



POLICY BRIEF

# Populist and authoritarian referendums: The role of direct democracy in democratic deconsolidation

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Referendums and direct democracy are often thought to undermine democratic systems, but a closer look reveals a more complicated reality.

## EXECUTIVE SUMMARY

Referendums are often seen as a tool that empowers populist authoritarians. Globally, democratic backsliding has coincided with increased use of popular votes. However, any relationship between democratic deconsolidation and the rising numbers of referendums is often asserted without being explored. It is not clear whether referendums are an effective mechanism of choice for illiberal leaders.

Turkey and Mexico provide examples of how would-be authoritarians can use referendums to undermine liberal democracy. In Turkey, systemic changes to liberal institutions and practices have been punctuated by constitutional alterations enacted through referendums. In Mexico, recent popular consultations have been staged to legitimate the policy preferences of the new president. Despite poor organization and dismal turnout for

the *consultas*, the Mexican administration has used these votes as permission to take a series of controversial actions. Although these cases demonstrate archetypical ways referendums could undermine democracy, gradually rolling back liberal institutions and bypassing the legislature, these are not straightforward examples. Nor are these patterns typical for states in which democracy is most at risk.

This paper looks at whether populists and authoritarians are actually using referendums to try to extend their power and rid themselves of liberal constraints. It finds that it is doubtful that referendums play a key role in democratic decline, but that variation is considerable across regions.

In Europe, states with long-standing traditions of organizing national referendums, like France, Italy, and Ireland *do* also have strong populist movements.

However, recent *growth* in European populism has taken place in states that have *less* direct democracy. Moreover, Brexit aside, referendums have been largely ineffective mechanisms for European populists to make systemic change or enact controversial policies. In Africa, referendums *have* played a critical role in advancing electoral authoritarianism, in particular by extending presidential terms and eliminating term limits. In Europe, voters and institutional constraints have helped to limit the impact of populist referendums. In contrast, African referendums in transitions toward authoritarianism have passed with high levels of voter approval.

Direct democracy is increasingly a normal feature of healthy democratic systems, rather than a bug that endangers liberalism. Referendums may function as a part of the system of institutional checks and balances that maintain liberal order, or they can undermine it. Central to distinguishing between these roles are the institutional constraints on referendums and the political context in which they are deployed.

## INTRODUCTION

Since 2006, democratic backsliding has been a global phenomenon.<sup>1</sup> In response to the populist-authoritarian wave, there have been some strongly negative conclusions on the dangers of referendums to liberal democracy. “It is referendums that breed populism. ... The worst form of decision-making should not be used for the most important decisions.”<sup>2</sup>

The perceived correlation between rising populism and referendums has been dramatically reinforced in a series of votes in Europe. Greece’s 2015 anti-austerity referendum, Brexit, and Hungary’s 2016 vote against European Union (EU) migration policies are all examples of populists using referendums to push back against liberal European elites and institutions.

The archetypical path to illiberal authoritarianism is often described as an iterative undermining of liberal norms and institutions. Gradual legal and normative changes are punctuated by sudden institutional alterations. Leaders with illiberal agendas may roll back restraints on executive power while limiting powers of courts, media, universities, or civil society. A set of such alterations often requires popular votes. Therefore, democratic decline is discussed as a cycle punctuated by the use of referendums or other mechanisms of direct democracy (MDDs).

Populism may be associated with this illiberal cycle. A mythologized “people” and a charismatic, atavistic leader often characterize populism.<sup>3</sup> Direct democracy, particularly when used with increasing frequency, forms and projects bonds between a populist leader and supporters, who embrace and enact his or her agenda through referendums.<sup>4</sup>

Similarly, authoritarian leaders have often relied on referendums to legitimate the regime and specific policies.<sup>5</sup> These votes almost always pass, and are characterized by high voter turnout and approval rates that trend toward 100 percent. Given the associations between populism, authoritarianism, and direct democracy, the global populist-authoritarian wave should also be marked by increasing referendums.

However, this relationship is often assumed rather than interrogated. Is there a correlation between the current trends in democratic deconsolidation and the use of direct democracy?

There are reasons to doubt that referendums play a key role in democratic decline. This is particularly true within Europe. Although historically greater allowances for direct democracy do correlate to more populist politics, recent growth in European populism has taken place in states that have less direct democracy. This might be because European populists with illiberal agendas do not need referendums to advance chosen policies. It may also show that direct democracy is just as useful for Europeans fighting illiberalism as it is for populists deconstructing liberal constraints.

In Europe, referendums have not been particularly efficient or effective in rolling back liberalism. Most illiberal policies have been implemented via legislation. Populist referendums, Brexit aside, have generally failed because voters have rejected them, voters have failed to turn out, or governments have chosen not to implement non-binding measures. In other words, in most cases, institutional safeguards for direct democracy have been working well.

In Africa, the story is the reverse. There, referendums have played a critical role in advancing electoral authoritarianism. Since 2010, a number of African states have expanded executive authority and lengthened or eliminated presidential term limits. More often than not, these changes have been enacted via referendum. While in Europe, voting against a referendum or not turning out to vote has been effective in checking illiberal leaders, in Africa, illiberal systemic alterations have passed with high approval ratings. Voters have not stopped authoritarian changes at the ballot box. Instead, protests that have managed to prevent referendums have been more effective. So, while direct democracy has not been associated with populist illiberalism in Europe, it has been a useful tool of authoritarian illiberalism in Africa.

### TURKEY’S EXAMPLE

Turkey is an exemplar of how referendums work in the illiberal toolkit. Three referendums over 10 years (2007, 2010, and 2017) have marked Turkey’s trajectory toward populist authoritarianism. Turkey’s repetitive use of system-altering referendums over the last decade conforms to Larry Diamond’s pattern of slowly rolling back liberal safeguards, advancing executive power, and building charismatic leadership—each reinforced by the regular use of popular votes. However, even in Turkey, there is reason to doubt the archetypical pattern of deepening authoritarianism cyclically punctuated by referendums.

These votes have altered Turkey’s political system from parliamentary to presidential. The so-called tutelage system of governance that privileged the military and secularism has been dismantled.<sup>6</sup> Between the 2010 and 2017 constitutional referendums, President Recep Tayyip Erdoğan and the legislative majority of his Justice and Development Party (AKP) altered election rules and laws governing political party recognition, attacked the press and universities, and established a state of emergency following a 2016 attempted coup. The undermining of civil society and liberal checks and balances between votes for constitutional alterations shows how autocrats roll back democratic governance and legitimate these actions through repeat referendums.

**TABLE 1: TURKISH REFERENDUM RESULTS (2007-17)**

YEAR	SUBJECT	TURNOUT	YES VOTE	NO VOTE
2007	Popular election of the president.	67.5%	69.0%	31.0%
2010	Constitutional amendments, including judiciary reform.	73.7%	57.9%	42.1%
2017	Constitutional amendments, including reform of the presidency.	85.4%	51.4%	48.6%

However, these referendums do not conform to expectation in several ways. First, the 2010 referendum was viewed at the time as a reform effort that would advance liberalism and bring Turkey closer to European Union norms. It was received by EU member states and the EU president as a positive step toward democratization. Many Turkish voters accepted the reforms with the attitude of “yes, but not enough,” implying that there was an expectation of further liberalization. The vote was not used to deepen support for populist authoritarianism but to disguise it. A minority opinion at the time identified the alterations to the judicial system in particular as an avenue through which the AKP could consolidate power.<sup>7</sup> The 2017 referendum, on the other hand, was viewed as a definitive shift toward authoritarianism.<sup>8</sup>

Second, the increasing turnout and decreasing percentage of yes voters indicate a growing concern about this process among Turkish voters and an ever-decreasing threshold of acceptance of the authoritarian drift of the AKP’s leadership. Moreover, the lower approval of the 2017 referendum is paired with concern over electoral malfeasance and campaign irregularities.<sup>9</sup>

The use of repeat referendums to deepen and project the legitimacy of an authoritarian regime suggests that approval ratings should improve or hold at a high percentage with repetition.<sup>10</sup> To the contrary, the pattern in Turkey is of increasing turnout with decreasing approval. Voters are both increasingly engaged *and* increasingly disapproving of illiberal, systemic alteration. Turkey’s experience suggests that the iterative process of rolling back liberal institutions may render the system increasingly brittle.

## MEXICO’S RECENT VOTES AND LATIN AMERICAN PERSPECTIVES

While Turkey demonstrates how constitutional referendums can be used to systemically alter democracy, in recent months Mexico has offered an

example of how popular votes on specific policies might play a role in democratic decline. Policymaking via referendum can hollow out representative institutions while providing a mechanism for a populist authoritarian to bypass liberal safeguards.

Mexico’s president, Andrés Manuel López Obrador, who is often known as AMLO, campaigned in the spring of 2018 on a platform that included allowing votes on a variety of policy decisions and to organize a recall vote half way through his presidency, proposing a popular vote as a check on presidential power. In October and November 2018, before AMLO took office, his party held two poorly organized *consultas* on policy points.<sup>11</sup> The first was on whether to continue construction on an international airport.<sup>12</sup> The second asked voters to approve 10 projects, including controversial proposals such as the “Mayan Train” railroad project.<sup>13</sup> The polls were not organized through the Mexican electoral administration but rather by AMLO’s party, Morena, and were criticized for their conduct.<sup>14</sup> Turnout for both polls was extremely low, and unsurprisingly supported AMLO’s policy preferences. A third *consulta* has been announced for March 2019 on reforming the police force. AMLO has also promised to greatly expand Mexico’s legal provisions for referendums.<sup>15</sup>

Populists frequently promise to use referendums to push through reforms. European populists have often included pledges to use popular votes to make policy if legislatures are obstacles to radical change.<sup>16</sup> For instance, French President Emmanuel Macron indicated that he would use referendums to push through institutional reforms over the summer of 2017 if he were unable to garner sufficient legislative support for his reform agenda. However, it is rare that such votes are actually organized.

AMLO’s use of referendums may serve a similar purpose to Erdoğan’s in that repeated popular votes are used to project and strengthen bonds between a charismatic leader and a supportive public. In Mexico’s case, the legitimacy of individual



policies generated by the *consultas* is paper thin, given the complete lack of institutional framework for the vote, the poor organization, and the minimal participation.

Latin America has a long-standing history of strong, left-wing populist movements, in which Mexico is now participating.<sup>17</sup> However, referendums' regional impact on democratic consolidation and backsliding varies. For instance, in February 2018, voters in Ecuador approved a package of constitutional amendments that limits elected officials to two terms in office. This barred the left-wing populist Rafael Correa from running for office again in the next presidential election. In this case, a constitutional referendum was used to increase liberal safeguards against populist authoritarianism. Similarly, in February 2016, Bolivian voters rejected the possibility of a fourth term for the left-wing populist President Evo Morales in a constitutional referendum. However, while Ecuadorian voters supported term limits by a large margin (64 percent of voters approved), Bolivia's rejection of extending Morales' term limit was extremely close (49 percent approved). A year after Bolivia's referendum, the high court ruled that term limits could not be imposed, freeing Morales to run for re-election beyond the additional term the referendum might have secured.

Venezuela encapsulates Latin America's mixed experiences with the use of referendums to entrench or resist authoritarianism. Referendums were used in the rewriting of the Venezuelan Constitution in 1999. In 2009, a referendum removed presidential term limits from that constitution. However, anti-liberal populist referendums have failed in Venezuela, for instance Chavez's 2007 constitutional amendment package.<sup>18</sup> In July 2017, the National Assembly organized a popular vote on whether to rewrite the constitution as a part of its resistance to Nicolás Maduro's moves to disempower the opposition-controlled legislature. Referendums will most likely continue to be a central part of contesting power and democracy within the region.

## EUROPEAN UNION REFERENDUMS: THE WORST DECISIONMAKING PROCESS FOR THE MOST IMPORTANT DECISIONS?

Much of the discussion about the negative impact of referendums on liberal democracy stems from recent experience in the European Union. Some European populists explicitly embrace direct democracy as an alternative to liberal institutions. For instance, it is central to Italy's Five Star Movement platform: "Participate, don't delegate!" David Casaleggio, a party leader, writes that "direct democracy, made possible by the internet, has given a new centrality to citizens and will ultimately lead to the deconstruction of the current political and social organizations. Representative democracy—politics by proxy—is gradually losing meaning."<sup>19</sup>

Are referendums the mechanism of choice for illiberal populists? In countries with strong traditions of direct democracy, there does tend to be stronger populist politics, as in Italy or France. However, for the most part, these are not the countries that have experienced rising illiberalism—at least not yet. Neither countries with robust traditions of using referendums, such as Ireland, nor those with legal frameworks that are permissive of direct democracy, such as Slovenia, are at the greatest risk for democratic decline.

States with *less* allowance for direct democracy have experienced more *growth* in potentially illiberal populist parties. Moreover, for the most part, populists that have tried to deploy direct democracy for illiberal agendas have not had much success at the ballot box.

There has been a steady, global increase in support for populism since before 2000. Populism has been a dominant force in Latin American politics for 20 years and a constant but smaller presence in European politics. In the past several years, populism has risen sharply in North America, Europe, and Asia. In Europe, populism of the left, right, and center has increased its role in politics and displaced traditional party structures. This

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has occurred across the European Union, in consolidated Western European states such as France, Sweden, and the Netherlands, as well as in younger democracies such as the Czech Republic, Bulgaria, and Greece.

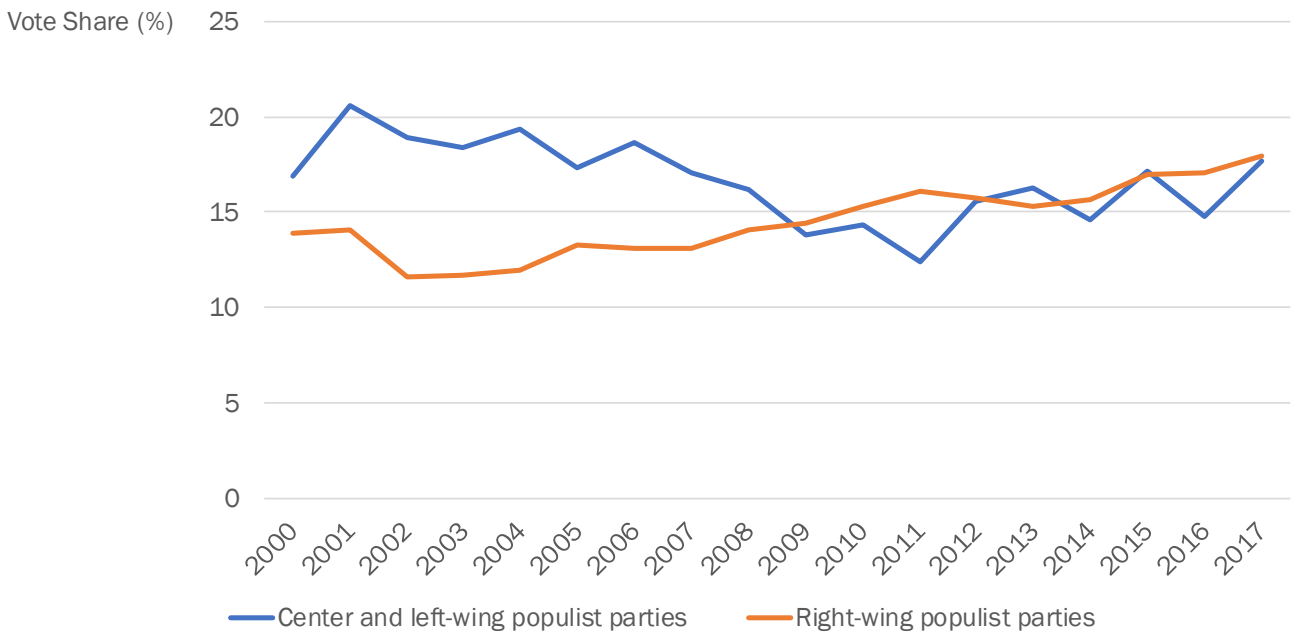
Economic dislocation and disparity are drivers of populist politics, often associated with left-leaning populism.<sup>20</sup> Algan et al. point out that it is not only the impact of the 2008 financial crisis, but the uneven distribution of its effects that feed into the politics of “us versus them.” Globalization and economic integration at the European level have also driven economic disparity in Europe and with it a politics in opposition to elites. Others emphasize cultural drivers of populism.<sup>21</sup> Populist parties that draw on cultural backlash narratives are widely viewed as responding to the refugee crisis in the EU and are associated with the right and far-right.

The global increase in support for populists since 2000 or before suggests that while the financial and refugee crises exacerbated the populist wave, they are not its sole drivers.

If populists are more likely to embrace direct democracy, has there been a rise in the use of MDDs that aligns to rising populism? The data do not support a straightforward trend.

Figure 1 shows a slow and steady growth in right-wing populism that predates the 2015 refugee crisis. The recovery of left-wing populist vote share beginning in 2011, following a dip in popularity from 2001 through 2010, corresponds more closely to the euro crisis and debt problems in several European states.

**FIGURE 1: GROWTH IN EUROPEAN POPULIST PARTY VOTE SHARE**



Note: Calculated using vote share for national elections to lower houses of the legislature. Second round voting was used in applicable cases, which generally reflects lower levels of support for populist parties compared to first round votes, but correlates to seats in legislatures more closely. 76 parties were included in the data, but parties with vote shares of less than 2 percent are excluded in Figure 1. I also exclude Turkey and Switzerland. Political parties included were drawn from Pippa Norris and Ronald Inglehart, “Trump, Brexit, and the Rise of Populism”; and Stijn van Kessel, *Populist Parties in Europe: Agents of Discontent?* (London: Palgrave Macmillan, 2015).

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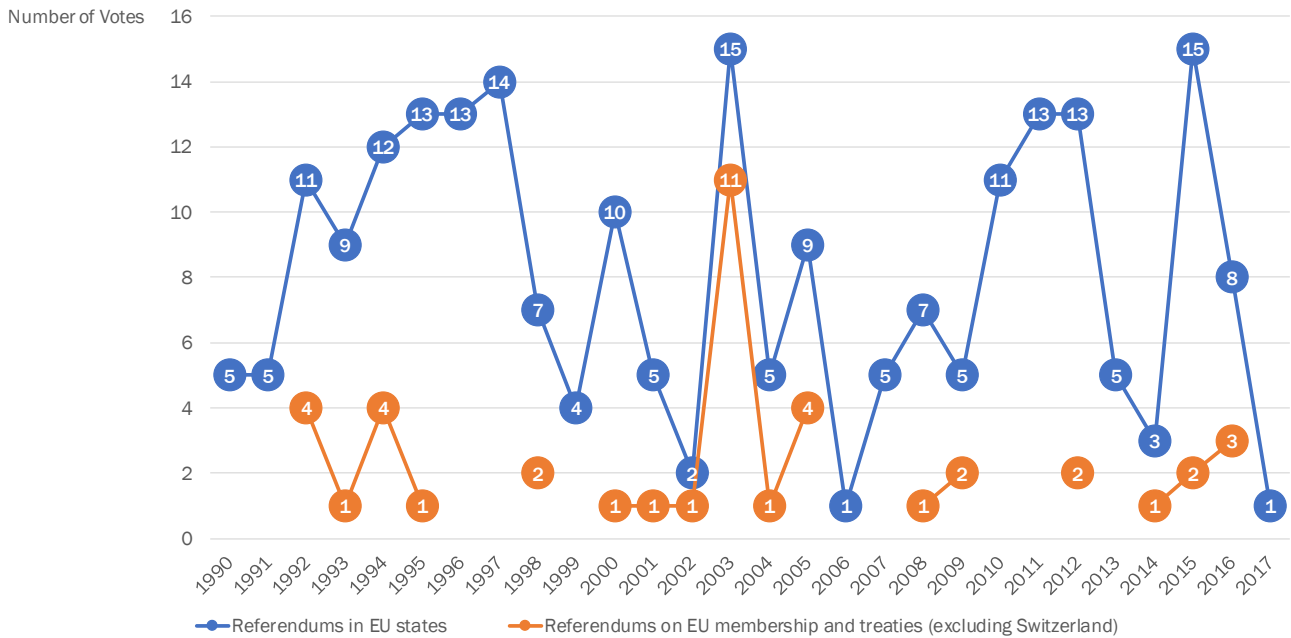
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Not all European populists are illiberal. Populist illiberalism has been advanced primarily by the right, for instance in Hungary and Poland. Right-wing populism in Europe has increased its vote share since 2002.<sup>22</sup>

Many European populist parties on the left and right draw upon nationalism and anti-EU sentiment, which explains why the rise in European referendums has often related to EU treaties and policies.<sup>23</sup> Much of the increase in European direct

democracy was during the years in which European Union integration and expansion were moving forward quickly. For instance, in 1993-94, there were four votes on the Maastricht Treaty. From 1998 to 2003, there were six national referendums on the Amsterdam and Nice Treaties as well as the single currency. There have been 14 referendums on whether to enter the EU from 1994 to 2012 and six more on the European Union constitution or the Lisbon Treaty between 2004 and 2009.

**FIGURE 2: DIRECT DEMOCRATIC VOTES IN EU STATES AND ON EU QUESTIONS (1980-2017)**



Note: Switzerland remains excluded from the data. However, Switzerland voted on EU-related questions on seven occasions within the timeframe (1992, 1997, 2000, 2001, 2005, 2009, 2014). Data on number of national votes from the Varieties of Democracy database. See "V-Dem Dataset - Version 8," V-Dem Institute, 2018, <https://www.v-dem.net/en/data/data-version-8/>. Votes include all national level obligatory referendums, referendums, citizens' initiatives, and plebiscites. Data on votes on EU membership and treaties from Matt Qvortrup, "Referendums on Membership and European Integration: 1974-2015"; and Laura Tilindyte, "Referendums on EU Issues," (Brussels: European Parliamentary Research Service, May 2016), [http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/582041/EPRS\\_BRI\(2016\)582041\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/582041/EPRS_BRI(2016)582041_EN.pdf).

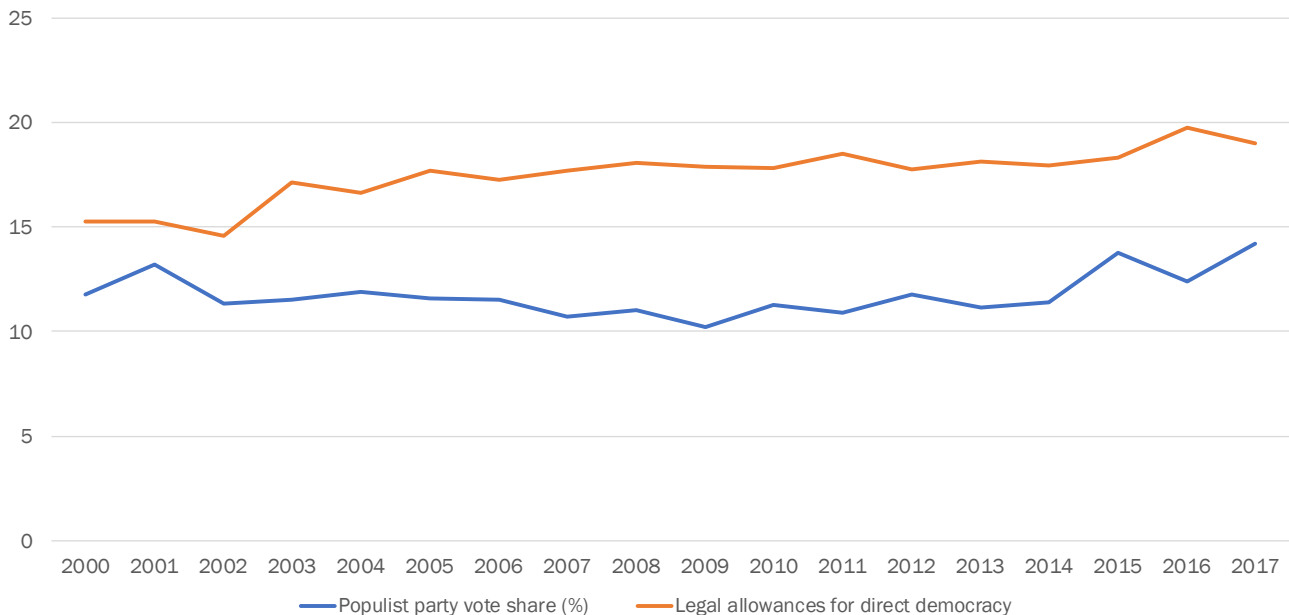
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We might expect to see populists in power increase legal allowances for the use of direct democracy. Direct democracy shapes governance far beyond any particular vote. In high-use systems, institutional provision for MDDs and the ease and frequency of their use shapes political party behavior and policy formulation processes.<sup>24</sup> If populists prefer direct democracy to representative forms, this potential should be expanded where populists are in power

or gaining vote share. Increases in populist vote share in 2001 and 2015 were followed by increases in institutional allowances for direct democracy. On the other hand, a 2016 decrease in support for populist parties was accompanied by a larger expansion of provisions for direct democracy. This may indicate that it is not only populists driving Europe's embrace of referendums.

**FIGURE 3: POPULIST VOTE SHARE AND DIRECT DEMOCRACY PRACTICE POTENTIAL IN THE EUROPEAN UNION (2000-17)**



Source: Pippa Norris and Ronald Inglehart, "Trump, Brexit, and the Rise of Populism"; and Stijn van Kessel, *Populist Parties in Europe: Agents of Discontent?*; "V-Dem Dataset - Version 8," V-Dem Institute.



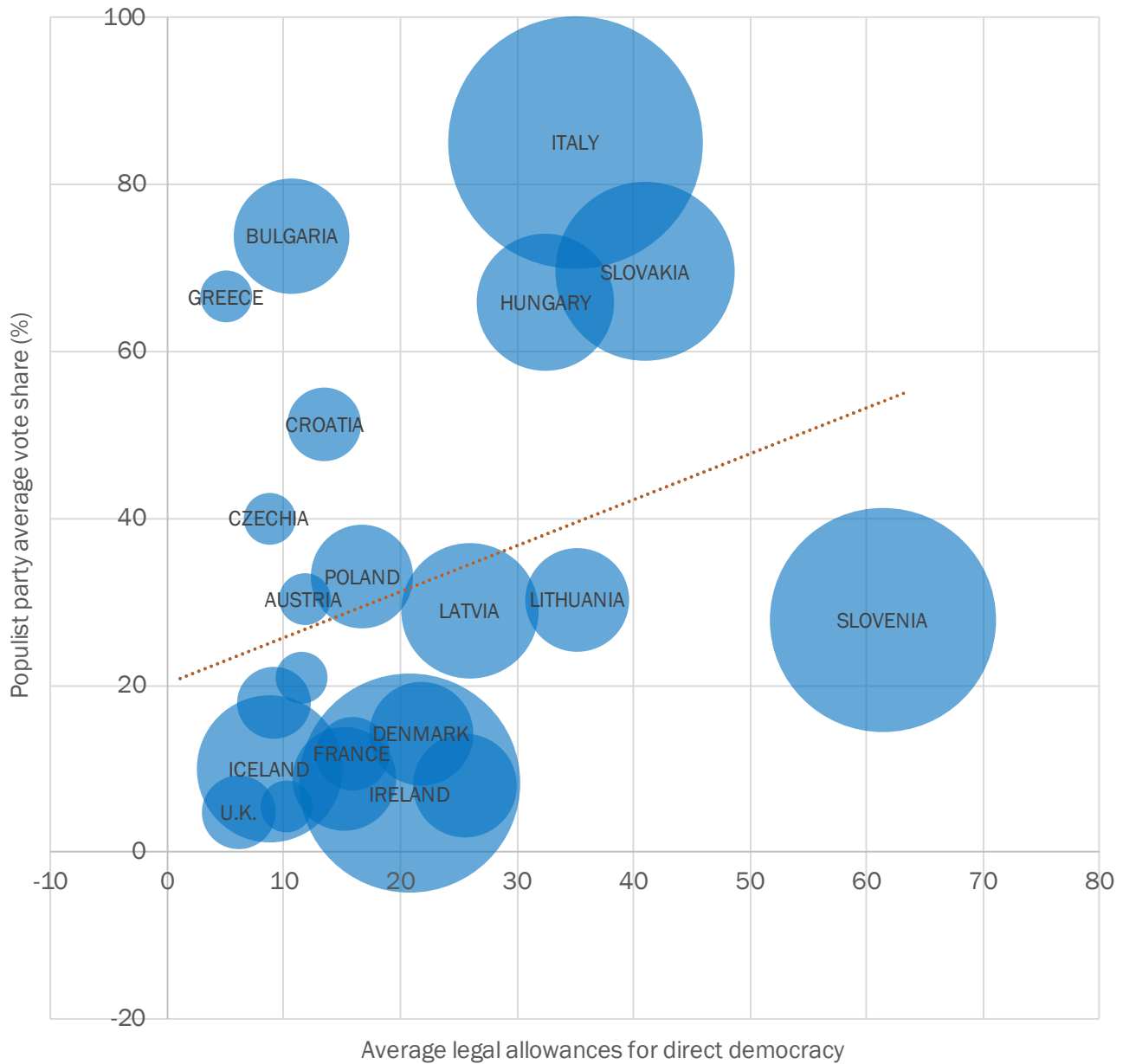
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There is, however, a correlation between legal provisions for direct democracy and populism. In general, EU countries with greater legal allowances for the use of direct democracy have stronger

populist movements. Since 2000, states in which populist parties have a higher average vote share also have more permissive legal frameworks for direct democracy.

**FIGURE 4: AVERAGE EUROPEAN POPULIST VOTE SHARE AND LEGAL ALLOWANCE FOR DIRECT DEMOCRACY (2000-17)**



Note: Bubble size indicates the number of votes held during the time period. Larger bubbles are states using more MDDs. Legal allowances for direct democracy may or may not lead to more votes being organized. See "V-Dem Dataset - Version 8," V-Dem Institute.

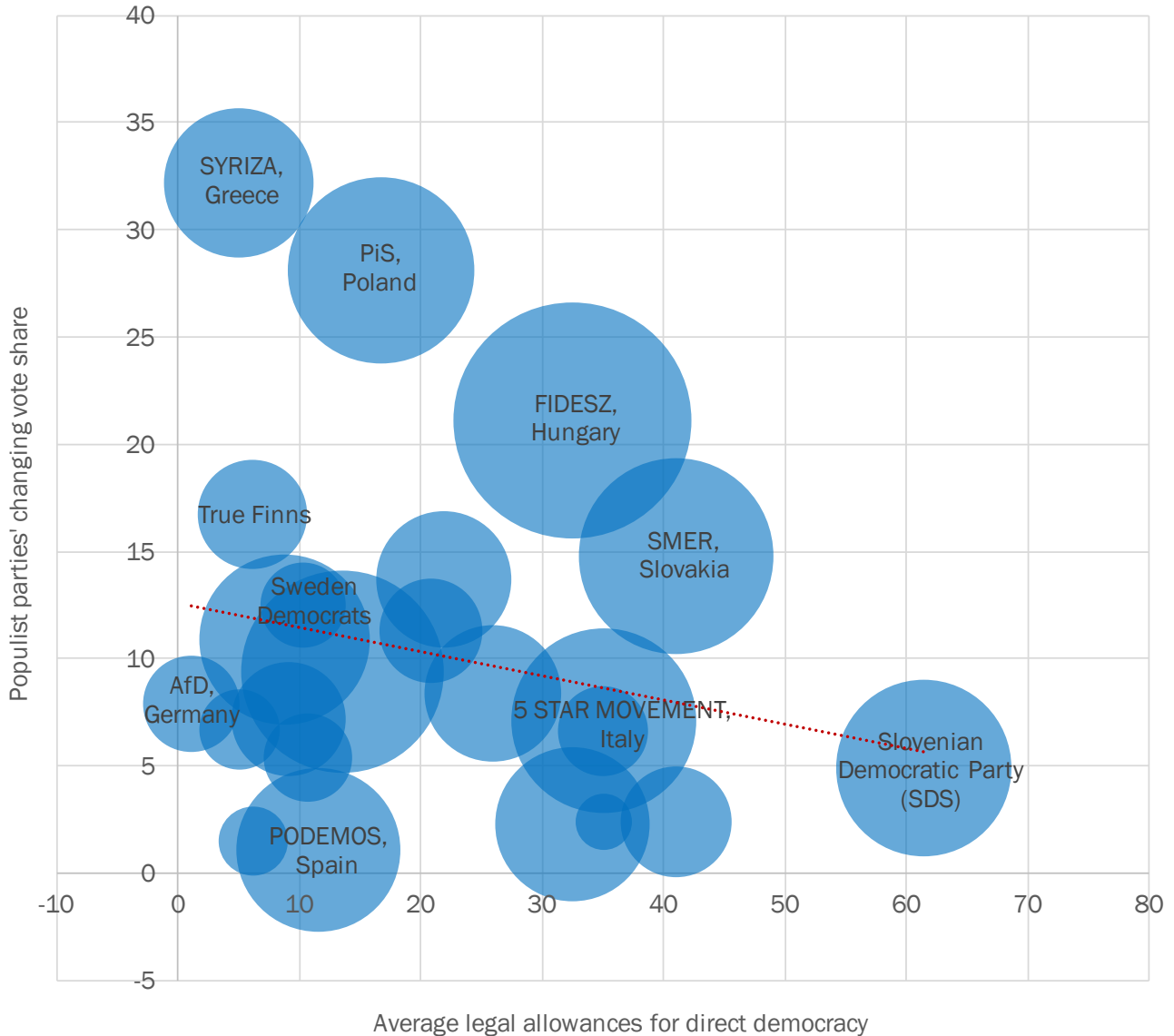
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There is a positive relationship between higher average allowance for direct democracy and higher average levels of support for populist parties. In particular in Italy and Slovakia, this also corresponds to more frequent use of MDDs.

However, in countries such as Bulgaria and Greece, with strong populist parties in power, legal provisions for direct democracy are not permissive, and there are few votes.

**FIGURE 5: POPULIST PARTIES' VOTE SHARE GROWTH AND DIRECT DEMOCRACY PRACTICE POTENTIAL (AVERAGE 2000-17)**



Note: Bubble size indicates a party's average vote share. Larger bubbles correspond to more popular and powerful parties. See "V-Dem Dataset – Version 8," V-Dem Institute; Pippa Norris and Ronald Inglehart, "Trump, Brexit, and the Rise of Populism"; and Stijn van Kessel, *Populist Parties in Europe: Agents of Discontent?*

The inverse is also true; in countries with lower levels of support for populism, such as in Ireland or Iceland, legal provisions for the use of direct democracy are restrictive while relatively high numbers of votes are held. In Ireland's case, there is a strong tradition of organizing constitutional or sovereignty referendums. Ireland has instituted robust deliberative processes that accompany these referendums, which may help to increase the legitimacy of decisions reached through direct democracy.<sup>25</sup>

However, when looking at growing support for specific populist parties, this correlation between populists and referendums does not hold up. To understand whether higher levels of direct democracy facilitate the rise of populism, Figure 5 compares average legal allowances for direct democracy with *growth* in support for populist parties. States with less institutional allowance for direct democracy experienced greater rates of growth in support of populist parties. This suggests that direct democracy is not particularly conducive for new, illiberal populists.

It appears that states that use and allow for direct democracy do have long-standing populist movements. However, the recent growth in populism has been in European states with lower levels of direct democracy. Those states experiencing the populist wave most strongly have less permissive legal frameworks for direct democracy. This might be the response of liberal elites to surging populists or it could be that populists with illiberal agendas are not relying on direct democracy.

## THE QUALITATIVE CASE FOR POPULIST REFERENDUMS

Finding strong, quantitative evidence for a correlation between rising populism and reliance on direct democracy is difficult due to the relatively recent rise of populist parties in power and because referendums are relatively rare events. The impact of a single vote, such as Brexit, can be so significant

that even a weak quantitative tendency could have tremendous actual impact. If the quantitative case is weak, is there qualitative evidence of a dangerous populist embrace of direct democracy that will facilitate illiberal politics in Europe?

Europe's illiberal turn is taking place most prominently in Poland and Hungary. Both share a legacy of increased allowances for and use of direct democracy following the end of communism in Eastern Europe.<sup>26</sup> Both countries have had multiple binding referendums since 1989—five in Poland and seven in Hungary.

In Hungary, Victor Orbán's government organized a 2016 referendum seeking to reject European Union migration policies. While Orbán has been aggressive in making illiberal changes to Hungary's legal and constitutional system, this is the only time he used direct democracy in order to advance his agenda. A majority of voters approved the measure, but turnout failed to meet the legal threshold for validity, so the result was invalid.

Poland's September 2015 referenda reflect a more significant link between a populist reform agenda and the use of referendums.<sup>27</sup> Three questions were put to a popular vote that would have altered the electoral system for the lower house (called the Sejm) of the legislature, moving toward a more majoritarian system with single-member constituencies.<sup>28</sup> The reforms were based on the agenda of presidential candidate Paweł Kukiz, a populist former punk rock star who led a small conservative party. Although two of the three questions had overwhelming support of those who voted, the turnout was 7.5 percent of eligible voters, far below the 50 percent turnout threshold required for validity.

President Bronisław Komorowski called the referenda the day after the first round of the May 2015 presidential election. Kukiz performed surprisingly well, garnering close to 21 percent of the vote. President Komorowski called the referenda as part of an attempt to capture vote share from Kukiz in his run-off against Andrzej Duda, the candidate from

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the right-wing populist Law and Justice (PiS) party.<sup>29</sup> The ploy failed, and the populist PiS took control of the presidency and the legislature.

Leftist populists have been in power in Greece since 2015, and held a populist, anti-EU referendum soon after taking office. A previous PASOK (Panhellenic Socialist Movement) government had proposed putting an EU debt restructuring package to a referendum in early November 2011. That initiative was quickly withdrawn under international pressure, leading to a vote of no confidence in the government.<sup>30</sup>

The 2015 referendum was similar, but on that occasion, the Syriza party government did ask Greek voters whether they approved of the EU bailout package. The austerity agreement was proposed by the EU and International Monetary Fund on June 25, 2015, and on July 5, 63 percent of Greek voters turned out to the polls. 61 percent rejected austerity, in a blow to the EU and the euro. However, within a week, the Greek government accepted the bailout package, dismissing the non-binding referendum results. Prime Minister Alexis Tsipras calculated that he could leverage referendum results to negotiate a better deal with the EU, but that quickly proved impossible.

The most recent elections in France and Italy have been contests between populists. In France, the centrist Emmanuel Macron and his personalized movement held off the far-right Front National in the 2017 presidential elections. In Italy, the Five Star Movement won the highest number of votes, while the right-wing populist League won the most seats in the legislature. The two parties have formed a populist coalition. With Switzerland, France and Italy have the most permissive legal allowances for direct democracy and the strongest traditions for its use in Europe. Both states also have long experience with populist parties.

Italy allows for several mechanisms of direct democracy in its post-World War II constitution. Since the mid-1970s, Italy has held at least 28 national referendums, organizing national popular votes every two to three years on average. Italy has previously had populists in power, notably Silvio Berlusconi from 1994-96, 2001-06, and 2008-11. In 2006, voters rejected a constitutional reform effort from Berlusconi.<sup>31</sup> Italians again rejected constitutional reform, put forward by centrist Prime Minister Matteo Renzi in December 2016. The reforms sought to consolidate government power and reduce the power of populist, right-wing parties in Italy. However, the defeat at the polls emboldened and ultimately empowered populists.

The Netherlands offers an example of opposition parties' populist uses of direct democracy. In 2015, Dutch citizens were granted the right to organize non-binding referendums on any piece of legislation passed in parliament. The reform itself was sponsored by a social democratic party, not pushed by the right-wing, populist Netherland Party for Freedom (PVV). Soon after this mechanism was put in place, Dutch citizens organized a referendum on the European Union-Ukraine association treaty. Although voter turnout was low, 32 percent, disapproval of the treaty was relatively high, 61 percent.<sup>32</sup> This created a politically awkward situation for the Netherlands and the EU. In 2017, the Netherlands' Council of State claimed that referendums were a threat to democracy, and in February 2018, the Dutch parliament voted to remove the provision for consultative referendums.

With the spectacular exception of the Brexit vote, while there may be a natural affinity among populists for MDDs, direct democracy has been a failed strategy for advancing illiberal populism in Europe.

## REFERENDUMS THAT ADVANCE ELECTORAL AUTHORITARIANISM IN SUB-SAHARAN AFRICA

In sub-Saharan Africa, democratic deconsolidation has been characterized by the emergence of electoral authoritarianism.<sup>33</sup> In competitive authoritarian regimes, democratic and electoral institutions exist *de jure*, but *de facto* democratic competition and turnovers of power are difficult or non-existent. Extended incumbency is the norm.<sup>34</sup>

Constitutional referendums have played a key role in changing the rules of the game to favor incumbents since 2000.<sup>35</sup> Several countries have extended presidential terms through legislative votes, for instance in Guinea in 2001, Togo in 2002, Cameroon in 2008, Djibouti in 2010, and Gabon in 2017. Slightly more have held referendums for this purpose.<sup>36</sup>

The referendums extending presidential tenure follow rather than precede movement toward illiberalism in applicable cases. Burundi’s post-war governance improved, according to Freedom House, in 2004, just prior to a peace agreement and the 2005 election of the current president, Pierre Nkurunziza. However, stability and governance were degraded in 2015, and the 2018 referendum in Burundi did not only extend Nkurunziza’s term, it also rolled back measures instituted for the peace accords.

Authoritarian referendums are far more predictable and controlled than those organized by populists. The turnout and approval rates in these African constitutional referendums reflect this characteristic. These referendums are not necessarily a mechanism of choice, but are organized when a popular vote is obligatory.

Just as popular votes have not been dependable mechanisms for populists, not all referendums mooted in sub-Saharan African states have had the desired impact. For example, in Togo, President Faure Gnassingbé attempted to pass a constitutional amendment through the legislature in the fall of 2017 that would have allowed him to run for two additional terms in office. The amendment did not garner the super-majority of votes required. Gnassingbé suggested passing the changes via referendum, which touched off months of opposition protests.

However, as indicated in Table 2, in every case, referendums on constitutional reform and the extension of term limits that have been held in sub-Saharan Africa since 2000 have passed comfortably. These authoritarian referendums are overwhelmingly likely to have a predictable, pro-hegemonic outcome when brought to the polls.

**TABLE 2: REFERENDUMS EXTENDING PRESIDENTIAL TERM LIMITS IN SUB-SAHARAN AFRICA SINCE 2000**

STATE	YEAR	SUBJECT	TURNOUT	YES VOTE	NO VOTE
Guinea	2001	Extend presidential term limits and extend terms from five to seven years	87.2%	98.4%	1.6%
Chad	2005	Lift two-term presidential term limits.	57.8%	65.8%	34.3%
Uganda	2005	Restore multi-party democracy, lift presidential term limits.	47.3%	92.4%	7.6%
Congo-Brazzaville	2015	Allow a third presidential term, lift age limits from the presidency.	72.4%	92.3%	7.7%
Rwanda	2015	Allow additional presidential term.	98.3%	98.3%	1.7%
Burundi	2018	Allow additional presidential term.	96.2%	79.1%	20.9%
Comoros	2018	Allow additional presidential term, lift requirement to rotate presidency among main islands.	62.7%	92.3%	7.7%



## CONCLUSION

Referendums have been central to dismantling liberal institutions from the United Kingdom to Turkey to Burundi. However, MDDs have not been a mechanism of choice within the illiberal toolkit in most cases. The extent to which populist authoritarian moves toward illiberalism prefer and rely on referendums deserves reconsideration.

In Europe, direct democracy and populism have been persistent features of democratic political systems for several decades. However, the extent to which populists embrace the use of direct democracy to advance illiberalism is limited. The growth in the number of referendums held has been associated more with the deepening integration and growth of the European Union than with populism. When European populists have held referendums in the U.K., Greece, Hungary, and the Netherlands, each has been in the context of pushback against EU institutions, not national liberal checks and balances.

Moreover, populist referendums have had unpredictable results. Referendums may fail to pass, as in Poland. Structural checks on MDDs' majoritarian impact have restrained populist referendums' impact, as in Hungary. Non-binding results, as in Greece or the Netherlands, have outcomes that may be negotiated within a political context.

Turkey's repeated use of constitutional referendums conforms most closely to the ideal-type of illiberalism's advance, in which an authoritarian leader uses referendums to bypass representative bodies, taking the case for unconstrained, charismatic leadership directly to the people and using direct democracy to deepen bonds with the base of support. However, the diminishing voter approval of Turkey's repeated votes may indicate that repeated referendums do not deepen support for a populist leader but might also mobilize opposition to illiberalism.

Mexico's use of unofficial popular votes to legitimize policies and bypass representative institutions also conforms to this ideal-type. However, questions on the votes' conduct and the level of participation might in the end limit rather than expand the ability of a populist to act outside the structures of liberal democracy. In Latin America, recent referendums on extending the power of populist authoritarians have given voters opportunities to defend liberalism.

In contrast, referendums held in sub-Saharan Africa in the context of electoral authoritarianism have been largely predictable and supportive of entrenching authoritarian executive power. These votes do generally conform to the characteristics of authoritarian referendums, in that they garner outsized proportions of voter approval and their results are pro-hegemonic. Where citizens have resisted the extension of presidential term limits in Africa, this has been through organizing protests rather than defeating referendums at the polls.

Direct democracy is increasingly a feature of healthy democratic systems, rather than a bug that endangers liberalism. However, MDDs may function as a part of the system of institutional checks and balances that maintain liberal order, or they can undermine it. Central to the distinction between these roles are the institutional arrangements for MDDs and the political context in which referendums are deployed.

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