Eyman, the sponsor I – 960, is an anti-tax activist in Washington who has become popular for using direct democracy to advance his tax cutting causes. Over the past decade he has experienced generally positive results with sponsored or cosponsored initiatives and referenda. Of the fourteen tax cutting and government shrinking propositions he was involved with, nine have made it onto the ballot and seven of those were passed by the voters, including Initiative 960 (Washington Secretary of State 2008). The courts have been less enthusiastic about these propositions and have declared three of the initiatives unconstitutional (McGann 2006).

Initiative 960 faced several tough battles before it even reached the ballot. Signature gathering was difficult and needed to overcome legal obstacles as several unions sued on constitutional grounds, the case was dismissed in July of 2007 (Mercier 2007). There was a moderate amount of campaign spending on both sides of the issue. The Voters Want More Choices PAC, spearheaded by Tim Eyman and Mike and Jack Fagan, spent about $2.3 million nearly doubling the $1.3 million No On I – 960 spent in opposition (Washington Public Disclosure Commission 2008). This controversial initiative marked a clear divide among the political elite in Washington State as popular Democrats came out against the initiative and prominent Republicans supported the cause (Wilson 2007). After a high profile battle, I-960 eventually passed with a bare majority of votes 51.24% to 48.76% (Washington Secretary of State).

The second ballot proposition is Engrossed House Joint Resolution 4204, a constitutional amendment on school district tax levies. This amendment effectively

eases the burdens of local school districts by allowing for tax levy increases to be

enacted with a simple majority of votes (50% + 1) in a given election. Previously,

school levies above 1% could be enacted only, "(1) if the number of voters who vote

in the excess levy election exceeds 40% of the number who voted in the last general

election in the district, then the excess levy is approved if at least 60% vote "yes." (2)

If the number of voters who vote in the excess levy election is 40% or less than the

number who voted in the last general election in the district, then the levy is approved

if the "yes" votes total at least 60% of 40% of the number of voters who voted in the

preceding general election in the district" (Washington Secretary of State 2007).

Constitutional Amendment 4204 faced very little opposition compared to I – 960.

Supporters of CA 4204 raised approximately $3 million and faced no major organized

opposition campaign, yet the measure barely passed by less than 20,000 votes 50.61%

to 49.39% (Thomas 2007). Though tax debates are not new to Washington State,

legislative passage requirements are very technical and explicitly means oriented.

Rules about laws getting passed by their very nature are about how the process works,

not a particular policy goal. Therefore, both of the measures (I – 960: State Spending

Limit and CA 4204: School Tax Threshold) are both 'harder' issues, but the

symbolism involved in educational policy makes CA 4204 a little be 'easier', landing

CA 4204 in the 'moderate' category.

February 2008

The Presidential Primary Election of 2008 in California had seven propositions

on the ballot, four of which were referendums on alterations to Indian gaming

compacts with the state (Propositions 94, 95, 96 and 97). In exchange for allowing an

increased number of slot machines on tribal land, the tribes agreed to increase the

amount of revenue given to the state.   The referenda were marketed as a single

package to vote on and supporters of the agreement, mostly the Indian tribes named in

the pacts and Governor Schwarzenegger, spent upwards of $115 million to bolster

support for the four referenda. Opposition groups, anchored by tribes not involved in

the deal and gambling organizations like race tracks that would like to add slot

machines to their offerings, spent over $64 million to defeat the gaming pacts.

Ultimately all four agreements were passed by the voters with nearly identically

passage rates around 55.6%. The Tribal Gaming referenda were very much end goal

policy, these tribes get to add a set number of slot machines to their properties and the

state gets a piece of the revenue. The issue was however, rather technical and

complicated. Tribes not involved in the compact were opposed the referenda, some

casinos were allowed more slots than others, and the exact cut the state would get was

uncertain. Though tribal gaming has been hot topic in California for the past decade,

it does not quite garner the 'gut' reactions Carmines and Stimson (1980) discuss in the

seminal work on issue difficulty. The tribal gaming referenda from February of 2008

fall in the middle of 'easy' and 'hard' issues and is classified as 'moderate'.

A much more complicated initiative, Proposition 91 – Transportation Funds

was placed on the ballot to close a loophole in Proposition 42 (a 2002 initiative

dealing with transportation funds) that allowed legislators to move money into the

General Fund that was earmarked for transportation. The proponents of the initiative

were engaged in a dual strategy, lobbying the legislature while they were gathering signatures for the initiative. The legislature acted, but not until after the signatures were submitted. This put the proponents of Prop 91 in the interesting position of opposing the proposition they got placed on the ballot. The details of the proposition were complex and technical dealing with budgetary allocations of tax revenue. Allocation of earmarked transportation funds is not the type of issue that engenders a gut reaction and it is an issue that has not been long on the agenda, making this one of the 'hardest' issues in my dataset.

Another less popular initiative on the ballot was Proposition 92 which set community college tuition fees at $15 per unit and limited future increases. In contrast to the gaming referenda, supporters of Proposition 92 spent only $5 million while the opposition barely spent $2 million. Proposition 92 failed at the polls garnering only 42.7% of the vote. Educational issues tend toward symbolic, even though there were technical pieces about the specific limits of cost increases and how the community colleges would get funded going forward. Additionally, this initiative dealt with end goal policy, i.e. cost of tuition. Education funding has long been in the California sphere of public debate, even though the college costs debate lacks the gut response and symbolism of primary education, this is an issue that is not foreign Californians, so Proposition 92 – Community College Fees is an easier issue.

Proposition 93, an initiative aimed at altering California's term limits law, initially showed voter support, however, as the election neared, support plummeted as opponents successfully portrayed the constitutional amendment as a scheme for

current legislators to extend their terms. Ultimately, the reform measure received only 46.4% of the vote. This issue fits the 'hard' issue categorization fairly well. Term limits are not new to Californians as the voted to install them in 1990, but they are not ever present in the public discourse. Plus, as with most of government's operational rules, term limits are focused on the policy process and political ends and are very complex. Therefore this initiative is one of the 'hard' issues.

November 2008

The Presidential General Election of 2008 saw 12 statewide ballot measures ranging from the controversial effort to ban same-sex marriage (Proposition 8) to the well received Proposition 12, extending veteran's home buying benefits. Ballot measure supporters and opponents spent almost $250 million during the general election (National Institute of Money in State Politics). Proposition 3 – Children's Hospitals Bonds had no organized opposition and hospitals spent just under $8 million supporting the initiative, it passed with 55.3% of the vote. This measured provided for nearly $1 billion of bonds for children's hospitals to improve infrastructure. Though funding hospitals for children is not widely discussed in California's political discourse, sick children are very symbolic and bond measures to build hospitals are very much political ends oriented. Therefore, this issue tends toward being 'easy' compared to other bond measures.

Proposition 4 aimed to prohibit abortions for "unemancipated minor(s) until 48 hours after physician notifies minor's parent or legal guardian" (California Secretary of State). This was the third effort to pass this type of initiative in the last several

years and again the opposition outspent supporters, this time by more than four to one.

This proposition failed as only 48% voted 'yes'. Abortion is probably the most well

known of the social issues in the political dialogue and been a lightning rod for

politicians and the electorate since the 1974 Roe v. Wade decision. Not only is

parental notification for minors seeking an abortion a clear policy end, this issue very

symbolic and the campaigns played up this angle as well. These characteristics make

Proposition 4 – Parental Notification a very 'easy' issue.

Proposition 7 would have required public utilities to generate increasing

percentages of their power from renewable sources of energy. The opponents of this

proposition (mostly utilities and big oil) spent nearly $30 million to defeat Prop 7

while supporters drummed up nearly $10 million to get this initiative passed (National

Institute of Money in State Politics). This was an extremely technical issue requiring

public utilities to switch to renewable sources of energy by specified dates. The

campaign in favor of this initiative played up the effect this would have on the

environment, thereby making this more of a process oriented issue as opposed to end

goal policy. Finally, while Californians are familiar with 'the environment' in broad

terms this combination of the environment, energy and public utilities was a new issue

to Californians, making it a 'hard' issue for voters.

Proposition 8, the extremely controversial measure designed to constitutionally

ban same-sex marriage, saw over $100 million pour into this campaign from all 50

states. The "No on 8" campaign, favoring same sex marriage, spent over $64 million,

while the "Yes on 8" campaign tallied over $42 million of their own. Celebrity

endorsers from Hollywood led the opposition, while the Mormon Church was heavily

involved in the support of Prop 8. Ultimately Prop 8 passed with 52.3% of the vote.

Same-sex marriage has only gotten more embedded in the public consciousness since

its first appearance on a California ballot back in the spring of 2000. The only

difficulty associated with voting on Proposition 8 was that a "no" vote actually

supported the rights of same-sex couples to marry, while a "yes" voted to ban the

practice at the state level. This issue is tremendously symbolic, all about policy ends

and very familiar to Californians. These characteristics make this very much an

'easy' issue.

Issue Difficulty

Based on the evidence I have presented thus far, below is a chart (Table 2.1)

that rank orders all of the propositions that are used in the analysis for this dissertation.

Propositions at the top of the table are the 'easy' issues, while the propositions at the

bottom of the list are the 'hard' issues. Even though I group issues as 'easy',

'moderate' and 'hard', the real world of politics is messy and clean lines of

demarcation are difficult to come by and often somewhat arbitrary. As a reminder, I

envision the 'easy' – 'hard' description more as a continuum with an ordinal ranking.

Some propositions are quite straightforward find their way toward one end (i.e. 'easy'

initiatives like Proposition 8 and Proposition 22 dealing with same-sex marriage) or

the other (i.e. 'hard' ballot measures like Proposition 7 about renewable energy

requirements). However, many propositions, like CA 4204 the school tax passage

threshold, have 'easy' characteristics such as being laden with symbolism, but are

technical and complex process oriented ballot measures. These propositions find their

way toward the middle of the continuum.[5]

  As listed in Table 2.1, Proposition 4 about Parental Notification is the best

example of an 'easy' proposition, while Proposition 7 about Renewable Energy

Requirements is a prime example of a 'hard' issue. It is important to remember that

this ranking is ordinal and just because Proposition 3 – Children's Hospital Bonds is

ranked 9th does not mean that this measure is at the midpoint of difficulty between the

Parental Notification initiative and Proposition 53 – Local Spending Set Aside. In

fact, the Children's Hospital Bonds initiative is much closer to Parental notification in

terms of its issue difficulty than the Local Spending Set Aside. Moving through the

following chapters I will use this ordinal ranking of propositions according to their

issue difficulty to provide an organizational structure to the presentation of the data.

This structure will also serve as a check on the validity of my measures of confusion

and correct voting in future chapters.

---

[5] Aside from my own analysis, I received valuable feedback and constructive criticism about the rank ordering of these propositions from Edward Carmines, James Stimson and Anne Marie Cismar.

Table 2.1 Issue Difficulty

Subject Matter	Proposition Number	Election Date	Difficulty
Parental Notification	Proposition 4	Nov 2008	Easy
Same-Sex Marriage Ban	Proposition 8	Nov 2008	Easy
Same-Sex Marriage Ban	Proposition 22	Mar 2000	Easy
School Vouchers	Proposition 38	Nov 2000	Easy
Cigarette Tax	Proposition 86	Nov 2006	Easy
Stem Cell Spending	Proposition 71	Nov 2004	Easy
Community College Fees	Proposition 92	Feb 2008	Easy
School Infrastructure Bonds	Proposition 47	Nov 2002	Easy
Children's Hospital Bonds	Proposition 3	Nov 2008	Easy
School Tax Threshold*	Const. Amend 4204	Nov 2007	Moderate
Mental Health Spending	Proposition 63	Nov 2004	Moderate
Oil Tax	Proposition 87	Nov 2006	Moderate
Indian Gaming	Proposition 94	Feb 2008	Moderate
Teacher Tenure	Proposition 74	Oct 2005	Moderate
Union Dues	Proposition 75	Oct 2005	Moderate
Union and Business Contributions	Proposition 226	June 1998	Moderate
Local Taxes Stay Local	Proposition 1A	Nov 2004	Hard
Local Spending Set Aside	Proposition 53	Oct 2003	Hard
Spending Limit*	Initiative 960	Nov 2007	Hard
Spending Limit	Proposition 76	Oct 2005	Hard
Term Limits	Proposition 93	Feb 2008	Hard
Clean Elections	Proposition 89	Nov 2006	Hard
Transportation Funds	Proposition 91	Feb 2008	Hard
Renewable Energy Requirements	Proposition 7	Nov 2008	Hard

* Ballot measure from Washington State.

Chapter 3

Confusion in the Electorate

Confusion is a word that is regularly used in conversations of all stripes, from academic to political to everyday chats about the weather. Even though political science scholarship has discussed and analyzed confusion, specifically within direct democracy, there is a dearth of specific concrete conceptualizations of confusion (Bowler and Donovan 1998; Christin, Hug and Sciarini 2002; Darcy and Schneider 1989; Goldsmith 2004; Higley and McAllister 2002; Hyink 1969, Lupia and Matsusaka 2004 and Magleby 1984). In the media, political confusion is often viewed at a state, as opposed to a process. Generally, that state of confusion revolves around a lack of awareness of a proposition's consequences. As Dan Walters (2009) so eloquently claims, "A sturdy axiom of California ballot-measure politics is that voters who are confused or uncertain about a proposition's effects will vote against it." Throughout this chapter and dissertation, I define confusion as a self-recognized state of uncertainty about a ballot measure.

In this chapter I measure the existence of confusion about ballot measures in the electorate. The first section of this chapter lays out the various scenarios that can lead to voter confusion, specifically in the realm of direct democracy. The following section addresses the three different operationalizations of confusion that I employ, each of which has costs along with benefits. After discussion of the measurement choices and decisions, I examine the characteristics of individuals that are confused. I

conclude with analysis of the overall levels of confusion in the electorate and what leads to variation in levels of confusion across issue difficulty.

What Makes Voters Confused

Individuals can become confused about the public policy consequences of ballot initiatives for many reasons. There are initiative-specific characteristics that can confuse voters too. An initiative itself may be designed to be confusing on its face or ballot language can by complex and jargon and filled. Some 'yes' votes and really mean no and some 'no' votes are actually supportive of particular policies. An individual's interpretation of the initiative may be unclear, either due to a lack of information or a confluence of competing information. There are many factors that can lead to voter confusion, in the coming pages I lay out my argument with examples of when and how voters get confused.

Some initiatives are designed to confuse voters. In 2001, Washington voters passed a tax limiting measure that was overturned by the State Supreme Court in November of 2007, because the court claimed, "the text of the initiative misled voters about the substantive impact of the initiative on existing law" (Gilmore 2007). Similarly, Proposition 7 in November 2008 was an initiative aimed at requiring a greater percentage of California's energy to come from renewable resources. The proposition was cloaked in environmentalism, but its poorly drafted text and ambiguity led the Berkeley Law Center for Environmental Law and Policy to conclude that the ballot language was laden with "confusion and could require judicial interpretation" (2008). Even without nefarious intentions or incompetence,

propositions can still lead to voter confusion. Often the text of these initiatives is long and full of technical jargon, language unfamiliar to even the most educated outside of that specific field.

In addition to the complex technical initiatives, even hot button social issues can be confusing. Proposition races do not always have clear meanings for the votes associated with them, sometimes 'yes' votes and mean no and 'no' votes can mean yes. For example, according to Lisa Garrison (2008), Willie Brown, former Speaker of the California Assembly and current Mayor of San Francisco, spoke against Proposition 8, the constitutional amendment to ban same-sex marriage, and "made an appeal for the importance of protecting the rights of same-sex couples. And then he urged his audience to vote yes on the proposition." If elected officials are confused about what a 'yes' vote means, it seems reasonable to assume that some voters may find themselves confused about how the initiative will affect policy.

Another potential cause of confusion is that the legislative and bureaucratic implementation of initiatives is not always straightforward (Gerber, Lupia, McCubbins and Kiewiet 2001 and Gerber, Lupia and McCubbins 2004). Courts can be left to interpret 'voter intent' and may alter what most voters expected an initiative to do (Salvucci 1998). In a federal system, other levels of government can attempt to dilute or alter the results, or change the outcomes of these elections. The federal court overturned Proposition 187 in California which aimed to deny illegal immigrants social services. In addition to uncertainty about implementation, policy consequences are also far from certain. For example, California's Proposition 140 instituting term

limits has had numerous unintentional consequences, many of them negative (Kousser 2005).

At the individual level a lack of enough information to understand an issue can confuse voters. Lacking of awareness about the specific 'encyclopedic' facts of initiatives is quite common (Lupia and Matsusaka 2004). However, voters can use cues from endorsements to give them an idea about how the initiative will affect policy (Boudreau 2009; Lupia 1994). The use of shortcuts (endorsement or cues) for voting has a long history, and its usage by direct democracy voters is even more prevalent because of rational ignorance due to the high costs of gathering the limited amounts of information typically available to the voter (Downs 1957; Bowler and Donovan 1998, p. 32; see Kriesi 2002 for comparative empirical evidence).

Even with well-funded and heavily-advertised campaigns that are flooded with commercials and political mail from both sides, a sizeable portion of voters (sometimes up to a third of the electorate, see Lupia 1994) still lack information about the initiative. Absent a clear signal as to the trustworthiness of the source of the information, voters may not know which side to believe (Lupia and McCubbins 1998), which can lead to confusion. Even if there are clear source cues, contradictory signals from elites (Zaller 1992; Nicholson 2008) can lead to ambiguity about the elites' (and their own) understanding about what effects the initiative will have. On the other hand, some proposition campaigns have very little, if any, advertising leaving voters without any elite cues at all.

Heuristics or cues can ease the information gathering burden on voters and enable better decisions. Yet, not all individuals have equal access to these endorsements, nor are they processed equally (Boudreau 2009). Zaller (1992) explained the potential limiting effects of political information, the most interested are the most likely to get the information, but are least likely to have their opinion swayed. Conversely, the least interested are the mostly likely to have their opinion changed, but least likely to become aware of the information that would change their opinion. While this is not identical to using cues to sort out a voter's underlying preferences to enable them to match those preferences to a vote, the logic is analogous. Those most interested in politics are most likely to have exposure to such cues and least likely to need them. While cues can and do promote clarity and certainty among the electorate, it is not clear that all voters are exposed to those cues equally.

In sum, there are both proposition and individual specific reasons for being confused. Propositions themselves can be confusing on their face, be riddled with complex technical information or have uncertainty surrounding their implementation. Voters can lack information about a ballot measure or may be overwhelmed by competing messages and contradictory information and become confused. In the next section I discuss both the benefits and costs of three different measurements of confusion, arguing that a direct measure of confusion provides enough theoretical insight and empirical predictability to outweigh the costs of using self-identified measures of confusion from surveys.

Measuring Confusion

In previous work on this subject, many authors have opted to use indirect measures of confusion, most commonly ballot or ballot title length (Bowler and Donovan 1998; Goldsmith 2004 and Hyink 1969). This way of inferring confusion does have the drawback of not attributing confusion to specific individuals, and therefore cannot test theories at the individual level. Voting decisions are ultimately a personal choice made inside the confines of the voting booth. For that reason, getting a measure of confusion for each voter is a better test of the theories about what confusion leads to on Election Day. I have used both direct (Binder 2006, Binder 2009) and indirect measures of confusion (Binder 2007). Each measure has some advantages and some drawbacks. One of my direct measures (Binder 2006) used the presence (or absense) of cue awareness as a proxy for confusion. Voters can either have too much contradictory information, or not enough information. I used cues awareness as a proxy for four potential forms of confusion.

One of the four forms of confusion is when voters have received *contradictory consensus cues* (the elites agree on an issue position, but the individual's relationship with those elites makes their signal contradictory) from elites that are urging them to vote in similar directions are faced with a confusing choice. For example, an environmentally sensitive Democrat in California sees that the League of Conservation Voter is opposed to Proposition 7 (the renewable energy initiative in November 2008) and at the same is aware that the public utilities and big oil are opposed to the initiative as well. While Zaller (1992) would argue this would lead to a

voter opposing the initiative, it may also create a state of confusion because of the unexpected alliance of those very different special interest groups.

In analogous circumstances, when the cues voters receive clash, but the elites furnishing them are of equal trustworthiness, voters become similarly confused by the *competing cues* they receive (one elite cue pushes the voter in one direction, and a different elite cue pulls the voter in a different direction). Either the elite's consensus policy position creates confusion or contradictory elite messages induce the confusion. For example, a moderate Republican in California hears Arnold Schwarzenegger oppose Proposition 8 (the same-sex marriage ban on the ballot in November 2008) at the same time the Republican Party is supports the initiative. What's a voter to do?

Another underlying condition of confusion stems from a lack of information that prevents voters from understanding their true preferences in relation to the proposition. In this case, additional information would help the voters make up their minds. In the framework of cues analysis, two forms of this type of confusion exist. First, a voter perceives that the elite is urging them to both support and oppose an issue stance, the voters are receiving *bad cues*. A voter may think one hand that the California teacher's union is opposed to Proposition 74 (a teacher tenure change on the ballot in November 2005) and also supportive of Proposition 74. Finally, those without any inkling on how to vote because they are *absent cues* could also be considered confused.

Three propositions from the November 2005 Special Election in California were measured in this manner: teacher tenure, limiting political donations from unions

and imposing a cigarette tax. The confusion levels from the 2005 exit poll are

presented in Figure 3.1 (along with all of the other propositions). One of the benefits

of using the presence or absence of cues as an operationalization is that it is an

objective direct measure that relies on the presence of certain information (i.e. cues)

and the individual's view of the cue giver. Yet, at the same time using a measure of

this type assumes confusion, when in fact the voter may have a very clear

understanding of the policy implications of the proposition, regardless of their cues

awareness. Ultimately, this particular measure of confusion fits well with the other

two operationalizations and appears to tap some level of confusion in the electorate.

However, assuming confusion is theoretically problematic. Even though the aggregate

confusion totals comport with the two other measures, a direct measure of confusion is

a better way to test the theories that stem from a state of confusion.

In an effort to directly get at confusion levels I employed a different measure

during the November 2006 General Election exit poll. I left it up to the individual

respondent to determine how confusing the propositions were.   Due to concerns with

social desirability response bias, I asked voters how confusing they thought the

propositions were for the average voter.   Respondents were asked, "Do you think any

of the propositions on the ballot were too confusing for the average voter to

understand?" If the respondent answered, "yes", they were prompted, "which ones?"

Individuals were coded as confused for each proposition they indicate is confusing,

and coded as not confused for the rest of the propositions. Again, the results of this

operationalization are presented in Figure 1, as the two initiatives measured in this

manner are about creating publicly financed clean elections in California and implementing an oil excise tax.

While the direct measure relied on an awareness of particular information, this indirect measure is a step in the right direction theoretically. Both measures are improvements over aggregate measures, because they allow for testing of hypotheses at the individual level. Beyond simply allowing for hypothesis testing, this indirect measure reduces concerns about social desirability response bias (people potentially embarrassed to admit being confused, particularly after having just voted on the proposition). Unfortunately, this indirect measure could be more of a measure of how the respondent views themselves in relation to other voters, as opposed to serving as a proxy for confusion.

If the respondent feels more informed than other voters, they themselves may not be confused but could claim others to be. Conversely, if the respondent views themselves as having less information, they may think others would not be confused about the proposition, regardless of their own confusion levels. The key shortcomings of these two measures (inferring confusion by cue awareness and using an assessment of 'the average voter's' confusion) led to an improved direct measure of confusion. Since respondents seemed comfortable discussing confusion, about 1/3 of the respondents indicated confusion using the indirect measure, it suggested, that if care was taken, social desirability may not be a big concern for answering questions about confusion and ballot propositions.

This bulk of my research relies on a more direct way of assessing the respondent's level of confusion, asking the respondents if they are confused. Of the three data sets I analyze with this operationalization of confusion, two methods were used to collect the data, a random-digit-dial telephone surveys and face-to-face exit poll interviews. To measure confusion, interviewers asked respondents, "In talking to people about the election we find that due to ballot language or contradictory campaign advertisements a lot of people find ballot propositions confusing. How about you, do you find Proposition 8, the about same-sex marriage, confusing?" Those who responded 'yes' were coded as being confused, while the 'no' responses were coded as not being confused. In order to reduce any potential social desirability response bias toward the confusion question, in both the phone interview and the personal interview during the exit polls, two potential reasons for confusion given (the ballot wording and the campaign advertisements). Additionally, for the face-to-face exit poll interviews, research has shown that respondents are less likely to represent themselves in socially desirable ways (Holbrook, Green and Krosnick 2003).

How Many People are Confused?

This section begins to present the descriptive statistics of the three different measures of confusion (see Figure 3.1). In Figure 3.1 each of the propositions is listed with the corresponding bar representing the level of confusion among the electorate. On average, across all elections and all measures, 38% of the people are confused for any given proposition. The lowest levels of confusion are around 20% (parental notification and same-sex marriage) and the highest levels of confusion are above 50%

of the electorate (spending limits, transportation funds and renewable energy). This

graph illustrates that social desirability did not deter voters from admitting they were

confused about ballot propositions as over half of the respondents admitted being

confused about three of the propositions and all of the propositions garnered at least

18% levels of confusion.   If at any given time, over a third of the electorate is

confused (and potentially over half), this suggests that voter confusion in direct

democracy is a subject that needs scholarly attention.
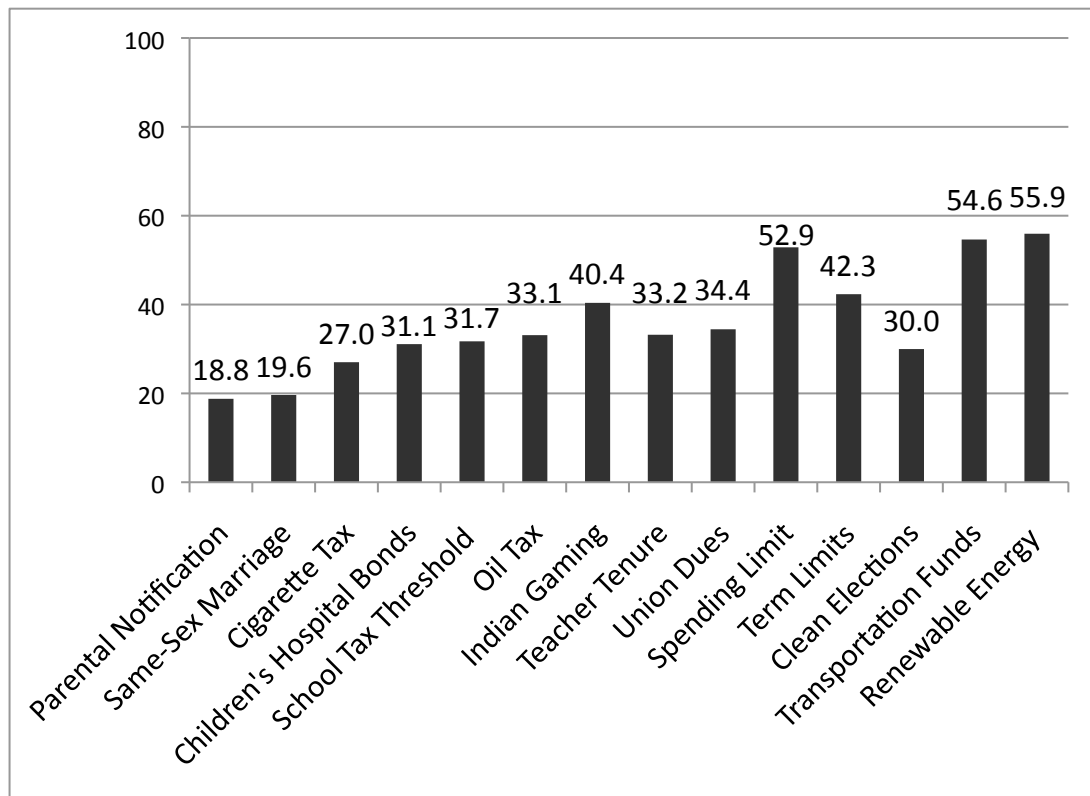

Figure 3.1: Percentage of Confused Voters

In Figure 3.2, I present the comparisons of the three different

operationalizations of confusion.   The first bar on the left represents the average

number of confused voters using the first direct measure of confusion discussed in this

chapter – awareness of cues. Approximately 31% of the voters are confused for these

three initiatives (teacher tenure, union political donations and a cigarette tax).   The

second bar from the left shows the left average level of confusion for the indirect

measure (the oil tax and clean elections). Again, a similar proportion of the electorate

(about 31%) is confused using this method of operationalizing confusion.
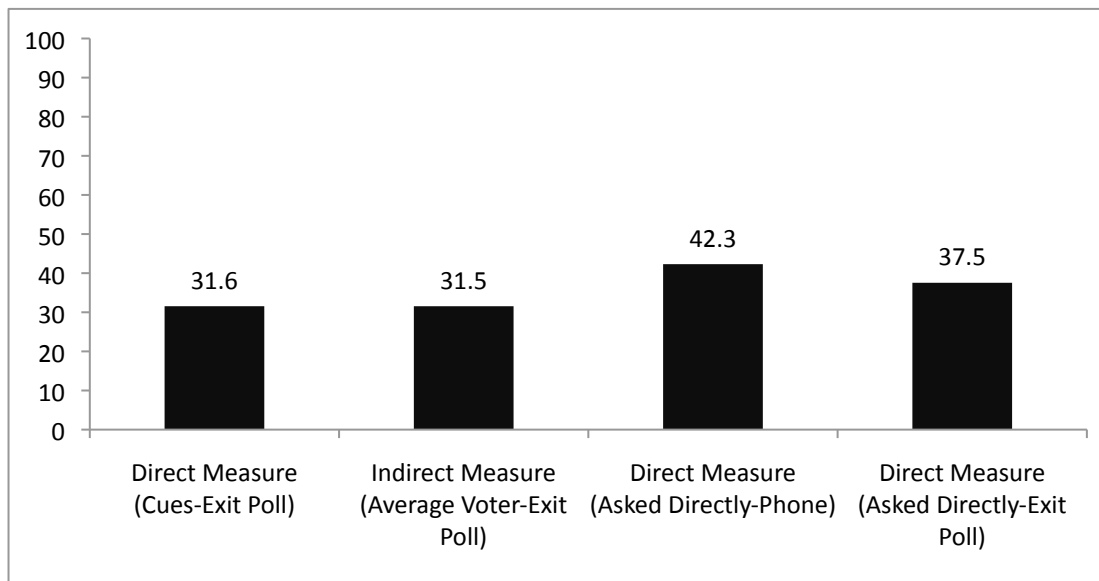
Figure 3.2: Confusion by Operationalization of the Measure

The two bars on the right use the measure that asks the respondents directly if

they are confused. Interestingly, these two measures provide the highest levels of

confusion. The phone interviews for the Washington State ballot measures are the

most confusing (about 42% of Washingtonians were confused). While this may

appear curious since phone interviews invoke great social desirability in responses

(Holbrook, Green and Krosnick 2003), it makes sense if the sampling frames are

considered. The exit polls by definition only include voters. Conversely, the

Washington Poll includes all registered voters in the state, whether or not they had

voted. Additionally, the phone survey took place in the weeks leading up the election

and it is possible that voters may wait until the last minute before voting to ameliorate

any potential confusion. This bears out for Initiative 960 (state spending limits) as individuals who were 'almost certain' to vote (or had already voted by mail) were almost ten percentage points less likely to be confused than registered voters who would 'probably' vote and over twenty percentage points less confused than respondents who where 50-50 to vote. The final bar on the right includes the two exit polls from 2008, both February and November. The average level of confusion for all of these propositions is just over 37%.

Which Propositions are Most Confusing?

In this section I begin to explore what makes ballot propositions confusing. If a voter is just ignorant, does not pay attention to politics or is generally confused about anything political, there is little political scientists or government officials can do to structure institutions to aid that particular voter. On the other hand, if certain propositions have characteristics that lead to increased levels of confusion reformers and political activists may be able to provide confusion easing tool s for voters. This is of more use to the discipline and practicing politicians. One way to envision the potential confusion of a ballot measure is to conceive propositions the way Carmines and Stimson (1980) view political issues in general. If certain propositions address "easy issues" and others deal with "hard issues," it would make sense that the "hard" issues are more confusing.

Carmines and Stimson (1980) lay out three requisites for "easy" issues: 1) the easy issue would be symbolic rather than technical, 2) it would more likely deal with policy ends than means, 3) it would be an issue long on the political agenda. If all

three of these conditions are met (or not met) it would a black and white categorization

of easy and hard issues. However, most ballot measures fall somewhere in between

"easy" and "hard" on more of a continuum. In Figure 3.3, I organize the ballot

propositions from "easy" to "hard." The easiest ballot measures are two social issues

(parental notification and same-sex marriage). They each fit the "easy issues"

classification very well. They are symbolic and deal with policy ends (legalizing

same-sex marriage and requiring parental notification for abortions). These issues are

also very familiar to voters as same-sex marriage has been the hot button social issue

on the national agenda for at least the past 10 years. Abortion has been on the

forefront of the national political agenda Roe v. Wade in 1974, and November 2008

marked the third ballot appearance in California for aversion of parental notification in

the last 6 years. The Cigarette Tax and Children's Hospital Bonds are also easier

issues; all together these four propositions average 24.3% confusion in the electorate.
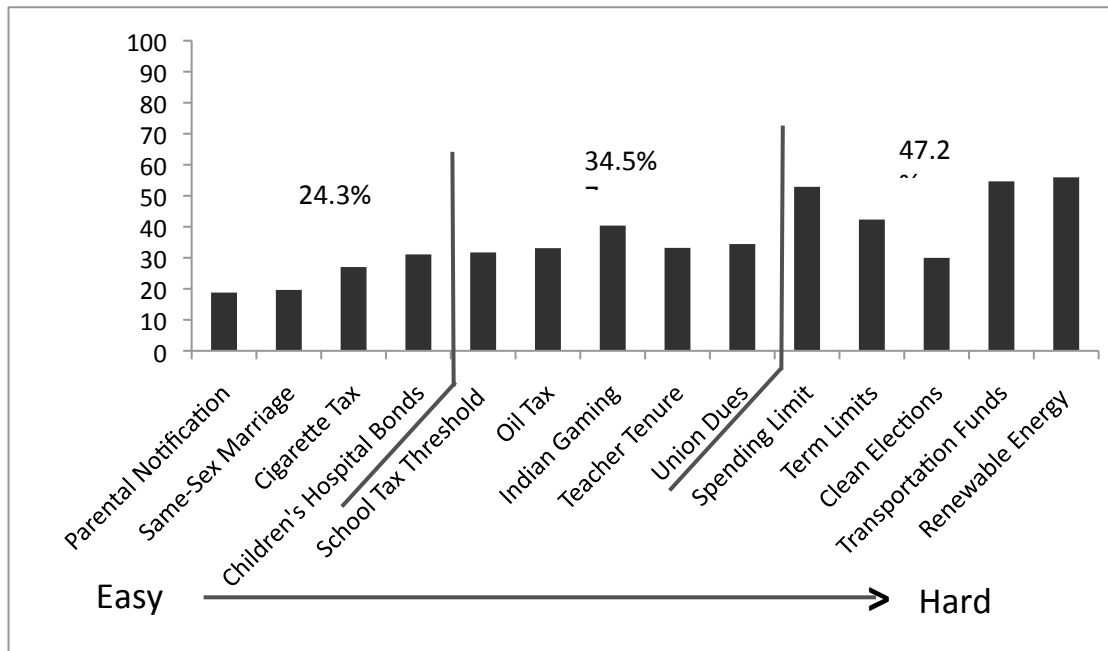
Figure 3.3: Confusion by Issue Difficulty

The next group is comprised of more difficult proposals like tax propositions that are less symbolic, but are policy ends and have long been on the political agenda. These tax proposals (oil and education tax thresholds) along with some regulatory issues dealing with union dues and teacher tenure induce about 34.5% of the electorate into confusion. Finally, the issues in the "hard" propositions category (spending limit, transportation funds and renewable energy) are very technical, entirely about the means of policy implementation and their time on the political stage has been limited. These "hard" ballot measures are the most confusing as they have average levels of confusion at about 47.2%.

As a test of validity, the average levels of confusion vary in ways that make sense to political observers and political scientists alike. The "easy issues" have the lowest levels of confusion (24.3%) and as the other propositions become "harder" there is more confusion associated with them. The propositions that are extremely technical and entirely process oriented have the highest levels of confusion.

My individual measure of confusion is a break from the aggregate measures that inferred confusion by using ballot length (Hyink 1969), length of ballot summary (Magelby 1984; Reilly 2009) and length of ballot title (Bowler and Donovan 1998) as proxies for confusion. These three aggregate measures that have been used to analyze the effects of confusion in the electorate, however, it is not clear that those measures are good proxies for confusion. The bivariate correlation matrix (Table 3.1) shows that these four different measures (my individual level measure and the three aggregate measures) have very little in common.

Table 3.1: Bivariate Correlation Matrix of Confusion Measures

	Individual Levels of Confusion	Length of Proposition Text	Length of Summary Text	Length of Title Text
Individual Levels of Confusion	---			
Length of Proposition Text	-.302	---		
Length of Summary Text	-.028	.603	---	
Length of Title Text	-.192	-.078	-.600	---

Only the ballot length and summary length correlate with each other in a meaningful way (correlation = .60). In fact, the title length has a strong negative relationship to the summary length (correlation = -.60). This calls into question what concepts these measures are actually tapping. Nor do these measures show much of a relationship to the issue difficulty of Carmines and Stimson (1980) for the ballot measures in my sample (see Figure 3.4). The three aggregate measures of confusion (ballot length, summary length and title length) show no meaningful relationship to issue difficulty. The linear trendline for summary length is flat and the trendline for title length is actually negative. There is a slight positive relationship between the square root of the proposition length and issue difficulty, hardly a strong relationship though. It would seem that issue difficulty would certainly be a factor driving confusion. If these measures do not correlate well with this very basic concept, perhaps they do not proxy confusion very well at all. Though my individual level

measures may have some drawbacks, I think that my measure of confusion is a better

representation voter confusion.
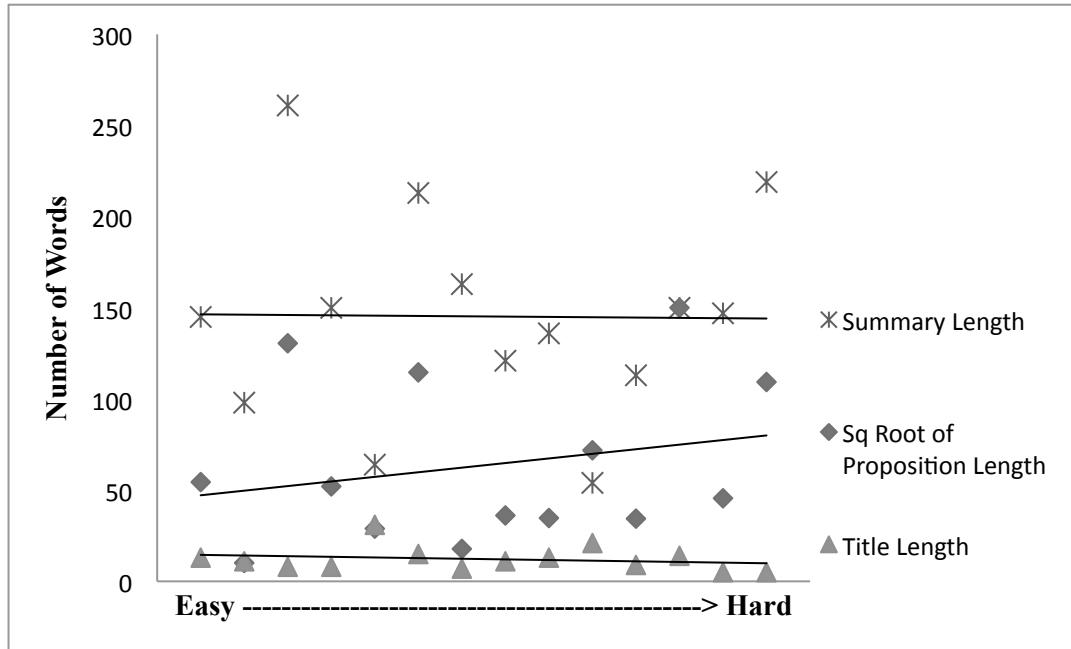
Figure 3.4: Aggregate Confusion Measures by Issue Difficulty

Who is Confused

This section addresses who is confused in the electorate. If my measure of

confusion correlates well with common sense political concepts and if I can present a

logical argument about the relationships that exist between confusion and those

political concepts, then I am able to validate my measure. If on the other hand, my

measure does not correlate well with concepts that it should (i.e. the three aggregate

measures and issue difficulty), my measure should not be believed. Below I present a

series of correlations and multivariate regressions that strengthen the predictive

validity of my confusion measure.

Education has been shown to have a variety of effects on voter attitudes in

general (Delli Carpini and Keeter 1996) and in direct democracy specifically (Bowler

and Donovan 1998). Figure 3.5 very clearly shows the *lack* of an association between

education and voter confusion about ballot propositions. Education was self identified

in the surveys and is grouped into four categories, high school diploma or less, some

college, bachelor's degree and post-graduate degree. The only two propositions with a

meaningful relationship with education are the two ballot measures from Washington

that show a decrease in confusion for those with greater levels of education. Both

Initiative 960 (setting budgetary spending limits) with higher levels of confusion and

Constitutional Amendment 4204 (lowering the requirement to a simple majority to

pass school bonds) with lower levels of confusion, show that the most educated (post

graduate degree) have a smaller proportion of confused voters, about 20%, than those

with the least amount of education (high school education or less). These two ballot

measures are shown with black lines in Figure 3.5, while the other propositions are

presented in a lighter gray.
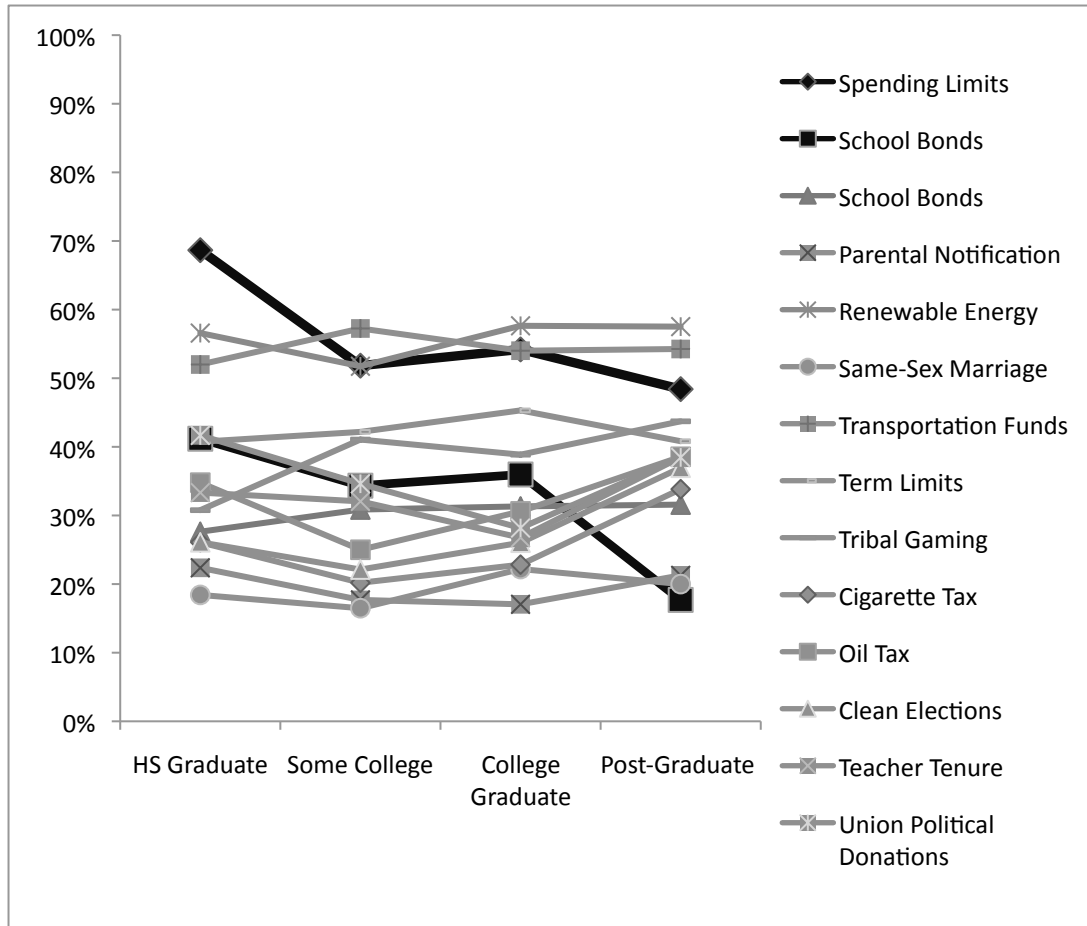
Figure 3.5: Confusion by Education

The relationship expressed between education and confusion for these two

propositions does not stand in very sharp contrast to the rest of the data as they may

first appear. In the multivariate analysis presented later in the chapter (Table 3.2), the

influence of education is greatly reduced for the school bonds measure and becomes

statistically insignificant for the spending limits proposition. Political interest appears

to the driving force in reducing confusion for these propositions (see Figure 3.6).

There is a clear linear trend in Figure 3.6 that shows how increased interest in

government and politics leads to a marked decrease in confusion about ballot

propositions. Forty percent more voters least interested in politics are confused than the most interested in politics.
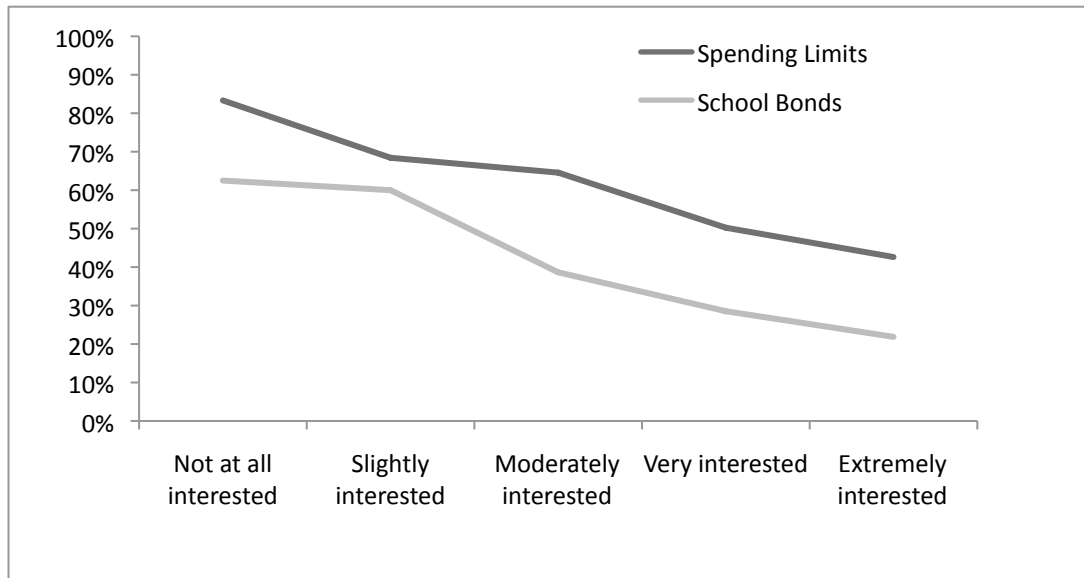
Figure 3.6 Confusion by Political Interest

One potential explanation for this lack of correlation, when one may expect education to aid in reducing confusion, is the make-up of the populations that were sampled. The exit polls from California only include people who have already voted. These voters have already obtained the information they considered requisite enough to vote.   In addition, they have exhibited enough interest in politics to not only show up and vote, but also take time out of their busy days to take an exit poll survey from one my student volunteers. The Washington Poll sample includes registered voters who may or may not vote, and may or may not have already cast their ballots.[6] This suggests that voters who take exit polls may have enough interest in the governing

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[6] All counties in Washington State, except King County which contains Seattle and its suburbs, are required to vote by mail. The Washington Poll survey was in the field after the mail ballots had been sent out by the Secretary of State and mail ballots are often returned more than two weeks before Election Day.

process to overcome any educational barriers to understanding ballot measures clearly

and any variation in confusion levels is orthogonal to general education levels. This

logic and the evidence I present in Figures 3.5 and 3.6 illustrate that motivation is even

more important than education in predicting not only ballot issue awareness (Bowler

and Donovan 1998; Magleby 1989 and Nicholson 2003), but confusion levels as well.

These relationships indicate that confusion reacts to well-established measures in

expected ways, thereby reinforcing the validity of my confusion measure.

If education does not predict confusion very well, does general political

knowledge affect confusion levels? Levels of political information have long been

associated with impacts in voting behavior (Bartels 1996; Delli Carpini and Keeter

1996; Neuman 1986; Palfrey and Poole 1987; Wolfinger and Rosenstone 1980).

Reilly (2009) argues that complex and technical ballot language (i.e. harder issues in

my research) in direct democracy reduces participation, but these effects are mitigated

by increased political knowledge. Does political knowledge mitigate voter confusion

as well?   The results I present in Figure 3.7 suggest a nuanced role of political

knowledge in reducing voter confusion. I measure political knowledge with the

standard five item battery of questions from the American National Election Studies.

The political information battery is a five point index made up of correct responses to

questions asking what jobs Dick Cheney and John Roberts held, the majority party in

the House of Representatives, the requirement to override a presidential veto and

whose responsibility it is to determine is a law is constitutional or not.   For those who

answered four or five questions correctly I coded them as having "high political

knowledge" levels, whereas respondents who only answered three or fewer correctly

were coded as having "low political knowledge."
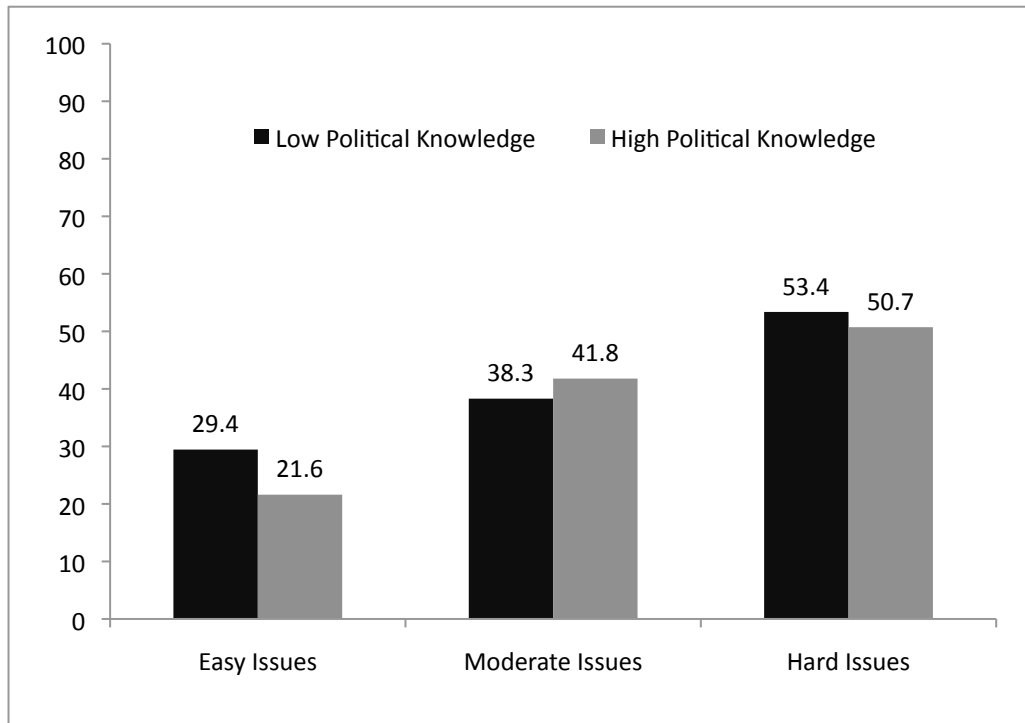
Figure 3.7 Confusion Levels by General Political Knowledge

The black bars in Figure 3.7 represent the average confusion levels for those

with low political knowledge, while the light gray bars represent confusion levels for

those with high political knowledge. Each paired set of black and gray bars is the

average confusion level for each knowledge group (high and low), separated by the

categorization of issue difficulty from Table 2.1 in Chapter 2. The two bars on the left

are the average confusion levels of the 'easy' issues (Parental Notification, etc.), the

set of bars in middle is moderate issues (Indian Gaming) The final set of bars on the

far right contains the average confusion levels for the most complex and technical

'hard' issues (Transportation Funds and Renewable Energy, etc.).

The most politically aware are nearly eight percentage points less confused than those with low levels of political knowledge for the 'easy' propositions (statistically significant at p < .05). Technical and complex 'hard' propositions provide no statistically significant separation when comparing the most politically knowledgeable and the least knowledgeable. Political knowledge has a nuanced relationship with voter confusion. The politically knowledgeable are less confused for the 'easy' propositions, but are not significantly less confused for the more difficult 'hard' ballot measures. This suggests that even political sophisticates are confused by the same proposition specific characteristics of 'hard' ballot measures. Again, this is another example of measurement validity, as scholars have shown that individuals have difficulty understanding these 'hard' ballot measures (Bowler and Donovan 1998; Higley and McAllister 2002; Hyink 1969; Lupia and Matsusaka 2004; Magleby 1984 and Reilly 2009).

Beyond general political knowledge, issue specific levels of political knowledge should correlate with confusion too. Figure 3.8 maps the results of specific factual questions about the various propositions with levels of confusion. Respondents were asked to determine if it was true or false that Proposition 91 (transportation funds) raises taxes, a response of false was factually correct. For Proposition 93 (term limits), respondents were asked to determine if it was true or false that the initiative reduced the number of years allowed to serve in the California legislature. True responses were the correct answer. Finally, respondents were asked (selecting among four choices) how many more slot machines would be allowed if all

four tribal gaming propositions passed, 17,000 more slot machines was the correct

answer.
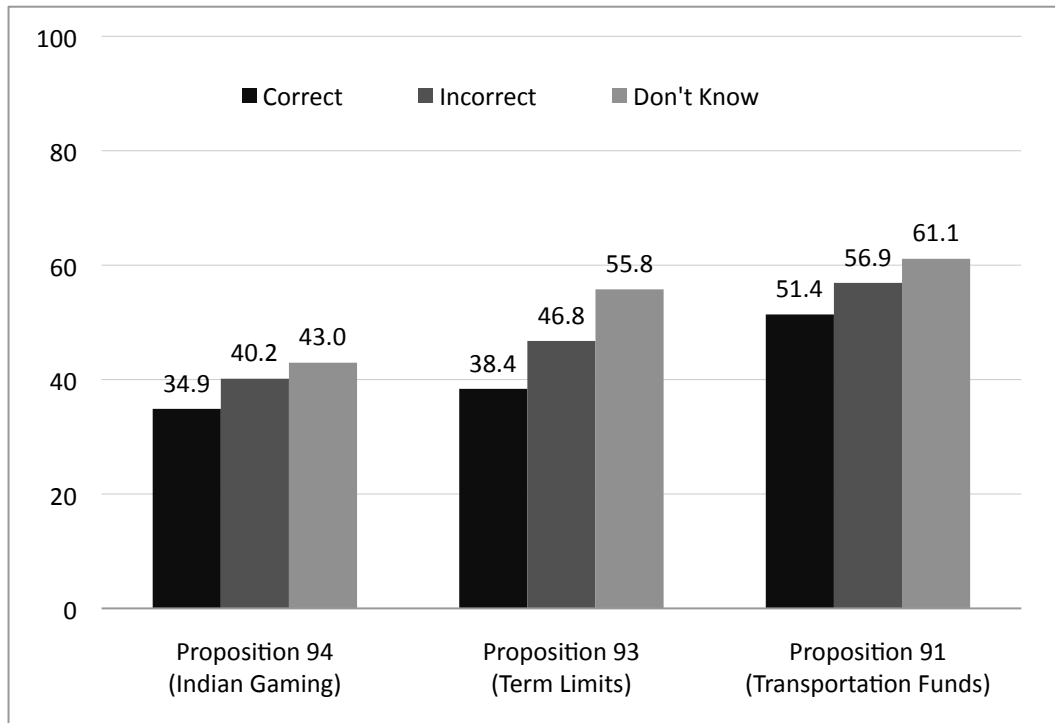
Figure 3.8 Confusion by Initiative Specific Information

There is a clear trend; respondents who knew the correct factual information

about the proposition were less confused than individuals who answered incorrectly,

who in turn were less confused than the respondent who claimed they did not know.

Though only Proposition 93, about term limits, produces a statistically significant chi

square result (p < .05), the other two propositions (Proposition 91 about transportation

funds and Proposition 94 about tribal gaming) do have a statically significant

difference (p < .05) between correct answers and "don't know" responses. This

confirms that simply believing incorrect information may reduce confusion, but it is

not a complete replacement for knowing correct factual information about a

proposition when it comes to assessing one's understanding of the effects of a ballot

proposition. Again, this is another confirmation of the validity of the self assessed measure of confusion that I employ.

Finally, what roles do cues play in voter confusion about propositions? The expectation that cues can reduce confusion is largely confirmed as three of the propositions have statistically significant decreases in confusion for voters who knew the correct position of key cue givers (see Figure 3.8). Awareness of cues was measured by asking respondents if they knew what position (if any at all) each group or politician took on the ballot proposition. For Proposition 4 (parental notification), Planned Parenthood spent the most money in opposition to that initiative and was the interest group cue. Similarly, Proposition 7's (renewable energy) largest spending opponents were the public utility companies in California and were the organizational cue asked about. For Proposition 8 (same-sex marriage), respondents were asked about the Democratic and Republic parties' positions. Finally, the tribal gaming referendum (Proposition 94) was heavily supported (both financially and in public appearances) by Arnold Schwarzenegger; therefore he served as the cue for Proposition 94.

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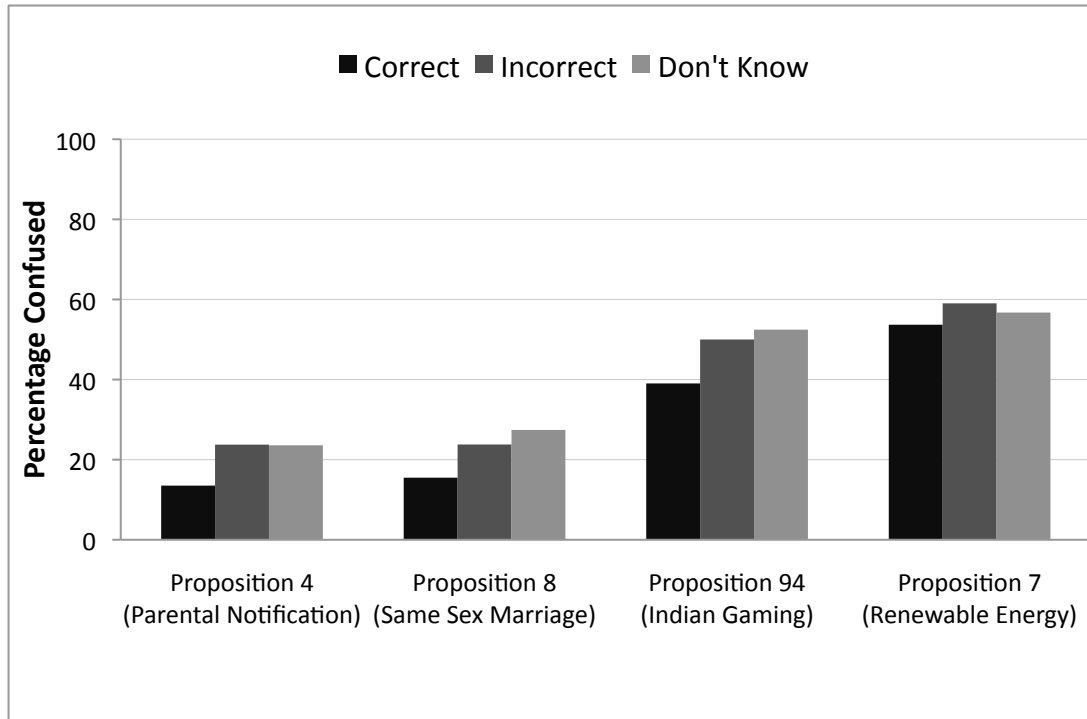
Figure 3.9 Confusion by Cue Awareness

Unlike the specific issue information, knowing the correct cue significantly reduces confusion compared to don't know responses, as well as incorrect answers. For the two easy issues, same-sex marriage and parental notification, knowing the correct cue reduced confusion by approximately ten percentage points from those who didn't know or believed the cue giver was on the opposite side of the issue. Not knowing that Arnold Schwarzenegger supported the tribal gaming referendum (Proposition 94) increased the confusion levels between those groups by more than ten percentage points.

Putting it All Together

The series of bivariate relationships presented above provide a strong basis for believing in the validity of my confusion measure. In order to provide a more complete picture of what leads to confusion, I present a multivariate analysis (see

Table 2) that combines demographic controls in addition to the variables I discussed

above. I use a logistic regression with confusion as the dependent variable. Positive

coefficient s indicate an increase in confusion as values of the independent variables

increase, conversely negative coefficients identify decreases in confusion as the

independent variables increase in value.

The multivariate logistic regression results in Table 2 reinforce the findings

and the 'non' findings I presented in the bivariate analysis. Education levels lead to a

decrease in confusion in only one of the nine models, the ballot measure about school

bonds. It may be that in this circumstance, education may serve more as an issue

specific information source as opposed to a proxy for a general measure of cognitive

ability. The longer one spends in school, the more they understand the cost and

benefits of the public education, thereby reducing their confusion levels about that

issue. Unfortunately, I do not have the data to rigorously test this hypothesis, but it is

easy to imagine this general phenomena occurring in various proposition races. For

example, women who had abortions in their late teens may have more familiarity with

a parental notification measure, while parents of child suffering from Leukemia may

have more direct experience with Children's Hospitals and therefore be less confused

about ballot measures dealing with the financial dilemmas of hospitals or stem cell

research.

Table 3.2: Determinants of Confusion

	Parental Notification	Same-Sex Marriage	School Bonds	Children's Hospital Bonds	Indian Gaming	Term Limits	Spending Limit	Transportation Funds	Renewable Energy
Education	0.09	0.09	-0.22*	0.01	0.13	0.02	-0.06	0.05	0.02
	(0.11)	(0.10)	(0.11)	(0.09)	(0.11)	(0.11)	(0.11)	(0.11)	(0.08)
Political Knowledge	-0.37	-0.55*	-0.36	-0.41*	0.34	0.19	-0.52*	0.03	0.20
	(0.20)	(0.19)	(0.23)	(0.16)	(0.21)	(0.20)	(0.22)	(0.20)	(0.15)
Awareness of Cue	-0.65*	-0.36			-0.46				-0.18
	(0.20)	(0.19)			(0.25)				(0.15)
Political Interest			-0.45*				-0.35*		
			(0.13)				(0.13)		
Strength of Partisanship	-0.02	0.04	-0.02	-0.06	-0.09	-0.16	0.16	0.00	-0.01
	(0.08)	(0.08)	(0.11)	(0.07)	(0.09)	(0.09)	(0.11)	(0.09)	(0.07)
Income	0.04	0.02	-0.07	0.04	-0.17	-0.14	-0.07	-0.13	0.03
	(0.09)	(0.09)	(0.12)	(0.08)	(0.09)	(0.09)	(0.11)	(0.10)	(0.07)
Age	0.17*	0.15*	-0.02	0.08	0.07	0.04	-0.09	-0.03	0.02
	(0.06)	(0.06)	(0.08)	(0.05)	(0.06)	(0.06)	(0.07)	(0.06)	(0.05)
Male	-0.25	0.03	-0.81*	-0.39*	-0.53*	-0.31	-0.85*	-0.66*	-0.62*
	(0.19)	(0.18)	(0.22)	(0.15)	(0.20)	(0.19)	(0.21)	(0.20)	(0.15)
Constant	-1.87*	-2.05*	2.60*	-0.66	-0.12	0.19	2.63*	0.74	0.35
	(0.43)	(0.43)	(0.72)	(0.35)	(0.51)	(0.48)	(0.72)	(0.51)	(0.33)
Observations	852	856	432	848	501	495	410	477	851
R^2	0.04	0.02	0.08	0.02	0.02	0.02	0.07	0.02	0.02

Standard Errors in parentheses   * $P < .05$

Though the results are not consistent across all 9 models, general political knowledge seems to reduce voter confusion about ballot propositions in specific ways. The most obvious pattern in the models is that political knowledge decreases confusion in on easier ballot measures, more consistently than the hard ballot measures. While at first blush this may seem counter intuitive, the data in Table 2 suggest two possible explanations. First, the three propositions (Indian gaming, term limits and transportation funds) on the ballot in the primary election of 2008 may have drawn a more interested and issue aware sample. This suggests that the least politically knowledgeable primary voters are of a different breed than their similarly less knowledgeable general election brethren.

Another explanation is that while the above may be true, there is another factor at work in this data. If voters are envisioned to lay on a continuum, such that more knowledgeable voters were less confused, it might make sense that those differences are exacerbated by the most difficult issues. Therefore, if the hard ballot measures are difficult enough to befuddle or confuse the most knowledgeable, it would then suggest that differences should emerge among the easy ballot measures…which they do.

Political heuristics and cues are also successful in alleviating confusion about specific propositions. Though only one model has a statistically significant coefficient, all four models where the data is available have negative coefficients, and two approach conventional measures of significance ($p < .05$). The other limited but convincing finding is that interest in politics greatly reduces confusion, controlling for education and political knowledge. This is a key insight that suggests individuals who

are interested in politics are likely to pay the cost of gathering additional information if their current knowledge portfolio leaves them lacking an understanding of the issues.

Interestingly, of the demographic controls, only age and gender have any meaningful relationship with ballot proposition confusion. For the two social issues (parental notification and same-sex marriage) older voters are relatively more confused than younger voters. Unfortunately, without more empirical evidence it is difficult to convincingly argue what mechanisms are at play. Gender is much more consistent in its relationship to confusion, men are less likely to self-identify as confused about ballot measures. Perhaps men are less likely to feel confused because they tend to have higher levels of global self-esteem (Kling, Hyde, Showers and Buswell 1999).

All told, confusion in direct democracy is prevalent and disproportionately afflicts certain segments of the electorate. Although easy issues engender less confusion than hard issues, according the criterion that Carmines and Stimson (1980) laid out some thirty years ago, there is at least some level of confusion (from just under 20% to over 50% of the electorate) on all ballot measures. At the individual level, less interested, less knowledgeable voters lacking political heuristics are most likely to self-identify as confused about propositions. Over and over again, the data presented in this chapter reinforces a consistent theme, as individuals are more interested in and aware of the political playing field, they become much less confused. This common sense finding across multiple issues, elections and survey methods

substantiates the validity of my measure of confusion. Though self reporting of

confusion is certainly not the only method of measuring this complicated concept, the

evidence presented here suggests that this measure is more than adequate to begin to

assess the effects that confusion has on vote choice. In the following chapters I begin

to analyze the status quo bias theory and other effects of confusion on vote choice.

Chapter 4

I Don't "No": Confusion and the Status Quo Bias in Direct Democracy

"A sturdy axiom of California ballot-measure politics is that voters who are confused or uncertain about a proposition's effects will vote against it."

--Dan Walters May 1, 2009

Individuals and interest groups expend a great amount of resources getting initiatives on the ballot and orchestrating campaigns to pass their propositions, yet ballot measures consistently fare worse on Election Day than they do in pre-election polling and nationwide historical passage rates are less than 40%. One explanation for this reality is that ballot measures are confusing and risk adverse voters simply vote 'no' to maintain the status quo (Bowler and Donovan 1998; Goldsmith 2004; Higley and McAllister 2002; Hyink 1969 and Magleby 1984). The theory behind this claim is rooted in Kahneman and Tversky's (1979) 'prospect theory' of decision making. Prospect theory claims that when people are faced with risk and uncertainty, they undervalue outcomes that are probabilistic, in comparison to guaranteed outcomes. Confused voters are unsure about the initiative's potential effects and are theorized to just vote 'no' in order to maintain the more familiar status quo (Hyink 1969; Lupia and Matsusaka 2004). Yes, clearly risk and uncertainty are prevalent in direct democracy, but is it confusion that leads to more 'no' votes? This is an empirical question which has not been satisfactorily answered to this point.

Individuals can be uncertain of the public policy consequences of ballot initiatives for many reasons. First, an individual's interpretation of the initiative may be unclear, either due to a lack of information or a confluence of competing information, leading to a heightened level of confusion. The initiative itself may even be deceiving on its face. In 2001, Washington voters passed a tax limiting measure that was overturned by the State Supreme Court in November of 2007, because the court claimed, "the text of the initiative misled voters about the substantive impact of the initiative on existing law" (Gilmore 2007). Second, legislative and bureaucratic implementation of the initiatives is not always straightforward (Gerber, Lupia, McCubbins and Kiewiet 2001; Gerber, Lupia and McCubbins 2004). In a federal system, other levels of government can attempt to dilute or alter the results, or change the outcomes of these elections (as evidenced by the lawsuits in federal court against Proposition 187, the "Save Our State" initiative in California in 1994 that aimed to deny illegal immigrants social services). In addition to uncertainty about implementation, policy consequences are also far from certain. For example, California's Proposition 140 instituting term limits has had numerous unintentional consequences, many of them negatively impacting the state (Kousser 2005).

Christin, Hug and Sciarini (2002) use voters' ability to recall the number, title and reasons they voted for or against initiatives and referendums in Switzerland between 1981 and 1999 to test their claim that less informed voters have a status quo bias. Though lack of information is not necessarily the same as uncertainty or confusion, the theoretical framework arguing for a status quo bias is similar. As

Christin, Hug and Sciarini argue, "uninformed voters have more information about the current solution to a particular problem than a new one" (2002 p.773). Unfortunately, in their work there is no evidence presented about voters' awareness levels of the 'current solution'. Though they find some weak support for their claims, their analysis and results cannot be directly extended to situations of confusion or uncertainty.

Another argument suggesting an increase in 'no' votes is that voters become frustrated when faced with competing initiatives (Ainsworth 1990, Bowler, Donovan and Happ 1992), and in order to avoid voting for the wrong initiative, the voter simply votes 'no' on all competing initiatives. Additionally, as rational voters use trusted elites or organizations as shortcuts instead of gathering costly encyclopedic information (Lupia 1994; Lupia and McCubbins 1998), voters may become confused if they receive contradictory signals from elites (Zaller 1992) leading to ambiguity about the elites' and their own true preferences. This ambivalence may then be translated into a 'no' vote via prospect theory and risk aversion.

If this status quo bias exists, it should lead to an increase in 'no' votes for the voters who are confused about a proposition. Though aggregate studies (Magleby 1984; Bowler and Donovan 1998; Higley and McAllister 2002 and Goldsmith 2004), political consultants (in Magleby and Patterson 1998) and the popular press (Walters 2009) has indicated the existence of a status quo bias, there has been little individual level analysis of its existences, much less its size or scope. The evidence in support of the existence of a status quo bias that I present is uneven and, if a status quo bias even exists, is much smaller than one would suspect for direct legislation.

Status Quo Bias or Legislative Attentiveness?

Direct legislation, and the initiative process specifically, was designed to allow citizens to pass policies that a recalcitrant state legislature would not act on, yet legislatures tend to match the public opinion and ideology of their state (Erikson, Wright and McIver 1993). Since legislatures tend to align with the ideological preferences of the state, it is not surprising that most political issues are addressed inside the legislature. Historically, state legislatures typically deal with several hundred bills per legislative session (Gamm and Kousser 2010), while direct democracy states average less than 4 initiatives per election and at the maximum had only 28 initiatives on the ballot in the 1912 Oregon general election (Childers and Binder 2010). This makes perfect sense. From the perspective of the lobbyists and other elites, why bother with the effort and expense of an initiative campaign if the legislature will do the work for you. But that only describes issues that the majority party is willing to act on. What about moderate policies that the majority wants kept off the agenda because it would split its party (Cox and McCubbins 1993)? Additionally, there are some issues that neither party supports, like some governmental reforms such as term limits and pay reductions. And of course the issues that the out party wants, but the party in government opposes are also ripe for the ballot. In states with the initiative process, out party groups like the Republicans in Massachusetts and Democrat in Utah have an outlet to take their issues directly to the public.

When the interest groups or elites attempt to side step elected officials by proposing direct legislation, it is not surprising that their levels of success in general are not very good. If the elected officials do not support the efforts, and those officials generally match the ideological predispositions of their constituents, it makes sense that most initiatives are met with skepticism. Even though 40% of initiatives placed on the ballot pass, many others fail to acquire enough signatures to even get on the ballot in the first place (Lupia and Matsusaka 2004). Therefore, another potential explanation for the poor success of ballot measures is that the issues presented to the voters are not popular enough within a given state. Conversely, legislative referenda often require supermajorities in the legislature to make it to the ballot. The bipartisan support of these propositions contributes to historical passage rates of 68% nationally for legislative referenda. Aside from simply backing unpopular causes, another theory for the inability of supporters of initiatives to get their measures passed is the tradeoffs that are often required in public policy formation.

Ballot measures in 15 states (including California and Washington) are subject to a 'single subject rule' – forcing initiatives to only address a single issue or question. This can make choices easier for the voter, but even in single subject issues, competing values and contending policy preferences can still exist. For example, some people may find abortion repugnant, but at the same time disapprove of the government limiting an individual's access to a medical procedure. Similarly, a voter may be very supportive of increasing funding for children's hospitals or school infrastructure; however, that same voter may be opposed to the tax increase that goes

along with that policy. Not only are initiative backers facing the uphill battle of dealing with issues that legislatures typically will not address, the political tradeoffs of public policy can also reduce support for initiatives.

Tradeoffs involved in initiatives could be one explanation for the decline in voter support between the latest polls and the election returns. Since the public does not pay a lot of attention to political campaigns because of their busy lives (Downs 1957 and Popkin 1991) and what little attention is paid to politics does not usually occur until the final month or so of a campaign (McAllister 2002; Chaffee and Rimal 1996), this is the period when voters begin to learn the details about initiatives. When asked about a general political issue, like funding children's hospitals, support can get very high. However, add in the tax increase to pay for the bonds, and suddenly support begins to drop. The campaigns responsible for educating voters are most active and effective in the closing months (Chaffee and Rimal 1996). That last minute campaigning is often what brings these conflicts into view and decreases support from higher poll numbers.

Unpopular ideas and political tradeoffs are both potential explanations for the high failure rate of initiatives. Another option, popular in the political press, is that voters are risk adverse and vote against initiatives they are uncertain or confused about. The status quo bias in direct democracy is attributed to risk aversion, and risk aversion is theorized to act as the intervening variable for confusion or uncertainty. Although there is only scant aggregate empirical evidence in support of this claim (see Christin, Hug and Sciarini 2002; Bowler, Donovan and Happ 1992), the status quo

bias theory and 'no' votes by confused voters has become commonplace in scholarly writing (see Hyink 1969; Magleby 1984; Higley and McAllister 2002; Goldsmith 2004) and routine in anecdotes told by campaign consultants (in Magleby and Patterson 1998). Yet, there has been some empirical evidence against this claim (Darcy and Laver 1990) and only flimsy theoretical explanations for this alleged phenomenon (as pointed out by Lowenstein 1982).

In this chapter, I present individual level empirical evidence that begins to cast doubt on the veracity of the claim that confused voters revert to a status quo supporting 'no' vote. Unlike previous scholarship that used aggregate level data to test these claims, this chapter tests the status quo bias theory at the individual level. This chapter unfolds as I first replicate previous work using aggregate data with the propositions used in this dissertation. I then provide individual level analysis that highlights the benefits of using a more theory appropriate unit of analysis.

Replication

The best work empirically testing the status quo bias in direct democracy has used ballot length (Hyink 1969), length of ballot summary (Magelby 1984; Reilly 2009) and length of ballot title (Bowler and Donovan 1998) as aggregate level proxies for confusion. The general conclusions reached in these scholars' work was that a status quo bias existed as their data showed that the longer the ballot, ballot summary and title, the more 'no' votes that were present. Chapter 3 detailed the shortcomings of these measures as proxies for confusion; this chapter shows the potential problems of using aggregate level data to test individual level theories. Table 4.1 lists the

propositions used for this task (the same 14 are used throughout this chapter), and this

table also includes the within-sample levels of confusion and resulting 'no' votes.

Table 4.1: Confusion and "No" Votes in Sample

Subject Matter	Proposition Number	Percentage Confused	Percentage of "No" Votes
Parental Notification	Proposition 4	18.8	62.8
Same-Sex Marriage Ban	Proposition 8	19.6	71.1
Cigarette Tax	Proposition 86	27	42.3
Children's Hospital Bonds	Proposition 3	31.1	39.5
School Tax Threshold*	Const. Amend 4204	31.7	36.6
Oil Tax	Proposition 87	33.1	38.1
Indian Gaming	Proposition 94	40.0	41.6
Teacher Tenure	Proposition 74	33.2	64.1
Union Dues	Proposition 75	34.4	60.4
Spending Limit*	Initiative 960	52.9	49.4
Term Limits	Proposition 93	42.3	55.8
Clean Elections	Proposition 89	30	57.6
Transportation Funds	Proposition 91	54.6	62.1
Renewable Energy Requirements	Proposition 7	55.9	57.1

In order to test the status quo bias theory, I use fourteen propositions to

replicate the previous research and then compare my individual level measures those

results. Figure 4.1 graphs the relationship between proposition length (amount of

words the proposition contains) and 'no' votes. A linear trendline is fitted to the data

and the relationship with these 14 propositions indicates a seven percentage point

increase in 'no' votes for every 10,000 words of text.   While this seems like a fairly

robust relationship, the slope of the line is nearly halved (.0004) and the R^2 decreases

from .46 to .14 if one data point (Clean Elections, the far right uppermost point) is

removed. Interestingly, when this proposition is tested at the individual level, there is

no evidence at all the confused voters cast more 'no' votes than non-confused voters.

This influential data point is driving a great deal of the relationship, but even with the

Proposition 89 – Clean Elections removed from the analysis, wordy propositions seem

to lead to slightly more 'no' votes.
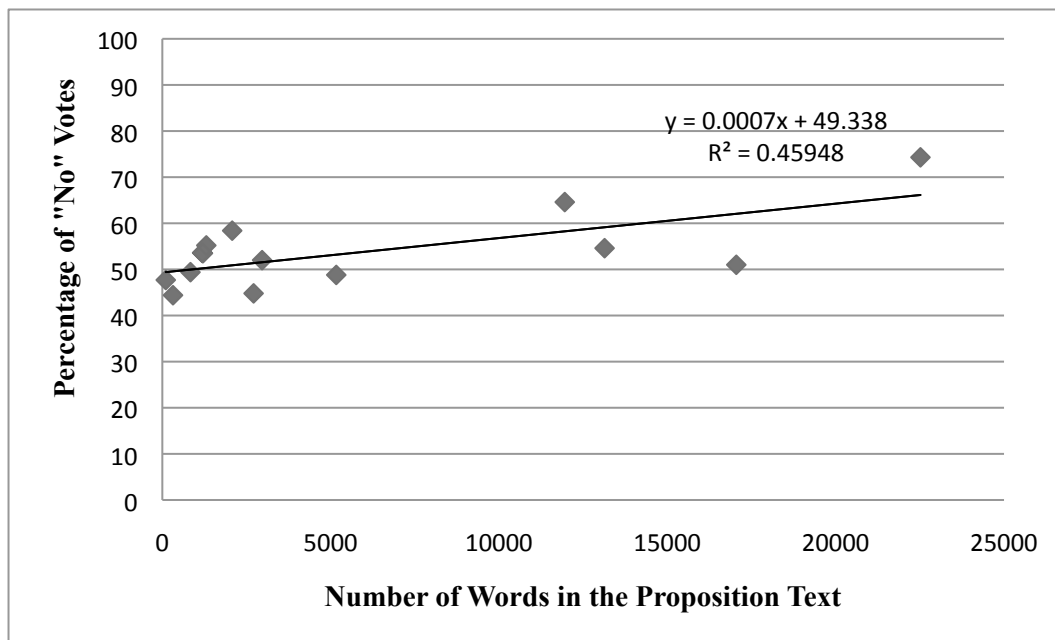
Figure 4.1: Ballot Length and "No" Votes

In Figure 4.2 I replicate Magelby (1984) and Reilly's (2009) work that uses the

length of the ballot summary as a predictor of 'no' votes. Working from the

assumption that voters are cognitive misers and do not expend the energy to read the

entire proposition text (an assumption very much grounded in reality), they surmise

that if voters do read anything it is the small (typically about a paragraph or two)

ballot summary of the initiatives. The linear trendline indicates that for every hundred

words of ballot summary, the proposition should expect about a 3.5 percentage point

increase in 'no' votes. Moving from the minimum number of words (about 50) to the

maximum in my sample (about 250) would lead to a 7 percentage point jump in 'no' votes. However, the Oil Tax initiative, with 213 words in the summary and 54.6% voting 'no' is predicted to have more 'no' votes than the Children's Hospital Bond measure with 150 words. The Oil Tax does in fact have more no votes, as the Children's Hospital Bond had 44.8% voting 'no'. Yet, when analyzing these data at the individual level, the confused voters showed no differences in their vote choices on the Oil Tax initiative, but confused voters were significantly ($P < .05$) more likely to vote on the Children's Hospital Bond measure. The last measure that I replicate is Bowler and Donovan's (1998) use of initiative title length as a proxy for confusion. Figure 4.3 shows no meaningful relationship between title length and amount of 'no' votes.
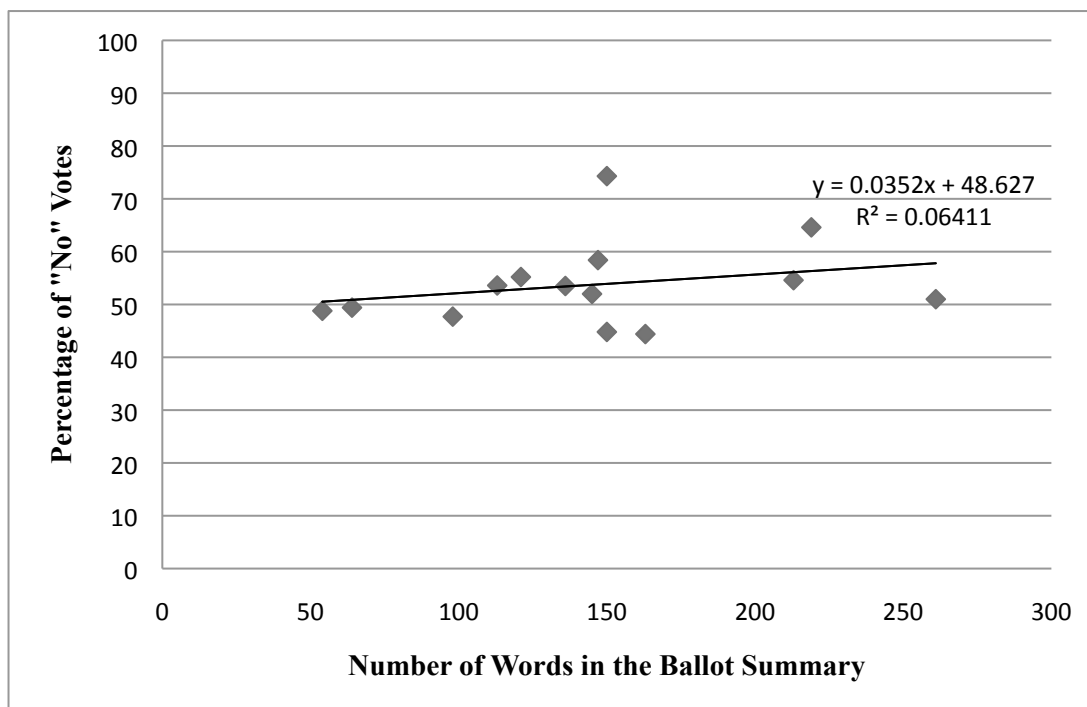
Figure 4.2: Ballot Summary Length and "No" Votes
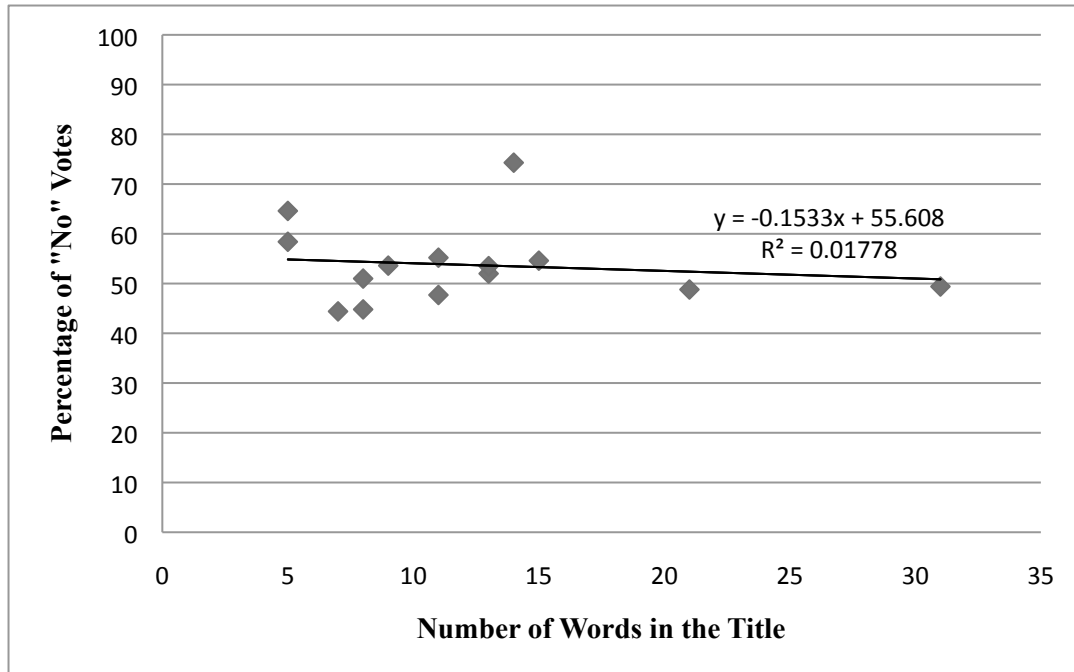
Figure 4.3: Title Length and "No" Votes

The next step is to graph the propositions using my measures of confusion and

how that relates to 'no' voting. In Figure 4.4, much like Figure 4.3, there is no

meaningful relationship between confusion and 'no' votes. The individual level

measures of confusion do not indicate an increase in 'no' votes at the aggregate level

and in fact show a very small decrease in 'no' votes at these ballot measures become

more confusing. Four explanations may potentially explain why the magnitude of the

effects that I find is much smaller or non-existent relative to the original research and

claims in the press. The first potential explanation is that these measures do not

actually tap the concept of confusion that is theorized to lead to the status quo bias.

Second, using a sample of 14 propositions is very small and quite variable, perhaps I

just have too small of a group of ballot measures to detect the underlying relationships.

Third, using aggregate level data to measure an inherently individual level theory

yields misleading results. Fourth, these measures do get at confusion, but confusion

does not necessarily lead to a status quo bias.
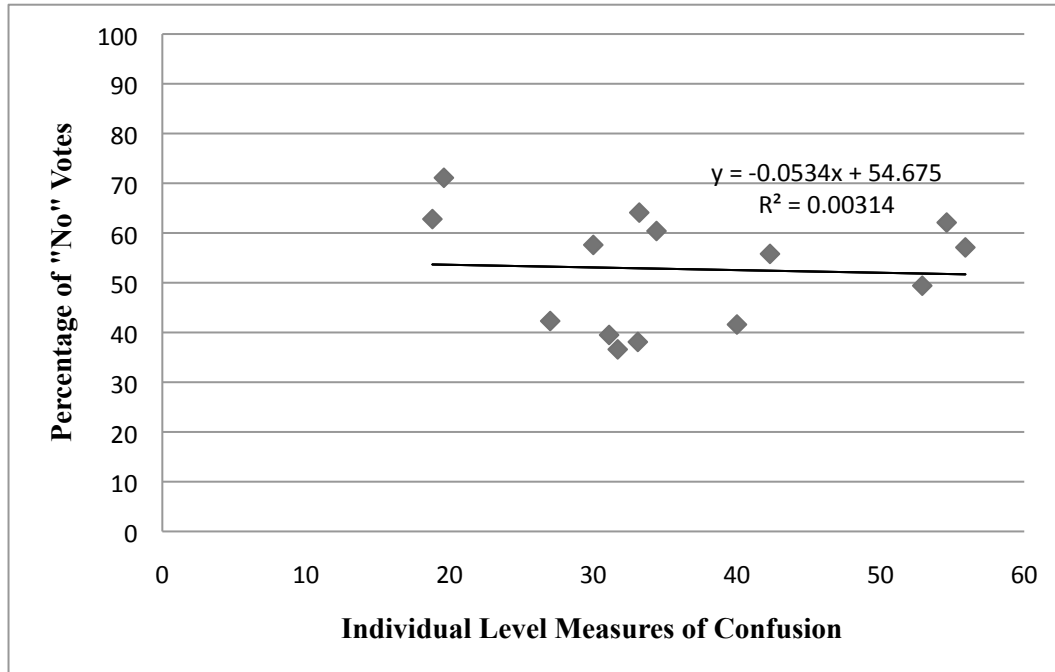
Figure 4.4: Individual Level Measure of Confusion and "No" Votes

All four of those explanation are viable accounts of the lack of a relationship

between confusion and 'no' votes. Claims about the validity of these measures as

proxies for confusion were discussed in detail in Chapter 3; ultimately I concluded that

my multiple measures of confusion were superior to the proxies offered by previous

scholars. The other three offerings I attempt to address in the upcoming sections. The

suggestions about too small of a sample size and level of analysis is ameliorated as I

expand the investigation to the individual level and increase the N from 14 to almost a

thousand for a single proposition. The results from the multiple regression tests

presented below suggest that a status quo bias is not ubiquitous across all propositions.

Individual Level Analysis

Conventional wisdom claims that confusion will lead to an increase in the incidence of 'no' votes in initiative elections. As shown in Figure 4.5, the differences in 'no' votes between confused voters and voters who are not confused is uneven and varied. Of the 14 propositions presented, only four have a statistically different proportion ($P < .05$ in a two-tailed test- indicated with an *) of 'no' votes between voters who are not confused and their confused brethren, and among those four, Proposition 8 – Same Sex Marriage, has *less* 'no' votes for confused voters. One may argue that some of the propositions have smaller samples (less than one or two hundred per group) and that would contribute to the lack of statistically different proportions. Regardless of statistical significance, four of the other ten propositions have *less* 'no' votes for confused voters. Only two of the remaining six ballot measures have more than a percentage point or two difference between the confused and non-confused. Therefore, at most, in only 5 of the 14 propositions do confused voters cast more 'no' voters than voters who are not confused, hardly convincing evidence.
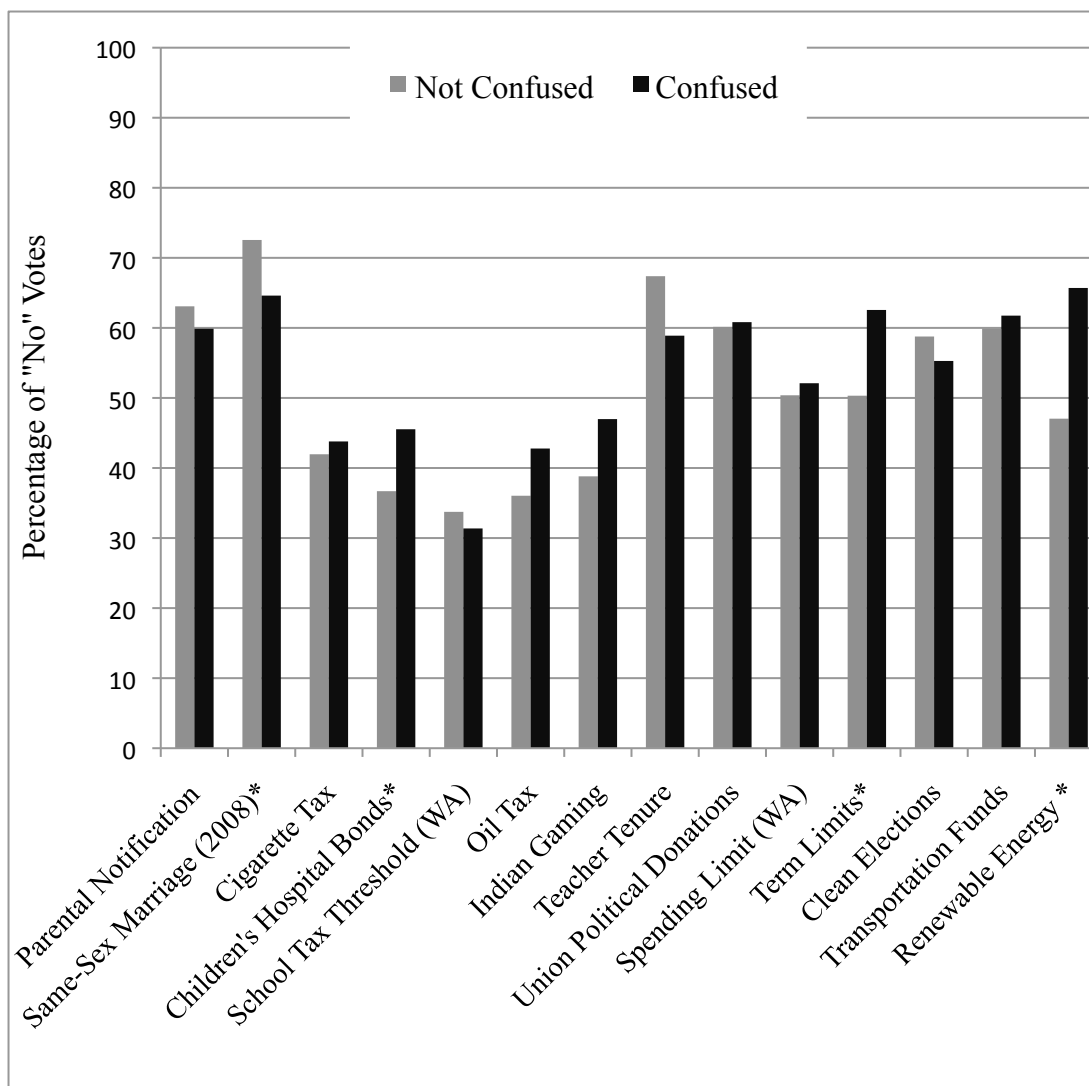
Figure 4.5: Individual Differences Between Not Confused and Confused Voters and "No" Votes
* Statistically significant difference in proportions (P > .05) in a two-tailed test

Multivariate Analysis

In this section, I conduct a series of logistic regressions using vote choice as the dependent variable to test the theory that confusion leads to a status quo bias. This series of models produces (see Table 4.2) results similar to the data presented in Figure 4.5, only four propositions result in confused voters casting 'no' votes more frequently than the non-confused. For all of these models, the dependent variable is a

dichotomous measure of vote choice, 'yes' votes are coded as '1' and 'no' votes are coded as '0'. Respondents who volunteered that they "Didn't Know" and those who "Didn't Vote" were both categorized as 'missing' and removed from the analysis. When interpreting the regression models it is important to remember that since 'no' votes are coded as '0', negative coefficients indicate an increase in 'no' votes, whereas positive coefficients signify an increase in 'yes' votes.

The key independent variables in the regression models presented in Table 4.2 are the measures of confusion. Chapter 3 details the specific methodological choices for each of the various measures. I briefly describe those measures here. In the Washington Poll in 2007, the February 2008 exit poll and the November 2008 exit poll, I directly measure confusion by asking respondents if they are confused about the propositions. In order to ease the social desirability bias against admitting confusion, the interviewer read the following statement, "in talking to people about the election we find that due to the complexities of political issues or contradictory campaign advertisements a lot of people find ballot propositions confusing." For each proposition the respondents were then asked a question similar to, "how about you, did you find Proposition 8 (the one about same sex marriage) confusing?" Affirmative answers were coded as "1" and 'no' responses are coded as '0'.

For the November 2006 exit poll, due to initial concerns at the beginning of this project with social desirability response bias, I asked voters how confusing they thought the propositions were for the average voter. Respondents were asked, "Do you think any of the propositions on the ballot were too confusing for the average

voter to understand?" If the respondent answered, "yes", they were prompted, "which ones?" Individuals get coded as confused for each proposition they indicate is confusing, and coded as not confused for the rest of the propositions. The two initiatives measured in this manner are the Clean Elections and Oil Tax initiatives. For the initiatives from October of 2005, I inferred confusion from the voters based on their awareness, or lack thereof, of various political cues (for a detailed explanation see Chapter 3). The Cigarette Tax and Union Dues initiatives have confusion measured in this manner. Though the operationalizations are slightly different across several of the propositions, they each tap a piece of the overall concept of confusion.

Control Variables

Preferences for policy positions are the most natural explanations for vote choice in initiative elections. Though unlikely, it is possible that the respondents who are confused about a particular initiative also disapprove of the policy. Therefore, in all of the models I have included a measure of policy preference, however, due to data restrictions, the Term Limits and Transportation Fund initiative models do not include a measure of preference. While this is an important control variable, and a key predictor of vote choice, the presence (or absence) of this control does not alter the directionality or statistical significance levels of the confusion variable in any of the other 12 models.

All of the preference questions were quite similar in that they asked the respondents their policy preferences about the key issue addressed in the proposition. Each of the responses that favor the policy prescription in the survey question is coded

as '1'. The preference questions for the propositions about Same Sex Marriage, the

Cigarette Tax and the Washington State Spending Limit, are in the opposite direction,

such that responses that are coded as '1' indicates that the respondent opposes the

issue on the ballot measure, i.e. preferring California to allow same sex marriage when

the initiative is a ban on same sex marriage. In these cases, a negative coefficient is

expected as voters with this preference portfolio would likely be voting against the

proposition.

The key component of the Teacher Tenure proposition from October of 2005

was increasing the time it would take public school teachers to be eligible for tenure

from two years to five years. Voters were faces with two policy choices, first a 'no'

vote would maintain the status quo at two years. Second, a 'yes' vote would increase

the time to five years. Therefore, to control for preferences in Proposition 74,

respondents were asked, "How many years should California teachers have to work

before they are granted tenure?" Theoretically, voters should prefer legislation closer

to them in the policy space; respondents were grouped into a dummy variable with

those responding that tenure should be at 4 years or more coded as '1' and a second

category for those answering 3 years or less coded as '0'. For Proposition 75, the key

piece of that initiative was limiting what money unions could contribute to political

campaigns. To assess the voters' policy preferences, the respondents were asked, "Do

you favor passing legislation limiting the ability of labor unions to donate money to

political candidates and parties?" A dummy variable for the 'yes' (coded as '1') and

'no' (coded as '0') responses controls for the policy preferences in the Union Dues model.

Voter preferences for the two ballot propositions on the November 2006 ballot were measured by asking whether the respondents supported policies that were at the heart of each of the propositions. For Proposition 87 – Oil Tax, respondents were asked, "Do you favor raising taxes on oil companies?" In order to obtain preferences for Proposition 89 – Clean Elections, respondents were asked, "Do you favor tax increases for publicly financed elections?" Both variables are dichotomous, with one (1) representing "yes" and zero (0) codes as "no."

The Washington Poll asked questions about the respondents' preferences for government taxes and spending in general (State Spending Limit) or specific tax and spending preferences about education (School Tax Threshold). In February of 2008 exit polls, for the Indian gaming propositions voters were asked if they favored increasing the number of slot machines in Indian Casinos if the state got a share of the profits. For the data from the November of 2008 exit poll, The Children's Hospital Bonds preference question asked if voters were in favor of borrowing money to spend on infrastructure at children's hospitals. For the Parental Notification measure, voters were asked if they favored requiring parental notification for minors to get an abortion. The Renewable Energy preference question asked respondents if they favored requiring utilities to provide more power from renewable sources, even if it meant higher costs. As mentioned above, in the Same Sex Marriage issue people were asked if they favored California allowing same sex couples to marry.

A common determinant of vote choice in candidate elections is partisanship and that can serve as a strong influence in ballot propositions too. For ballot measures from the October 2005 exit poll (Teacher Tenure and Union Dues), party identification is operationalized on a three point scale relying on self reported partisan registration. All of the other polls use a self identified seven-point Likert scale with one (1) representing 'Strong Democrat', four (4) equaling 'Independent' and seven (7) representing 'Strong Republican.'

Another potential influence on vote choice that could correlate with confusion is the awareness of political cues. Interest group and elite endorsements can improve voter decision making and ease the cognitive burdens of busy voters (Lupia 1994). When available, awareness of the key individual or interest group is included in model with dichotomous variables with being aware of the cue has a code of '1' and not knowing the cue is coded as '0' . Of the heuristics measures, respondents were most aware of Governor Schwarzenegger's endorsement of the Indian Gaming measures in February of 2008 and least aware of Planned Parenthood's opposition to the Parental Notification proposition in November of 2008. These totals are not unexpected. There was an active campaign that spent over $100 million in support of the gaming referenda that prominently featured Governor Schwarzenegger. Planned Parenthood only spent $9 million against the parental notification proposition and did not promote their involvement in the campaign (California Secretary of State, Cal-Access). The Same Sex Marriage ban required voters to know that the Republican Party supported the same sex marriage ban and the Democratic Party opposed the constitutional ban in

order to get coded as having the correct cue. The Cigarette Tax and Oil Tax measures

in November of 2006 required an awareness the hospitals supported the Cigarette Tax

measure and oil companies opposed the Oil Tax. Voters that were aware that the

electric and gas companies opposed to the Renewable Energy proposition in

November of 2008 are also coded as having the cue.

Political information is often operationalized by creating scales (Delli Carpini

& Keeter 1996) or complex indices (Palfrey & Poole 1987) that tap a general

knowledge of political facts. For the data from the 2005 and 2008 California exit

polls, political information is measured with a NES style five point information index

including questions about which party controls Congress and job Dick Cheney holds.

Unfortunately, the 2006 exit poll dataset precludes these options, as only one question

was asked about political information. Political information is operationalized by

correctly placing the two gubernatorial candidates on scale measuring preferred levels

of spending and taxes.[7] A correct response, and hence an 'informed' person, was able

to correctly place Arnold Schwarzenegger to the political right of Phil Angelides on

this scale, indicating that Angelides would prefer more spending and higher taxes.

Respondents who were unable to correctly place Arnold Schwarzenegger to the

'political right' of Phil Angelides are clearly "less informed" than those who correctly

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[7] Exact question wording, "Some people think the government should provide fewer services, even in
areas such as health and education, in order to reduce spending. [Show Services Scale to Respondent]
Suppose these people are at one end of a scale, at point 1. [Point to "Fewer Services" on the scale]
Other people feel that it is important for the government to provide many more services even if it means
an increase in spending. Suppose these people are at the other end, at point 7. [Point to "More
Services" on the scale]   And, of course, some other people have opinions somewhere in between, at
points 2,3,4,5 or 6.   Where would you place Arnold Schwarzenegger on this scale? [Wait for response]
How about Phil Angelides?

located the two candidates and hence most likely to suffer from initiative specific confusion.

The 2007 Washington State survey also precludes the use of a five item index, as only two questions were asked about political information: which party controlled the legislature in Washington, D.C. and which party controlled the state legislature of Washington. Correct answers were summed to create a three point index for those models. In order to present a more coherent set of models with the other proposition I created dichotomous measures of political information for all election surveys. Those who got both questions correct in the Washington Poll survey were coded as being informed. Similarly, from the standard NES index those with the greatest political awareness (roughly the highest 30% to 40% of the sample) are coded '1' as being informed, while the rest of the samples are coded as '0'. Using a dichotomous measure of five item index does not alter any of the conclusions of the analysis.

Finally, four demographic variables are included in the analysis, education, age, income and gender. I categorized education by the highest level completed by the respondent and coded it "1" through "5": did not finish high school, finished high school, some college, four year college degree and more than four years of college. Age is measured with four or six point scale depending on data availability. Annual household income is also measured with either a four of five point scale. The gender variable has males coded as '1' and females coded as '0'.

Table 4.2: Determinants of Vote Choice

	Parental Notification	Same-Sex Marriage	Cigarette Tax	Children's Hospital Bonds	School Tax Threshold	Oil Tax	Indian Gaming
Confusion	-0.55	0.66*	-0.25	-0.53*	0.19	-0.34	-0.60*
	(0.36)	(0.29)	(0.27)	(0.21)	(0.28)	(0.31)	(0.26)
Preference	5.05*	-3.09*	-1.62*	2.89*	1.04*	2.01*	1.61*
	(0.31)	(0.24)	(0.50)	(0.20)	(0.15)	(0.31)	(0.14)
Party Identification	0.28*	0.43*	-0.38*	-0.10*	-0.13*	-0.48*	-0.04
	(0.07)	(0.06)	(0.06)	(0.05)	(0.06)	(0.07)	(0.06)
Awareness of Cue	-0.15	0.37	0.83*			0.79	-0.61
	(0.31)	(0.24)	(0.27)			(0.50)	(0.34)
Education	-0.31	-0.39*	0.14	-0.02	0.33*	0.16	-0.26
	(0.17)	(0.14)	(0.15)	(0.11)	(0.13)	(0.18)	(0.16)
Political Knowledge	-0.12	-0.12	0.08	-0.50*	-0.45	-0.13	-0.35
	(0.31)	(0.25)	(0.25)	(0.21)	(0.28)	(0.30)	(0.27)
Income	0.22	-0.16	0.16	0.01	-0.05	0.25	0.23
	(0.15)	(0.12)	(0.12)	(0.10)	(0.14)	(0.15)	(0.13)
Age	0.01	0.21*	-0.16	-0.12	-0.07	-0.11	0.14
	(0.10)	(0.08)	(0.09)	(0.07)	(0.09)	(0.10)	(0.08)
Male	-0.22	0.20	0.03	0.03	-0.09	-0.12	-0.32
	(0.29)	(0.24)	(0.24)	(0.20)	(0.26)	(0.29)	(0.27)
Constant	-3.08*	-0.02	1.06	0.08	0.46	-0.15	1.57*
	(0.69)	(0.56)	(0.70)	(0.49)	(0.73)	(0.90)	(0.70)
Observations	797	801	376	731	383	383	460
R^2	0.65	0.47	0.17	0.31	0.21	0.37	0.33

Negative Coefficients indicate an increase in "no" votes
Standard Errors in parentheses   * $P < .05$

Table 4.2 Continued: Determinants of Vote Choice

	Teacher Tenure	Union Dues	Spending Limit	Term Limits	Clean Elections	Transportation Funds	Renewable Energy
Confusion	-0.44	0.09	-0.13	-0.44*	0.26	-0.07	-0.64*
	(0.41)	(0.38)	(0.23)	(0.20)	(0.29)	(0.21)	(0.18)
Preference	2.60*	1.89*	-0.40*		2.23*		2.58*
	(0.42)	(0.36)	(0.16)		(0.27)		(0.22)
Party	1.32*	1.19*	0.10	-0.18*	-0.29*	-0.01	0.03
Identification	(0.24)	(0.22)	(0.06)	(0.05)	(0.06)	(0.05)	(0.05)
Awareness							-0.11
of Cue							(0.19)
Education	0.44*	0.23	-0.10	0.02	0.10	-0.26*	-0.15
	(0.23)	(0.20)	(0.12)	(0.12)	(0.16)	(0.13)	(0.11)
Political	0.23	0.21	0.21	-0.49*	-0.10	-0.43	-0.79*
Knowledge	(0.38)	(0.36)	(0.24)	(0.21)	(0.27)	(0.22)	(0.19)
Income	-0.27	-0.05	0.06	-0.12	-0.06	0.18	-0.01
	(0.21)	(0.19)	(0.12)	(0.10)	(0.13)	(0.11)	(0.09)
Age	0.12	0.19	-0.02	-0.03	0.06	0.18*	-0.14*
	(0.14)	(0.13)	(0.08)	(0.06)	(0.09)	(0.07)	(0.06)
Male	-0.50	-0.59	-0.18	-0.01	0.18	0.12	0.16
	(0.41)	(0.39)	(0.23)	(0.21)	(0.27)	(0.22)	(0.19)
Constant	-5.45*	-4.56*	-0.13	1.22*	-0.75	-0.14	-0.30
	(1.05)	(0.92)	(0.69)	(0.51)	(0.71)	(0.56)	(0.48)
Observations	213	212	341	462	378	415	725
R^2	0.34	0.28	0.04	0.05	0.27	0.03	0.25

Negative Coefficients indicate an increase in "no" votes

Standard Errors in parentheses   * $P < .05$

Findings

The results of the logistic regression models in Table 4.2 are presented such that positive coefficients indicate voters are more likely to vote 'yes' on the proposition while negative coefficients represent a more likely 'no' vote. When assessing the status quo bias theory, negative coefficients for the confusion variable in each of the models supports the theory of the existence of a status quo bias. Only four of the fourteen models (Children's Hospital Bonds, Indian Gaming, Term Limits and Renewable Energy) have statistically significant negative coefficients for the confusion variable. The totality of the models suggests that there is no overwhelming evidence of the existence of a status quo bias due to confusion within the electorate.

Each of the models is addressed in the order they appear in Table 4.2 (easy issues to harder issues). The Parental Notification model is indicative of the rest of the regression results presented in Table 4.2. First, the key variable of interest, confusion, leans toward statistical significance (P = .12), but does not lead to a conclusive result. Voter preferences and party identification (both P < .001) are the two variables that drive vote choice for the Parental Notification initiative and just about all of the other propositions for that matter. None of the control variables reached statistical significance. This comports with most research, as the effect of political information and demographic variables often play a role in determining who shows up at the ballot box, rather than which buttons they push or ovals they fill in once they get there. The demographic variables have little impact and the rest of the covariates have coefficients in the expected direction.

The Same Sex Marriage model has a positive coefficient for the confusion variable. Confused voters were more likely to vote 'yes' on this proposition. Again, partisanship and preference were the two driving forces of vote choice with respondents who favored California allowing same sex couples to marry more likely to vote 'no' and the more Republican voters were, the more likely they were to vote 'yes'. Older voters were also more inclined to vote 'yes', while increased education decreased support for the initiative.

The Cigarette Tax initiative has a negative coefficient for confusion, but also fails to reach the traditional levels of statistical significance. Republicans and smokers are more inclined to vote 'no' on this initiative, while voters who were aware that hospital organizations supported the initiative were more likely to vote 'yes'. The Children's Hospital Bonds measure is the first of the four propositions in which confusion is a significant ($P < .05$) predictor of 'no' voters. Preferences and partisanship are also significant control variables for that model. Confusion is not a significant predictor for the School Tax Threshold proposition from Washington State in 2007. Like the previous models, preferences and partisanship are significant predictors of vote choice. The coefficient for confusion in the Oil Tax initiative is in the negative direction, though not statistically significant. On the other hand, confused voters were significantly more likely to vote 'no' on the Indian Gaming measure.

Next, in the Teacher Tenure model, the confusion variable is negative, but like the Oil Tax initiative the coefficient is not statistically significant. Democrats are significantly less likely to support this proposition, which makes sense due to Arnold

Schwarzenegger's support for this initiative and organized labor's opposition to it.

The Union Dues initiative logistic regression suggests that confusion has no effect on

vote choice. For the Spending Limit measure the story is the very much the same, a

small statistically insignificant coefficient for the confusion variable. Respondents

who preferred to see greater government spending were more inclined to vote 'no' (P

< .05). The Term Limits regression lacks a measure for voter preferences, but

Republicans are more inclined to vote 'no' on this proposition. This result makes a

great deal of sense. The state legislature in California is populated with a large

majority of Democrats and the opponents of the proposition painted it as a way for

current government officials to stay in office beyond the current term restrictions. The

three 'hardest' issues that voters had to deal with were Clean Elections, Transportation

Funds and Renewable Energy. Of those three, only the Renewable Energy model has

a statistically significant (P < .05) coefficient for the confusion variable. Clean

Elections has a positive coefficient and the Transportation Funds model has a positive

coefficient for the measure of confusion (though neither are statistically significant).

Conclusion

If Table 4.2 is looked at in its totality, with only four of the fourteen models

having statistically significant negative coefficients for the confusion variable, it is

quite damning to the theory that confusion leads to a status quo bias in direct

democracy. Even if a there was a pattern to those models, which there is not, with

only four models reaching statistical significance the wholesale assumption that

confused voters vote 'no' appears to be incorrect. This research suggests that voters

who are confused act similarly to voters who are not confused about propositions, making choices based on traditional predictors of voting behavior such as partisanship and issue preferences. Of the few models that do show confused voters more frequently voting 'no', this magnitude of the substantive effect is much smaller than that of partisanship or issue preference.

When looking for patterns among the four models with statistically significant negative coefficients for the confusion variables (or even five if you include the Cigarette Tax P = .12) is difficult. Campaign activity appears to have no consistent influence on the vote choice of confused voters. Of the six campaigns that could be considered high spending only two (Indian Gaming and Renewable Energy) suggest a status quo bias. Similarly, of the ten campaigns that saw little or no campaign spending, three suggest a status quo bias. Easy and hard issues categorizations do not affect confused voters any differently than those who are not confused. In each group, there are more propositions with no differences between the confused and those who are not confused than differences. Confused voters vote 'no' more frequently in two of the 'easy' propositions, one of the 'moderate' propositions and two of the 'hard' propositions. They vote similarly in two of the 'easy' issue group and three each for the 'moderate' and 'hard' groups. Election type does not appear to matter as there were initiative races in general elections and primaries with and without statistically significant coefficients for confusion.

The models in Table 4.2 include several different measures of confusion, and yet in Chapter 3 I concluded that the operationalization of confusion that directly

asked respondents about their state of confusion (or lack thereof) was theoretically and empirically superior to my other measurement choices. If only the nine models that employ this operationalization are analyzed, the story changes, but only slightly. All four the models with statistically significant coefficients are in this group and a fifth (Parental Notification) approaches the traditional level statistical significance ($P < .05$ with a two-tailed test). Yet even with five of nine models suggesting confused voters hedge their bets and vote 'no', the other four models indicate no such predilection for confused voters. Across either all fourteen or just the subset of nine, there is no clear pattern for which type of proposition is more likely to have the status quo bias effect. Further research across different electoral settings and states is necessary for a more conclusive answer to the question of when (or if) risk adverse voters cast 'no' votes because they are confused.

Chapter 5

Getting it Right: Correct Voting in Direct Democracy

If on occasion voters slip up at the ballot box and make a poor choice in candidate elections, the politician has a clear incentive (reelection) to act in accordance with the preferences of his constituents, thereby allowing for a successful implementation of the democratic process (Mayhew 1974). If representative democracy presents a buffer between the community and policy outputs which some find useful, as either a secondary check on ill-informed electorates or simply a tempering mechanism for the whims of the public (Madison 1787, Schumpeter 2006), direct democracy lacks said safeguard. Additionally, because direct democracy is an express route to specific public policy choices, it requires a clearer understanding and expression of individual preferences. Knowing the general understandings of the ideological tendencies of national parties is no longer a useful heuristic (though partisan cues can be helpful, see Smith and Tolbert 2001). This presents a worst case scenario for direct democracy voters: spending and media coverage on statewide initiatives and referenda pale in comparison to presidential elections, cues are harder to come by and politicians cannot be relied upon to correct the mistakes of the electorate. What's a voter to do? How does a dutiful citizen make a good choice with limited or confusing information?

If some voters are confused by direct legislation (see Chapter 3) and it does not appear that a status quo bias 'no' vote is their fall back solution (see Chapter 4), then what do these citizens do on Election Day? I posit that once voters make the choice to

vote in an election, they use the information available to them to make good decisions, balanced with easy decisions (Payne, Bettman and Johnson 1993). A great deal of scholarship has detailed voters' shortcomings and laziness (Campbell, Converse, Miller and Stokes 1960; Delli Carpini and Keeter 1996; Schenkman 2008 and Caplan 2007), but an equally large literature has shown how voters can and do overcome their limitations (Popkin 1991; Sniderman; Brody and Tetlock 1991; Lupia and McCubbins 1998; Lupia 1994). Building on the scholarship assessing voters' ability to make good political decisions, I extend this line of research to the arena of direct democracy. I argue that the ability of the voter to 'vote correctly' – voting in line with one's underlying preferences – is a good decision. My concern is only whether or not a voter's stated preference matches the vote that they cast. I make no normative about claims about the substance of those preferences – that is best left to Thomas Frank and the political commentators on talk radio and cable television.

Correct Voting

This chapter extends the correct voting literature, pioneered by Lau and Redlawsk (1997) to direct democracy. Unlike the complexities of candidate elections where multiple policy dimensions and valence issues are involved in voting choices, direct legislation allows for a relatively unambiguous measure of preferences on often either a single or second dimension. In addition to assessing how well citizens can translate their general ideological views and specific issue preferences into votes on direct legislation, I analyze how self admitted confused voters fair in relation to their

'non-confused' brethren. Additionally, this study begins to test the role that cues play in voters' ability to vote correctly.

Lau and Redlawsk (2006) focused on contests between candidates using experiments and NES data, Bartels (1996) exclusively used the NES and the research in this dissertation uses surveys and exit poll data about state level initiatives. Focusing on real life propositions and avoiding problems with external validity and the difficulties associated with inferring preferences by demographic makeup, this research can enhance the growing body work on correct voting. For this chapter, I use two exit polls in the city of San Diego, California in 2008 and a random-digit-dial survey from Washington State in 2007 that were specifically designed to test the link between confusion, voter preferences and vote choice on propositions.

Voting Correctly

Some of the best work assessing the ability of voters to get it right or 'vote correctly' (conceptually defined as voting in line with ones preferences) has been accomplished by Bartels (1996) and Lau & Redlawsk (1997, 2006). Bartels (1996) used NES data to match demographic characteristics of informed and uninformed voters to show statistically significant discrepancies, implying that the uninformed voters may be voting against their interests. However, the substantive differences were rather small and an optimistic reading of the data could lead to a more generous interpretation, suggesting the overall similarity between the vote choices of informed and uninformed voters.

Also in candidate elections Lau and Redlawsk (1997, 2006) use both experimental and survey analysis to measure the "fully informed preferences" of individual respondents to determine if voters make 'correct votes'. For the experimental method, if subjects volunteered that they would have changed their vote after receiving a side by side comparison of the hypothetical candidates, they were coded as having voted incorrectly. If the subjects opted not to change their vote, they were coded as voting correctly. A second method of estimating correct votes rested on using a pre-experiment questionnaire that rated the importance that was attached to several aspects of the candidate (issue position, group endorsement and personal characteristics); the formula was calculated to determine the preferred candidate.

Lau & Redlawsk's experimental work is a much improved measure of preferences or intent as inferring preferences from demographic characteristics can lead to questionable conclusions. Unfortunately, experimental work often faces external validity concerns. Do fictional candidates and brief biographies on a computer screen effectively emulate a real life election where voters have a real stake in the outcome and often have some experience with the candidates or the issues under consideration? Probably not, but the inferences drawn from their work are quite valuable. Combined with their analysis of NES data, along with Bartels' study, Lau & Redlawsk's work suggests that a clear majority of voters (over 70%) seem to get it right when they enter the voting booth.

The success of their work suggests that voters can get it right most of the time, but there is an inherent difficulty in estimating the voters underlying preferences, since

candidate elections take place across multiple dimensions of evaluation from domestic

issues to foreign policy issues to personal characteristics. The research I present here

differs in several ways from previous scholarship. The first difference is the data sets

I have chosen to analyze. The in depth multivariate logistic regressions use exit poll

data is restricted to actual voters and survey data that is limited to voters who are

likely to vote (or have already voted) in the upcoming election. The NES data used by

Lau and Redlawsk (1997, 2006) and Bartels (1996) includes non-voters as over

reporting turnout is a serious problem due to the social desirability of voting,

especially with the face to face interviews of the NES (see Abramson & Aldrich 1982,

for problems specific to NES data see Teixeira 1987). Being able to accurately

ascertain the true vote choice of an individual is crucial when attempting to analyze

the 'correctness' of their vote. Although it is unlikely that the over reported turnout

would have altered Lau and Redlawsk's analysis very much if at all, including non-

voters could have artificially increased the number of 'incorrect votes' and actually

muted their findings (see Bernstein, Chadha and Montjoy 2001 for problems with

using over-reported votes).

Of more importance than simple over reporting of turnout is the misreporting

of votes in the survey research (see Wright 1993 for this problem with NES data).

Election winners receive disproportionately more votes in the 'post' election portion

of the survey which could bias Lau and Redlawsk's analysis and again reduced the

voting accuracy of their sample. Exit poll data essentially eliminates over-reporting of

turnout by only interviewing voters as they leave the polls and lessens misreporting of

votes, as their memories are fresh and the voters are unaware of the official results at the time of their responses to the survey (Carsey and Jackson 2001). Additionally, for the exit polls the respondents had a placard listing all of the propositions while they answered the questions, further reducing recall errors. The Washington Poll survey was conducted by the University of Washington prior to Election Day. Therefore, in this research it is unlikely that individuals misreported their vote either by claiming to have voted for the winning proposition or claiming to have voted on an issue when in fact they did not. Similarly, the data from PPIC and The Field Poll were all collected prior to the election.

A Hindrance to Getting it Right: Confusion?

Based on evidence presented in Chapter 3, at the maximum, over half of the voting population is confused about certain propositions and at the minimum almost 20% admit some form of confusion. There is clearly a significant amount of confusion among electorate regarding ballot propositions. This confusion, due to a variety of factors such as technical prose, misleading or competing campaign advertisements, an absence of information or even just uncertainty about the policy implications, has been theorized to lead to a status bias. Chapter 4 began to debunk the claim about confused voters simply voting 'no' due to a status quo bias. If these confused voters are not playing it safe, are there any differences between them and the non-confused voters? In other words, does voter confusion even matter? I argue that it does matter, and it matters in a meaningful way. The in depth individual level analysis presented below shows that confused voters are less likely to vote in line with

their declared preferences, or more simply put vote 'incorrectly'. For the ballot

propositions used in this portion of the analysis confusion is operationalized by a self

identified dichotomous measure, voters are either confused or they are not.

Help in Getting it Right?

Bartels' (1996) and Lau and Redlawsk both find limited evidence that

politically sophisticated or informed voters are more likely to vote correctly. While

information levels, issue specific and general political knowledge can lead to

increased voting accuracy, lacking traditional political knowledge does not preclude a

correct vote. Absent specific political information voters have the ability to take

advantage of heuristics such as elite endorsements (Popkin 1991; Zaller 1992). The

use of shortcuts (endorsement or cues) for voting has a long history, and its usage by

direct democracy voters is even more prevalent because of rational ignorance due to

the high costs of gathering the limited amounts of information typically available to

the voter (Downs 1957, Bowler and Donovan 1998, p. 32, see Kriesi 2002 for

comparative empirical evidence). Lupia (1994) showed that voters can use cues to

overcome informational shortcomings and vote similar to those who were

knowledgeable about the specifics of ballot propositions. Therefore it is practical to

believe, or even expected, that cues could lead to increased correct voting.

For candidate elections, the easiest and most informative cue available to

voters is often a candidate's partisanship. This cue is not directly available to

initiative voters. One of the major goals of the turn of the century Progressives was to

reduce the influence of parties on politics; as such ballot propositions were created to

operate outside the scope of political parties and party bosses (Cronin 1989).   Though it has been claimed that direct democracy has fulfilled that goal and ballot measures often fall out of the purview of parties (Magleby 1984), more recent evidence has suggested that the role of parties is greater than previously thought, and even paramount in ballot initiative campaigns (Smith and Tolbert 2001, Nicholson 2005). Therefore, in addition to testing the influence of certain elite endorsements, the role partisan endorsements on correct voting is also analyzed. Lau and Redlawsk's (2006) analysis of the NES shows education as a significant positive predictor of correct votes, yet in their experiments education is not statistically significant and several of the education coefficients are in the opposite direction. Other demographic characteristics such as age, income and gender similarly have no substantive or statistically significant effects on correct voting in their research. Though Lau and Redlawsk (2006) found little difference in levels of correct voting across demographic groups, it is useful to see if that trend holds across direct legislation.

After presenting the correct voting totals and comparing those results to previous candidate based work, tests on the influence of various demographic and political characteristics will be conducted. Though the expectation is that most demographic variables will show null results, education, political awareness and elite cues could be linked to correct voting. In order to clarify the aim of this paper, two main hypotheses are laid out to assess various claims about confusion and voter rationality made in the literature.

Hypothesis 1: Voters who are confused about ballot propositions are more

likely to 'vote incorrectly' (i.e. counter to their preferences) than voters

who are not confused.

Hypothesis 2: Awareness of elite cues leads to an increase in correct voting.

The Data

Several polls from the Public Policy Institute of California (PPIC) and The

Field Poll are used when the surveys had questions that enabled the measurement of

correct voting. Correct voting is a simple combination of a respondent indicating a

policy preference (i.e. thinking California should allow same sex couples to marry)

and properly linking that preference to a proposition vote (i.e. voting 'no' on

Proposition 8 - Same Sex Marriage ban in 2008). Additionally, this dissertation tests

the causes and consequences of confusion and correct voting in direct democracy. I

specifically designed questions for a survey and conducted exit polls to overcome the

obstacles of inferring voter preferences and confusion from demographic or ballot

characteristics. In the two exit polls and the Washington Poll, voters were directly

asked about their issue preference, state of confusion and vote choice on two ballot

propositions.

The Propositions

Washington's 2007 gubernatorial election produced two ballot propositions

(one initiative and one constitutional amendment) dealing with legislative majority

limits when passing tax increases. The clear split between those wanting to reduce

government spending and those in favor of increasing the government's ability to raise

taxes makes these propositions an excellent test of voter competency in an abstract sense.   One measure (Spending Limit) aims to reduce spending, while the other (School Tax Threshold) attempts to reduce the hurdles school districts have in raising taxes. Taxes and spending are clearly not a new issue for voters, as the major political divide throughout American history has been economic (Poole and Rosenthal 1997). The constancy and importance of taxes and spending as an overall arching political issue provides a clear test to assess how well the electorate can translate an underlying political ideology into a vote on a specific policy issue. Of course, general ideological views are never easily translated into policy when it comes to direct democracy (Gerber, Lupia, McCubbins and Kiewiet 2001). In these two cases the implications of a decision on the ballot measures are hidden behind intricate voting rules. Yet, in a system of representative democracy a basic understanding of majority rule (or supermajority rule in the case of I – 960) should not be too burdensome for the voter and even skeptics of citizen competency agree that most voters understand the basics of democracy (Delli Carpini and Keeter 1996).

As opposed to the Washington Poll, the two exit polls provide an opportunity to assess the voter's ability to get it right on very specific policy issues, some more difficult than others. The Indian gaming compacts in February of 2008, measured by the vote choice of Proposition 94 – Indian Gaming (a moderately difficult issue) was about slot machines and government revenue. In the November General Election of 2008 the Children's Hospitals Bonds, Parental Notification and Same Sex Marriage are three easy issues. The Renewable Energy proposition was as complicated and

convoluted as there is in direct democracy and is a good test of how voters do when voting on hard issues.

Dependent Variables

Hypotheses 1 and 2, regarding confusion's effect on correct voting and the effect of cues on correct voting, are tested using 'correct votes' as the dependent variable. Respondents who were completely undecided in their vote choice, did not vote on the proposition or refused to answer the question were removed from the analysis. The same method was followed for the preference question in the correct vote construction. Voters that did not indicate a policy preference or refused to answer were removed. The Washington Poll was in the field two weeks prior the election, however, all but two counties (King and Pierce – the most populous) in Washington vote by mail and a number of respondents had already sent in their mail ballots. For the Washington data, voters were coded as voting correctly (1) if their vote choice, or intended vote choice, (yes or no) matched a survey question about their preferences for government taxes and spending in general (Spending Limit) or specific tax and spending on preferences about education (School Tax Threshold); votes were coded zero (0) if their preferences did not match their vote choice.

The California exit poll data is coded similarly to the other initiatives in that a vote that is matched with a voter's preferences is coded one (1) and a vote that does not match the voter's preferences is coded zero (0). For Parental Notification voters were asked if the favored requiring parental notification for minors to get an abortion. For the Same Sex Marriage proposition people were asked if they favored California

allowing same sex couples to marry. The Children's Hospital Bonds preference

question asked if voters were in favor of borrowing money to spend on children's

hospitals. The Indian gaming propositions (of which there were four) used

Proposition 94 to represent all four Indian Gaming referenda since the vote choice on

the four referenda is correlated at .99. Voters were asked if they favored increasing

the number of slot machines in Indian Casinos if the state got a share of the profits.

Finally, Renewable Energy respondents were asked if they favored requiring utilities

to provide more power from renewable sources, even if it meant higher costs. The

additional propositions from PPIC and Field Poll surveys are coded similarly to the

exit poll data. Figure 5.1 shows the overall percentages of correct votes across the
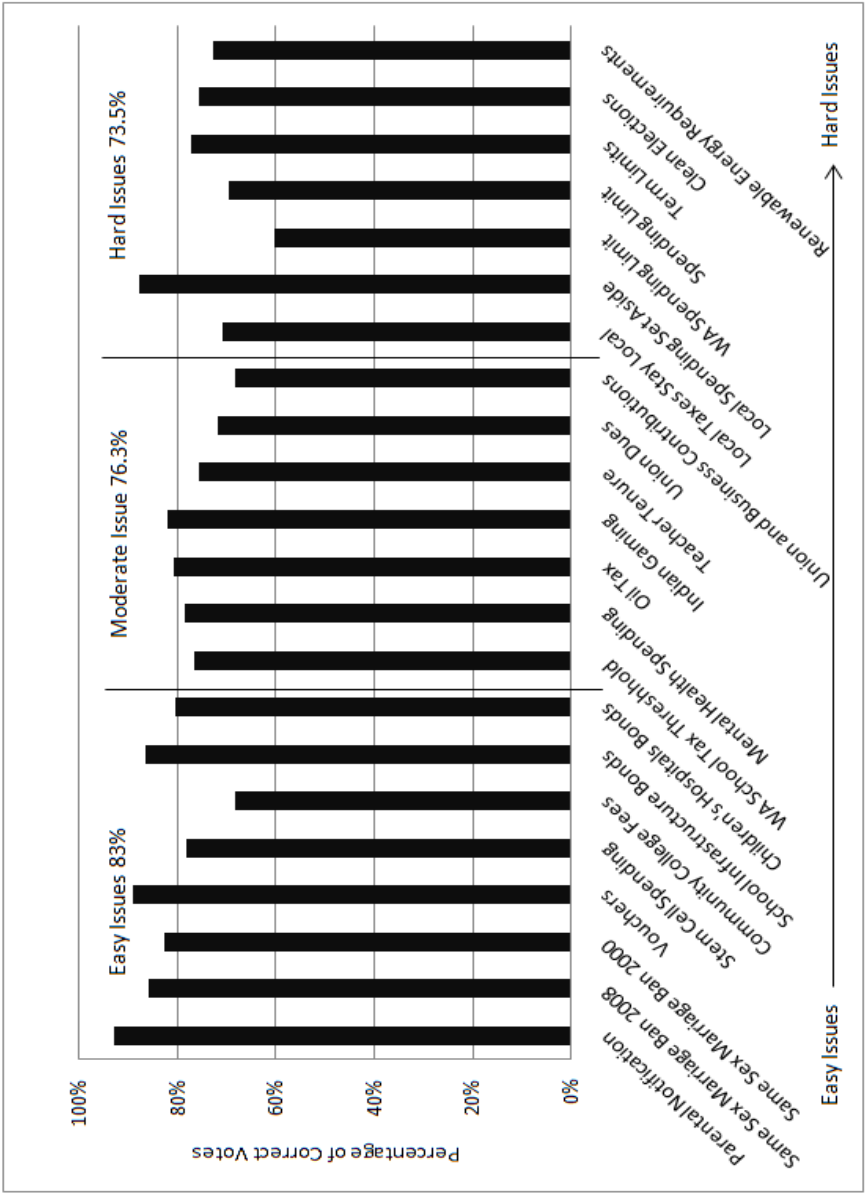
twenty two propositions.
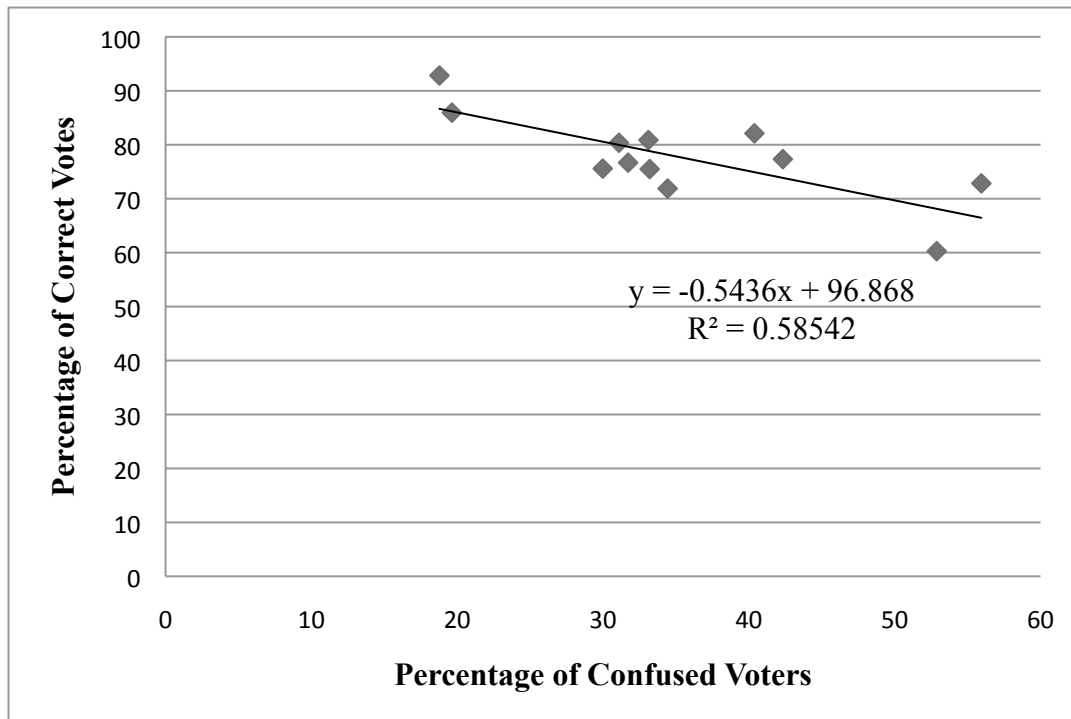
Figure 5.1: Correct Voting on Initiatives

One pattern that arises when looking at the percentage of voters that managed to vote correctly is that the easy issue propositions (83%) received a higher percentage of correct votes than hard propositions (73.5%). The parental notification proposition, an issue that has appeared before the California voters on two previous occasions in 2005 and 2006, is the easiest ballot measure in my sample and that enabled 92% of the voters to cast ballots in line with their preferences. Other easily identifiable issues like Same Sex Marriage and Vouchers had over 80% voting correctly. More complicated hard initiatives worse as the convoluted Renewable Energy initiative from 2008 barely got 70% of the populace voting correctly and the Spending Limit in Washington saw only 60% get it right. This ordering along the issue difficulty dimension again proves a useful tool for organizing propositions and suggests that issue difficulty is a contributor to overall confusion levels.

Key Independent Variables

Confusion has been hypothesized to lead to uncertainty, and uncertainty has been shown to be linked to errors in answering survey questions (Alvarez and Brehm 2002). In line with this logic, confusion about a particular initiative ought to lead to a decrease in correct votes. Conceptually, I define confusion as an individual being unable to ascertain the direction a proposed initiative will move the current policy. This chapter uses the self identified confusion about the specific propositions, as described in Chapter 3, to measure confusion and assess its effects on correct voting. Interviewers read the following statement, "in talking to people about the election we find that due to the complexities of political issues or contradictory campaign

advertisements a lot of people find ballot propositions confusing." For each proposition the respondents were then asked a question similar to, "how about you, did you find Proposition 8 (the one about same sex marriage) confusing?" Respondents admitting confusion were coded as "1" and those saying they were not confused were coded as "0", while those who replied that they did not know or refused to answer were removed from the analysis. The "don't know" responses perform more similar to the "confused" responses; however, this initial exploration into confusion requires a conservative estimate and therefore removing those few responses was the prudent decision.

Figure 5.2 plots the overall confusion levels by the amount of correct votes for all of the propositions with available data (this includes the other measures of confusion discussed in Chapter 3). The trendline shows the clear decrease in correct votes as the aggregate levels of confusion increase. As confusion increases by ten percentage points, the expected amount of correct votes decreases by almost 5.5 percentage points. The least confusing propositions, around 20%, have about 90% of the electorate voting correctly. On the other hand, the most confusing propositions engender around 70% of correct votes. As an aside, the presence of the other measures of confusion does not alter the conclusions drawn from Figure 5.2.

The chart shows a scatter plot with:
- Y-axis labeled "Percentage of Correct Votes" ranging from 0 to 100
- X-axis labeled "Percentage of Confused Voters" ranging from 0 to 60
- Trend line equation: $y = -0.5436x + 96.868$
- $R^2 = 0.58542$

Figure 5.2: Percentages of Correct Votes by Confusion Levels

Figure 5.3 shows the percentage of self identified confused voters. There is

clear variation across propositions (18.8% to 55.9%), and remember from Chapter 3,

the number of confused voters is lowest on the easy issues that voters have had

experience with (Parental Notification and Same Sex Marriage) and highest on hard

issue initiatives (renewable energy and a super majority for tax increases). Figure 5.4

compares the incidences of correct voting for confused and not confused voters. In all

seven of the propositions the confused voters have more difficulty casting a correct

vote than those who are not confused. As indicated by the asterisks, only four of those

differences are statistically significant at the traditional level ($P < .05$ in a two tailed

test), however two more (Same Sex Marriage and School Tax Threshold) are

statistically significant in a one tailed test ($P < .05$).   Clearly there is solid evidence at

that confused voters do not vote correctly as often as those who are not confused.
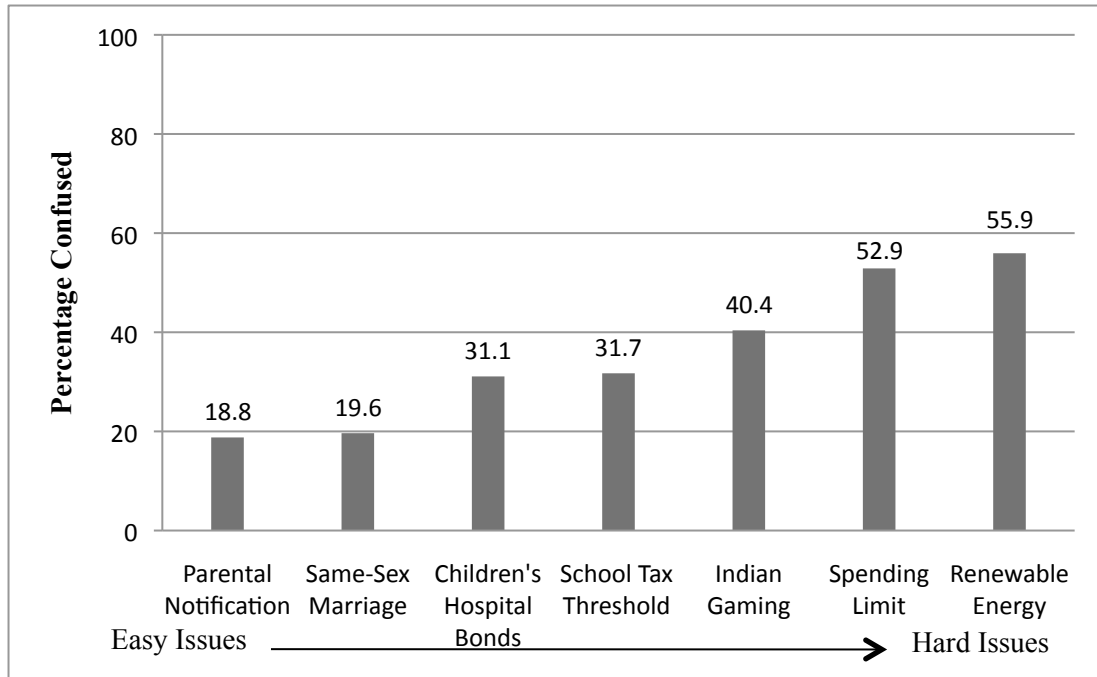
**Figure 5.3: Percentage Confused by Issue Difficulty**
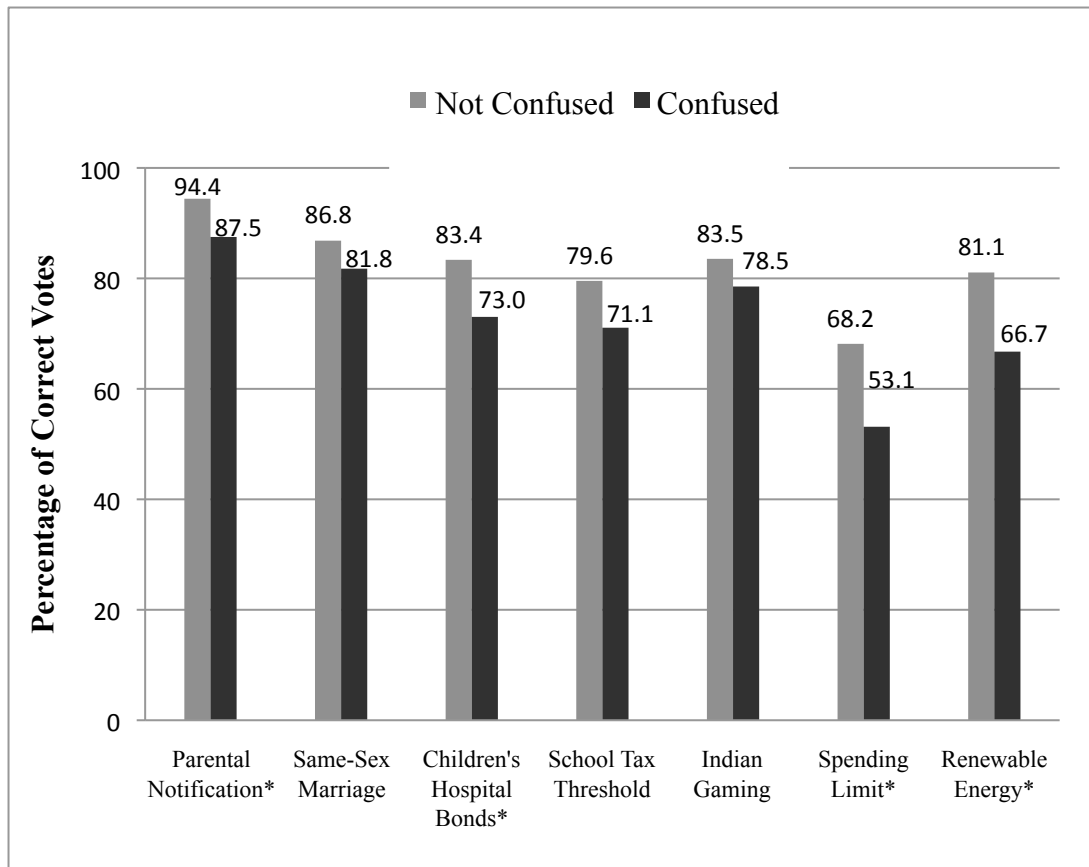
Figure 5.4: Correct Votes by Confusion

Another key independent variable of interest is the role that cues play in

facilitating vote choice. The knowledge of and trust in a cue giver is necessary for a

cue to successfully influence the directionality of vote choice (Lupia 1994; Lupia and

McCubbins 1998). The series of regressions that tests the predictors of correct voting

(see Table 5.1), uses cue awareness for four of the propositions (see Figure 5.5). For

understanding the directionality of vote choice it is important to only measure a cue

that has a single influence. For example, if Voter A knows Governor Schwarzenegger

supports the Indian gaming propositions and also likes the governor, Voter A can use

that shortcut to vote in favor of the referenda. However, if Voter B is aware of the

endorsement, but does not like the governor or the job he is doing in office, that same

knowledge of the cue could result in a 'no' vote on the propositions (Lupia and McCubbins 1998). However, when using correct voting instead as the dependent variable, awareness of the cue is all that is required to improve the voter's ability to cast votes in line with their preferences.

Of the heuristics measures, respondents were most aware of Governor Schwarzenegger endorsement of the Indian gaming measures in February of 2008 and least aware of Planned Parenthood's opposition to the parental notification proposition in November of 2008. These totals are not unexpected. There was an active campaign that spent over $100 million in support of the gaming referenda that prominently featured Governor Schwarzenegger. One possibility for the relatively high level of correct voting on this 'moderately' difficult issue is the high level of awareness about Schwarzenegger's endorsement of the gaming compacts. Planned Parenthood only spent $9 million against the parental notification proposition and did not promote their involvement in the campaign (California Secretary of State, Cal-Access). Just about 36% of the voters were aware that the electric and gas companies were opposed to the renewable energy proposition, a similar number were aware that the Republican Party supported the same sex marriage ban and the Democratic Party opposed the constitutional ban.
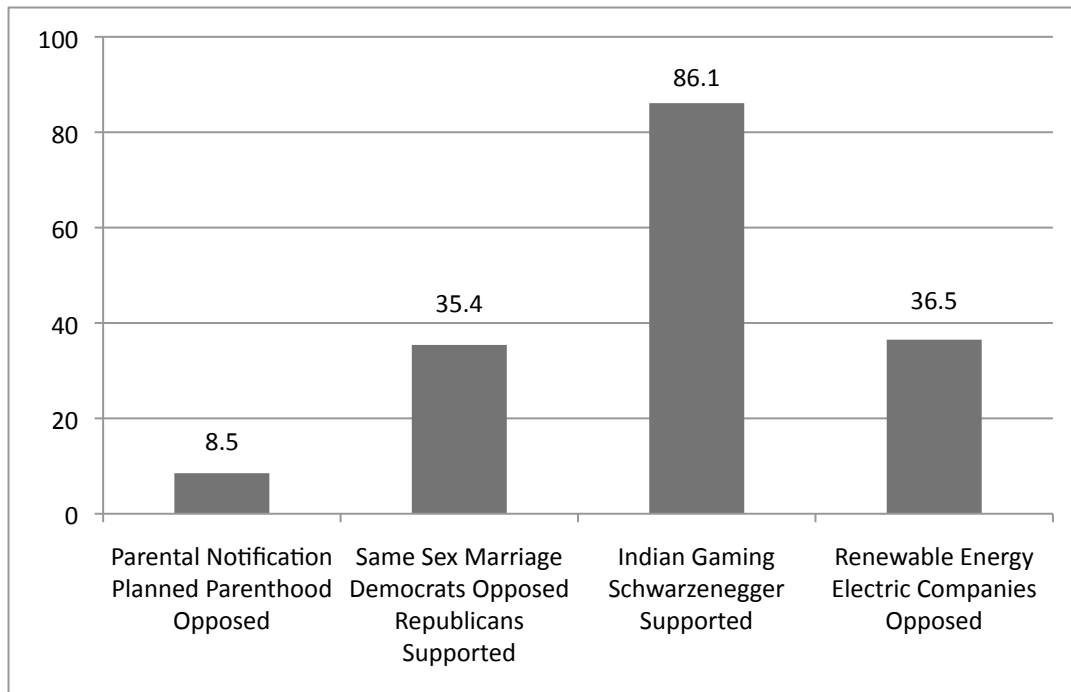
Figure 5.5 Percentage of Sample Aware of Cue

Additional Controls

Political information is often operationalized by creating scales (Delli Carpini

and Keeter 1996) or complex indices (Palfrey and Poole 1987) that tap a general

knowledge of political facts. For the data from the 2008 California exit polls, political

information is measured with a NES style five point information index including

questions about which party controls Congress and job Dick Cheney holds. The 2007

Washington State survey precludes this option, as only two questions were asked

about political information: which party controlled the legislature in Washington, D.C.

and which party controlled the state legislature of Washington. Correct answers were

summed to create a three point index for those models.

In order to replicate the work of Lau and Redlawsk (1997, 2006), I include a

series of demographic controls in the analysis as well. Party identification is omitted

from the correct voting analysis because there is no theoretical reason to suspect

Republicans are more or less likely than Democrats to vote correctly (and in fact there

was no difference when this control was included). Age is measured with an ordinal

scale with voters under the age of twenty-five in the first group then each additional

category increases by ten years up to individuals over the age of 65. Similarly,

education is measured by the highest level completed by the respondent: did not finish

high school, finished high school, some college, four year college degree and graduate

degree. Annual household income is also measured with a four point ordinal scale in

increments of $50,000 with the highest level capturing those making over $150,000

annually. Gender is dichotomous with males coded as "1" and the self identified

racial characteristics are dummy variables.

Results of Confusion and Correct Voting

The multivariate models are logistic regressions using the dichotomous

measure of correct votes as the dependent variable. Results from the regressions show

consistent evidence for Hypothesis 1, confusion leads to a decrease in correct voting.

All seven of the coefficients are negative, four are statistically significant and the other

three approach the traditional measures of significance. These three propositions

(Same Sex Marriage, School Tax Threshold and Indian Gaming) where quite different

and each may have an explanation for why confusion was not statistically significant.

Same Sex Marriage has very little 'incorrect' voting, therefore making it difficult to

account for variation when there is so little to begin with. Additionally, this was the

most high profile initiative race on the ballot and like the Indian Gaming measure,

received a lot of media attention. Perhaps this media information helped alleviate the correct voting gap for the confused voters. One other possible explanation the lack of difference for the Indian Gaming measure is the awareness of Schwarzenegger's support for the referenda. This awareness could have helped the confused voters get it right in the end, even though they may have struggled with their choice. Finally, the School Tax Threshold from Washington, the coefficient for confusion approaches statistical significance, and with a relatively small sample (N = 320), it is likely that a larger N would help flesh out the differences between the confused and not confused.

Hypothesis 2 is also supported, awareness of elite cues appear to aid voters in matching their stated preferences to their vote choice. All four of the cues measures were positive and three were statistically significant. Lau and Redlawsk (2006) found mixed results for education leading to increases in correct voting, and these results show practically no effect of education on correct voting. The only model in which education is positive and significant is the Washington proposal to decrease the majority required to increase school levies. Several of the propositions have negative coefficients for education and the others do not approach statistical significance. Political sophistication, proxied by political knowledge, is also only positive in one of the seven models and it is in the negative direction. Other demographic measures have no consistent trends affecting correct voting.

Table 5.1: **Effect of Confusion and Selected Predictors on Voting Correctly**

|	Parental Notification	Same Sex Marriage	Children's Hospitals	School Tax Threshold	Indian Gaming	Spending Limit	Renewable Energy
Confusion	-0.733*	-0.161	-0.656*	-0.286	-0.268	-0.558*	-0.634*
	(0.306)	(0.246)	(0.199)	(0.294)	(0.260)	(0.265)	(0.179)
Education	-0.0242	-0.203	0.155	0.310*	0.0405	0.246	-0.0478
	(0.164)	(0.121)	(0.110)	(0.150)	(0.153)	(0.138)	(0.102)
Political Information	0.0142	0.0571	0.125	-0.123	0.0146	0.369	-0.175*
	(0.124)	(0.0853)	(0.0806)	(0.213)	(0.0985)	(0.201)	(0.0771)
Cues	0.937*	0.508*			0.901*		0.206
	(0.327)	(0.218)			(0.325)		(0.182)
Age	0.0298	-0.0577	-0.173*	-0.0327	-0.173*	0.0333	-0.205*
	(0.0962)	(0.0677)	(0.0644)	(0.0994)	(0.0841)	(0.0909)	(0.0582)
Income	0.0116	0.113	0.0805	0.00924	-0.112	0.00127	0.0692
	(0.143)	(0.103)	(0.0987)	(0.0821)	(0.128)	(0.0783)	(0.0884)
Gender	-0.0715	-0.104	-0.470*	-0.293	0.0719	0.553*	-0.233
	(0.287)	(0.205)	(0.198)	(0.282)	(0.266)	(0.264)	(0.177)
Latino	0.658	-0.406	-0.182		-0.479		0.665
	(0.629)	(0.347)	(0.339)		(0.456)		(0.426)
Black	-0.628	1.198	-0.475		-1.760*		-0.138
	(0.656)	(1.036)	(0.543)		(0.676)		(0.543)
Asian	1.679	-0.197	-0.287		0.179		-0.00868
	(1.024)	(0.369)	(0.361)		(0.649)		(0.324)
Constant	2.289*	2.237*	1.353*	1.005	1.603*	-0.903	2.656*
	(0.662)	(0.493)	(0.458)	(0.718)	(0.682)	(0.691)	(0.451)
Observations	824	827	757	320	456	278	745

Cues: Prop 4 (Aware Planned Parent opposed Prop 4, Aware Electric Companies opposed Prop 7, Aware Republicans supported and Democrats opposed Prop 8, Aware Schwarzenegger supported Prop 94)
Standard errors in parentheses * p<0.05 for a two-tailed test

Effects of Confusion on Election Day

Yes, confusion appears to reduce the likelihood an individual will get it right at the ballot box, but what are the aggregate effects? Figure 5.6 shows the results of several hypothetical elections. This figure shows what would have occurred had confusion been removed from the electorate and the confused voters were able to vote in line with their stated preferences. Of the seven propositions tested, five showed almost no difference in election results. These minor differences between the actual outcomes and the hypothetical outcomes show that confused voters are canceling out each other's incorrect votes in most circumstances. The implication from this is that confused voters may just be flipping coins with the information they have. Two propositions did have a sizable increase in the hypothetical 'yes' vote, but one of them already had enough votes to pass. Only Renewable Energy in California during the 2008 presidential election did not pass, but would have passed in the hypothetical election. This is likely more of a signal that on the whole voters may not be as dumb some skeptics would lead us to believe.
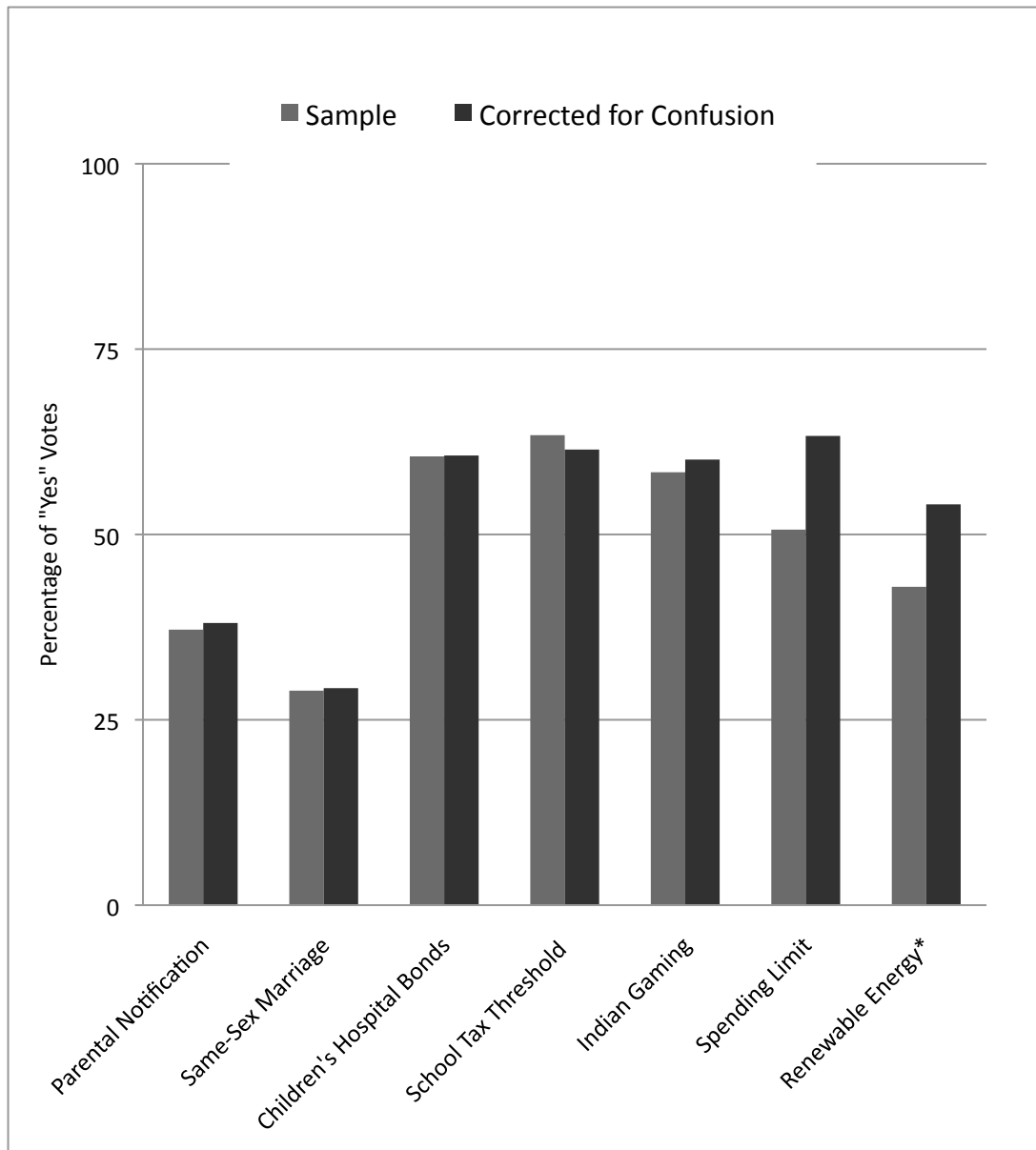
Figure 5.6: Electorate with and without Confusion

The Renewable Energy proposition in California's November of 2008 election was not all that it seemed. Yes, it would have required public utilities to raise their amount of renewable sources of energy; however, the increases were extremely high, and it was unlikely the utilities would have been able to meet the requirements. This would have required them to purchase renewable energy from private providers, one

of which actually wrote and funded the initiative. So, some (if not many) of the voters who are coded as voting incorrectly may be voting against the initiative because of this potential outcome. Therefore, it may not be the voters who got it wrong, but the researcher (i.e. me) may not have the best measure of preferences for this proposition. Though most differences between the actual election and the hypothetical election were very minor, it is possible that the outcome of a close race could be affected by confusion.

Discussion

Direct democracy presents an opportunity to more clearly analyze voters' cognitive capabilities without the personal characteristics and valence issues of candidate elections. These results, though not definitive, provide solid empirical evidence to add to the scholarly debate about voter competence. First, using a direct of measure of confusion extends the growing body of work on correct voting to direct democracy. The percentage of voters getting it right on ballot initiatives (close to 80%) comports well with Bartels' (1996) and Lau and Redlawsk's (1997, 2006) work showing roughly three quarters of the population voting correctly in presidential races. Another piece of this dissertation that reinforces previous research is the result showing that voters that have access to an elite cue are better prepared to translate their preferences into actual votes (Lau and Redlawsk 2006; Lupia 1994; Lupia and McCubbins 1998). Finally, and perhaps most importantly, confused voters are less likely to vote correctly than people who are not confused. The results are robust in

both high spending controversial ballot campaigns and low salience low spending initiatives.

This initial foray certainly requires additional research to understand the subtleties involved in confusion, cues and correct voting in direct democracy. It is clear that confusion does decrease correct voting. Endorsements can (and do) play a role in elections, not only in shaping the vote – that is nothing new, but cues enable voters to better align their preferences with the choices they face on the ballot. Voters do pay attention to and use elite cues to help navigate the complex ballot measures of the early 21st century, but when they are faced with confusing ballot measures it is possible that very close election results may not be a true reflection of the electorate's desires.

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