

The Paradox of Plebiscites:

Why Do Authoritarian Submit issues to the voters?

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“Le plébiscite..[est] un attentat à la liberté du peuple lui-même “

*George Sand*¹.



Abstract : Following a tour d’horizon of the literature of plebiscites, as developed by Carl Schmitt and others, this paper develops a conceptual framework for understanding plebiscites under repressive and totalitarian governments using insights from semiotics. This model is subsequently tested on a sample of all the plebiscites held in authoritarian regimes 1800-2010. There is support for the hypothesis that plebiscites securing over 99 percent of the official votes tend to occur in ethnically fractionalised countries and that plebiscites that secure less than 99 percent often occur in countries that are allied to the USA. There is also strong statistical evidence to suggest that repressive plebiscites take place in Muslim countries, possibly in an attempt to quell opposition to secular rulers from Islamist population groups.

¹ Sand, Georges (1871) *Journal d’un voyageur pendant la guerre*, Paris: Michel Lévy Frères, p.306

On the 24th of October 1955 Jean Baptiste Ngô Đình Diệm, the first president of South Vietnam hailed the result of the plebiscite of the previous day. “The plebiscite of which [the people of South Vietnam] took such an enthusiastic part, constitutes an approval of the policies pursued thus”². It certainly seemed ‘enthusiastic’. The registered number of voters was 450.000. Diệm won the support of 600.000 voters³. The enthusiasm was shared by the Americans. An official statement from the US State Department, read “The Department of State is gratified that according to reports the referendum was conducted in such an orderly and efficient manner and that the people of Viet-Nam have made their choice unmistakably clear”⁴

But why hold such plebiscites? What is their aim and what is the reason for submitting issues to a vote when the result is a foregone conclusion? What is paradoxical is that dictators, who by their very nature, are unrestrained by the shackles of accountability⁵, and who “rule by commands and prohibitions”⁶, often resort to plebiscites. Dictators and autocrats from Napoleon Bonaparte, through Adolf Hitler, Benito Mussolini to Ayatollah Khomeini, Nicolai Ceausescu and Augusto Pinochet are but some of the autocrats who have felt impelled to submit issues to the voters⁷. Given that most of these votes are anything but fair and free, the question this paper seeks to answer is why?

DEFINITION

The plebiscite can be defined as “an instrument, which allow[s] a government to appeal to people to express themselves with a *yes* or a *no*”⁸. Dictators’ prevalence for plebiscites is

² Chapman, J. (September 2006). "Staging Democracy: South Vietnam's 1955 Referendum to Depose Bao Dai". *Diplomatic History* **30** (4), p.380.

³ Karnow, S. (1997). *Vietnam: A history*. New York City, Penguin. P.239

⁴ Brownell, William (1963). *The American Mandarin: a study of the life of Diem and of the origins of the American involvements*. Ithaca, New York: Cornell University, p.158.

⁵ See Gandhi, J. And Przeworski, A. (2006) ‘Cooperation, Cooptation, and Rebellion under Dictatorship’, in *Economics and Politics*, Vol.18., No.1., 1-26

⁶ Wintrobe, Ronald (2007) ‘Dictatorship: Analytical Approaches’, in Carles Boix and Susan Stokes (Editors) *The Oxford Handbook of Comparative Politics*, Oxford: Oxford University Press, pp.363-394, p.365

⁷ See Altman, D. (2011) *Direct Democracy Worldwide*, Cambridge: Cambridge University Press, p.88

⁸ Fimiani, Enzo (2012) ‘Elections, Plebiscitary Elections and Plebiscites in Fascist Italy and Naz-Germany: Comparative Perspectives’, in Ralph Jessen and Hedwig Richter (Editors) *Voting for Hitler and Stalin: Elections Under 20th Century Dictatorships*, Campus: Frankfurt aM, pp.231-253, p.233, *Italics in the original*. This definition should be compared to the distinction often made in French political writings on the subject, “While the referendum allows the people to express themselves freely, plébiscite allows a person ... to legitimize themselves by posing a question to the people who answered in the affirmative” ‘*Alors que le référendum permet au peuple de s’exprimer librement, le plébiscite permet à une personne ... de se légitimer en posant au peuple une question qui appelle une réponse positive*’ Guillaume-Hoffnung, M. (1987), *Le referendum*, Paris: PUF, p.14. See also: Jean-Marie Denquin (1976) *Référendum et plébiscite*. Paris : Librairie generale de droit et de jurisprudence

well-known, but there are few empirical studies about the phenomenon in the literature on referendums⁹, and still less theorising on why dictators bother at submitting issues of plebiscites in contemporary political science on dictatorship. While mentioned in passing by Juan Linz' in *Totalitarian and Authoritarian Regimes*¹⁰ and in Carl J. Friedrich and Zbigniew Brzezinski's *Totalitarian Dictatorship and Autocracy*¹¹, plebiscites is not discussed in Gordon Tullock's *Autocracy*¹², nor in Ronald Wintrobe's *The Political Economy of Dictatorship*¹³ or in Ezrow and Franz' *Dictators and Dictatorships*¹⁴.

Figure One: Plebiscites in Non-Democratic States 1800-2010

⁹ However, David Altman provides an exception to this generalisation. His recent book contains a largely empirical chapter entitled 'Direct Democracy in Non-Democratic Regimes', See Altman, D. (2011) *Direct Democracy Worldwide*, Cambridge: Cambridge University Press, pp.88-109.

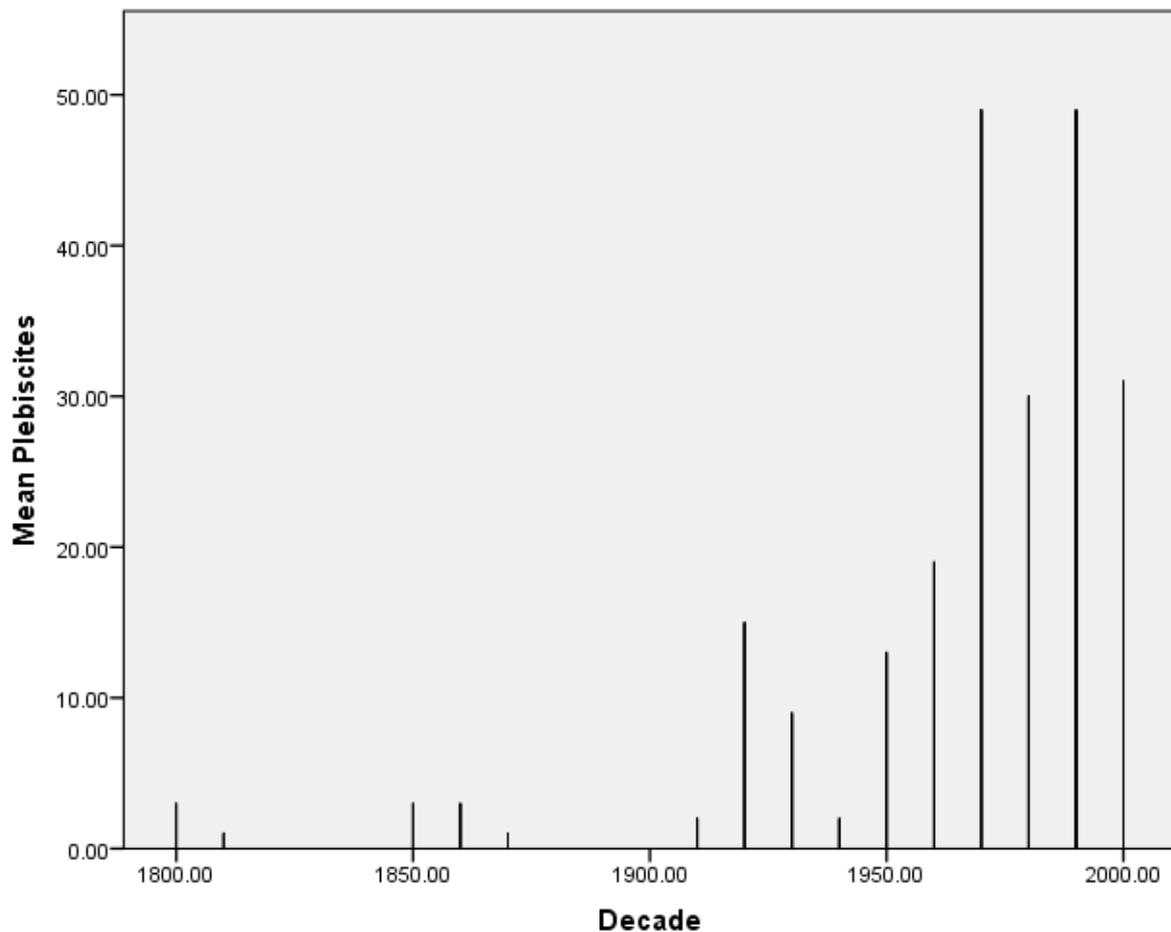
¹⁰ Linz, J.J. (2000) *Totalitarian and Authoritarian Regimes*, Boulder: Lynne Rienner Publishers, p.92

¹¹ Friedrich, C.J. and Brzezinski, Z. (1965) *Totalitarian Dictatorship and Autocracy*, New York: Praeger, p. 163-165.

¹² Tullock, G. (1987) *Autocracy*, Dordrecht: Martinus Nijhoff

¹³ Wintrobe, R. (1998) *The Political Economy of Dictatorship*, New York: Cambridge University Press.

¹⁴ Enzow, N. and Franz, E. (2011) *Dictators and Dictatorship: Understanding Authoritarian Regimes and Their Leaders*, London: Continuum.



Source: C2D-Database.

Selection Criteria: Before 1974 Plebiscites held in single-party states. For cases after 1974, countries that scored 6 or 7 on the Freedom House Index

A reason for this lack of analysis could be that plebiscites have become so rare that they are not worth studying. However, a simple head count of the plebiscites held in countries without competitive elections in the period 1800-2010, shows that the number of occasions when dictators have submitted issues to the voters has increased steadily since the French voters were asked to consent to the question; '*Napoléon Bonaparte sera-t-il consul à vie?*' - 'Should Napoleon Bonaparte be Consul for Life?'¹⁵. (See: Figure One)

Given this increase in the number of plebiscites in recent decades, there is ample justification for research on this topic, and for pondering why dictators of all hues have submitted issues to plebiscites.

EARLIER RESEARCH

¹⁵ Rosenblatt, À. François (2001) Le plébiscite de 1802 Napoléon Bonaparte sera-t-il Consul à Vie ? *La Révolution française et l'Alsace: Napoléon et l'Alsace*, 2001, vol. 10, p. 15

While there has been remarkably little research on this topic by political scientists in recent years, previous generations were aware of the plebiscites. The question, therefore, is if any of the considerations developed by earlier writers may aid us in our endeavour to understand why plebiscites are held in autocratic states? With notable exceptions, most of the earlier analyses of plebiscites offer little assistance in our endeavour. To be sure, earlier generations of empirical scholars acknowledged that plebiscites were a weapon in the armoury of autocrats. Friederich and Brzezinski, made passing reference to “rigged plebiscites”¹⁶ and noted “Hitler’s *Volksbefragung* through plebiscites”¹⁷, and Shapiro touched upon policies in totalitarian states that were legitimised by “mass discussion and approval by plebiscite”¹⁸. But this research was not weaved into a coherent theory, let alone analytical statements as to the causes and effects of resorting to plebiscites. Robert Michels, an otherwise piercing analytical mind, tersely observed that “a *Führer* [sic!] would lead the people astray through unclear questions, and would himself be solely entitled to interpret the result afterwards”¹⁹, but did little else. Similarly, a prominent writer like Eric Voegelin recognised that of the “screen devices” used by Hitler to gain legitimacy, “the most important ...[had] been the plebiscite”²⁰. Despite this pronouncement Voegelin did not elaborate and his remarks consisted mainly of lucid insights, but nothing that amounted to explanation, let alone a theory, of why dictators resort to plebiscites.

Only one exception to this dearth of theory was the controversial German theorist Carl Schmitt who, in a series of writings, made a case for the use of the plebiscite as a more legitimate and – as he saw it – more authentically democratic alternative to the parliamentary system of representative government. Schmitt recognised that after the French revolution “[no one] would remain on the throne against the will of the people”²¹. The problem with the prevailing system of representative government was, in his view, that it encouraged division and factions, and that the parties, consequently, could not speak for the people. To paraphrase Rousseau, the result of the parliamentary deliberations would be a *‘volonté*

¹⁶ Friedrich, C.J. and Brzezinski, Z. (1965) *Totalitarian Dictatorship and Autocracy*, New York: Praeger, p.9

¹⁷ Ibid at p.13

¹⁸ Shapiro, Leonard (1972) *Totalitarianism*, London: Macmillan, p.41

¹⁹ Michels, Robert (1925) *Zur Soziologie des Parteiwesens in der modernen Demokratie: Untersuchungen über die oligarchischen Tendenzen des Gruppenlebens*, Leipzig: Alfred Kröner Verlag: p. 431, My translation, MQ

²⁰ Voegelin, E. (1940). Extended Strategy: A New Technique of Dynamic Relations. *The Journal of Politics*, 2(02), 189-200, p.193

²¹ Schmitt, C. (1988) *The Crisis of Parliamentary Democracy* (Translated by Ellen Kennedy), Cambridge: MIT Press, p.29

particuliere, rather than a *volonté generale*²². That is, in a pluralist state, the ‘Will of the People’ is reduced to the “eternal competition of opinions”²³, not to *la volonté générale*.

While Schmitt acknowledged that it was “for practical reasons impossible today for everyone to come together at the same time in one place”²⁴, he proposed that plebiscites be used as a mechanism that was both democratic (sic!) – to wit “institutions of direct democracy [are always] in a position superior to the so-called indirect democracy of the parliamentary state”²⁵ - and practical – it would enable a “single trusted representative”, to “decide in the name of the...people”²⁶. This use of the plebiscite would provide political legitimacy for the dictator, as well as it [would] allow him to set the agenda”²⁷. For “the people can only respond ‘yes’ or ‘no’. They cannot advise, deliberate and discuss”²⁸.

Through plebiscites the dictator, as a kind of Hobbesian ‘mortal God’²⁹, could by-pass the political parties and, in a *dues ex macina* fashion, go directly to the people as Napoleon did in 1800, and as Hitler and Mussolini did 130 years later.

However, Schmitt’s theory was not a positive theory of the plebiscite as such; it suggested theoretical reasons why it was legitimate for dictators to use plebiscites, but it did not predict when, why and under which circumstances this device would be used by dictators. What we need to do is to develop hypotheses as to when dictators resort to plebiscites.

HYPOTHESES

An empirical study must be based on conceptual distinctions that correspond to real world phenomena. Borrowing Aristotle’s distinction between ‘Kingship’ and ‘Tyranny’, we can distinguish between plebiscites held in over “willing subjects” (*Legitimising Plebiscites* –

²² Rousseau, Jean-Jacques (1964) [1755] ‘Sur L’économie politique’ in Jean Starobanski et al. (editors) *Œuvres complètes* III, Paris : Gallimard, p.368

²³ Schmitt, C. (1988) *The Crisis of Parliamentary Democracy*, p.35

²⁴ Schmitt, C. (1988) *The Crisis of Parliamentary Democracy*, p.34

²⁵ Schmitt, C. (1988) *The Crisis of Parliamentary Democracy*, p.60

²⁶ Schmitt, C. (1988) *The Crisis of Parliamentary Democracy*, p.34

²⁷ Schmitt, Carl (1926) *Volksentscheid und Volksbegehren. Ein Beitrag zur Auslegung der Weimarer Verfassung und zur Lehre von der unmittelbaren Demokratie*, Berlin, Walter de Gruyter & Co, p.34

²⁸ Schmitt, C. (1988) *The Crisis of Parliamentary Democracy*, p.93

²⁹ It should be noted that also that Hobbes proposed that the people “conferre all their power and strength upon one man...who may reduce all their Wills, by plurality of voices, unto one Will”. This individual – the “Leviathan” - was a ‘Mortal God’. Hobbes, Thomas (1997) *The Leviathan*, New York: W.W. Norton, p.95.

henceforth LPs³⁰) and those conducted in countries with “unwilling subjects”³¹ (*Repressive Plebiscites* – henceforth RPs), such as the plebiscite held in Iraq in 2002 in which Saddam Hussein secured 100 percent support on a 100 percent turnout³².

To develop hypotheses as to when either of these pure types of plebiscites occur, it is necessary to understand their respective underlying logics.

FIGURE 2: Distribution of Plebiscites by Country TABLE IN HERE

Repressive Plebiscites (RPs)

The use of the plebiscite in repressive regimes, i.e. RPs, present us with an evident paradox. However this apparent *Contradictio in adjecto* is conditioned upon the premise that the plebiscite is a mechanism by which the *demos* exercises a choice and expresses acclamatory consent. But under tyrannical or totalitarian government this may not be the case.

According to cases studies of plebiscites under tyranny these often perform a kind of symbolic function, the the fact that the vote was not a “spontaneous or rational expression [was] of no immediate significance...what we are concerned about here is the *symbol* of legitimacy”³³. That the plebiscite signifies something other than the act of casting ballots and counting votes and is “more than the act of depositing a single name ballot in the electoral box”³⁴ begs the question: what is this symbolic function?

Borrowing a distinction from semiotics, the plebiscite can be understood as a floating signifier³⁵. To the western observer, the word plebiscite – *le signifiant* – conjures up an image of electoral and democratic processes – *le signifié*. But for the individual living under a totalitarian regime the same word conjures up a very different *signifié*, namely one of

³⁰ An example of a *LP* could be the plebiscite held in Bangladesh in 1977 following a military coup of Major General Ziaur Rahman. While hardly free and fair the plebiscite did legitimise Rahman’s rule and was a reasonable reflection of a general support for the general. Rashiduzzaman, M. (1978) ‘Bangladesh in 1977: Dilemmas of Military Rulers’ in *Asian Survey*, 18, pp.126-134

³¹ Aristotle (1905) *The Politics of Aristotle* (J.E.C. Weldon, translator), London: Macmillan, p.145

³² Altman, D. (2011) *Direct Democracy World Wide*, Cambridge: Cambridge University Press, p.92

³³ Shapiro observed that “Shapiro, Leonard (1972) *Totalitarianism*, London: Macmillan, p.41.

³⁴ Friedrich, C.J. and Brzezinski, Z. (1965) *Totalitarian Dictatorship and Autocracy*, New York: Praeger, p. 163.

³⁵ I am using this term in a general way and not in the specific sense employed by Lévi-Strauss See Lévi-Strauss, C. (1950). Introduction à l’œuvre de Marcel Mauss *Marcel Mauss, Sociologie et anthropologie*, Paris, Presses universitaires de France, coll.«Quadrige»: ix-lit.

intimidation and control; of voting at gun point and facing a severe fine for not voting³⁶. The case study literature suggest point to many examples of dictators that “exploited to the full the modern totalitarian plebiscite...as a means of demonstrating ...of indoctrinating the people and of testing...control over them”³⁷. The aim of the plebiscite, in other words, is not to win support of the people, rather “plebiscites in totalitarian systems”, in the words of Juan Linz, “test[s] the effectiveness of the party and its mass organizations in their success in getting out the vote”³⁸. Seen in the light of this the paradox dissolves and the plebiscite – under tyrannies – becomes a straight, if ingenious, mechanism of repression and control.



Illustration A: Ballot Paper for the Anschluss Plebiscite: The specimen on the left shows an empty ballot paper. The specimen on the right shows where “you must put your cross”. Note also that the box for ‘Ja’ (‘Yes’) is considerably larger than the box for ‘nein’ (‘No’)

Securing endorsement becomes a question of effective implementation, and steps are taken to secure maximum compliance, for example by issuing instructions on how to fill out the ballot paper (as in Austria in 1938- See Illustration A)

³⁶ For examples of the consequences of non-voting see Marques, A. and Smith, T.B. (1984) ‘Referendums in the Third World’, *Electoral Studies*, Vol.3, No.1, pp.85-105.

³⁷ Latey, M. (1969) *Tyranny: A Study in the Abuse of Power*, London: Macmillan, p.145

³⁸ Linz, J.J. (2000) *Totalitarian and Authoritarian Regimes*, Boulder: Lynne Rienner Publishers, p.92

In this light it is not surprising that there are examples of repressive plebiscites when the voters were offered only one choice, namely ‘yes’ (As was the case in France in 1852) (See Illustration B).



Illustration B: Ballot paper from the 1852 plebiscite in France on the rule of Napoléon III. The voter has but one option ‘Oui’ (‘yes’).

HYPOTHESES

Several totalitarian states have held plebiscites, to wit, Nazi Germany, Fascist Italy and Iran after the overthrow of the Shah. However, other totalitarian regimes have not held plebiscites, to wit, North Korea, the People’s Republic of China and the Soviet Union prior to *Glasnost*³⁹. The question is if there is a pattern as to when totalitarian or severely authoritarian states hold plebiscites.

Totalitarian regimes, as Friedrich and Brzezinski have pointed out (see above), have “a violent passion for assent, for unanimity”⁴⁰. We would, all other things being equal, expect that this need to affirm ‘unanimity’ is greater in a diverse society; in a society with religious, linguistic or ethnic cleavages, especially as totalitarian and autocratic regimes regard diversity as “an act of desecration...[that] must be stamped out”⁴¹. Our first hypothesis is:

H1: Repressive Plebiscites will tend to take place in countries with high levels of ethnic, linguistic or religious fractionalization

³⁹ The plebiscite held in the Soviet Union in March 1991 is outside the scope of this study as the Freedom House Score for the USSR in that year was 5 for Political Rights and 4 for Civil Rights. See Brady, H.E. and Kaplan, C.S. (1994) ‘Eastern Europe and the Former Soviet Union’, in David Butler and Austin Ranney (Editors) *Referendums Around the World: The Growing Use of Direct Democracy*, London: Macmillan, pp. 174-217, p.186.

⁴⁰ Friedrich and Brzezinski, *Totalitarian Dictatorship and Autocracy*, p.163

⁴¹ Friedrich and Brzezinski, *Totalitarian Dictatorship and Autocracy*, p.164

Given the ‘passion for unanimity’ and the widely held view among totalitarian regimes that the mass of the population must be behind the leadership, we would expect that repressive plebiscites are characterized by mass-mobilization. Hence our second hypothesis states:

H2: Turnout in RPs will be high approximating 100 percent.

While the United States has a long (and often sordid) history of supporting authoritarian regimes especially in the Latin America and Southeast Asia, these have tended not to be totalitarian regimes based on all-encompassing ideologies. For domestic political reasons the US government has found it hard to justify supporting totalitarian regimes⁴². Reflecting this we can propose that

H3: Repressive plebiscites do not to occur in countries that are military and political allies with the United States.

Legitimizing Plebiscites

Not all authoritarian regimes are totalitarian and strive for unanimity. Some dictatorships seek to win approval for – allegedly – temporary measures to suppress multiparty democracy. For example in Greece, between 1967 and 1974, the dictatorship of Colonel Georgios Papadopoulos held a “blatantly contrived referendum” in 1968 to legitimize his coup d’état of the previous year⁴³, and in 1977 of Major General Ziaur Rahman, similarly won support in a rigged plebiscite⁴⁴. These plebiscites are qualitatively different from the Repressive Plebiscites known from totalitarian regimes, and can be expected to have a different pattern of occurrence as a result of these differences. Contrary to Repressive Plebiscites, we would expect these plebiscites to take place with greater frequency in countries that are allied to the United States:

H4: Legitimizing plebiscites will tend to take place in countries that are allied to the United States

Needless to say, these hypotheses are falsifiable and it is conceivable that other factors may be more important. For this reason we have included control variables in the form of dummy variables for communist countries and for countries with a Muslim majority.

⁴² see: Cox, M, Lynch, T.J. and Bouchet, N. (editors) (2013) *US Foreign Policy and Democracy Promotion: From Theodore Roosevelt to Barack Obama*, London: Routledge

⁴³ Woodhouse, C.M. (1986) *Modern Greece: A Short History*, London: Faber & Faber, p.295

⁴⁴ Rashiduzzaman, M. (1978) ‘Bangladesh in 1977: Dilemmas of Military Rulers’ in *Asian Survey*, 18, pp.126-134

DATA

The data-set is based on a comprehensive list of all the 216 plebiscites held in authoritarian and non-democratic states between 1800 and 2010. The data was predominately based on the C2D data-set compiled by *Centre for Research on Direct Democracy*.

For cases post-1973 plebiscites were only included if the vote took place in a country that scored 6 or 7 on the 1-7 Freedom House Scale ‘ (Non-Free). Cases before 1973 were included if there was a one-party system, though countries with non-competitive elections (such as, for example, the German Democratic Republic was included).

Figures for fractionalization are based on data-set compiled by Alesina and colleagues⁴⁵.

RESEARCH DESIGN

Bearing in mind that the aim of the plebiscite in an autocratic regime is to show “the magical unity of leader and led”⁴⁶, a plebiscite was regarded as ‘repressive’ if the reported yes-vote was in excess of 99 percent in the plebiscite. The dummy variable was coded 1 if the plebiscited secured more than 99 percent and 0 if the official result revealed support below this figure. The dichotomous variable was correlated with data for the periods 1800-2010 and 1973-2010 using logistic regression models.

Needless to say, this proxy suffers can be criticized. Using the 99 percent mark may be somewhat arbitrary. For example, all the three plebiscites held in East Germany (German Democratic Republic) achieved yes-votes below 99 percent although this country was undoubtedly a totalitarian regime (See Appendix A). In order to develop a parsimonious model, such exceptions may be deemed acceptable. However, to take examples such as East Germany into account a OLS-regression analysis was carried out with yes-vote as the dependent variable. LP were categorized as plebiscites that achieved less than 99 percent yes-votes according to official figures.

RESULTS

⁴⁵ Alesina, Alberto, Devleeschauwer, Arnaud, Easterl, William Kurlat, Sergio and Wacziarg, Romain. (2003) ‘Fractionalization’. *Journal of Economic Growth* 8(2): 155-194.

⁴⁶ Friedrich and Brzezinski, *Totalitarian Dictatorship and Autocracy*, p.164

Variables	Model 1 (1800-2012)	Model 2 (1975-2012)	Model 3 (Logistic Regression) (1975-2012)
(Constant)	81.154*** (6.35)	70.090** (10.38)	-2.030* (1.01)
Muslim Majority	5.139** (2.337)	10.207** (3.61)	1.575** (.715)
Linguistic Fractionalisation	.015 (.383)	2.13 (.441)	-4.006** (1.738)
Ethnic Fractionalisation	3.432 (4.405)	9.398 (6.65)	4.445** (1.73)
Religious Fractionalisation	-3.402 (5.421)	-1.757 (8.56)	.241 (1.443)
US Ally	-3.561 (2.405)	-1.728 (3.49)	-.451 (.616)
Turnout	.101 (.062)	.130 (.099)	
Communist Dummy	-2.430 (4.816)		
	r^2 : .11 N: 222	r^2 : .19 N: 124	Nagelkerte r^2 : .30 N: 124

Nagelkerte R-Squared .

Limiting out data-set to the period after 1975, when the figures should be more representative, may we get different results? When is it that totalitarian systems resort to plebiscites? As model suggests, we do so to a degree. Ethnic fractionalization is – though only just – a significant factor. The much more important factors are whether the country has a majority Islamic population or not.

However, high turn-out is a somewhat unreliable proxy. Better to find a more specific and operational proxy for repression. Given that totalitarian dictatorships have ‘a violent passion

for unanimity', we can develop a dummy variable for totalitarianism by assigning the value 1 to plebiscites with a yes-vote over 99 percent. Limiting ourselves to the period post 1975 we find (

Legitimizing Plebiscites

But what about the plebiscites that are held in other authoritarian regimes, that is in polities that – while 'Not Free', still have a sense of legitimacy to them?

Non-Totalitarian Plebiscites (Standard Errors in Brackets)

Variable	Model 1	Model 2	Model 3
Ethnic Fractionalisation	-4.32** (3.75)	-4.67** (1.72)	-4.68** (1.76)
Linguistic Fractionalisation	1.433 (3.19)	3.776** (1.55)	3.998** (1.58)
Muslim Majority	-1.428 (1.205)	-1.643** (.594)	-1.721** (.722)
U.S. Ally	2.209* (1.434)	.477 (.611)	.456 (.619)
Religious Fractionalisation	.18 (2.75)		-.479 (1.45)
Post-Communist	1.701** (.902)		
Constant	2.124 (1.956)	2.114** (.790)	2.250** (1.025)
	Nagelkerte r^2 : .34 N: 124	Nagelkerte r^2 : .32 N:124	Nagelkerte r^2 : .33 N: 124

Countries allied to the US, one might assume, are keen to communicate to their ally that they have popular legitimacy. It has been suggested MARCOI QUOTE IN HERE. But as the figures in Table NN show, this is not supported statistically across all the models. To be sure, there is a whiff of a tendency that non-totalitarian plebiscites are held in countries that are allied to the US (See Model 1).

plebiscites have been held all over the world

Studi, though – as we shall see – Carl Schmitt wrote at some length and, as I shall argue, with considerable originality on the subject.

So What about Non-Totalitarian regimes – polities that hold plebiscites that are not rigged in to satisfy the violent passion for unanimity? We can categorize a plebiscite as non-totalitarian if it achieves less than 99 percent support. Needless to say, this is not an ideal measure. It is conceivable that even totalitarian regimes may hold plebiscites which

Non-Totalitarian Regimes

What is so puzzling about the plebiscite is that it produces almost blatantly absurd results. But it is possible that this apparent absurdity is the very *raison d'être* of the plebiscite.

Anyone knows that the plebiscite is not fair, that 99 percent has not endorsed the proposal, and that the acclamation is a sham. But, then, why bother? The significance of the plebiscite lies in the impression rather than in the result.

The key is the symbol – the message – it seeks to convey. In semiotics, a symbol is according to C.S. Peirce's definition, "something that stands for something, to someone in some capacity" ⁴⁷

Using Roland Barthes

Dictatorships come in many shapes and sizes; they have varying degrees of repression.

Studi, though – as we shall see – Carl Schmitt wrote at some length and, as I shall argue, with considerable originality on the subject⁴⁸.

For example, when Louis-Napoleon held a plebiscite on a new imperial constitution in 1851, the ballot paper did not leave a lot of choice:

Even dictators are concerned about referendums

External Legitimacy

Eric Voegelin "[The plebiscite was used by the Nazis] because it is a procedure accepted as legitimate in the world of Western political ideas; and it was used effectively insofar as, at least for a while and by certain segments of Western public opinion, the view was taken that after all it was up to the Germans if they liked the Nationalist Socialist regime to the extent that election and plebiscite figures seemed to prove. The effectiveness of the plebiscite screen on Western minds is conditioned by the fact that in the prevailing public opinion the idea of democracy has become formalized

⁴⁷ This is based on Roland Barthes (1957) *Mythologies*, Paris : Éditions du Seuil, Paris, which in turn is based on

⁴⁸ Schmitt, C. (1927) *Volksentscheid und Volksbegehren: Ein Beitrag zur Auslegung der Weimer Verfassung und zur Lehre von der unmittelbaren Demokratie*, Berlin: Walter de Gruyter

Conclusion “Tyranny consists in the desire of universal power beyond its scope“, Pascal remarked. This desire of domination « universel et hors de son ordre », is reflected in the use of plebiscites in totalitarian regimes.

universal power requires that the tyrant is capable of showing absolute support. It is for this reason that plebiscites are a popular choice for the totalitarian ruler.

Discussion

Conclusion

The question is if there are circumstances and factors that make it more likely that a totalitarian or autocratic regime will resort to repressive plebiscites? when

Using Alasina and colleagues' data, we can correlate high turn-out with social fractionalization figures⁴⁹. However, these variables do not seem overly impressive when correlated with yes-votes over the entire period (See Model One).

This, however, does not automatically suggest that the hypothesis is flawed. Alasina's data are based on a snapshot taken in recent years. And while the ethnic, religious and linguistic diversities in many societies have followed a similar pattern in the past 200 years, it is very likely that fractionalization data are inaccurate for entire period we are studying. What is needed to test the hypothesis is to narrow the period to the years when Alasina's figures were recorded.

Legitimising Plebiscites (LP)

LPs are plebiscites held in authoritarian regimes to add legitimacy to the regime. The aim of the plebiscite is to ensure support for the leadership in the face of internal and external pressure. The aim of these plebiscites is to give the seal of legitimacy to continued rule by a self-styled elite, often as a precursor to the reintroduction of democracy at a time when "the people are sufficiently re-educated to justify it"⁵⁰. Such plebiscites are not characterised by unanimous support – as in totalitarian systems (see next section) – but are merely held to justify the temporary rule of the regime.

In the empirical single-country literature, it is often noted that plebiscites held in autocratic regimes in addition to showing internal support, also serve the function of external legitimizing. Writing about the plebiscites in the Philippines in 1975, Noble pointed out that

⁴⁹ Alesina, Alberto, Devleeschauwer, Arnaud, Easterl, William Kurlat, Sergio and Wacziarg, Romain. (2003) 'Fractionalization'. *Journal of Economic Growth* 8(2): 155-194.

⁵⁰ This is the phrase used in the case of the military dictatorship in Greece 1967-1974. See: Woodhouse, C.M. (1986) *Modern Greece: A Short History*, London: Faber & Faber, p.296

there “were two audiences, one in the Philippines, which continued to include outspoken dissidents, and another in the U.S. Congress, which contained critics threatening to withhold aid from the regime”⁵¹. Based on this observation, and other similar ones in the literature, we propose that countries allied to the United States are more likely to hold legitimising plebiscites as the US – at least officially – based its foreign policy commitments on support for democratic values⁵². We may therefore hypothesize that:

H1: Legitimizing plebiscites are more likely to be held in countries that are US allies.

Repressive Plebiscites (RP)

RPs are politically speaking birds of a different feather.

In Greece, after the coup, Prime Minister Papadopoulos held a “blatantly contrived referendum” in 1968⁵³, and five years later, in what was described as an “unashamedly contrived plebiscite”, a new constitution was approved ⁵⁴p.303

DATA

ny study of political science must be based on an analysis of the concrete phenomena; a political analysis must always be based not on speculation but on empirical evidence. As we have already noted, there has been a steady increase in the absolute number of plebiscites held in authoritarian states (countries with a 6 or 7 score on the Freedom House Index).

Figure 2 shows the distribution of countries that have held plebiscites since 1800. A few countries stand out as frequent users, namely Egypt, Syria and the Philippines (See also Appendix A for a breakdown of individual plebiscites). Exactly half of the countries have held more than three plebiscites. The other half (‘Others’ in Figure 2) have held fewer. The question is what lies behind this pattern?

But plebiscites also take place in countries where autocrats rule over ‘unwilling subjects’, as was shown in Nazi Germany where Hitler “exploited to the full the modern plebiscite...[by] indoctrinating the people and [by] testing his control over them”⁵⁵.

⁵¹ Noble, L.G. (1976) ‘Philippines 1975: Consolidating the Regime’, *Asian Survey*, Vol.16, pp. 178-185, p.179
⁵² On US foreign policy and democracy generally see: Cox, M, Lynch, T.J. and Bouchet, N. (editors) (2013) *US Foreign Policy and Democracy Promotion: From Theodore Roosevelt to Barack Obama*, London: Routledge
⁵³ Woodhouse, C.M. (1986) *Modern Greece: A Short History*, London: Faber & Faber, p.295
⁵⁴ Woodhouse, C.M. (1986) *Modern Greece: A Short History*, London: Faber & Faber, p.303
⁵⁵ Latey, Maurice (1969) *Tyranny: A Study in the Abuse of Power*, London: Macmillan, p.145

Figure 2: Distribution of Plebiscites by Country 1800-2010

HYPOTHESES: The Logic of Plebiscites

An empirical study must be based on a conceptual distinction. Borrowing Aristotle's
Following on from Carl Schmitt, we could expect plebiscites to be legitimating instruments through which a dictator seeks – and usually gets – a mandate for continued governance or for a specific policy.

The plebiscite held in Bangladesh in 1977 may – with some reservation – fall under 'kingship', i.e. rule over relatively willing subjects who show their 'willingness' by consenting to the rule and the proposals put forward by Rahman.

Based on Aristotle's distinction we can distinguish between two forms of plebiscites; those which are intended to show genuine – if manipulated – support (legitimizing plebiscites) and those which are engineered to coerce and subdue the subjects (repressive plebiscites). The question is when, why and under which conditions authoritarian regimes submit issues to either

Georges Sand:

In the light of this it is not surprising that philosophers and political scientists have been rather sceptical, if not outright cynical as regards utility of plebiscites. Michael Oakeshott, for one, was not impressed. In his view, "The plebiscite is not a method by which 'mass man' imposes his choices upon his rulers; it is a method for generating a government with unlimited authority to make choices. In the plebiscite the 'mass man' achieved release from the burden of individuality he was emphatically told what to choose". Michael Oakeshott (Rationalism in Politics)

And literally so, as this instruction to the voters in Austria from 1938 shows. The text on the left reads, “this is what the empty (*leere*) ballot paper looks like”, and the one on the right “this is where you mut (*muß*) put your cross”⁵⁶.

But these selective examples tell us nothing about the reason for holding plebiscites.

A political science inquiry must start with the facts; with empirical data before we can inquire into the function of plebiscites.

If we limit ourselves to countries that were defined as ‘Not Free’ according to Freedom House Data (and allow and impressionistically select plebiscites held by Napopeon, Napoleon III and Hitler and the like before that), we find that there have been a total of 209 plebiscites, since Napoleon Bonaparte asked the French voters if they consented to the question to ‘Napoléon Bonaparte sera-t-il consul à vie?’.

⁵⁶ „Hic Rhodus, hic salta“, as Hegel might have exclaimed, See: Georg Wilhelm Friedrich Hegel, ‚Grundlinien der Philosophie des Rechts‘ *Sämtliche Werke*, Vol. 7, ed. Hermann Glockner (Ed), vol. 7 (Stuttgart, 1928), p. 35.

The vast majority of these plebiscites have been held in the past forty years.

An example of a legitimizing plebiscite is provided by the vote on 21 April 1967 in Greece. the Generals putched on 21 April 1967, they established a military dictatorship. On 6 May they invalidated the constitution and announced the holding of a popular vote on a new charter. Although Constantin defended the putschists at first, he attempted a counter revolt on 13 December. After he left the country, the putschists declared the vacancy of the throne and appointed Zoitakis as regent. The constitution entered into force on 15 November 1968.

- Declaration of vacancy of the throne, but no formal abolition of the monarchy
- Supreme governmental power of the National Revolutionary Government (NRR)
- Ministers don't have to belong to the parliament
- Constitutional court is subordinate to the NRR
- Revolutionary parliament with 150 instead of 300 seats
- Parliament cannot convene inquiry committees
- Parliament cannot dispose the Prime Minister
- Constitution enters into force after the popular vote (Art. 138)
The vote was held under martial law and strict compulsory voting applied for citizens from 21 to 70 years of age. As the vote was not secret, the voters had to decide between a range of different coloured slips and throw them into the ballot boxes before the election officials⁵⁷.

Later in Greece, after In Greece in 1973

After a failed putsch attempt of the marine on 25 May 1973, the military junta decided by decree of 1 June to establish the republic as form of government. The submittal contained 33 amendments of the 1952 constitution. In art. 2 of the decree, the junta declared the holding of a popular vote. The final result of the vote was published on 19 August, the same day as the new constitution became effective.

- Presidential republic, 1 term of 7 years
- 1 chamber with 150 seats
- Presidential plebiscite within 60 days (art. 11 par. 3)

⁵⁷ Nicos C. Alivizatos, Les institutions politiques de la Grèce à travers les crises 1922-1974, Paris 1979, S. 213-215.

- General Papadopoulos - reigning since 1972 - to become president until 1981 (transitory provisions)
- General Angelis as Vice-President until 1981 (transitory provisions)

The vote was held under martial law and strict compulsory applied for citizens from 21 to 70 years of age. As the vote was not secret, the voters had to decide between a range of different coloured slips and throw them into the ballot boxes before the election officials

Nicos C. Alivizatos, *Les institutions politiques de la Grèce à travers les crises 1922-1974*, Paris 1979, S. 219-225

In Madagascar too Military Government, in power since February 1972, appointed Captain Didier Ratsiraka as Head of the High Revolutionary Council. The Boky mena (Red Book), charter of the socialist revolution, was published. The High Revolutionary Council announced the results on 30 December. Until the elections 18 months later, the Council ruled per decree.

- Ballot question:
'Do you approve of the Boky mena, the new Constitution, and the seven-year term of Captain Didier Ratsiraka?
- Main points:
 1. Presidential Republic
 2. One Chamber with a Prime Minister
 3. Creation of a High Revolutionary Council
 4. Creation of a Military Committee for Development
 5. Supreme Court
 6. Presidential plebiscite for changes in the Constitution

Table Two:

Again the question is why? Why do rulers who apparently are in complete control submit issues to plebiscites?

It is not that the plebiscite has been totally ignored. There have been some clear insights into the use of plebiscites and their function in totalitarian states. The late Leonard Shapiro talked about exercises such as “mass discussion and approval by plebiscite”, but recognized that, “the fact that the Party controlled both and that neither was genuine in the sense of being the spontaneous or rational expression [was] of no immediate significance”⁵⁸. For, as he put it “what we are concerned about here is the *symbol* of legitimacy”⁵⁹.

But why the plebiscite? Do the people not know that the vote is a sham?

In Egypt, several votes have been held of dubious fairness

⁵⁸ Shapiro, Leonard (1972) *Totalitarianism*, London: Macmillan, p.41

⁵⁹ Ibid.

We find snippets of facts about the plebiscites in the margin of text-books. “Without waiting for the predictable 99-percent-plus endorsement of these security measures, the government set about rounding up the ‘criminals’”⁶⁰

That autocracies are not traditional dictatorships founded upon pre-modern ideas, is not a unique insight of Schmitt's. Indeed, Leonard Shapiro in his seminal *Totalitarianism* recognized that the fact that totalitarian regimes in Italy, Nazi-Germany and the Soviet Union “claimed to derive their legitimacy from the mass of the people [showed that] they were a part of the democratic tradition which was born in the American

What is the reason for risking popularity – and of – it

seems – wasting money on an exercise which to all intents and purposes is confirming a fait accompli?

To understand what I propose to call the phenomenology of the plebiscite, it is necessary to empathetically understand the logic of the modern autocratic regime. For much of the misunderstanding and apparent paradox of the plebiscite may stem from a failure to appreciate the difference between the pre-modern absolutist state and the post-1789 autocracy.

Unlike the absolutism of, say, a Louis XIV, the autocratic states that emerged after the French Revolution, appealed to the people. Whereas a Jean Bodin could make a credible – in his time anyway – case for a monarchy based on the principle of *rex dei grati*, and say that “the sovereign Prince is only accountable to God”⁶¹, the modern autocrat bases his legitimacy on an appeal to the majority of the people. Far from claiming a divine right to rule, an autocrat

⁶⁰Baker, Raymond Baker (1990) *Sadat and After: Struggles for Egypt's Political Soul*: London: I.B. Tauris & Co Publishers, P.121

⁶¹ Jean Bodin quoted in Jacques Maritain *Man and the State*, Washington D.C.: Catholic University of America Press, p.34

like Papa-Doc Duvalier or Ferdinand Marcos presents himself as someone who transcends the petty-disagreements of groups within society and as someone who is above parties.

When we analyse plebiscites we fail to understand that the crucial element in modern autocrats is that they claim to represent the people in a more authentic way than representative-democratic institutions. Dictatorships are characterised by QUOTE FROM FRIEDRICH AND BRZESINSKI. But this does not mean that the autocrat can ignore the will of the people.

Rather, the autocrat – and this is the attraction of the model – can claim to have both a mandate from the people, and be a more efficient executioner of their will.

In previous times political scientists were well aware of the use of plebiscites. Though for most part the thinking was somewhat banal. Eric Voeglin, for example, observed “The plebiscite was used by the Nazis] because it is a procedure accepted as legitimate in the world of Western political ideas” Eric Voeglin

The autocratic ruler

Few writers have written as perceptively about this as Carl Schmitt. CARL SCHMITT’S THEORY IN HERE

In a way, the modern dictator, in a strange way, is a utilitarian; someone who, in true Bentham-like fashion, argued that his rule is based on the “greatest happiness for the greatest number of people”, except, in his case the greatest number always approximate unanimity.

The fundamental con

Source: Morel⁶²

⁶² Laurence Morel, ‘Towards a less controversial use of the Referendum’, in Europe’ in Michael Gallagher and Pier Vincenzo Uleri (Editors) *The Referendum Experience in Europe*, London: Macmillan, 1996), p.68

Before the French and American Revolutions a

and that “any dissent.. Such a need would greater in societies, which are characterized by societal cleavages, such as high levels of ethnic, religious or linguistic fractionalization. It does not seem unreasonable, therefore, to assume that diversities should trigger totalitarian votes. After all, diversity is the very thing totalitarian regimes abhor, for “according to totalitarian ideology, all ‘normal’ members of ...society will naturally be part of that unanimity”⁶³.

“A *Führer* [sic!] would lead the people astray through unclear questions, and would himself be solely entitled to interpret the result afterwards”

Robert Michels: Zur Soziologie des Parteiwesens, 1911

In totalitarian regimes, the voting age is often lowered. For example in Romania, following a proposal by President Nicolae Ceausescu, on 23 October 1986 the National Assembly changed the constitution to allow for referendums, whilst the voting age was lowered to 14 years.

The plebiscite is also cited as a means of gaining legitimacy vis-a-vis critical foreign governments. This, for example is how *Corriere della Sera* interpreted the plebiscite held by Mussolini to renew the mandate of the parliament elected in 1924. The paper wrote,

Our opponents, especially those who, from the columns of foreign newspapers, persist in denigrating fascist Italy, have been defeated with their own weapons. These people, who deny any legitimacy not coming from below, not delegated and consecrated by the wishes of the masses, will have to accept with enormous surprise that the masses are entirely for Mussolini and for his authoritarian system. Democrats all over the world cannot deny that ... the fascist regime is the most democratic regime that exists because it has the total consensus of the greatest electoral mass that has ever voted in

⁶³ Friedrich and Brzezinski, *Totalitarian Dictatorship and Autocracy*, p. 166

Italy.' Here the intention was to justify the past history of fascism, which had attracted such negative judgments from liberal opinion in the rest of Europe, and also to provide Mussolini with a solid platform of apparent popular support from which to carry out his expansionist foreign policy in the future.

“...we know as a matter of course that those who serve through fear try by every means in their power to make themselves appear like friends...And what is more, plots against tyrants spring from none more than from those who pretend to love them most...”(Xenophon, reprinted in Strauss 1963/1991, p.5). Quite so, ‘*et tu, Brute, mi fili*’⁶⁴

In Sudan confidence was also the aim General Numeiri gained power in 1969. Following a counter-coup in July 1971 he held a vote of confidence. Those in favour marked a cross on Numeiri's picture, the others marked a cross in an empty rectangle. The election took place between 15-29 September, though in isolated areas it continued until 4 October. The result was announced on 11 October

This was sought reaffirmed six years later

⁶⁴ Of course, Caesar utter these words in Greek: *καὶ σὺ τέκνον*; - *Suetonius etc...*