

Voting into the Wind?

A Cross-National Comparison of the Effect of Unofficial Plebiscites on Legislator Policy Positions



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Abstract

A growing body of literature suggests that direct democratic procedures have both direct and indirect effects on policy outcomes in states where such procedures are highly institutionalised. But what about states which have no legal provision for direct democracy? Even in these states, direct democracy, in the form of unofficial plebiscites, is a surprisingly frequent tactic employed by interest groups, minor, or regional political parties to influence national policy outcomes. This study finds no statistically significant effects of unofficial plebiscites on legislator policy positions. A comparative-historical analysis of two unofficial plebiscites does, however, reveal that it is possible for unofficial plebiscites to have moderating effect on the influence of the social movements which conceive them in the right contextual circumstances. A new model for conceptualising the causal mechanisms of unofficial direct democratic mobilisation tactics is proposed in this research.

Keywords: unofficial plebiscite, direct democracy, policy position, issue salience, social movement

1. Introduction

The growing use of direct democratic procedures as ‘democratic innovations’ is well documented (Scarrow, 2001) and accommodation of some direct democratic procedures within the legal framework of representative democracies is increasingly seen as one potential way to combat some of the ills of representative systems (Butler and Ranney, 1994: 13-16). To date, the majority of research has been limited to polities with extensive legal and constitutional provision for the use of direct democratic procedures, namely Switzerland and certain American states (Gerber and Hug, 2001: 91). For as long as there have been government mandated direct democratic procedures, however, there have been direct democratic mobilizations in the form of unofficial plebiscites in which oppositions, minority parties, or interest groups orchestrate outside of established institutional frameworks.

It can be assumed that such votes are carried out in an attempt to change legislator policies. It can also be assumed that, in the absence of legal authority or institutional legitimacy, governments and political parties would be unlikely to alter their policy dimensions based on unofficial plebiscites. Yet authors like Hug (2004) and Matsuasaka (2014) have argued convincingly that, in those states with the institutionalised mechanisms outlined above, direct democracy can have interesting, nuanced effects. Simply communicating a policy preference, without legal obligation, or educating a population on a policy issue can have effects on policy outcomes.

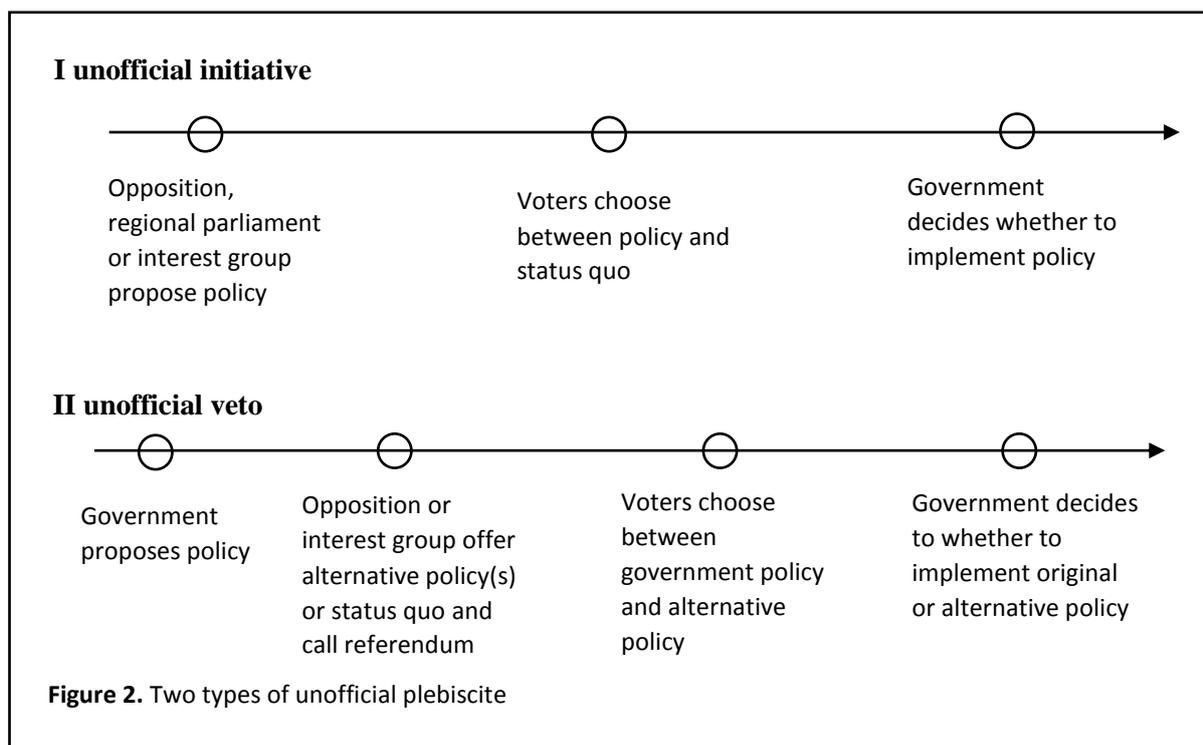
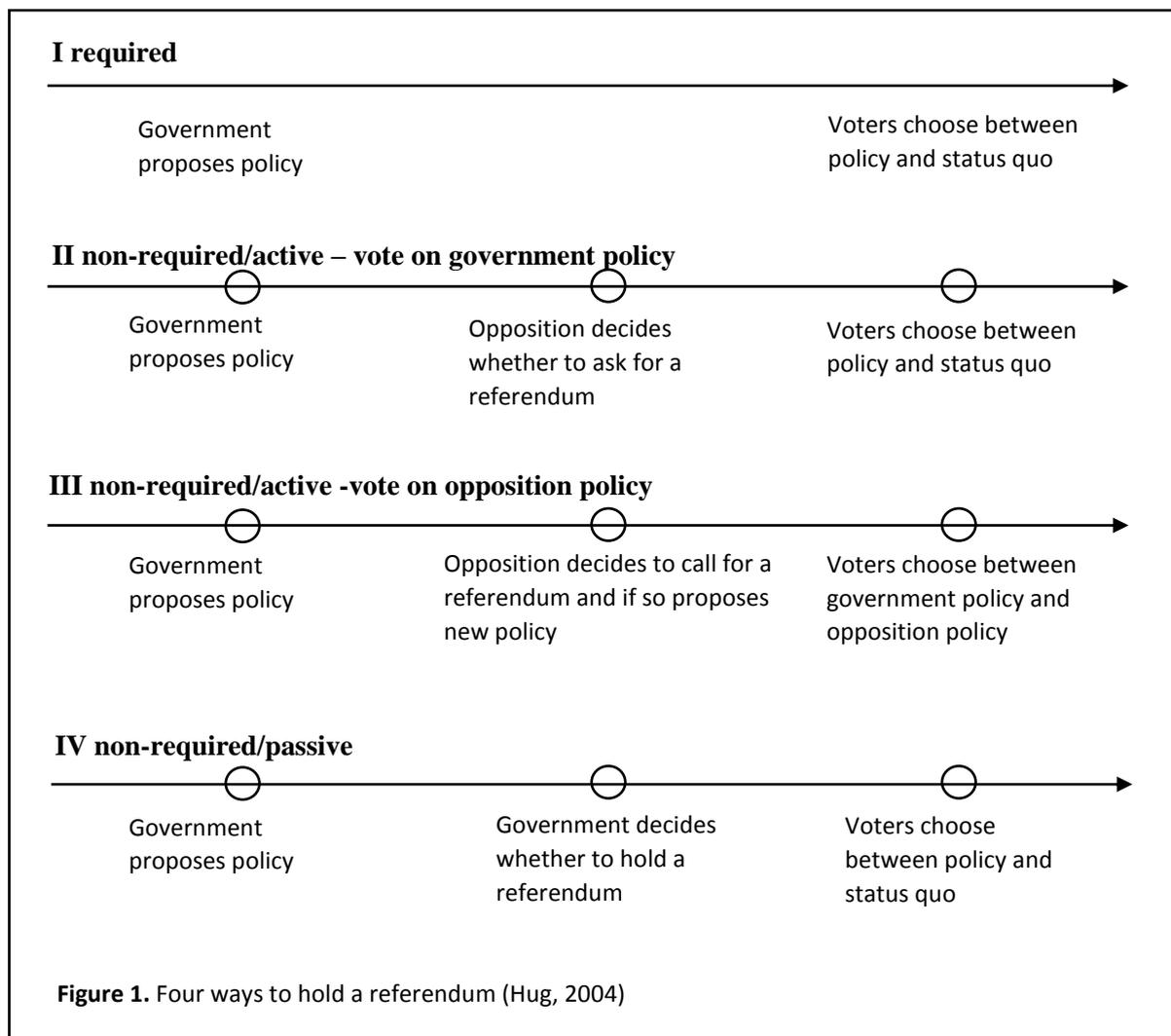
By focusing specifically on unofficial plebiscites, this research aims to put these nuanced theories of direct democratic effect to the test. If such effects can be found in cases where there is no legal recognition of plebiscites then they should be considered significant and, crucially, generalizable to other polities. By analysing under what circumstances, if any, unofficial plebiscites elicit legislator policy responses, this research also addresses practical questions about whether unofficial democratic mobilisations are effective strategies for movements to influence policy outcomes.

2. Theory

Hug (2004: 326) classifies four referendum types according to their strategic interactions (figure 1); I Required/passive, II Non-required/active (vote on government policy), III Non-required/active (vote on opposition policy) and IV Non-required/Passive. The required/non-required element in this classification refers to whether there is a constitutional obligation for the holding of a referendum on a certain issue. The Active/passive element refers to the genesis of the referendum. If an actor outside of government is involved in the launching of a referendum it is considered active, if not, it is passive. Crucially, all four types of referendum discussed are so-called 'decisive' referendums where governments have to abide by voters' decisions.

Since unofficial plebiscites are not obligated, or even accommodated, by law, they should all be regarded as non-required. Equally, unofficial plebiscites are invariably launched by groups outside of government and thus are active. Crucially, however, the strategic interaction of government and voters are inverted in non-decisive unofficial plebiscites, voters provide the stimulus and it is governments which ultimately determine the policy change. Opposition groups play a similar role in the proposition of vetoes or alternative policies.

Hug's referendum typology is therefore insufficient to conceptualise the study of unofficial plebiscites. This research proposes two 'new' referendum types to incorporate unofficial plebiscites into Hug's existing conceptual model (Figure 2.). The mechanisms are the unofficial initiative where an interest group, minor party, union or regional parliament propose a new policy. A plebiscite is then organized to pressure legislators into adopting the desired policy. The second mechanism is termed an unofficial veto and occurs when an incumbent government proposes or implements a policy and any of the groups listed above organise a plebiscite to oppose the adoption of the policy. All the unofficial plebiscites selected as cases in this research fit into one of the two definitions outlined in figure 2.



The term unofficial plebiscite is defined here as a national or regional level vote which is not recognized by the primary legislative authority in a given polity. A distinction is also made between unofficial plebiscites, and official but unbinding or advisory referendums, which are sometimes orchestrated by governments to gauge public preferences on a given issue. To classify as an unofficial plebiscite in this research, any vote must have been, in theory, open to the general public of the relevant country or region and included at least some ostensive regulation of the voting procedure, be that physical or online.

The theoretical expectation for legislative response to initiatives is strong and is succinctly classified by Gerber (1996) and Matsusaka (2014). Matsusaka makes a clear distinction between the “direct” and “indirect” effects of the initiative processes in American states specifically, but his findings may have strong implications for the understanding of the effects of all referendums including unofficial plebiscites.

The first effect, the direct effect is where a government policy is vetoed, or new policy is passed by initiative, and the accountable government is obliged to implement any policy change because of the referendum. More importantly for this study, Matsusaka continues to suggest three possible indirect effects of the initiative process in his study: the threat effect, the communicative effect, and the educative effect. The threat effect occurs when a government makes a pre-emptive policy change in the anticipation of a possible defeat in a binding initiative.

The communicative effect occurs when no legally binding vote takes place but there is sufficient traction in the initiative process to communicate a public preference for policy change to legislators. Such an effect often occurs when an initiative process begins but is abandoned due to narrowly insufficient signatures to make it to ballot, or, alternatively, when a vote goes ahead but a turnout threshold is not met.

Matsusaka (2014:350) suggests that both turnout and margin of victory could be significant predictors of the strength of any communicative effect. This is because one would expect legislators to be more inclined to act when a preference is stated ‘clearly’. Since the nature of unofficial plebiscites is to attract votes primarily from sympathetic communities, all cases studied in this research had a margin of over 85% voting against the status quo. The first hypothesis of this study has, therefore, been formulated to test the role of turnout as a communicative effect of unofficial plebiscites:

H1. The higher the turnout in an unofficial plebiscite, the greater the chance of a subsequent legislator policy shift in the expected direction.

The educative effect occurs when, because of an initiative or referendum process, the median voter becomes more aware, engaged, or 'educated' on an issue, thus increasing the public salience of the issue and increasing the likelihood of a government policy change. Smith and Tolbert (2004: 46-55) present strong evidence of the educative effect of initiatives in the United States where they find that states with higher exposure to ballot initiatives not only have citizens with significantly higher political knowledge and engagement but also greater engagement at elections more generally even after controlling for other factors influencing voter turnout.

Because the educative theory rests on the broad concept of public awareness and engagement, it is not always easy to disentangle the educative effects of a plebiscite from the educative effects of broader social movements of which the votes are invariably a product. This interaction is discussed by Gerber (1998: 205) who finds that the extent of indirect policy influence of a referendum may also be dependent on the prior political influence of the organising group.

Felix Kolb (2007, p.275) concludes that the likelihood of a social movement activating a mechanism of political change is dependent on three factors: 1) The strength of the movement; 2) its strategy; and 3) the cultural, economic and political context. The strength of an educative effect on policy, therefore, is potentially influenced not only direct democratic procedures but also by the magnitude and influence of accompanying social movements.

It is also important to note that the educative effect of direct democracy shares much of its effect mechanism with theories of media effects. Most initiative or referendum campaigns involve a high number of media campaigns which serve, as in most elections, to lower information gathering costs for voters (Smith & Tolbert, 2004: 46-48).

To test the strength and significance of the educative effect directly, and through the potentially moderating factor of social movement organizations in this study of unofficial plebiscites, I put forward the following two hypotheses:

H2. The greater the issue salience increase to the median voter in the aftermath of a plebiscite, the greater the chance of legislator policy shift in the expected direction.

H3. The greater the political influence of the organising social movement organization, the greater the chance of legislator policy shift in the expected direction following an unofficial plebiscite.

It seems highly feasible that the two effects tested by these hypotheses could occur in cases where accountable governments have no legal obligation to implement the results of plebiscites. Firstly, the communicative effect should, at least according to the theory, be determined by the clarity of the communicated preference rather than any legal obligation on governments. In the cases of both official and unofficial votes, the communicative effect can be likened to signalling public opinion to legislators and allowing them to respond accordingly in a similar mechanism to opinion polls and official advisory referendums. Likewise, any educative effects of unofficial plebiscites, including related media coverage and ancillary social movement activities, should, in theory, be independent of the legal standing of the vote.

Indeed, the theories of the communicative and educative effects of direct democratic procedures find strong theoretical and empirical support in the significant body of literature suggesting that governments are generally responsive to public opinion and policy preferences (Hakhverdian, 2012). For example, Adams et al (2004: 590) suggest that, when parties become aware of significant shifts in public opinion, they change their policies accordingly, they term this the “Dynamic of Disadvantaged Parties Hypotheses”.

Of course, even in polities with highly institutionalised direct democratic procedures, the presence or absence of a referendum is by no means the only determinant of legislator policy shifts. Economic factors such as GDP and employment have repeatedly been shown to effect government policy. Specifically, government spending has been linked to economic performance with governments tending towards more frugal or right-wing economic policies in times of economic downturn, and shifting towards more left-wing spend and invest policies during times of economic expansion (Kim, Roo and Yo, 2015). These factors should not be overlooked in any analysis of policy response to other stimuli and are used as control variables in the analysis below.

3. Methodology

As discussed above, the effects of direct democracy have, so far, been studied largely in the context of systems with highly institutionalised direct democratic procedures. The reasons for this are understandable, in any such legislative response to treatment study, drawing causal inference is particularly difficult because it is impossible to know what the policy outcomes would be in any given case had the referendum campaign not occurred (Gerber and Hug, 2001: 95-96).

Nevertheless, by focusing on unofficial plebiscites, there is a unique opportunity to test some of the fundamental theoretical expectations of legislative responses to direct democracy outlined above. To test these theories in the most robust way possible, this research makes use of a two-stage nested analysis. Using this model, the research will begin with a large N statistical analysis of unofficial plebiscites in Europe and South America (the two continents with the highest number of cases with available data).

The research examines 12 cases of unofficial plebiscites using, primarily, the Database and Search Engine for Direct Democracy (Müller, 2018) for case selection and practical data such as percentage turnout. In cases where only raw vote numbers in plebiscites were available, percentages have been calculated using the number of registered voters in the in the most recent previous legislative election in the respective countries.

An array of data was also collected on the demographics, election outcomes and party vote/seat share for every relevant country over the measurement period. Election results, turnout and party shares were collected from ParlGov (Döring and Manow, 2018) for the European cases and from the Political Database of the Americas (2010) for the South American cases. Data for the annual GDP growth and unemployment economic control variables was collected from World Bank online data resources (2017).

This study opts to measure legislator, rather than government, policy positions so that any broader policy shifts in the political landscape can be captured and factored in to the final conclusions. As such, for each national case, policy position data has been collected for all the political parties for which it was available. Generally, this meant policy position data for any party that achieved a seat in a legislator in any of the measurement years. There are some exceptions, where data for minor legislative parties or briefly successful independents was not available. To control for this, and for the election effect of policy shift, for example an apparent lurch to left if a left-wing government wins power from a right-wing one, a constant,

weighted average of vote or seat share for each legislative party in each nation studied over the measurement period was calculated.

The most reliable way to statistically measure legislator policy positions is the subject of extensive debate in political science (Benoit and Laver, 2006; Powell, 2009). Two of the most common approaches are to use expert surveys to objectively estimate policy positions and, secondly the coding of party political documents (manifestos) directly. There are advantages and disadvantages to both methods. Manifesto data, as used in the Comparative Manifesto Project (CMP) is coded by the frequency of words or terms in a manifesto to give a general interpretation of a certain issue's importance to a party in a particular campaign. Because of this, policy position estimates based on coded manifesto data can prove to be more volatile than more nuanced measurement techniques.

Expert surveys are, therefore, generally considered to be more reliable indicators of actual party policy positions (Benoit and Laver, 2006). Expert surveys also have their pitfalls, however; large scale surveys with consistent measurement scales and criteria are rarely conducted and the averaging of survey responses can make policy change estimates somewhat conservative.

To build the most comprehensive picture of possible policy shifts following the unofficial plebiscites studied in this research, policy positions of legislators were measured using both CMP and CHES expert survey data where possible. For all European cases this was achieved, for two Brazilian cases a different expert survey was used (Power & Zucco, 2009) measuring simple left/right positions of political parties on a comparable scale to the CHES. In a further two cases, one in Brazil and the other in Chile, expert survey data was unavailable so only CMP data was used.

For the statistical analysis, linear regressions were run on the dataset of plebiscite cases along with control variables of GDP growth and unemployment. The dependent variable in this analysis is policy change in the expected direction. The 'expected direction' refers here simply to policy shift in line with the voter preference expressed in the unofficial plebiscite. For example, in plebiscites where the result was against privatization, the expected direction is that legislator economic policy positions would shift to the left. The theoretical justification for this lies in the communicative theories of direct democracy, that legislators are responsive to clearly expressed policy preferences. Whether this assumption is upheld in the analysis is

not an issue because changes away from the expected direction are also captured using negative values.

Most importantly, the dependent variable was chosen because it allows the distillation of the different measurement variables used in the survey and CMP data such as position on federalism or left/right position on economy into a single variable. It is therefore a way of demonstrating policy change to the reader in such a way to facilitate the easiest comparison of different cases. To visualise and test the effect of unofficial plebiscites on legislator positions over time, interrupted time series analyses are used in each case study.

At the small N stage of the nested analysis, a mixed methods approach is employed comparing quantitative and qualitative evidence of policy shift, issue salience, and social movement size, strategy, and context. This evidence is presented ad hoc from various public opinion surveys, media articles, and secondary social and historical research.

4. Statistical analysis

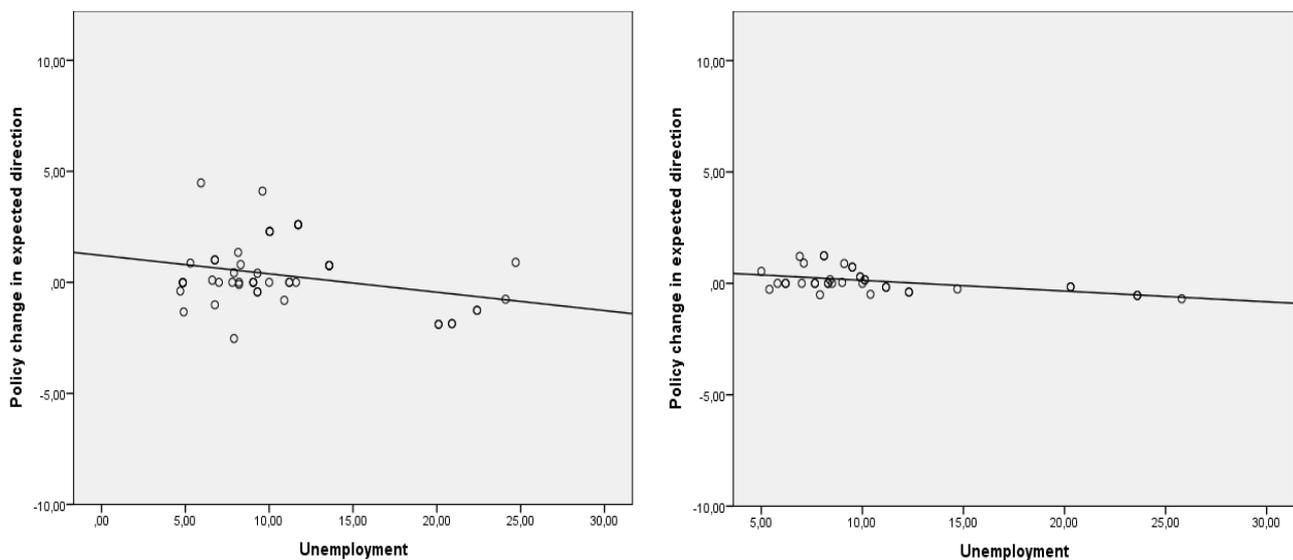
Table 1 shows regression coefficient results for the expert survey and CMP data sets using the policy change in expected direction dependent variable. The regression shows that there is no overall significance of the before/after plebiscite variable. In fact, the before/after referendum variable was the least significant independent variable in the regression for both data sets.

It is interesting to note that the unemployment economic control variable is the most significant variable in both regressions. Figure 3 shows the correlation between policy change in the expected direction and unemployment for both the expert survey and CMP datasets with each data point representing a single policy measurement in a single case. Straight away, it can be observed that there is a generally negative relationship between unemployment and policy shift in line with unofficial plebiscite results.

| Table 1. Regression model explaining policy change in the expected direction for all cases | |
|---|-------------------|
| Survey Data | |
| Plebiscite Turnout (%) | -.017* (.009) |
| Before/After Plebiscite | .075 (.163) |
| Annual Unemployment (%) | -.053** (.016) |
| Annual GDP growth (%) | .021 (.031) |
| R ² | .334 |
| N | 10 |
| CMP Data | |
| Plebiscite Turnout (%) | -.044* (.024) |
| Before/After Plebiscite | .105 (.422) |
| Annual Unemployment (%) | -.099** (.044) |
| Annual GDP Growth (%) | -.011 (.082) |
| R ² | .156 |
| N | 10 |

note: * $p < 0.10$; ** $p < 0.05$

Figure 3. Policy change in expected direction and unemployment



The correlation between the economic control variables and the dependent variable of policy change in expected direction is theoretically important. For cases where policy change in the expected direction would be a shift to the economic left, this relationship is accounted for in the established relationship between public spending and economic performance in the theory (Kim, Roo, and Yo, 2015). However, the seemingly positive effect of economic expansion/performance on policy change in the expected direction in all cases including regional autonomy and left/right moral cases is more puzzling.

To understand this trend, it's worth pointing out that all the plebiscites studied in this research, except for the United Kingdom section 28 plebiscite, would require new government legislation, civil service resources, and, therefore, spending. One potential explanation for the relationship between economic variables and policy shift is that implementation of any new policy, even ones which are not ostensibly economic involve a certain level of risk. If legislators become more risk averse in time of economic shortages, they may rule out any radical policies that could have a destabilizing effect. This could explain the observed propensity for legislators to become more sympathetic to policies of decentralization and devolution during times of prosperity.

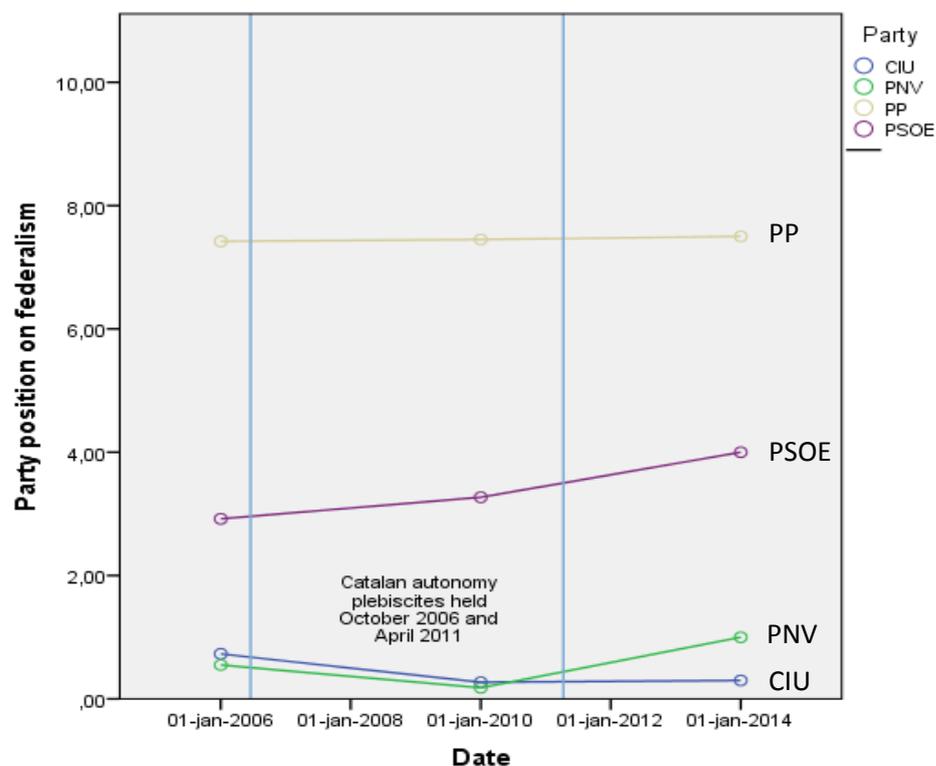
Table 1 also shows the relationship between policy change and plebiscite turnout. The results show a negative relationship between turnout and policy change, with high turnout being statistically correlated with policy shift away from the expected direction. This relationship, however, is weak and is primarily the result of case 8, the unofficial plebiscite against the repeal of section 28 (ban on the promotion of homosexuality to children) in Scotland 2000. This case had the highest turnout of any case analysed with 32.04% and yet legislator policy positions shifted significantly away from traditional authoritarian values after 2000. If this case is removed from the analysis, the p value of the turnout variable drops well below significant to the Beta values move closer to zero for both datasets. Hypotheses 1 relating to the influence of voter turnout in the strength of a communicative effect on legislator policy, is, therefore, not supported by the large N analysis.

Further doubts about the communicative effect of direct democracy are raised when observing decline of pro-decentralization policies amongst the major Madrid-based political parties in Spain. In the simplest interpretation of communicative effects, there should be no distinction between party types in their expected policy shift towards the direct democratic communication. After the 2006 and 2011 plebiscites on Catalan autonomy, both major

national parties PSOE and PP became more hostile to regionalism whilst the two largest regional parties, the Catalan CIU and Basque PNV, showed a net increase in favourability to federalism.

A spatial theory of party competition could account for this divergence, if median voters of a region express a desire for increased federalism, it may be more advantageous for regional parties to adopt this position than it would be for national parties. Figure 4 shows this polarization in the expert survey data where 10 = policy position strongly opposed to federalism and 0 = policy position strongly in favour of federalism.

Figure 4. Legislator position on federalism in Spain



Additional longitudinal and cross-national, comparative research is needed to definitively suggest that this is due to the plebiscites themselves, and not simply a time trend, but an analysis of this dataset would appear to suggest a polarising effect of these autonomy plebiscites. This is interesting in its own right, but also highlights possible tensions between the theoretical effect mechanisms of direct democracy in the literature. From this data it seems plausible that regional autonomy referendums can be effective educational techniques, galvanising support (and potential resources) from regional constituencies and sympathetic legislators whilst simultaneously communicating a message which prompts a policy position backlash from less sympathetic legislators.

Despite the limited evidence of a polarizing effect in the Catalan autonomy case, a large N statistical analysis of expert survey and CMP data does not identify any strong overall effects of these types of unofficial plebiscite on legislator policy positions. A more qualitative assessment is required to discern what nuanced influences, if any, these types of referendums can have on political discourse policy positions.

5. Case selection

Table 2 shows the absolute policy change in the expected direction between the closest measurement year previous to the unofficial plebiscite stimulus and the final measurement year after the plebiscite for each case. The plebiscite topic, date, result, and the governing system of the country where the plebiscite took place are also displayed.

The cases selected for the small N comparative-historical analysis from this table are Chile (2011), which displayed one of the largest policy changes in the expected direction and Brazil (2007) which shows the largest policy shift away from the expected direction. The justification for this is the following of a most-similar system case selection strategy. These cases occurred within a short time of one another, both took place in a relatively young, semi-presidential, Latin-American democracy.

Both cases were also on issues that can roughly be equated to a left/right economic policy dimension, opposition to free-market orthodoxy, privatization, and inequality in Brazil, and opposition to high education costs and resulting inequality in Chile. Finally, both countries had relatively well performing economies in the run up to, and in the year of, the unofficial plebiscites. This is particularly important given that economic factors were the strongest predictors of economic policy change in the regression analysis. Given economies of both case studies were expanding at this time, the divergence in policy outcomes is, therefore, puzzling.

Table 2. Absolute change of policy in expected direction by case, topic and system

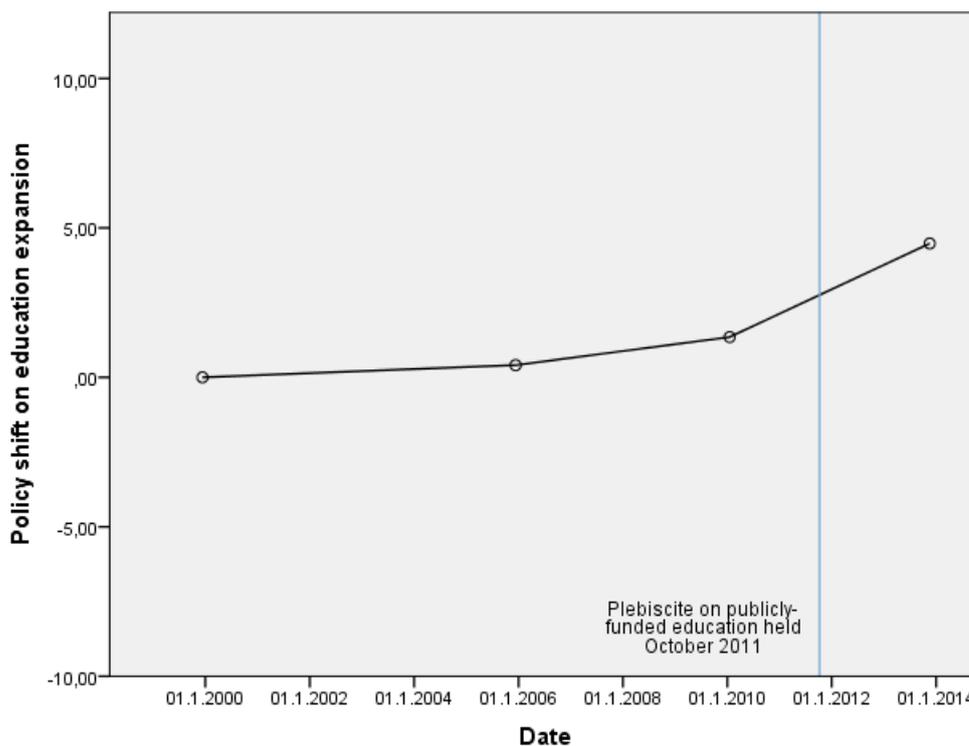
| Case | Absolute change in expected direction after plebiscite (Survey) | Absolute change in expected direction after plebiscite (CMP) | Plebiscite type/topic | Result (expected direction) | System of Government |
|-----------------------|--|---|---|--|-----------------------------|
| Romania (2006-2008) | 1.21 | -0.33 | Regional autonomy (Szekerland) | In favour (increased federalism) | Semi-Presidential |
| France (2009) | -0.49 | 3.31 | Privatization (postal services) | Opposed (Increased left-wing economic policies) | Semi-Presidential |
| Italy (2013) | -1.63 | - | Regional autonomy (South Tyrol) | In favour (increased federalism) | Parliamentary |
| Italy (2014) | -1.63 | - | Regional autonomy (Veneto) | In favour (increased federalism) | Parliamentary |
| Spain (2006) | -0.54 | -1.89 | Regional autonomy (Catalonia) | In favour (increased federalism) | Parliamentary |
| Spain (2011) | -0.54 | -1.46 | Regional autonomy (Catalonia) | In favour (increased federalism) | Parliamentary |
| Greece (2014) | -0.44 | 0.67 | Privatization (water and sewage system) | In favour (increased left-wing economic policies) | Parliamentary |
| United Kingdom (2000) | -0.51 | 0.75 | Sexual equality (keeping clause 28) | In favour (increased authoritarian/traditional values) | Parliamentary |
| Brazil (2000) | 0.13 | -0.47 | Repayment of Brazil's foreign and domestic debts (to the detriment of welfare spending) | Opposed (shift to ideological left) | Semi-Presidential |
| Brazil (2002) | 0.46 | -0.77 | Brazil's participation in The Free Trade Area of the Americas | Opposed (shift to ideological left) | Semi-Presidential |
| Brazil (2007) | - | -2.3 | Privatization (Vale mining company), rising electricity costs and social security | Opposed (shift to ideological left) | Semi-Presidential |
| Chile (2011) | - | 3.13 | Expansion of state education | In favour (expansion of education provision) | Semi-Presidential |

Chile (2011)

The 2011 unofficial plebiscite on free, publicly-funded education in Chile saw the greatest absolute policy shift of legislators in the expected direction. The plebiscite had a reported turnout of almost 1.5 million people (17.9%) and the voting was facilitated through both volunteer-staffed public voting tables throughout Chile and online through a specially created website. The plebiscite was open to all Chileans over the age of 14, providing that they showed an identity card (Bustamante, 2011).

Over the measurement period, Chile's economic situation did not change dramatically between 2010 and 2014, GDP growth shrank slightly, and unemployment fell slightly. Given that these two economic factors were consistently better predictors of policy shift in the regression analysis, it is unexpected to observe such a dramatic increase in legislator support for education expansion that occurred in Chile between 2010 and 2014 without an equally dramatic economic improvement. (Figure 5).

Figure 5. Mean legislator position on education expansion in Chile

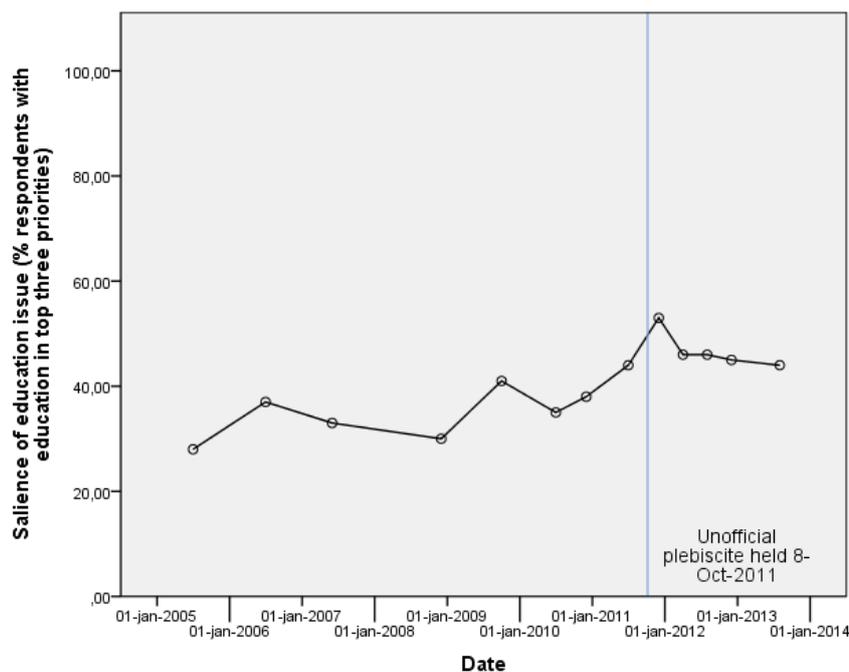


A qualitative look at education policy in Chile following the 2011 plebiscite shows that in the months and years following the plebiscite, the Chilean government introduced several education reforms designed to improve access to higher education and equality of education access and outcomes between different social strata. Bellei et al (2014 p.434) observed that, after 2011, the Chilean government established new government agencies and superintendent

positions to monitor and uphold fair practice, Chilean courts began investigating illegal profiteering in the education system, and an integrated system of student finance was introduced that granted scholarships to the poorest 60% of the student population and low interest credit for students outside that bracket. Two years after the plebiscite, in 2013, Michelle Bachelet swept to victory in Chile's general election with a promise to deliver universal, free, tertiary education within her term (Cortés, 2016).

If the 2011 unofficial plebiscite had any educative effect then the expected observation would be that, following the plebiscite, there would be a significant increase in the salience of education to Chilean public. Figure 6 shows that this expectation is confirmed, the highest recorded level (53%) of issue salience on the theme of education was recorded in the national public opinion survey in Nov-Dec 2011, just one or two months after the October plebiscite.

Figure 6. Issue salience of education in Chile 2005-2013

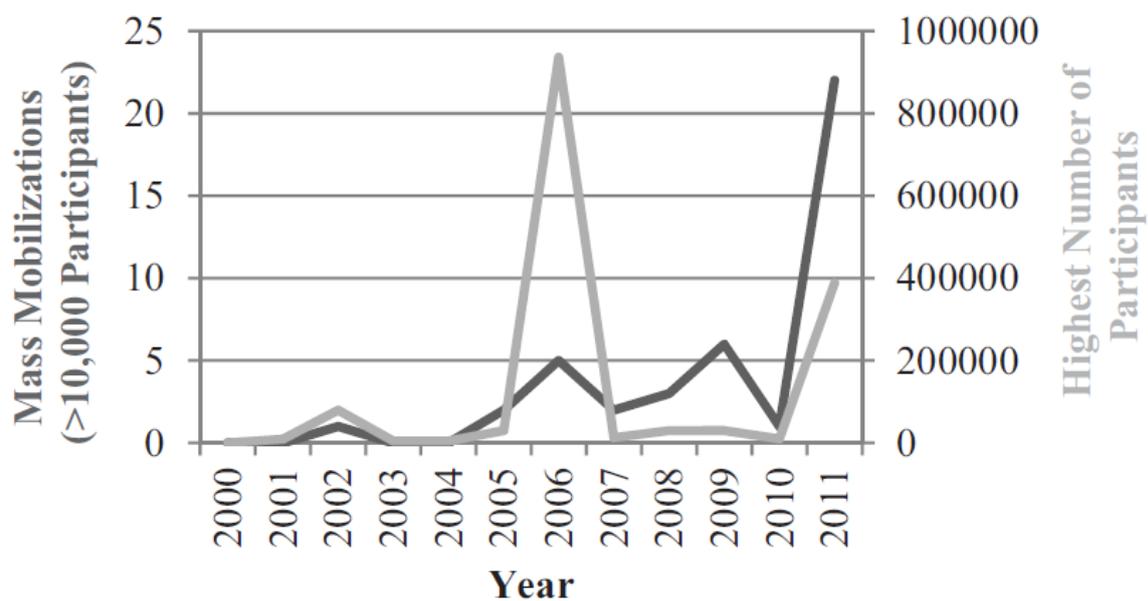


Data Source: *Centro de Estudios Públicos*

However, to conclude from this data that the 2011 unofficial plebiscite had a clear educative effect on mean legislator policy would not represent the full picture. As can be seen from figure 6, education has been a very salient issue in Chilean political discourse for well over a decade, with over 30% of survey respondents consistently ranking education as one of the top three issues requiring government attention. The long-term saliency of education to Chileans obviously cannot be attributed to the unofficial plebiscite of 2011.

To account for this sustained issue salience, the influence of ongoing social movements for educational reform, and the structural factors which enhanced the size and influence of these movements should not be underestimated. In this case, the social movement in question is the Chilean student protest movement of the early 2000s. The development and influence of the Chilean student movement of this period is documented by Cummings (2015) and Bellei et al (2014) who explain that student protests have been commonplace in Chile since the country's return to democracy in the 1990s.

Figure 7. Magnitude of education protest events in Chile



Source: copied from Cummings (2015:56)

The most significant waves of student protests occurred in 2006 and 2011. In 2006, high school students took to the streets to pressure for education reform in what became known as the 'penguin movement' (Cabalin, 2012). Smaller scale protests continued in the intervening years, but it was 2011 which saw a return to large scale nationwide protest movements by students and other stakeholders who were aligned with the aim of universal, publicly-funded tertiary education. Figure 7 shows the magnitude of education protest events in Chile between 2000 and 2011. Notably, 2011 had by far the most mass mobilizations with over twenty demonstrations of over 10,000 participants.

Cummings (2015) presents several explanations for the intensity of the protest movement in 2011. Firstly, that structural conditions in Chile laid the ground work for a mass social movement to emerge in 2006 and again in 2011. The first of these structural factors is that expectations were raised in Chile in the late 90s and early 2000s after years of strong

economic growth, a burgeoning middle-class, and increasing quality of democracy. This was combined with a generational shift, in which the Pinochet generation, who were perhaps anxious about destabilising their country's young democracy were beginning to be replaced by a post-Pinochet generation who had only known democracy and thus felt emboldened to disrupt the status quo (Cummings, 2015: 60-61).

Cummings suggests that the agency of both governments and protesters alike were crucial additional factors in accounting for the "exceptionally massive protest waves of 2006/2011" (p.74). Unfulfilled promises of policy reform designed to placate the 2006 protests are suggested to have sustained the impetus to organize and protest in the following years, and government repression in 2011 is considered to have generated a protest backlash, causing growing discontent with the administration and sympathy with the protest movement throughout Chile (Cummings, 2015: 68).

Cummings also attributes much of the magnitude and success of the Chilean social movement for education to the agency of the protesters themselves. Using Snow et al's (1986) model of frame alignment, Cummings suggests three main mechanisms by which the student protesters expanded the movement's popularity and influence. The first, frame bridging, is defined by Snow et al (1986: 467-468) as the process by which a social movement links with ideologically congruent movements or individuals which, although previously unaffiliated, share sympathies with the movement's objectives. Cummings (2015:72) describes how, in 2011, the organization leading the protests, CONFEC (Confederation of Chilean Students) used both traditional communication networks and social media to successfully bridge with sympathetic stakeholders including teachers' unions, organizations of parents, and unaffiliated students.

The second frame alignment strategy employed by the student protest movement was frame amplification or value amplification whereby a movement gains broad appeal using the "the identification, idealization, and elevation of one or more values presumed basic to prospective constituents" (Snow et al 1986: 469). Cummings (2015:73) notes that in 2011, the struggle for education reform was framed as a broader struggle for a level playing field, evoking the themes of fairness and equality which resonated with a significant constituency in an increasingly unequal Chile.

The final strategy, frame extension, is defined a process by which social movement organizations "elaborate goals and activities so as to encompass auxiliary interests not

obviously associated with the movement in hopes of enlarging its adherent base” (Snow et al 1986: 472). Cummings (2015:74) describes how frame extension in the 2011 protests was “elaborate and intentional” with protest leaders innovating creative forms of public demonstration and engagement such as the “Thriller for Education” where protesters dressed as zombies, and the “Besaton” kissing marathon. Bellei et al (2014: 434) reports how the combination of these novel and creative tactics with traditional protest methods like marches, strikes, and occupations was extremely effective in mobilising new networks and attracting both national and international media interest in the movement.

The overall effect of these framing strategies combined with government agency and the socio-economic structural factors can be seen quantitatively in the social movement’s support among the Chilean population. Polls conducted in 2011 found that 80% of the population supported the protest movement for education reforms (Cabalin, 2012: 224).

In the Chilean social movements for education of 2011, then, the three criteria of movement strength, strategy, and favourable context for the activation of mechanisms of political change laid out by Kolb’s (2007) theory were clearly achieved. It can therefore be expected that a significant degree of the tangible policy shift observed can be attributed to the magnitude of the social movement accompanying the 2011 unofficial plebiscite.

The unofficial plebiscite was, on occasion, reported as a significant event signalling the popularity and democratic mandate for education reform in Chile (for example, MercoPress, 2011). Most media coverage, however, focused on the intensity and creativity of the broader student protest movement (for example, Taylor, 2011; Barrionuevo, 2011).

The reaction of political elites to the plebiscite, although limited, was important: one government spokesperson stated that “the government was willing to look at the results, in case the organizers of the plebiscite make them public and explain their methodology” (MercoPress, 2011). Perhaps a tacit acceptance of, if not the legitimacy of the plebiscite, at least the legitimacy of the policy debate. Further evidence of the institutional acceptance of the legitimacy of education reform can be found in a response to student occupations of the senate. The occupations only ended when opposition senators promised to put forward a legislative proposal for an official referendum on education reform, although they insisted the issue must ultimately be resolved by congress (The Nation, 2011), showing that the policy debate had in some sense become institutionalised.

It is important to stress, however, that far more common than elite responses to the plebiscite itself were sentiments of sympathy for the aims or condemnation of disruptive protests. A clear example of this generalized influence of the broader movement can be seen in the 2013 presidential campaign of incumbent Piñera's opponent, and the eventual winner, Michelle Bachelet in which, without specific reference to the plebiscite, she thanked the student protesters saying that "They have strongly manifested their desire for a free and first-rate education system" (Al Jazeera, 2013).

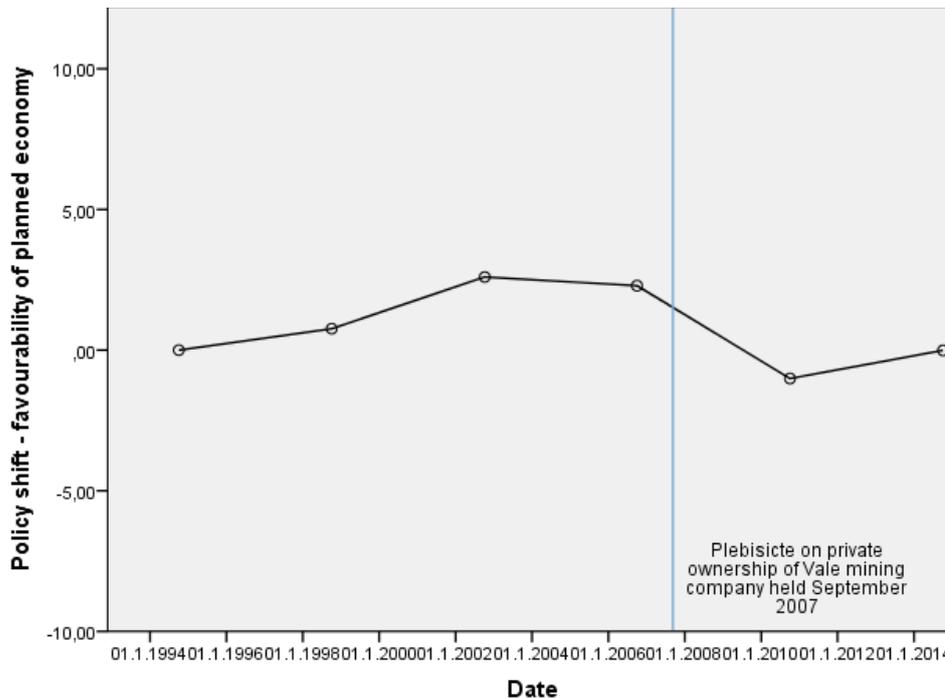
The evidence supporting the educative theory and communicative theories of direct democracy in the case of the 2011 Chilean unofficial plebiscite is, therefore, mixed. The saliency spike of late 2011, the government policy shift in the months following the vote, and the fact that the 2011 plebiscite is considered to be one of the "most significant mass activities organised during the 2011 movement" (Bellei et al, 2014: 431), would lend some support to the notion that the plebiscite had a significant moderating effect, enhancing the national and international profile of the cause and its salience among the Chilean population. The relatively small scale of media and political elite reaction to the plebiscite itself would, however, suggest that the undoubted influence on public discourse and policy makers cannot be effectively disentangled from the effects of the broader social movement which succeeded in meeting all the theorized criteria for activating mechanisms of political change.

Brazil (2007)

The Brazilian plebiscite of 2007 included questions on private ownership of the Vale mining company, soaring electricity costs, and declining welfare arrangements. Organized by the Landless Workers' Movement (MST), together with 200 other organizations (Hogenboom, 2012: 139), It had a turnout of almost 4 million (3.2%), of which 94.5% voted for less privatization and more welfare spending. The plebiscite itself was carried out over a six-day period in early September 2007 and voting was facilitated through make-shift polling stations in schools and factories in 3157 out of approximately 5500 municipalities (Camargo, 2007).

Unlike in Chile, there was no positive policy shift in the expected direction observed following the plebiscite. In Brazil, the policy shift was significantly away from the expected direction with a -2.3 point shift away from mean legislator support for planned economic policies in the years following the vote (Figure 8).

Figure 8. Mean legislator position on planned economic policies



An empirical observation of Brazil's economic development does not easily account for the significant shift to the economic right between 2006 and 2011 suggested in Figure 8. Under President Lula da Silva (2003-2011) and later Dilma Rousseff's Worker's Party (PT) administration, Brazil is generally considered to have continued the economic orthodoxy of the primacy of free-markets. The Lula, and early Rousseff, administrations, following a loan deal struck between Brazil and the IMF in 2003, prioritized a budget surplus over direct investment, privatization continued, and market freedoms were guaranteed under IMF budget surveillance (Baer, 2014: 175-178).

These indicators would suggest a right-wing economic orthodoxy. They should be contrasted, however, with a sharp decline in income inequality between 2005 and 2009 and increased funding for the Brazil development bank to provide state loans to businesses and infrastructure projects (Baer, 2014: 179).

Given the mixed economic policies of the majority PT administrations over this period, the cause of the apparent legislator shift to the right seen in Figure 8 cannot be clearly

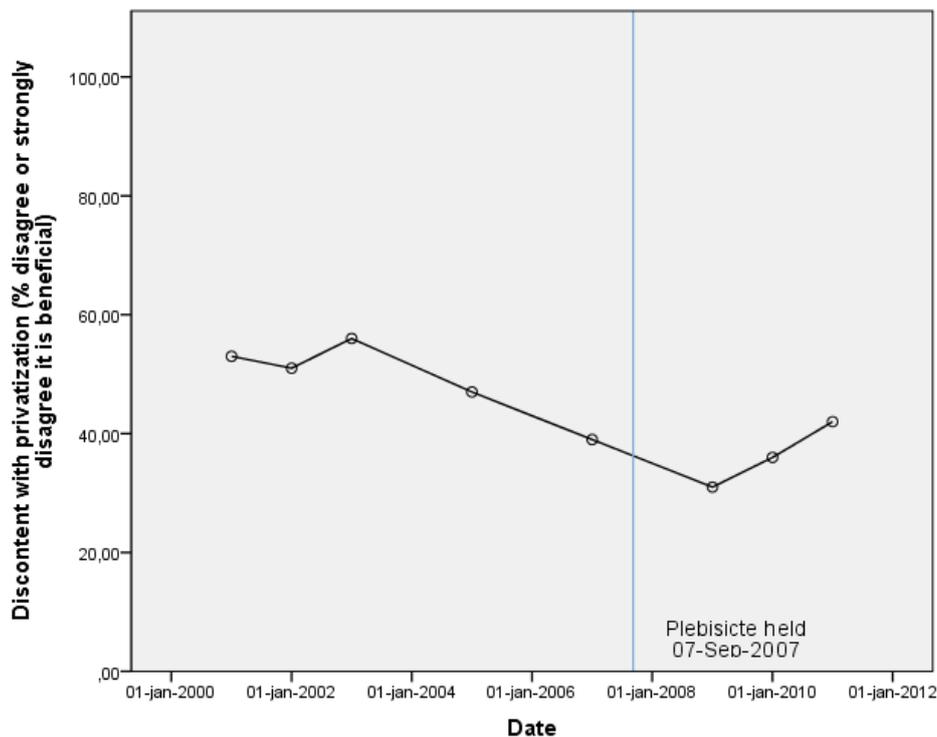
determined. The raw coded manifesto data showed that the absence of the Left Front coalition from the 2010 presidential contest was one factor contributing to the mean position change. More influential, though, was the apparent reduction in the governing PT coalition's support for planned economic policies.

One potential explanation for this is that in the years preceding the 2014 World Cup and 2016 Olympic Games, it was government strategy to entice the private sector to take over management of Brazil's increasingly inadequate infrastructure systems (Baer, 2014: 176). If this policy of enticement was reflected in the PT manifestos, it would likely manifest as a rejection of planned economic policies. Another explanation could be that the apparent shift is simply down to the coding of the manifesto documents, and that the shift merely reflects a change in wording rather than policy.

Figure 9 shows that public opposition to privatization in Brazil has fluctuated quite widely since 2001, reaching a high of 56% in 2006 to a low of 31% in 2009. Note that between 2006 and 2009, the period with the plebiscite stimulus, there is an effective increase in support for the notion that privatization had been beneficial to Brazil. Equally, according to the *Latinobarómetro Database*, ranking of inequality as Brazil's most important issue remained at a relatively low 2-5% in the years following the 2007 plebiscite.

One potential explanation for the absence of saliency on issues of privatization and inequality, can be found in the party-political landscape of Brazil. Blofield (2011: 172-173) explains how the failure of political parties to effectively politicize the issue of wealth (re)distribution and inequality has developed into a situation where there is a U-shaped polarization of public preferences on these issues outside of party-political contexts. Consequently, parties seeking to craft winning coalitions by mobilizing the median voter tend to place much less emphasis on these issues resulting in a long-term depoliticization.

Figure 9. Public discontent with privatization in Brazil



Data source: *Latinobarómetro Database*

Whatever the reasons for these fluctuations, it is clear there is no obvious saliency-increasing educative effect of the 2007 plebiscite on public attitudes towards its themes. It is also interesting to observe that the saliency trend roughly follows the same pattern as legislator policy positions between 2002 and 2010 in figure 8.

Taking more a specific question on support for the plebiscite itself, a May 2007 survey of 2000 Brazilians in 17 states found that 50.3% said that they were in favour of renationalization, 28.2% were opposed and 21.5% were not sure (Camargo, 2007). Although these figures represent obvious support for the renationalization policy, the margin is hardly resounding and could be readily interpreted as a 50/50 split on the issue, a long way from the 80% approval recorded for the education reform movement in Chile.

It is possible that the lack of policy shift or saliency increase following the 2007 plebiscite is also reflection of relatively small scale and limited strategic scope of the broader social movement headed by the MST including the 'Vale is Ours' campaign. Alongside the 2007 plebiscite, there were around three mass occupations of railway links serving Vale mining complexes, with each occupation involving between 2600 and 6000 participants. Within a month, however, and following very minor concessions (funding for local agrarian projects) from Vale, state, and federal officials, the occupations ended (Reardon, 2008).

The 200 or so organizations involved with the plebiscite certainly suggest a degree of successful frame bridging. There is far less evidence, though, for success in the other social movement strategies outlined in Cummings (2015) and Snow (1986). Frame extension appears somewhat limited in the case of the 2007 plebiscite and social movement, the theme of both was firmly grounded in opposition to privatization and the inequality of income and wealth therewith. At a stretch, the movement could be classified as a broad protest against neoliberal economic policy in Brazil, as suggested by Reardon (2008). However, as outlined above this was not a consistently salient issue with median voters in Brazil and it was rare that these issues were mobilized politically. Finally, there is little evidence of a successful frame extension strategy, the plebiscite, and the railway occupations were the only widely reported activities of the movement. There were no large-scale urban protests or creative frame extending tactics that could have drawn sympathy from urban elites and the middle-classes. As such, the movement failed to frame itself as reaching beyond the interests of radical left land reform activists.

This failure is reflected in some of the international media coverage, which framed the movement as “peasant protest” and “militants” (Reuters, 2007). Media coverage of the plebiscite itself was, in fact, reasonably extensive among domestic Brazilian news outlets (O Globo, 2007; Camargo, 2007; Reardon, 2008), with many comparing the plebiscite to the other cases of unofficial plebiscites included in this study on FTAA membership and the repayment of debt interest. This level of media attention, and the support of members of the governing PT party, perhaps explains the relatively extensive response of Brazilian political elites.

The responses of governing elites of the PT party were, however, dismissive not only of the vote itself, which was perceived to be illegitimate, but also of the premise of renationalization, which was treated as a serious threat to Brazil’s economic development. Despite his support for nationalization during opposition as leader of PT, President Lula stated that “the government does not intend to revise Vale’s sale” (O Globo, 2007) and urged his ministers not to give way to the initiative (Alencar and Zanini, 2007).

Social Development and Tourism ministers also spoke out against the plebiscite and renationalization, and the mayor of Belo Horizonte stated that “A reestablishment (of nationalization) would be a breach of contract and, therefore, very bad for the Brazilian economy” (Alencar and Zanini, 2007). The final statement is telling, it is a clear

manifestation of the Brazilian political elite's perception that continuing with free-market orthodoxy was essential to protect Brazil's economic development. This perception is also discussed by Blofield (2011: 192-195) who notes that a fear of "capital flight" was a typical feature of ostensibly left-wing governments in Latin America in this period.

From the reaction of political elites, it is evident that the legislator policy shift indicated in Figure 8 is accurate in the sense that the plebiscite stimulus had no discernible effect on party support for planned economic practices. This analysis has revealed numerous potential explanations for this. Firstly, Brazil's strong economic performance and rising living standards coupled with the depoliticization of market-driven inequalities in Brazil likely contributed to mixed public opinion on the benefits of privatization. At the same time, a fear of capital flight and Brazil's prior commitments to IMF oversight of the economy meant that political elites were extremely reluctant to entertain the notion of radically rejecting free-market orthodoxy. Finally, although 'The Vale is Ours' social movement carried out a few large-scale occupations of railways, the strength of the overall protest movement was comparatively limited and short-lived, and it did not adopt sufficient frame alignment strategies to build and sustain a movement with broader societal support.

6. Discussion

By contrasting the 2011 plebiscite in Chile with the 2007 Brazilian case, it is possible to draw some key inferences about which circumstances facilitate communicative or educative effects of unofficial plebiscites on legislator policies. In both cases it was the explicit aim of the plebiscite organisers to exert communicative or educative effects on legislators or the wider population (Bustamante, 2011; Reuters, 2007). The empirical and qualitative analysis above has shown, however, that only in the Chilean case was a clear policy shift in the expected direction be observed.

This difference in empirical outcomes is interpreted as limited support for hypotheses 2 and 3 of this research. Hypothesis 3 is supported because empirical data from these two cases suggests that issue saliency is closely correlated to legislator policy position. In both Chile and Brazil, fluctuations in public opinion are roughly mirrored by legislator policy shifts on the relevant issue. In the case of Chile, there is strong evidence that, following the unofficial plebiscite and extensive protests in 2011, there was a significant spike in issue salience followed by a legislator policy position shifted in line with the movement's ambitions.

In Brazil, the salience-policy shift causal direction is less clear, although legislator support for planned economic policies declined at roughly the same time as public support.

Nevertheless, it can be concluded from this comparative analysis that a higher issue salience following the holding of an unofficial plebiscite, the greater the chance of legislator policy shift. This conclusion also supports the broader theoretical importance of public opinion on legislator policy positions as seen in Adams et al's (2004: 590) dynamic of disadvantaged parties hypothesis.

Using Kolb's activating mechanisms of political change theory, it is clear that the social movement for education that arose in Chile in 2011 should be considered a significantly stronger movement than the Vale is Ours movement of 2007 in Brazil. The similarity in the contextual circumstances of Chile and Brazil implies that context can help to explain the occurrence of unofficial plebiscites and social movements, but not their effects on legislator policies.

The clearest difference between the Chilean and Brazilian social movements is in their magnitude and mobilisation strategies. The social movement for education in Chile was significantly larger, longer-lasting, and more inventive in its techniques than the Vale is Ours movement of Brazil. By this observation it can be concluded that hypothesis 4 is supported by this analysis. The strength of the social movement which organizes and reinforces an unofficial plebiscite is an influential factor in the likelihood to influence legislator policy.

The case study analysis also demonstrated that other factors are important to determining the extent of policy shift following unofficial plebiscites. The response of political elites to the plebiscites in the two cases is illuminating here. In Chile, elite reactions tacitly acknowledged the legitimacy of the policy debate. In contrast, in Brazil there was a blanket refusal among elites to acknowledge the legitimacy of a challenge to free-market orthodoxy, most likely due to the fear of capital flight and existing commitments to the IMF. Given this, it seems likely that there is a 'feasibility of movement aims' effect.

The support for hypothesis 4 and the feasibility effect align with the suggestion of Gerber (1998: 205), that indirect effects of direct democracy can be limited to certain policy areas and determined by the prior political influence of the organising social movement.

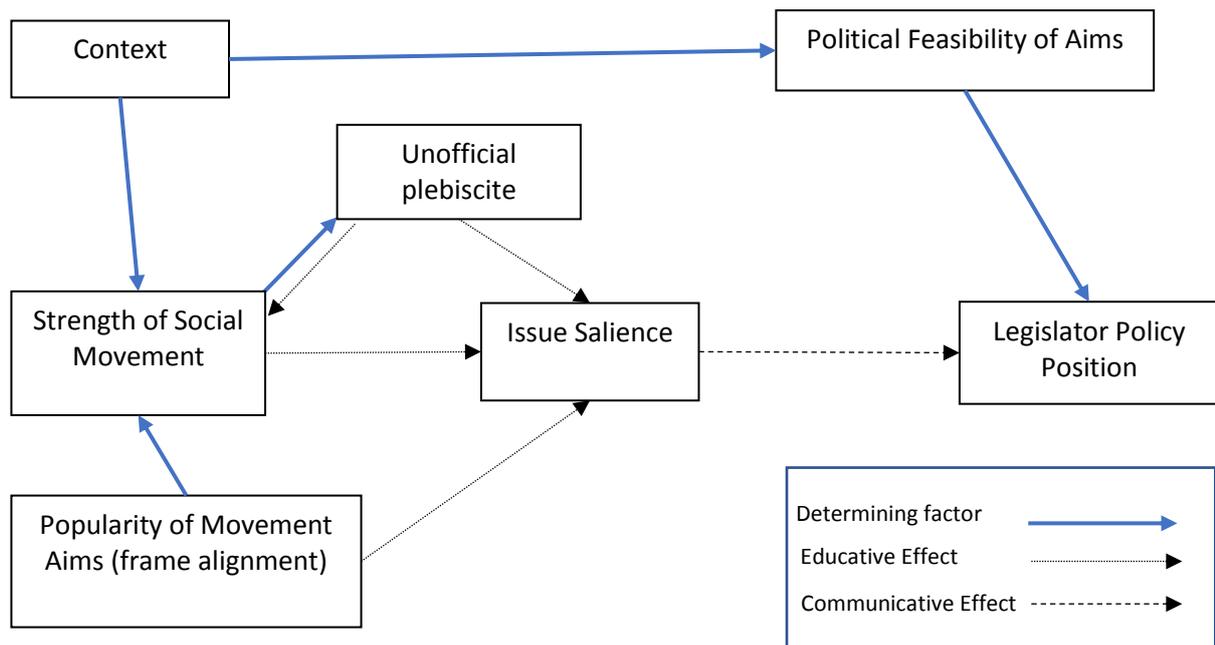
The analysis of these cases raises doubts, however, about the clear distinction between indirect democratic effects laid out by Matsusaka (2014). Matsusaka states, for example, that

the strength of the communicative effect is theoretically determined by the clarity of public opinion on specific policy position. As this research has shown, a clear communicative effect, in the form of very high issue salience or mass public protests, is simultaneously dependent on educated citizen involvement and targeted to educate previously less aware citizens. The two effects are at times, therefore, dependent on each other to exert the theoretically expected policy pressures. This finding should be considered alongside the evidence of the polarizing effect of the Catalan autonomy referendums, which shows that these effects can also be mutually antagonistic in contexts where plebiscites effectively educate a core constituency whilst communicating a politically infeasible aim.

Figure 10 suggests a conceptual model for the effect mechanisms of unofficial plebiscites, social movements, and aim feasibility on legislator policy positions. In this model, note that unofficial plebiscites serve as moderating influences, potentially enhancing the saliency of the issues they cover, but crucially, they do not have any direct influence on legislator policy positions. As such, they should be conceptualized as a product of their parent social movement organization rather than as an isolated effect.

Given that the findings of this research align closely with that of Gerber (1998), the term unofficial plebiscite in the model can be considered interchangeable with failed initiatives in states with institutionalised direct democratic procedures. However, it is important to note that this model only applies to communicative and educative effect of failed initiatives and does not account for any threat effects.

Figure 10. Conceptual model of unofficial plebiscite effects



7. Limitations and reflections

The statistical analysis of this research was limited by the sporadic nature of unofficial plebiscites to a small number of cases, which was not ideal in identifying broad, statistically significant trends. Furthermore, the intermittent nature of elections and expert surveys resulted in fewer policy measurement data points than was ideal. Although long term policy trends are still effectively captured at these large intervals, short-term policy or emphasis shifts to placate the plebiscite movement would not have been captured.

Although this research found no direct statistical relationship between unofficial plebiscite turnout and legislator policy change, it did not investigate whether plebiscite turnout could have indirect effects other than communicative on legislator policy positions. For example, it seems plausible plebiscites with high turnouts are more likely to attract extensive media attention thus increasing the saliency of the plebiscite topic. Limited support for this proposition can be inferred from the turnout and saliency differences between the Chilean and Brazilian cases discussed in this research.

Finally, this research has highlighted the importance of the ongoing methodological debate around the best measurement technique for party policy positions. There was little alignment between the CMP and expert survey data estimations of party policy positions (2 out of 8 cases where both datasets were available did both show policy change in the same direction).

Consequently, this research relied on qualitative accuracy assessments of the policy shifts indicated in each dataset for the small N case analysis. This did, however, prove to be an effective strategy in determining the broad direction of policy change and future researchers interested in the methodological debate between CMP and expert survey measurement should not discount this approach.

8. Conclusion

This research used a mixed-methods, nested analysis to determine what effects unofficial plebiscites have on mean legislator policy positions. The theoretical expectation from the literature on direct democracy and mechanisms of political change was that significant communicative and educative effects on legislator policy would be found in cases where turnout was high, where there was high issue saliency after the plebiscite and where there were strong social movements aligned to the unofficial plebiscite.

A linear regression run on 12 cases found that no significant policy shift effect could be attributed to the unofficial plebiscites. The economic control variables, particularly unemployment, were significantly greater predictors of policy shift in all cases. Furthermore, there was no correlation between unofficial plebiscite turnout and policy change in the expected direction, indicating that unofficial plebiscites alone are not sufficient to influence legislators via a communicative effect.

The statistical analysis did find tentative evidence of a polarizing effect on legislators of the Catalan autonomy plebiscites. Further research into the variance between different themes of direct democratic campaigns, like regional autonomy, would be extremely valuable in drawing additional conclusions about the external validity of the direct democracy effect theories beyond the usual economic or moral issues put to referendums in polities with highly institutionalised direct democratic procedures.

A qualitative analysis of policy outcomes, media reports, and the reaction of political elites to unofficial plebiscites in a small N comparative analysis supported the conclusion that there is no direct effect of such votes on legislator policy positions. Rather, a strong correlation between issue saliency and policy position reinforces previous research and suggests that any communicative effects of unofficial plebiscites are likely manifested through increasing issue salience.

Furthermore, this research identified that any plausible plebiscite effect was dependent on various complimentary structural factors such as the magnitude and prior political influence of accompanying social movement organisations and the political feasibility of movement aims. This implies a similarity between the effect mechanisms of unofficial plebiscites and direct democratic procedures in initiative states.

This research also finds strong evidence that the simplistic classification of direct and indirect effects in the direct democracy literature is insufficient. In the case of unofficial plebiscites, a more nuanced model, incorporating related theories of social change and influence, is needed to conceptualize the educative and communicative effects of unofficial plebiscites and affiliated social movements. A new conceptual model is proposed in the discussion section of this research.

Unofficial plebiscites, then, should be conceptualized as just one potential tool to expand and enhance the frame of a social movement and the saliency, or, at least, awareness of the issue they cover. They should also be viewed, as many official initiatives are, as products of the broader social movements that initiate them. As such, the success of unofficial plebiscites in effecting policy change is subject to the favourable alignment of socio-political context with sufficient social movement magnitude and strategic proficiency. While a social movement can be effective without an unofficial plebiscite, an unofficial plebiscite cannot be effective without an accompanying social movement.

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