
Article

When Common Wisdom Is Neither Common nor Wisdom: Exploring Voters' Limited Use of Endorsements on Three Ballot Measures

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INTRODUCTION

Direct democracy has a tremendous impact on the policy-making process in almost every state. Twenty-four states have adopted statewide ballot initiatives, a political institution that allows citizens to propose and approve laws directly. Eighteen of these states also allow citizens to submit constitutional amendments for voters to consider by initiative. Twenty-three states have enacted a popular referendum process—that is, the ability of voters to force a statewide vote on laws the legislature passes. Forty-nine states require voters to approve any legislatively proposed constitutional amendment via a referendum (Delaware is the exception). Almost all Americans, then, are governed in a hybrid-style republic,¹ defined as a democratic system that mixes elements of both representative and direct democracy.

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1. See, e.g., Elizabeth Garrett & Daniel A. Smith, *Veiled Political Actors and Campaign Disclosure Laws in Direct Democracy*, 4 ELECTION L.J. 295, 296–99 (2005) (discussing some of the pros and cons of a hybrid-style republic).

Despite widespread popular support for the institutions of direct democracy,² asking voters to consider policies via the initiative and referendum increases both the time and cognitive cost associated with making democratic decisions. Countless surveys have documented that citizens struggle to understand basic facts about *representative* democracy.³ This finding has caused many to worry that the increased costs that direct democracy places on voters is simply asking too much. Making matters worse, research on direct democracy confirms that voters know even less about the measures they consider than they do about the candidates they choose.⁴ Further, voters often report finding ballot measures confusing,⁵ and this confusion is at least partly responsible for increased ballot roll off⁶—that is, when an individual does not register a vote for a candidate or issue on the ballot—on initiatives and referendums and voters

2. For some research on public opinion toward the institutions of direct democracy, see Shaun Bowler, Todd Donovan & Jeffrey A. Karp, *Enraged or Engaged?: Preferences for Direct Citizen Participation in Affluent Democracies*, 60 POL. RES. Q. 351 (2007); Todd Donovan & Jeffrey A. Karp, *Popular Support for Direct Democracy*, 12 PARTY POL. 671 (2006).

3. For a study that examines how information affects voters in presidential elections, see Larry M. Bartels, *Uninformed Votes: Information Effects in Presidential Elections*, 40 AM. J. POL. SCI. 194 (1996). For a discussion of how poorly constructed most individuals' perception of the political world is, see Philip E. Converse, *The Nature of Belief Systems in Mass Publics*, in IDEOLOGY AND DISCONTENT 206 (David E. Apter ed., 1964). For a summary of what individuals know about politics, see MICHAEL X. DELLI CARPINI & SCOTT KEETER, WHAT AMERICANS KNOW ABOUT POLITICS AND WHY IT MATTERS (1996).

4. A few studies that have examined what people know about the measures they vote on include DAVID B. MAGLEBY, DIRECT LEGISLATION: VOTING ON BALLOT PROPOSITIONS IN THE UNITED STATES (1984); Craig M. Burnett, *Does Campaign Spending Help Voters Learn About Ballot Measures?*, 32 ELECTORAL STUD. 78 (2013); Bruce E. Cain & Kenneth P. Miller, *The Populist Legacy: Initiatives and the Undermining of Representative Government*, in DANGEROUS DEMOCRACY?: THE BATTLE OVER BALLOT INITIATIVES IN AMERICA 33 (Larry J. Sabato et al. eds., 2001); Arthur Lupia, *Shortcuts Versus Encyclopedias: Information and Voting Behavior in California Insurance Reform Elections*, 88 AM. POL. SCI. REV. 63 (1994).

5. SHAUN BOWLER & TODD DONOVAN, DEMANDING CHOICES: OPINION, VOTING, AND DIRECT DEMOCRACY 67–68 (1998) (discussing the ways that less educated voters are confused with ballot initiatives); THOMAS E. CRONIN, DIRECT DEMOCRACY: THE POLITICS OF INITIATIVE, REFERENDUM, AND RECALL 198 (1989) (“Like any other democratic institution, the initiative . . . [has its] shortcomings. Voters are sometimes confused.”).

6. BOWLER & DONOVAN, *supra* note 5, at 48–55 (discussing ballot roll off).

casting incorrect votes⁷ on some measures.⁸ Overall, the empirical evidence suggests that the prospects for voters casting competent votes on initiatives and referendums are quite poor.⁹

Despite the surfeit of data that indicts voters as incompetent policymakers, Arthur Lupia's seminal work has altered academics' thinking about low-information voters in direct democracy.¹⁰ Lupia demonstrates that low-information voters can cast competent votes without knowing specific facts about the measure as long as they have adequate cues, typically in the form of an endorsement for or against a ballot measure.¹¹ Lupia surveys a small swath of Los Angeles voters concerning five related car insurance initiatives on the 1988 general election ballot.¹² His findings demonstrate the effectiveness of endorsements: voters who acknowledged that they knew who endorsed which of the five 1988 insurance initiatives reported that they cast votes that are indistinguishable from votes cast by those voters who have "encyclopedic" knowledge of the initiatives.¹³ Despite the fact that Lupia argues—in the same article and later¹⁴—that cues are not a panacea for voters' low levels of information, his results in this one election have nonetheless become the common academic wisdom: voters routinely use endorsements to overcome their limited knowledge.¹⁵

7. An individual casts an incorrect vote when she votes against her stated preference.

8. PHILIP L. DUBOIS & FLOYD FEENEY, *LAWMAKING BY INITIATIVE: ISSUES, OPTIONS AND COMPARISONS* 165 (1998) ("[Voters], when confused by ballot issues, are likely to . . . cast votes that do not reflect their actual point of view."); MAGLEBY, *supra* note 4.

9. For a review, see Michael S. Kang, *Democratizing Direct Democracy: Restoring Voter Competence Through Heuristic Cues and "Disclosure Plus"*, 50 *UCLA L. REV.* 1141 (2003).

10. Lupia, *supra* note 4.

11. *Id.* at 65–66.

12. *Id.* at 63.

13. *Id.* at 63–64.

14. Arthur Lupia & John G. Matsusaka, *Direct Democracy: New Approaches to Old Questions*, 7 *ANN. REV. POL. SCI.* 463, 469 (2004).

15. In his later work, Lupia carefully delineates the conditions when endorsements will and will not be persuasive. See, e.g., ARTHUR LUPIA & MATHEW D. MCCUBBINS, *THE DEMOCRATIC DILEMMA: CAN CITIZENS LEARN WHAT THEY NEED TO KNOW?* 184 (1998) [hereinafter *DEMOCRATIC DILEMMA*] (finding that "a person's willingness to follow a speaker's advice depends strongly and regularly on that person's perceptions of the speaker's knowledge and trustworthiness"); Arthur Lupia & Mathew D. McCubbins, *The Institutional Foundations of Political Competence*, in *ELEMENTS OF REASON* 47, 66

(Arthur Lupia et al. eds., 2000) (revealing that institutions can affect from whom citizens can learn in the political realm); Arthur Lupia & Mathew D. McCubbins, *Learning from Oversight: Fire Alarms and Police Patrols Reconstructed*, 10 J.L. ECON. & ORG. 96, 111 (1994) (explaining how the inability of legislators to make accurate inferences about bureaucratic agents' hidden knowledge makes legislators unable to manage bureaucratic policymaking); Arthur Lupia & Mathew D. McCubbins, *Representation or Abdication? How Citizens Use Institutions to Help Delegation Succeed*, 37 EUR. J. POL. RES. 291, 302 (1999) (explaining that not every piece of information is needed to make a reasoned decision but only enough to make effective political inferences); Arthur Lupia & Mathew D. McCubbins, *Who Controls? Information and the Structure of Legislative Decision Making*, 19 LEGIS. STUD. Q. 361, 361 (1994) (stating that legislators often delegate policy making authority to experts and accept the experts' proposals without question). Thus, our argument is not with Lupia, but his findings have been taken to be an unqualified endorsement for the efficacy of endorsements, and this broader, unqualified view permeates legal scholarship and political science. See, e.g., DANIEL A. SMITH & CAROLINE J. TOLBERT, EDUCATED BY INITIATIVE: THE EFFECTS OF DIRECT DEMOCRACY ON CITIZENS AND POLITICAL ORGANIZATIONS IN THE AMERICAN STATES 128 (2004) ("Scholars such as Arthur Lupia and Bowler and Donovan have found that voters can make decisions consistent with policy preferences in initiative elections by relying on available voter cues—such as the support or opposition by political parties, elected officials, political elites, interest groups, and the media [E]ven voters with less income and education can make informed decisions in initiative elections with very minimal information by relying on voter cues."); Scott L. Althaus, *Information Effects in Collective Preferences*, 92 AM. POL. SCI. REV. 545, 546 (1998) ("They can do this by taking cues from trusted political elites about which policies they should prefer and by harnessing a variety of heuristic strategies to deduce their political preferences, thus avoiding the need to infer preferences from factual bits of knowledge stored in long-term memory." (citing, among others, Lupia, *supra* note 4)); James H. Kuklinski & Paul J. Quirk, *Reconsidering the Rational Public: Cognition, Heuristics, and Mass Opinion*, in ELEMENTS OF REASON, *supra* note 15, at 153, 155 ("Alternatively, [citizens] can consider the positions of interest groups whose policy preference they are generally inclined to support or oppose. Such cues arguably eliminate the need for substantive information about an issue." (citing Lupia, *supra* note 4)); John G. Matsusaka, *Direct Democracy Works*, 19 J. ECON. PERSP. 185, 198 (2005) ("In fact, the evidence suggests that information cues are fairly effective in allowing voters to make reasoned choices in the voting booth. In one of the most remarkable studies, Lupia . . . found that uninformed voters could emulate the voting patterns of informed voters simply by knowing the positions interest groups take" (citing Lupia, *supra* note 4)); Monika L. McDermott, *Voting Cues in Low-Information Elections: Candidate Gender as a Social Information Variable in Contemporary United States Elections*, 41 AM. J. POL. SCI. 270, 270–71 (1997) ("For example, Lupia has shown that low-information voters can emulate the decision making of high-information voters by using easily obtained cues in an election. For complicated issues such as propositions or referenda, voters take cues from the backers and opponents of different measures. As a result, voters can still make decisions in line with their own preferences, without fully understanding a ballot measure. In the same way, voters can use cues about virtually unknown candidates to decide among them." (citing Lupia, *supra* note

Our previous research has demonstrated that accepting this conventional wisdom as the core of an argument in support of ballot measures is problematic and empirically untenable.¹⁶ Our analysis of an initiative that proposed to modify California's energy policy on the 2008 general election ballot shows that voters did not appear to use endorsements to arrive at a decision (though they seemed to vote in accordance with their policy preferences).¹⁷ Our results—while also covering a small number of respondents on only a few pieces of information—call into question the assumption that voters' use of endorsements is widespread.¹⁸

Using a novel dataset, we test the hypothesis that voters routinely use endorsements to arrive at decisions on ballot measures. Our data cover three ballot measures across two elections in two states and represents one of the largest data sets assembled on the topic of voter knowledge and competence in direct democracy. Our first survey asks respondents about North Carolina's Amendment 1 on the 2012 presidential primary ballot. In particular, we evaluate whether President Barack Obama's or Governor Beverly Perdue's public opposition to the constitutional amendment¹⁹ had a significant effect on our respondents. For our second survey, we query Californians about Proposition 28, a constitutional amendment proposed by initiative that attempted to alter the state's legislative term limits,

4)). These five quotes represent just a fraction of the almost 1000 articles and books that cite Lupia's seminal article. Combined, these five articles have accumulated more than 1100 citations themselves.

16. See generally Craig M. Burnett, Elizabeth Garrett & Mathew D. McCubbins, *The Dilemma of Direct Democracy*, 9 ELECTION L. J.: RULES, POL., & POL'Y 305 (2010) (suggesting that existing theories of voter choice, especially in direct democracy, may be inadequate).

17. See *id.* at 306 (finding that "whether or not voters knew the voting cue of the utility companies' position against Proposition 7, [voters] were invariable in their ability to make vote choices that aligned with their stated policy preferences").

18. See *id.* (concluding that most voters cast their votes consistent with their stated policy preferences even if they cannot recall cues such as endorsements).

19. See Luke Johnson, *Obama Opposes Amendment One, North Carolina Ballot Question Banning Gay Marriage*, HUFFINGTON POST (Mar. 16, 2012, 4:20 PM), http://www.huffingtonpost.com/2012/03/16/obama-amendment-one-north-carolina-gay-marriage_n_1354302.html; *Perdue on Amendment One: "We Look Like Mississippi"*, WITN (May 11, 2012, 7:42 PM), http://www.witn.com/home/headlines/Perdue_On_Amendment_One__We_Look_Like_Mississippi_151122875.html (citing the governor's opposition to Amendment 1).

and Proposition 29, an initiative that would create a statute that aimed to increase the existing excise tax on tobacco products.²⁰ For these two latter measures, we evaluate whether the endorsements from eight prominent groups in the state, such as the California Republican Party, had an effect on our respondents' vote choices. The interaction of cues and voter characteristics on these three ballot measures yields fifteen tests regarding the effectiveness of endorsements. Of the fifteen tests of our hypotheses, we find that an endorsement has a significant effect on vote choice in just seven instances. For the subset of the electorate for which the endorsement is effective, we often find the endorsement to be highly consequential, changing vote probabilities by as much as 50%. While our findings lead us to fine-tune the broad interpretations of Lupia's research, they also allow us to study the conditionality of endorsements and heuristics in general. In the end, understanding the conditionality of endorsements leads us to provide a number of policy prescriptions (e.g., including trustworthy endorsements on the ballot itself) that could help improve voters' abilities to cast "informed" votes on the increasing number of ballot measures they face.

Importantly, our results highlight a major flaw with typical assessments of voters. For almost two decades, Lupia's results have given license to many political observers to assume away one of the most important—and most consistently observed—concerns with democracy: that states and localities are increasingly calling on voters to make informed decisions on complicated policy choices which they are woefully unprepared to consider. We need to test in observational studies the conditions under which voters *actually* make informed decisions and then assess how commonly those conditions occur. Our research takes one small step toward this goal. We then need to propose and debate changes in our political institutions that reflect a broader understanding of the nuances of the conditions of persuasion, learning, and choice in elections regarding ballot measures.

20. CAL. SEC'Y OF STATE, CALIFORNIA PRESIDENTIAL PRIMARY ELECTION TUESDAY, JUNE 5, 2012, OFFICIAL VOTER INFORMATION GUIDE 7 (2012), available at http://librarysource.uchastings.edu/ballot_pdf/2012p.pdf.

I. THE CONDITIONAL EFFICACY OF ENDORSEMENTS

For decades, the common assumption among scholars was that voters did not engage the political world in a meaningful way, and thus, voters were ill-equipped to make decisions on Election Day.²¹ Lupia challenges the notion that voters with limited information cannot make reasoned choices in elections, specifically on ballot measures, with important implications for candidates. Lupia and McCubbins formally define the conditions under which third-party endorsements can substitute for knowledge.²² Using an agency-theory framework, Lupia and McCubbins demonstrate that cue-givers can persuade individuals only when the endorsement meets certain conditions.²³

The first condition is common interest. The individual receiving the endorsement must believe that she and the cue-giver share a common interest—that is, the cue-giver and individual both prefer the same outcome—regarding the choice at hand.²⁴ The existence of common interests establishes trust between the cue-giver and the individual. If the cue-giver and individual lack a common interest (which happens often in politics), the cue-giver can still be persuasive when an external force or forces substitute for this common interest. An example of an external force that can substitute for common interest is a penalty for lying (e.g., perjury is a penalty for false testimony). If cue-givers can be penalized (e.g., a fine) for giving a false recommendation, the individual receiving the endorsement can be confident in the cue-giver's sincerity. Additionally, the cue-giver can establish trust if they undertake an observable and costly action to communicate their endorsement.

The second condition is knowledge. The individual must perceive the cue-giver to be a knowledgeable source of information about the subject.²⁵ If the individual does not perceive the cue-giver to have knowledge that the individual desires, then the cue-giver will not be persuasive. Moreover, if the indi-

21. Most scholars attribute the genesis of this thinking to Converse, *supra* note 3, at 245 (concluding that large portions of the electorate do not have "meaningful beliefs" even on issues that have been extensively discussed by political elites).

22. See DEMOCRATIC DILEMMA, *supra* note 15.

23. See *id.* at 92.

24. *Id.* at 166–74.

25. *Id.* at 158–66.

vidual receiving the endorsements is already sure of her decision, the endorsement will not persuade the individual.

Additional experimental work has shown that endorsements can have dramatic effects on the quality of decisions. Endorsements are so effective, in fact, that uninformed individuals who learn of an endorsement often outperform their knowledgeable counterparts.²⁶ The potential value of endorsements for individuals faced with a low-information decision cannot be overstated.

As Lupia and McCubbins predict, however, usage of endorsements by voters is not absolute.²⁷ In particular, the individual may ignore an endorsement—despite the fact that the endorsement satisfies the trustworthy and knowledgeable conditions—when she believes she can make the decision independent of additional information.²⁸ Moreover, in order for individuals to make use of endorsements, the endorsement must be easy to understand and must be readily accessible and costless (or nearly costless) to acquire.²⁹ Overall, the expectation from the experimental literature is that endorsements can lead to substantial improvements in individuals' decisions so long as the two conditions for persuasion—common interest and knowledge—are satisfied.

While endorsements are effective in a controlled environment, their application in real-world elections is less explored. For candidate elections, party identification establishes com-

26. For research that examines the values of endorsements, see GERD GIGERENZER, *ADAPTIVE THINKING: RATIONALITY IN THE REAL WORLD* (2000); GERD GIGERENZER, *GUT FEELINGS: THE INTELLIGENCE OF THE UNCONSCIOUS* (2007); GERD GIGERENZER, *RATIONALITY FOR MORTALS: HOW PEOPLE COPE WITH UNCERTAINTY* (2008); GERD GIGERENZER, PETER M. TODD & THE ABC RESEARCH GROUP, *SIMPLE HEURISTICS THAT MAKE US SMART* (1999); DEMOCRATIC DILEMMA, *supra* note 15; Cheryl Boudreau, *Closing the Gap: When Do Cues Eliminate Differences Between Sophisticated and Unsophisticated Citizens?*, 71 J. POL. 964 (2009); *BOUNDED RATIONALITY: THE ADAPTIVE TOOLBOX* (Gerd Gigerenzer & Reinhard Selten eds., 2001).

27. DEMOCRATIC DILEMMA, *supra* note 15, at 50.

28. Cheryl Boudreau, *Gresham's Law of Political Communication: How Citizens Respond to Conflicting Information* 21 n.19 (May 17, 2011) (unpublished manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1017977.

29. Cheryl Boudreau, Mathew D. McCubbins, Daniel B. Rodriguez, & Nicholas Weller, *Making Talk Cheap (and Problems Easy): How Legal and Political Institutions Can Facilitate Consensus*, 7 J. EMPIRICAL LEGAL STUD. 868, 878–84 (2010).

mon interest with voters so long as the parties are responsible—that is, they do not radically change their policy positions from one election to the next.³⁰ Party labels provide such a strong cue to voters that even the most dimly informed voters can arrive at a reasoned choice in partisan contests.³¹ Party labels are the easiest cue for voters to understand and the cheapest to acquire: most voters share a common interest with one of the parties, and party labels appear directly on the ballot, making party cues exceptionally accessible.

In direct democracy, the burden for endorsements to be persuasive is substantially higher than in candidate elections due to the fact that, often, the cues available in direct democracy elections fail to satisfy both of Lupia and McCubbins's conditions for persuasion. Many groups supporting and opposing ballot measures fail to establish a common interest—and therefore trust—with voters.³² For example, many interest groups concoct names to confuse voters and hide the group's real interests.³³ Since many of the groups sponsoring and endorsing ballot measures lack the necessary external forces to establish trust, many cues are unpersuasive.

Further complicating matters, it is more difficult and costly for voters to acquire information in direct democracy elections. Unlike candidate contests, endorsements are not printed on the ballot for initiatives and referendums (though some states list the legislative votes for referendums). In order for voters to make use of endorsements they must have encountered the endorsement before they cast their ballot, which, given the dearth of available information for many initiatives and referendums, is not always guaranteed. Further, they must also recall the

30. ANTHONY DOWNS, *AN ECONOMIC THEORY OF DEMOCRACY* 113 (1957).

31. SAMUEL L. POPKIN, *THE REASONING VOTER: COMMUNICATION AND PERSUASION IN PRESIDENTIAL CAMPAIGNS* 50–60 (2d ed. 1994). It is worth noting that Popkin's argument does not work as well in non-partisan contests. As McDermott shows, however, other cues available on the ballot can sometimes be valuable to voters' decisions. Monika L. McDermott, *Candidate Occupations and Voter Information Shortcuts*, 67 *J. POL.* 201 (2005) (occupation of candidate); Monika L. McDermott, *Race and Gender Cues in Low-Information Elections*, 51 *POL. RES. Q.* 895 (1998) (race and gender of candidate); McDermott, *supra* note 15 (candidate gender).

32. See Elizabeth Garrett & Mathew D. McCubbins, *When Voters Make Laws: How Direct Democracy is Shaping American Cities*, 4 *PUB. WORKS MGMT. & POL'Y* 39, 50 (2008); Garrett & Smith, *supra* note 1, at 298.

33. Garrett & Smith, *supra* note 1, at 306.

endorsement at the point of decision. Accordingly, we expect that usage of endorsements in direct democracy will be far more limited when compared with prominent candidate contests where some 80% or more of voters vote in accordance with their party preference.³⁴

As noted above, however, the conventional wisdom in the academic literature stems from Lupia's single study finding that voters use endorsements to make reasoned choices. Over Lupia's own objections, scholars have cited his research to assume away the salient problem of poor voter knowledge not only in direct democracy but also in most electoral contests. Lupia's results, to be sure, are compelling and normatively appealing. In his examination of voters in Los Angeles, he discovers that respondents who know that Ralph Nader endorsed one of the measures are just as likely to support the initiative when compared with voters who have a deeper level of knowledge.³⁵ Similarly, he finds that voters who know that trial lawyers' groups and insurance companies support the other measures are as likely to vote against the initiatives when compared with voters who know substantially more.³⁶ In a related study, Karp finds that endorsements are conditional on whether the individual has a positive or negative perception of the cue-giver (e.g., the mechanism that establishes trust with the voter).³⁷ Taken together, these two studies paint a relatively optimistic picture of the uninformed and under-informed voter.

More recent empirical evidence, however, challenges the notion that voters' use of endorsement in elections is widespread. Burnett, Garrett, and McCubbins show that, after accounting for policy preferences, voters who know an endorsement cast votes that are indistinguishable from voters who have no knowledge about the measure.³⁸ Additionally, in three

34. GARY C. JACOBSON, *THE POLITICS OF CONGRESSIONAL ELECTIONS* 119 (7th ed., 2009).

35. Lupia, *supra* note 4, at 69–72.

36. *Id.*

37. Jeffrey A. Karp, *The Influence of Elite Endorsements in Initiative Campaigns*, in *CITIZENS AS LEGISLATORS: DIRECT DEMOCRACY IN THE UNITED STATES* 149, 161 (Shaun Bowler et al. eds., 1998).

38. Burnett, Garrett & McCubbins, *supra* note 16, at 317; see also Craig M. Burnett & Mathew D. McCubbins, *Sex and the Ballot Box: Perception of Ballot Measures Regarding Same-Sex Marriage and Abortion in California 24–27* (July 17, 2012) (unpublished manuscript), available at <http://ssrn.com/abstract=1884579>.

survey experiments, Burnett and Parry find that a gubernatorial endorsement was effective for just one measure.³⁹ These studies and our own here stand in direct opposition to Lupia's findings.⁴⁰

II. TESTING THE EFFICACY OF ENDORSEMENTS IN DIRECT DEMOCRACY

Overall, the empirical evidence concerning individuals' use of endorsements to evaluate ballot measure is mixed. Here, we significantly add to the existing data and analysis of whether endorsements are effective in direct democracy. In what follows, we test the general hypothesis that individuals use endorsements to inform their choices on ballot measures. Similar to Karp, we expect that the persuasiveness of an endorsement will be conditional on the individual's perception of the cue-giver.⁴¹ For individuals who hold a positive view of the cue-giver, our expectation is that they will vote in accordance with the cue-giver's endorsement. Conversely, individuals who hold a negative assessment of the cue-giver will be more likely to vote against the interests of the cue-giver, effectively using the endorsement to do the opposite. More formally, our two hypotheses are:

H₁: Individuals who are aware of a cue-giver's endorsement and have a positive view of the cue-giver will use that information to vote in accordance with the cue-giver's endorsement.

H₂: Individuals who are aware of a cue-giver's endorsement and have a negative view of the cue-giver will use that information to vote in opposition to the cue-giver's endorsement.

39. Craig M. Burnett & Janine Parry, Gubernatorial Endorsements and Ballot Measure Approval (Aug. 21, 2012) (unpublished manuscript), available at <http://ssrn.com/abstract=2144966>.

40. It is worth noting that all studies are limited in their ability to assess how often individuals use endorsements. No study can hope to evaluate every endorsement that is available. As a result, these studies evaluate a subset of the available endorsements and find that among the most prominent endorsements available to the broadest number of individuals, usage of endorsements is limited.

41. Karp, *supra* note 37, at 161 (describing how a voter would respond to Tom Foley based on that voter's perception of him).

A. DATA

We use data from two surveys collected before the 2012 presidential primaries in North Carolina (May 8) and California (June 5) to test our hypotheses. In our surveys, we asked respondents to report their knowledge of endorsements on three contentious ballot measures. For the first survey, we targeted voting-eligible residents of North Carolina from April 27, 2012, to May 3, 2012 (primaries were on May 8, 2012). We contracted our sampling needs to Marketing Systems Group (MSG). MSG recruited an online sample of North Carolina residents and directed the survey respondents to our survey hosted by Survey Gizmo. Overall, we collected a sample of 1066 respondents over the week that our survey was in the field.⁴² The response rate for this survey was 6%.

On this survey, we asked potential voters about North Carolina's Amendment 1, a legislatively referred constitutional amendment that would define marriage to be between one man and one woman.⁴³ While North Carolina law already prohibited

42. Non-probability samples are the subject of some debate in the survey research literature. Compare Stephen Ansolabehere & Brian F. Schaffner, *Does Survey Mode Still Matter? Findings from a 2010 Multi-Mode Comparison* 23–24 (June 13, 2011) (unpublished manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1868229 (concluding that on-line opt-in surveys are as accurate as telephone and mailing surveys), with Neil Malhotra & Jon A. Krosnick, *The Effect of Survey Mode and Sampling on Inferences About Political Attitudes and Behavior: Comparing the 2000 and 2004 ANES to Internet Surveys with Nonprobability Samples*, 15 POL. ANALYSIS 286, 312 (2007) (stating that results may differ considerably based on the survey method used and whether a probability or non-probability sample was used), and David S. Yeager et al., *Comparing the Accuracy of RDD Telephone Surveys and Internet Surveys Conducted with Probability and Non-Probability Samples*, 75 PUB. OPINION Q. 709, 731–32 (2011) (arguing that probability surveys—either telephone or internet—are much more accurate than non-probability surveys). The non-probability online sampling technique is similar to the methods that large political science surveys use (such as Polimetrix/YouGov and Knowledge Networks). Unlike these studies, however, our sample was not recruited for the specific purpose of completing a political survey. Instead, our sample consists of voting eligible adults in North Carolina and registered voters in California. While online samples are usually more politically knowledgeable and interested in politics, this should bias our sample toward finding that our respondents knew the endorsements more often than the average voter. While our samples are convenience samples and not representative, our samples match important demographic statistics for both states. For a comparison of our samples to relevant census statistics, see the online appendix located at <http://mccubbins.us>.

43. Maxine Eichner et al., *Potential Legal Impact of the Proposed Same-*

same-sex marriage, the Republican-controlled legislature sought to remove any legal questions surrounding the policy, including whether the state would have to recognize out-of-state same-sex marriages.⁴⁴ Some legislators felt the question was important enough that voters were the only suitable entity to decide the matter (voters must approve all constitutional amendments in North Carolina⁴⁵). Two prominent politicians took public positions on the amendment: President Barack Obama opposed the amendment⁴⁶ (he would later come out in favor of same-sex marriage outright) and Governor Beverly Perdue, a Democrat, also opposed the measure (though she has stated that she is not in favor of same-sex marriage).⁴⁷ As both are prominent political figures within the state, they satisfy the trustworthy condition (individuals can establish a common—or opposition—interest) and knowledgeability condition (both are policy experts) necessary for persuasion. To gauge whether our respondents were aware of their positions, we asked the following questions:

(1) Do you happen to know if President Barack Obama supported, opposed, or took no position on Amendment 1? (The correct answer is “opposed”)

(2) Do you happen to know if Governor Beverly Perdue supported, opposed, or took no position on Amendment 1? (The correct answer is “opposed”)

Our second survey targeted registered voters in California just before the 2012 presidential primary on June 5, 2012. The process was identical to our North Carolina survey, we contracted the sampling to MSG, which sent respondents to our survey hosted on Survey Gizmo. We started our survey collection efforts about a week before the election (May 30, 2012) and ended just before Election Day (June 4, 2012). In all, we gathered surveys from 1165 registered California voters.

Sex Marriage Amendment to the North Carolina Constitution, ACLU OF N. CAROLINA 1 (June 6, 2011), available at <http://www.acluofnc.org/files/Final%20Marriage%20Amendment%20Report%202.pdf>.

44. *Id.* at 4.

45. N.C. CONST. art II, § 22, cl. 2.

46. Rob Christensen & Tim Funk, *Obama Opposes N.C. Marriage Amendment Proposal*, NEWS & OBSERVER, Mar. 16, 2012, <http://www.newsobserver.com/2012/03/16/1936718/obama-opposes-amendment-one.html#storylink=misearch>.

47. Craig Jarvis, *Perdue Opposes Marriage Amendment*, NEWS & OBSERVER, Oct. 8, 2011, <http://www.newsobserver.com/2011/10/08/1548617/perdue-opposes-marriage-amendment.html#storylink=misearch>.

We asked respondents on this survey about Propositions 28 and 29. Proposition 28—which was strikingly similar in construction to California’s Proposition 93 that failed in 2008—was an initiative that proposed to modify California’s constitution to lengthen the amount of time a legislator could serve in a single house of the California State Legislature.⁴⁸ The measure proposed that a legislator could serve up to twelve years in either the Senate or Assembly.⁴⁹ Existing law permitted legislators to serve six years in the Assembly and eight years in the Senate, a total of fourteen years for lawmakers elected to both houses.⁵⁰ Thus, the measure would reduce the total number of years an elected representative could serve in the legislature from fourteen to twelve.⁵¹ In effect, Proposition 28 aimed to allow legislators to serve all of their years in a single house, an outcome proponents argued would strike a balance between the legislature’s need for stability and expertise while preserving the goals of term limits (e.g., turnover in office and better representation).

A number of prominent groups in California took a stance on Proposition 28. The California Republican Party voted to oppose the measure publicly as a part of the party’s official positions.⁵² California Common Cause and the League of Women Voters of California each supported the legislation, promoted its passage, and signed the official ballot pamphlet’s argument in support of the measure.⁵³ While the California Republican Party meets the two conditions for persuasion,⁵⁴ the other two interest groups mentioned will be persuasive for a subset of the population. Common Cause often takes public positions on ballot measures and policy outcomes (for example, Common Cause

48. *California Ballot Propositions*, CALIFORNIA CHOICES (June 5, 2012), <http://californiachoices.org/ballot-measures/proposition-28>.

49. *Id.*

50. *Id.*

51. *Id.* (reducing the total number of years an elected official could serve by two years).

52. Sue Caro, *Proposition 28: Our Party Urges a “NO” Vote on This Deceptive Initiative*, PIEDMONTPATCH (June 2, 2012, 2:44 AM), http://piedmont.patch.com/blog_posts/proposition-28-our-party-urges-a-no-vote-on-this-deceptive-initiative.

53. *Prop 28: Should We Change the California Legislature’s Term Limits?*, S. CAL. PUB. RADIO (May 29, 2012), <http://www.scpr.org/programs/airtalk/2012/05/29/26672/prop-28-seeks-to-change-california-legislatures-te/>.

54. *See supra* text accompanying notes 24–25.

engineered the approval of a non-partisan redistricting commission in California), but only some individuals will share common interests with the group. The League of Women Voters, a group that often promotes the spread of election information, is a knowledgeable source of policy outcomes (they write independent summaries of how ballot measures will affect the state before each election) but, again, not every voter will share a common interest with the group. We asked three questions to estimate whether our respondents were aware of these endorsements:

(3) Do you happen to know if the California Republican Party supported, opposed, or took no position on Proposition 28? (The correct answer is "opposed")

(4) Do you happen to know if California Common Cause supported, opposed, or took no position on Proposition 28? (The correct answer is "supported")

(5) Do you happen to know if the League of Women Voters of California supported, opposed, or took no position on Proposition 28? (The correct answer is "supported")

We also asked voters about Proposition 29, a statutory initiative that proposed an additional \$1 excise tax on tobacco products.⁵⁵ Proposition 29 promised to raise California's excise tax on a pack of cigarettes from \$0.87 to \$1.87, which would have increased taxes collected on tobacco products by about \$860 million per year.⁵⁶ The lion's share of the revenues raised by the additional tax would go toward general cancer research, research on tobacco-related diseases, and public education and tobacco abatement projects.⁵⁷

Similar to Proposition 28, a number of prominent organizations took a public position on Proposition 29. RJ Reynolds, the tobacco conglomerate, opposed the measure, contributing over \$11 million to defeat it (a number bested only by fellow tobacco conglomerate Altria/Philip Morris).⁵⁸ Some individuals will find

55. Elizabeth Hartfield, *California Proposition 29 to Raise Tax on Cigarettes Has Voters Divided*, ABC NEWS (June 6, 2012, 4:37 AM), <http://abcnews.go.com/blogs/politics/2012/06/california-split-on-proposition-29-to-raise-tax-on-cigarettes/>.

56. Phil Willon, *Vote Remains Close on Prop. 29 Tobacco Tax Ballot Initiative*, L.A. TIMES (June 19, 2012, 1:01 PM), <http://latimesblogs.latimes.com/california-politics/2012/06/vote-remains-right-on-tobacco-tax-ballot-initiative.html>.

57. *Id.*

58. *Cigarette Showdown as Californians Vote on Tax*, CNN (June 5, 2012, 11:59 AM) [hereinafter *Cigarette Showdown*], <http://www.cnn.com/2012/06/05/>

RJ Reynolds persuasive because the company's position against raising taxes on tobacco products is well known. Many individuals have strong feelings about tobacco companies and thus know whether they should accept or reject RJ Reynolds's opposition to the measure. The American Heart Association (AHA) supported Proposition 29's passage, explaining that the additional funds would help researchers reduce the number of tobacco related deaths.⁵⁹ Over the years, the AHA has become one of the definitive sources for compiling and analyzing research on tobacco and heart disease, making the AHA a knowledgeable source of information. Many individuals share a common interest with the AHA, as their stance on tobacco use (and the benefits of tobacco taxation) is well known and long-standing. The AHA donated over \$500,000 to support the measure's passage.⁶⁰ The California Republican Party opposed the measure, making its position known by officially adopting an adversarial stance to the initiative.⁶¹ As above, the California Republican Party easily meets the conditions necessary for persuasion. The Lance Armstrong Foundation supported the measure, making a large \$1.5 million donation.⁶² The Lance Armstrong Foundation has a long history of supporting cancer research and promoting an active and healthy lifestyle. While some voters will share common interests with the foundation and will perceive the foundation to be knowledgeable, some voters will not. Such a large and public donation (i.e., a costly signal), however, satisfies the necessary conditions for persuasion. Finally, Grover Norquist and his interest group Americans for Tax Reform opposed the measure.⁶³ A prominent political figure and interest group, many voters are likely to share common interests with Norquist. Additionally, Norquist is a tax policy expert, most famously known for his ability to gather pledges from legisla-

us/california-cigarette-tax.

59. *Id.*

60. Stephen Stock et al., *The Investigative Unit Follows Prop 29 Money Trail*, NBC BAY AREA (June 4, 2012, 6:32 AM), <http://www.nbcbayarea.com/investigations/The-Investigative-Unit-Follows-Prop-29-Money-Trail--156450895.html>.

61. *California Ballot Propositions*, CALIFORNIA CHOICES (June 5, 2012), <http://californiachoices.org/ballot-measures/proposition-29>.

62. *Cigarette Showdown*, *supra* note 58.

63. Dan Morain, Op-Ed, *Big Tobacco Fires Up Anti-Tax Effort*, THE SACRAMENTO BEE (Apr. 15, 2012, 12:00 AM), <http://www.sacbee.com/2012/04/15/4413061/big-tobacco-fires-up-anti-tax.html>.

tors to never raise taxes. To assess whether voters were aware of these endorsements, we asked the following questions:

- (6) Do you happen to know if RJ Reynolds supported, opposed, or took no position on Proposition 29? (The correct answer is "opposed")
- (7) Do you happen to know if the American Heart Association supported, opposed, or took no position on Proposition 29? (The correct answer is "supported")
- (8) Do you happen to know if the California Republican Party supported, opposed, or took no position on Proposition 29? (The correct answer is "opposed")
- (9) Do you happen to know if the Lance Armstrong Foundation supported, opposed, or took no position on Proposition 29? (The correct answer is "supported")
- (10) Do you happen to know if Americans for Tax Reform supported, opposed, or took no position on Proposition 29? (The correct answer is "opposed")

In addition to the questions we use to measure knowledge of endorsements, we also asked our respondents one factual knowledge question for each of the ballot measures. We use these questions to assess whether respondents could recall details about each ballot measure. In the words of Lupia, these questions assess whether respondents have "encyclopedic knowledge."⁶⁴ For Amendment 1 on the 2012 North Carolina presidential primary survey, we asked voters whether they understood that North Carolina already prohibited same-sex marriage. As we note earlier, Amendment 1 did not propose to change the status quo.⁶⁵ Instead, the state legislature proposed the referendum so that the existing law would become a permanent amendment to the state's constitution. To assess whether voters understood this fact, we asked:

- (11) To the best of your knowledge, do you know if North Carolina law currently prohibits same-sex marriage? (The correct answer is "Yes, state law prohibits same-sex marriage")

For Proposition 28 on the 2012 California presidential primary survey, we asked whether voters understood that California had already enacted term limits. Proposition 28 proposed to alter the existing term limit laws, not remove them or enact term limits where none existed.⁶⁶ Thus, the question we asked

64. Lupia, *supra* note 4, at 63.

65. See Eichner et al., *supra* note 43, at 4 (arguing that the sponsor's goal was to put the statutory prohibition in the Constitution but that the actual impact could be much greater).

66. *California Ballot Propositions*, *supra* note 48.

of our respondents gauges whether they understood the status quo policy in California regarding limits on how long elected representatives are allowed to serve in the state legislature.

(12) Do you happen to know if state legislators in California are subject to term limits—that is, a maximum amount of time they can serve in the state legislature? (The correct answer is a “Yes, state legislators are subject to term limits”)

Our final factual knowledge question concerns Proposition 29 on the 2012 California presidential primary survey. Similar to the previous two questions, we wanted to measure whether our respondents knew the status quo of the policy in question. Proposition 29 proposed to increase the existing excise tax on tobacco products.⁶⁷ Accordingly, we asked our respondents to report their knowledge concerning the existence of an excise tax on tobacco products.

(13) Do you happen to know if California currently collects an excise tax on tobacco purchases, above and beyond the regular sales tax on goods? (The correct answer is a “Yes, California currently has an excise tax on tobacco products”)

We asked these factual knowledge questions to measure the relative depth of knowledge that our respondents possessed regarding the ballot measures on our surveys. These questions allow us to estimate whether respondents who knew a fact report a vote choice that is different when compared with respondents who had knowledge of an endorsement or no knowledge of either an endorsement or a fact.

B. RESEARCH DESIGN AND METHODS

To evaluate our hypotheses, we employ a post-test-only non-equivalent group design. Our design estimates the effect of information—that is, knowledge of an endorsement and knowledge of facts—on vote choice. Identical to Lupia, our treatment is knowledge of an endorsement.⁶⁸ Unlike Lupia, however, we cannot assume to know our respondents’ preferences with regards to their evaluations of the relevant cue givers (Lupia’s model assumes a near-universal dislike of both lawyers and insurance companies and, conversely, a near-

67. Hartfield, *supra* note 55.

68. See Lupia, *supra* note 4, at 68 (describing that one of the variables potential voters used in making their decision was “knowledge of an information-provider’s preferences”).

unanimous trust in a Ralph-Nader-led consumer group⁶⁹). Instead, we argue that our respondents' use of endorsements to arrive at a decision will be conditional on their evaluation of the cue-giver, as Lupia and McCubbins demonstrate.⁷⁰ To account for this conditional use of endorsements, we divide our respondents into multiple subgroups. As an example, consider President Obama's opposition to North Carolina's same-sex marriage ban (Amendment 1). For this endorsement, we separate our respondents into two groups: one group composed of respondents who approve of the president's job performance, and a second group that contains only respondents who disapprove of the president's job performance. For the first group that contains respondents who approve of the president's performance, we expect that the treated respondents—those respondents who were aware of his opposition to the measure—will be more likely to oppose the measure when compared with respondents who did not receive the treatment. For the second group that contains only respondents who disapprove of the president, treated respondents will be more likely to vote in favor of the amendment when compared with untreated respondents—in effect, the treated respondents in this group will be more likely to do the opposite of what the president suggests.

To implement this design feature, we ask our respondents to assess the cue-givers. For President Obama and Governor Perdue we asked respondents about how they perceived the president's and governor's job performance. For the remainder of the endorsements—composed largely of interest groups, political parties, and corporations—we queried respondents about how they perceived the group. Similar to a feeling thermometer, we asked respondents to indicate whether they had a positive, negative, or neutral perception of the entire group. For these endorsements, we separate our respondents into two groups: one composed of respondents with a positive view of the cue-giver, and a second that contains respondents who hold a negative view of the cue-giver (we have no prediction for neutral respondents).

By splitting our sample into subgroups based on our respondents' assessment of the cue-giver, we avoid making the

69. *Id.* at 72.

70. See DEMOCRATIC DILEMMA, *supra* note 15, at 68 (arguing that “persuasion requires a perception of knowledge and a basis for trust”).

assumption that the propensity to know the endorsement is equally distributed between two groups. If we handle our sample as if the distribution of propensity scores are identical between the groups, we would be assuming that certain subsets of individuals are more (or less) likely to learn specific endorsements compared with other types of individuals, which is unrealistic.

While splitting the sample into subgroups controls for the difference in propensity scores *between groups*, we must also account for *within group* propensity score imbalances to achieve a true quasi-experimental test. To that end, we match respondents who received our treatment (knowledge of a cue) with respondents who did not receive our treatment (no knowledge of a cue) on common demographic variables (age, income, education, party identification, ideology, gender, political knowledge, and state level political knowledge).⁷¹ To implement our matching equation, we use the GenMatch⁷² package for R as implemented by MatchIt⁷³ to create the best matches between our treatment and control groups based on our matching equation.

What does matching provide us that a simple regression without matching cannot? Matching, in essence, ensures that we achieve excellent covariate balance between the treatment (knew an endorsement) and control (no knowledge of an endorsement) groups. As a result, we can be confident that any findings we uncover in our analysis are not the result of a covariate imbalance between our treatment and control groups.

After we match respondents in the treatment and control groups using GenMatch, we run a series of logit regressions to estimate whether our treatment has an effect on vote choice. Formally, the structure of the logit regression equation is

71. Only Propositions 28 and 29 include state level political knowledge as a covariate in the matching algorithm. We did not include measures of state level political knowledge on the other surveys.

72. Alexis Diamond & Jasjeet Sekhon, *Genetic Matching for Estimating Causal Effects: A General Multivariate Matching Method of Achieving Balance in Observational Studies*, REV. ECON & STAT (forthcoming) (manuscript at 2), available at http://www.mitpressjournals.org/doi/pdf/10.1162/REST_a_00318.

73. See Daniel Ho et al., *Matching as Nonparametric Preprocessing for Reducing Model Dependence in Parametric Causal Inference*, 15 POL. ANALYSIS 199, 202 (2007) (stating that MatchIt is “available as an open source and free R package”).

$$\Pr(y_{iz} = 1) = \frac{1}{1 + e^{-(\beta_0 + \beta_1 Q_{iz} + \beta_2 X_{iz})}} \quad (1)$$

In Equation (1), $\Pr(y_{iz} = 1)$ is a respondent's estimated probability of supporting a ballot measure, where i identifies a specific respondent and z denotes a specific ballot measure. Since this is a binary choice, a "1" indicates a "yes" vote and "0" represents a "no" vote on proposition z . In the equation, \mathbf{Q} is a matrix of dichotomous variables that indicate whether respondent i was aware of one of the endorsements related to ballot measure z . The number of variables contained in matrix \mathbf{Q} varies from three (Amendment 1 of 2012) to five (Proposition 29 of 2012). The final term, denoted by \mathbf{X} , is a matrix of covariates. This matrix of covariates differs for each ballot measure. For all ballot measures, \mathbf{X} includes dichotomous variables identifying whether respondent i is a *Liberal*, a *Conservative*, and whether she was aware of the fact or facts relating to proposition z ; it also contains standard measures of *Age*, *Education*, *Income*, and *Political Knowledge*.⁷⁴ For Amendment 1 of North Carolina (2012), \mathbf{X} includes measures of *Party Identification*.⁷⁵ Finally, for Propositions 28 and 29, \mathbf{X} includes a measure of *State Level Political Knowledge*.⁷⁶ Equation (1), then, allows us to test

74. *Political Knowledge* for Amendment 1 (NC, 2012) is the percentage of correct answers to the following questions:

- (1) Whose responsibility is it to determine if a law is constitutional or not?
- (2) Do you happen to know what job or office Harry Reid currently holds?
- (3) How much of a majority of both the House of Representatives and the Senate are required to override a presidential veto?
- (4) Do you happen to know which party has the most members in the House of Representatives in Washington, DC?
- (5) Who is the current Speaker of the U.S. House of Representatives?
- (6) Who is the current Chief Justice of the United States Supreme Court?

For Propositions 28 and 29 (CA, 2012), the variable is similar to Amendment 1 (NC, 2012) except that it includes one additional question: Do you happen to know which party has the most members in the Senate in Washington, DC?

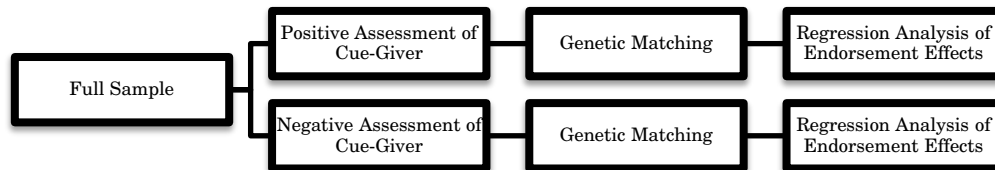
75. Including *Party Identification* with Propositions 28 and 29 created collinearity problems with ideology.

76. *State Level Political Knowledge* for Propositions 28 and 29 is the percentage of correct responses to the following questions:

- (1) Do you happen to know who is the current Speaker of the California Assembly?
- (2) Do you happen to know who is the current Secretary of State of California?

whether knowing an endorsement had an effect on our respondents independent of our control variables. Figure 1 below summarizes our research design.

Figure 1
Summary of Research Design



C. RESULTS

We present our results in two steps. First, we report summary statistics of how much our respondents knew about each ballot measure. That is, we tabulate the percentage of correct responses to our endorsement and factual-knowledge questions. Second, we present our regression results with our matched samples for each ballot measure. To provide context to these regressions, we calculate and present the marginal effect that knowledge of the cues had on vote choice for each measure.

We begin our analysis by presenting the percentage of correct answers to the endorsement and factual-knowledge questions we asked for all ballot measures. These data, shown in Table 1 below, represent the largest collection of survey responses concerning how much voters know about ballot measures assembled to date. Table 1 presents a number of interesting findings. With regards to Amendment 1 of North Carolina (2012), our respondents' knowledge of the measure's endorsements was quite poor, but knowledge of the policy status quo was widespread. For Proposition 28 (2012), knowledge of the three endorsements was limited; again, however,

(3) Do you happen to know who is the current Lieutenant Governor of California?

(4) Do you happen to know which party has the most members in the California Assembly?

(5) Do you happen to know which party has the most members in the California Senate?

(6) Do you happen to know who is the current President Pro Tempore of the California Senate?

knowledge of the policy status quo was common. Finally, knowledge of the endorsements pertaining to Proposition 29 (2012) was mixed: three of the endorsements were not well known, but a majority of our respondents knew the endorsements from the American Heart Association and the Lance Armstrong Foundation. As was the case with Amendment 1 and Proposition 28, knowledge of the policy status quo concerning Proposition 29 was well known. Overall, then, the results in Table 1 lead to two general conclusions about our data. First, knowledge of endorsements varies substantially across and within ballot measures.⁷⁷ Second, knowledge of a policy's status quo is also strikingly widespread. In fact, our respondents were able to identify the status quo policy correctly 64% to 71% of the time.

77. It is possible, of course, that some respondents could simply infer the positions of these groups (equating to an educated guess). These results, however, largely conform to what we have found in previous research, especially with regards to knowledge of the governor's endorsement. See Burnett & Parry, *supra* note 39.

Table 1
**Percentage of Correct Responses to Endorsement
 and Factual Knowledge Questions**

Question Description	Ballot Measure	% Correct
President Obama Opposed (Cue)	Amendment 1 (NC, 2012)	40
Governor Beverly Perdue Opposed (Cue)	Amendment 1 (NC, 2012)	42.4
NC Prohibits Same-Sex Marriage Already (Fact)	Amendment 1 (NC, 2012)	70.2
CA Republican Party Opposed (Cue)	Proposition 28 (CA, 2012)	32.8
CA Common Cause Supported (Cue)	Proposition 28 (CA, 2012)	32.6
CA League of Women Voters Supported (Cue)	Proposition 28 (CA, 2012)	39.3
California has Term Limits in Place (Fact)	Proposition 28 (CA, 2012)	64.2
RJ Reynolds Opposed (Cue)	Proposition 29 (CA, 2012)	43.5
American Heart Association Supported (Cue)	Proposition 29 (CA, 2012)	66
CA Republican Party Opposed (Cue)	Proposition 29 (CA, 2012)	24.1
Lance Armstrong Foundation Supported (Cue)	Proposition 29 (CA, 2012)	55.5
Americans for Tax Reform Opposed (Cue)	Proposition 29 (CA, 2012)	20.3
CA has Excise Tax on Tobacco Already (Fact)	Proposition 29 (CA, 2012)	71

Note: We calculate the percentage of correct responses to these questions based on the respondents who are eligible for regression analysis after matching. The sample sizes are as follows: Amendment 1 (NC, 2012) N=778; Proposition 28 (CA, 2012) N=684; Proposition 29 (CA, 2012) N=1012.

Before running our regressions, we implemented genetic matching. By matching on exogenous covariates, we aim to improve the comparability of our treatment (knew an endorsement) and control (did not know an endorsement) groups for each of the three ballot measures. While we do not present here all of the details for our matching results due to their length, a full description of the covariate and propensity score improvements is available in an online appendix.⁷⁸ To provide a snapshot of how well our matching algorithm worked, we present the improvement in distance—that is, the propensity to receive the treatment—for the treatment and control groups for each

78. The online appendix can be found at <http://mccubbins.us>.

subgroup we examine below. As Table 2 shows, the distribution of propensity scores between treatment and control groups improves substantially for each treatment condition. Table 2, in conjunction with our online appendix, demonstrates that the matching process helps our ability to produce comparable groups.

Table 2
Improvement in Mean Propensity Scores with Genetic Matching

Matched Treatment Condition	Mean Propensity Difference Pre	Mean Propensity Difference Post	Percent Improvement
NC Amendment 1, Approve Obama	0.079	0.003	95.8
NC Amendment 1, Disapprove Obama	0.064	0.004	94.5
NC Amendment 1, Approve Perdue	0.077	0.003	95.5
NC Amendment 1, Disapprove Perdue	0.077	0.002	97.0
CA Prop. 28, Positive Republicans	0.095	0.010	89.9
CA Prop. 28, Negative Republicans	0.082	0.006	92.6
CA Prop. 28, Positive Common Cause	0.091	0.000	99.6
CA Prop. 28, Positive LWV	0.099	0.003	96.7
CA Prop. 29, Positive Republicans	0.110	0.006	94.5
CA Prop. 29, Negative Republicans	0.104	0.004	96.1
CA Prop. 29, Positive AHA	0.084	0.004	94.7
CA Prop. 29, Positive Lance Armstrong	0.040	0.006	84.4
CA Prop. 29, Negative Lance Armstrong	0.183	0.028	84.7
CA Prop. 29, Negative Tobacco	0.248	0.017	93.1
CA Prop. 29, Positive Americans for Tax Reform	0.126	0.010	92.3

We turn now to present the logit regression results based on Equation (1) for each measure. We also calculate the probability of voting in favor of each measure by varying our respondents' knowledge of endorsements. We begin by analyzing the regression results for North Carolina's Amendment 1 (2012) that proposed to modify the state's constitution to outlaw same-sex marriage. As Table 3 shows, our respondents' use of endorsements is not universal. For respondents who approved of Obama's job performance (Model 1), respondents who were aware of his opposition to the measure were significantly less likely to vote for the amendment. For respondents who disapproved of Obama (Model 2), knowing Obama's opposition led to significantly more support for the amendment. By contrast, respondents who both approved (Model 3) and disapproved (Model 4) of the governor's job performance were unlikely to use her endorsement to arrive a decision. For these two models, ideology and partisanship appear to be more important predictors of vote choice. Notably, respondents' knowledge of the fact we asked about concerning the referendum's status quo had no discernible effect on vote choice. For all four models, knowing a homosexual personally had a strong and negative effect on our respondents' apparent support for the initiative.

Table 3
Logit Results for Vote on North Carolina's Same-Sex
Marriage Amendment (Amendment 1, 2012)

	Model (1)	Model (2)	Model (3)	Model (4)
	Approve Obama	Disapprove Obama	Approve Per- due	Disapprove Perdue
Cue: Obama Opposed	-1.31** (0.43)	0.75* (0.33)	—	—
Cue: Perdue Opposed	—	—	0.06 (0.28)	0.07 (0.27)
Fact: NC Prohibits SSM	0.11 (0.51)	-0.29 (0.37)	0.37 (0.31)	0.37 (0.28)
Democrat	0.15 (0.54)	1.07 (0.91)	-0.02 (0.36)	0.00 (0.34)
Republican	-0.60 (1.06)	0.71* (0.33)	0.73* (0.33)	0.15 (0.32)
Conservative	0.78 (0.90)	1.48** (0.35)	0.97** (0.31)	1.05** (0.31)
Liberal	-1.75** (0.46)	-0.11 (0.50)	-1.56** (0.39)	-1.66** (0.36)
Age	0.02 (0.01)	0.02 (0.01)	0.01 (0.01)	0.02* (0.01)
Income	-0.08 (0.17)	-0.22 (0.13)	-0.08 (0.09)	-0.15 (0.09)
Education	-0.18 (0.20)	0.15 (0.14)	0.00 (0.11)	0.16 (0.11)
Knows Homosexual	-1.77** (0.48)	-0.86* (0.37)	-1.17** (0.32)	-0.99** (0.33)
Political Knowledge	-0.98 (0.76)	-0.47 (0.49)	-0.24 (0.42)	-0.84* (0.42)
Constant	2.43* (1.17)	-1.08 (0.74)	0.14 (0.71)	-0.15 (0.69)
Pseudo-R ²	.237	.221	.268	.235
N	175	286	393	412

Note: Dependent variable is respondent's self-reported intention of voting in favor or against North Carolina's Amendment 1 that proposed to modify the state's constitution to outlaw same-sex marriage.

Excluded group: independents who were unaware of the endorsement or fact.

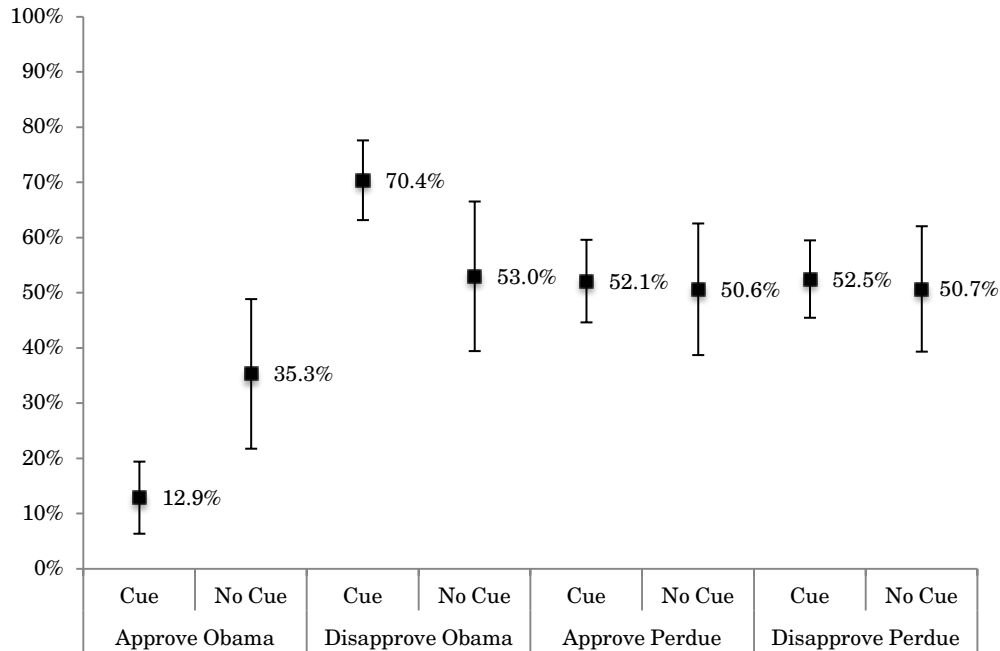
* p<0.05, ** p<0.01

To provide context to these results, we calculate the probability of voting in favor of Amendment 1 by using SPost for Stata.⁷⁹ We estimate these probabilities by varying knowledge

79. See J. SCOTT LONG & JEREMY FREESE, REGRESSION MODELS FOR CAT-

of Obama's and Perdue's position and holding all other variables at their mean value. As Figure 2 shows, knowledge of President Obama's endorsement has a substantial effect on vote choice for both individuals who approve (21% decrease in the probability of voting in favor of the measure) and disapprove (17% increase) of his job performance; both effects are in the expected direction. Governor Perdue's endorsement, however, was not significant. Taken together, Table 2 and Figure 2 provide mixed support for our hypotheses: if you can get the president to endorse a policy on the ballot, it may have a substantial effect on the vote (notice, however, that it is a two-edged-sword in that the cut is positive for the president's supporters and negative for his opponents).

Figure 2
Probability of Voting in Favor of North Carolina
Same-Sex Marriage Amendment (Amendment 1, 2012)



We turn now to present the regression results for California's Proposition 28 (2012) in Table 4.⁸⁰ Similar to the previous ballot measure, the endorsements we asked about had a mixed effect on our respondents. In particular, respondents who had a positive view of the California Republican Party and knew that the party opposed the measure were less likely to support the initiative; respondents who had a negative assessment of the Republican Party, however, were unaffected by their endorsement. Similarly, respondents who were aware that Common Cause supported the proposition and had a positive view of the group did not seem to use that endorsement to arrive at a decision. Finally, knowing that the California League of Women Voters supported the measure had no effect on respondents who held a positive view of the group. It is also worth noting that knowledge of the key facts regarding Proposition 28 had no effect on vote choice. When we plot the predicted probabilities of support for Proposition 28 in Figure 3, it becomes clear that only one endorsement for one subgroup—respondents who knew the California Republican Party's opposition and had a positive view of the party—has a large substantive effect on vote choice. The other regressions find no support for our hypotheses. As such, the results for Proposition 28 provide minimal support for our expectations.⁸¹

80. Unfortunately, there were not enough respondents who had a negative impression of Common Cause or the League of Women Voters to analyze the effect of their endorsements on those subgroups.

81. It is possible that some endorsements are more useful than others. For Proposition 28, only the California Republican Party's endorsement had a significant effect on vote choice. While one endorsement may be effective enough to improve the decisions of everyone, our results suggest this is not the case: the majority of voters do not find even this potentially powerful endorsement persuasive (or, they report not being aware of it altogether).

Table 4
Logit Results for California's Term Limits Amend-
ment (Proposition 28, 2012)

	Model (1) Positive CA Republicans	Model (2) Negative CA Re- publicans	Model (3) Positive Common Cause	Model (4) Positive CA LWV
Cue: Republicans Opposed	-1.90** (0.72)	-0.01 (0.40)	— —	— —
Cue: Common Cause Supported	— —	— —	0.95 (0.65)	— —
Cue: LWV Sup- ported	— —	— —	— —	0.07 (0.37)
Fact: CA has Term Limits	-1.16 (0.80)	-0.05 (0.36)	1.24 (0.84)	0.44 (0.37)
Conservative	-0.89 (0.66)	0.60 (0.84)	0.08 (1.02)	0.80 (0.59)
Liberal	0.28 (1.48)	0.24 (0.39)	-0.32 (0.76)	0.83* (0.42)
Age	-0.03 (0.03)	-0.00 (0.01)	-0.04 (0.02)	-0.01 (0.01)
Income	-0.05 (0.18)	0.14 (0.16)	-0.33 (0.27)	0.18 (0.13)
Education	0.21 (0.30)	0.16 (0.19)	0.50 (0.30)	0.04 (0.17)
Political Knowledge	-1.11 (1.25)	-0.65 (0.79)	-0.69 (1.06)	-0.25 (0.83)
CA Political Knowledge	-1.80 (1.22)	0.04 (0.63)	1.78 (1.31)	0.05 (0.73)
Constant	5.41 (2.04)	0.82 (0.97)	1.30 (1.68)	0.76 (0.89)
Pseudo-R ²	.308	.020	.152	.055
N	70	218	126	266

Note: Dependent variable is respondent's self-reported intention of voting in favor or against California's Proposition 28 that proposed to modify the state's constitution to restructure the term limit rules for California's elected officials. Excluded group: independents who were unaware of any of the endorsements or fact. * p<0.05, ** p<0.01

Figure 3
Probability of Voting in Favor of California's Term Limits Amendment (Proposition 28, 2012)

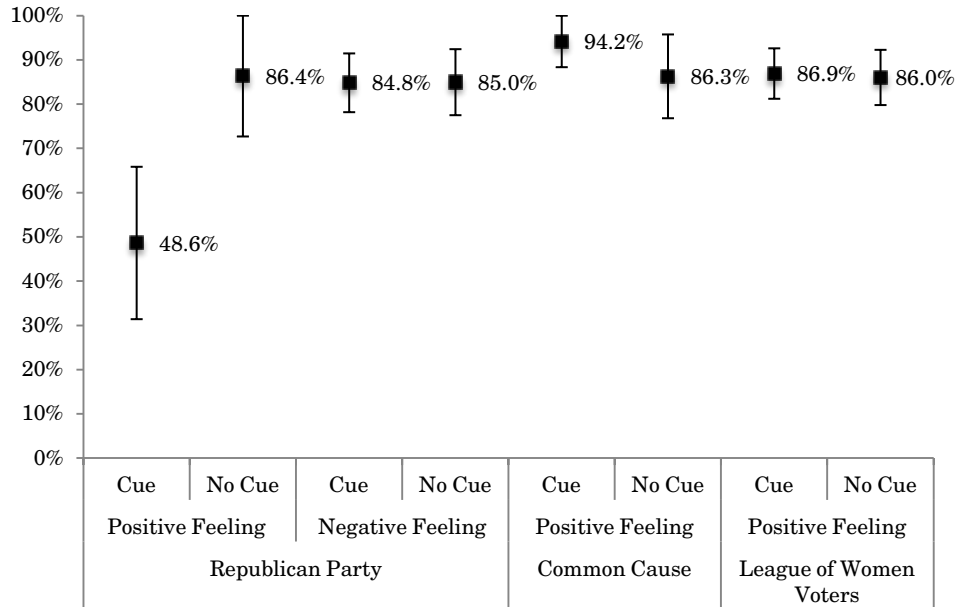


Table 5 reports the logit regression results for California's Proposition 29 (2012).⁸² Similar to our previous results, only some of the endorsements we asked about had a significant effect on vote choice. Knowing the California Republican Party's opposition to the measure had a significant and large (38% decrease) effect on respondents who had a positive view of the party (the effect was in the expected direction). Identical to Proposition 28 above, respondents who had a negative view of the Republican Party did not appear to use their endorsement to arrive at a decision. Respondents who knew the American Heart Association endorsed the measure and had a positive

82. As was the case with Proposition 28, we did not have enough respondents to analyze some of the subgroups, including (1) the effect of the American Heart Association's endorsement on respondents who had a negative view of the group; (2) respondents who had a positive view of tobacco companies and knew their opposition; and (3) respondents who had a negative view of Americans for Tax Reform and knew their opposition to the measure.

view of the group (Model 3) were significantly more likely to support the measure. The Lance Armstrong Foundation's support for the measure had a significant effect as well: respondents who had a positive view of the group were more likely to support the measure (Model 4) and respondents who had a negative view of the group were less likely to support the additional tax (Model 5). By contrast, RJ Reynolds' endorsement (Model 6) and Americans for Tax Reform's endorsement (Model 7) had no significant effect on our respondents. In addition to the endorsements, knowing that California had already instituted an excise tax on tobacco products resulted in lower support for the additional tax in two of the models. Self-identified tobacco users were also significantly less likely to support the initiative in six out of the seven models. When we calculate the predicted probabilities for voting in favor of Proposition 29, it becomes clear that knowledge of an endorsement can have a substantively very large effect, but again this effect is limited to people who self-identify as supporting or opposing the person or group endorsing the measure. In fact, knowing that the California Republican Party's opposed the measure resulted in a decline in support for the measure of over fifty percentage points for respondents who had a positive view of the party. While we find mixed support for the efficacy of endorsements, it is clear that an endorsement can have a significant effect when it comes from a well-known source with whom people can identify their relationship to the cue-giver. For many ballot measures, however, endorsements by presidents, political parties and campaigns by well-known groups or individuals, spending tens of millions of dollars, do not emerge.

Table 5—Logit Results for California's Tobacco Excise Tax Increase (Proposition 29, 2012)

	Model (1) Positive CA Republicans	Model (2) Negative CA Republicans	Model (3) Positive American Heart Assn.	Model (4) Positive Lance Armstrong
Cue: CA Republicans Opposed	-2.51*** (0.73)	0.61 (0.36)	—	—
Cue: American Heart Association Supported	—	—	0.91** (0.21)	—
Cue: Armstrong Supported	—	—	—	0.82* (0.33)
Cue: RJ Reynolds Opposed	—	—	—	—
Cue: Americans for Tax Reform Opposed	—	—	—	—
Fact: CA has Excise Tax	-0.66 (0.81)	-0.31 (0.40)	-0.55** (0.20)	-0.59 (0.32)
Conservative	-1.45 (0.81)	1.15 (1.12)	-0.53** (0.20)	-0.96** (0.34)
Liberal	-0.59 (0.92)	0.89* (0.39)	0.65** (0.21)	0.71* (0.36)
Age	-0.03 (0.03)	-0.01 (0.02)	-0.02** (0.01)	-0.01 (0.01)
Income	0.35 (0.19)	0.07 (0.13)	0.08 (0.05)	0.11 (0.09)
Education	0.11 (0.25)	0.19 (0.18)	0.26** (0.08)	0.45** (0.14)
Tobacco User	0.28 (0.68)	-2.08** (0.43)	-1.29** (0.18)	-1.06** (0.31)
Political Knowledge	-4.98** (1.27)	-0.18 (0.84)	-1.90** (0.35)	-1.90** (0.61)
Constant	4.63 (1.89)	-0.03 (0.76)	1.18 (0.46)	0.04 (0.78)
Pseudo-R ²	.462	.194	.168	.177
N	115	203	947	349

Note: Dependent variable is respondent's self-reported intention of voting in favor or against California's Proposition 29 that proposed to increase the excise tax on tobacco products sold within the state. Excluded group: independents who were unaware of any endorsement or fact. Coefficients for state-level political knowledge are not reported.

* p<0.05, ** p<0.01

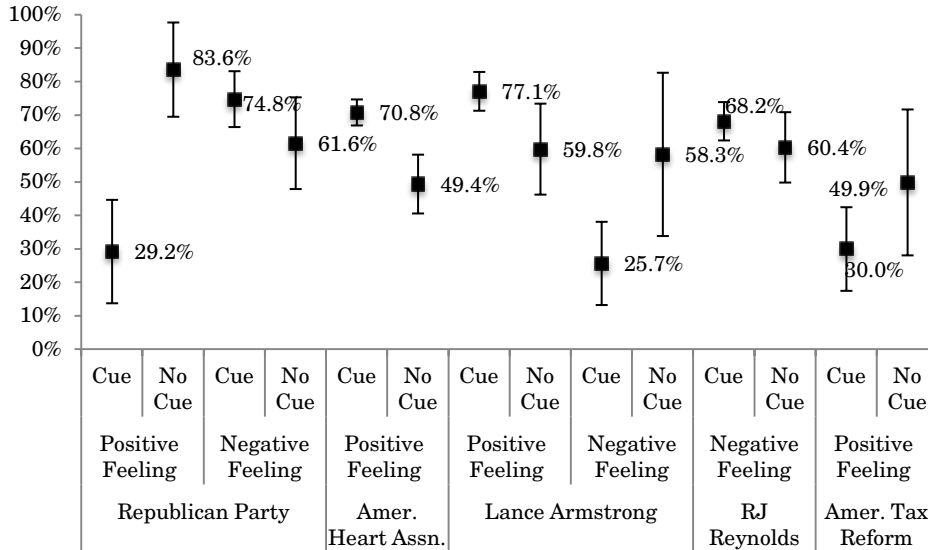
Table 5 (Continued)—Logit Results for California's Tobacco Excise Tax Increase (Proposition 29, 2012)

	Model (5) Negative Lance Armstrong	Model (6) Negative Tobacco Companies	Model (7) Positive Ameri- cans Tax Re- form
Cue: CA Republicans Opposed	—	—	—
	—	—	—
Cue: American Heart Association Support- ed	—	—	—
	—	—	—
Cue: Armstrong Supported	-1.40* (0.60)	—	—
Cue: RJ Reynolds Opposed	—	0.34 (0.27)	—
Cue: Americans for Tax Reform Opposed	—	—	-0.84 (0.56)
Fact: CA has Excise Tax	0.28 (0.62)	-0.81** (0.27)	0.50 (0.75)
Conservative	-0.49 (0.69)	-0.63* (0.29)	0.15 (0.64)
Liberal	-1.64* (0.82)	0.26 (0.27)	2.18** (0.66)
Age	-0.00 (0.02)	-0.01 (0.01)	-0.03 (0.02)
Income	0.43* (0.18)	0.05 (0.07)	0.21 (0.19)
Education	0.08 (0.32)	0.32* (0.13)	0.39 (0.27)
Tobacco User	-1.34* (0.68)	-1.23** (0.32)	-1.56** (0.60)
Political Knowledge	-1.69 (1.11)	-0.58 (0.46)	-2.59* (1.29)
Constant	0.94 (1.75)	0.57 (0.71)	0.33 (1.43)
Pseudo-R ²	.210	.107	.274
N	88	461	113

Note: Dependent variable is respondent's self-reported intention of voting in favor or against California's Proposition 29 that proposed to increase the excise tax on tobacco products sold within the state. Excluded group: independents who were unaware of any endorsement or fact. Coefficients for state-level political knowledge are not reported.

* p<0.05, ** p<0.01

Figure 4
Probability of Voting in Favor of California's Excise Tax Increase (Proposition 29, 2012)



Taken together, our data and analysis return us to studying the conditions for when endorsements can substitute for encyclopedic knowledge of a ballot measure. These results stand in contrast to the common wisdom in the literature that voters routinely use endorsements to compensate for their often astounding lack of factual—or encyclopedic—knowledge. We turn now to consider what our results mean for policy and legal decisions and close with a discussion of how our results add to our understanding of voter decision-making.

III. DISCUSSION

We analyzed whether individuals' knowledge of an endorsement had a significant effect on vote choice. Our surveys covered three ballot measures from two elections: North Carolina's and California's 2012 presidential primaries. In North Carolina, we asked respondents about Amendment 1, a constitutional amendment that proposed to outlaw same-sex marriage. In California, we examined our respondents' evaluations of Proposition 28—an amendment to the state's term limit laws—and Proposition 29—a proposed increase in the excise

tax collected on tobacco products. We evaluated the effectiveness of ten endorsements in fifteen separate tests of our hypotheses. We found support for our hypotheses less than 50% of the time, with just seven of the fifteen tests exhibiting significant results. When we take into consideration that our respondents' knowledge of the endorsements was often quite poor, it would appear that the effective useful rate of endorsements is even lower than our results imply.

In addition to our data being the largest collection of individual-level research on voters' decisions on ballot measures, the subjects of the initiatives and referendum we covered are largely representative of the types of issues that appear on the ballots in many states. To date, voters in thirty-five states have voted on whether same-sex couples have the right to marry. Four of these states have considered the issue more than once (Arizona in 2006 and 2008, California in 2000 and 2008, Maine in 2009 and 2012, and Nevada in 2000 and 2002). The subject of term limits has also been a recurring question on many ballots. In nineteen states, voters have approved limits to the number of terms an elected official can serve in the state legislature (four states' voters have since seen their laws overturned). Tobacco taxes are a familiar issue to many voters as well. Eleven states have asked voters to approve an increase in the amount of excise taxes collected on cigarettes. Four states (Arizona, Missouri, Montana, and Oregon) have asked voters to increase this tax three times, and California has proposed an increase four times.

If our results imply that *some individuals* use endorsements *only some of the time*, is it reasonable to assume that *most* voters are making reasoned choices *all of the time*? If such an assumption is unreasonable, as our data suggest, should the government be allowing citizens to vote directly on important issues of the day, especially when these votes will often have far-reaching and important policy consequences? On a more basic level, can direct democracy hope to measure the public's policy preferences at the ballot box? Our results imply that academics, policymakers, and jurists should be cautious about the average voter's capacity to decide policy when answering these important normative questions.⁸³

83. Taken to their logical conclusion, our results provide a normative argument supporting the limited implementation of ballot measures as dis-

For further research, the next task is to explore just how individuals are making decisions in lieu of broad use of endorsements. Researchers have thus far avoided this topic in favor of assuming the existence of the low-information voter who is armed with obscure endorsements but lacks simple facts. Similar to the jab at the economist who falls into a pit and fails to acknowledge the problem because she “assumes the existence of a ladder to climb out,” political scientists and legal scholars have failed to recognize that we assume the routinized use of abstruse endorsements to solve the problem of uninformed voting in democracy.

Readers should not interpret our results and analysis as claiming that endorsements cannot work. The opposite is true. Our results highlight the fact that endorsements are useful to many individuals, just not at the rate that many scholars assume. As such, increasing individuals' usage of endorsements when evaluating ballot measures should lead to improved decision-making and, as a result, policy choices that better reflect the majority of the public's preferences.

One policy prescription—and one we have argued for in previous research—that can increase the usage of cues in initiative and referendum elections is the inclusion of endorsements on the ballot. Such a policy change is akin to what already occurs in many candidate elections that display party labels. As we note above, party labels convey a substantial amount of information in a way that is cognitively cheap for voters to process and incorporate into their decisions. Affixing relevant endorsements to the ballot for initiatives and referendums can have a similar effect for voters in direct democracy.⁸⁴

cussed in ELISABETH R. GERBER, ARTHUR LUPIA, MATHEW D. MCCUBBINS & D. RODERICK KIEWIET, *STEALING THE INITIATIVE: HOW STATE GOVERNMENT RESPONDS TO DIRECT DEMOCRACY* (2001); Valentina A. Bali, *Implementing Popular Initiatives: What Matters for Compliance?*, 65 *J. POL.* 1130 (2003); Elisabeth R. Gerber, Arthur Lupia & Mathew D. McCubbins, *When Does Government Limit the Impact of Voter Initiatives? The Politics of Implementation and Enforcement*, 66 *J. POL.* 43 (2004).

84. As we note earlier, some endorsements are likely to be more effective than others. In our analysis of Proposition 29, “good government” groups such as the League of Women Voters and Common Cause were not effective endorsers. Political parties and prominent political figures were more persuasive. More work is necessary to discern whether this finding extends beyond our study, which limits what we can say with regards to what cues will be most valuable to voters on the ballot.

The information surrounding ballot measures is often quite poor, leading many voters to rely on the short title and summary (which is often a few hundred words, and usually less) that appears on the ballot to evaluate the policy in question.⁸⁵ Providing elite endorsements on the ballot is one way to improve the information available to voters when they make their choices. Placing endorsements on the ballot could be a potential boon for uninformed voters. For informed voters, endorsements can remind them who supported and opposed the measure. In both cases, endorsements increase the amount of knowledge that voters can consider at the time they decide.

Empirical evidence suggests that such a policy change would be very helpful for voters. Burnett and Kogan run a series of survey experiments to measure whether elite endorsements reduce the persuasion effects of framed ballot titles and summaries.⁸⁶ Their results indicate that the introduction of just a single endorsement reduces the potential framing effects in half. This research, coupled with the experimental research outlined above, strongly suggests that the selection and placement of knowledgeable and trustworthy endorsements on the ballot itself will lead voters to make better decisions on policies that they often know very little about.

CONCLUSION

Using two surveys covering three ballot measures in two states, we reconsidered the conventional academic wisdom that individuals often use endorsements to inform their decisions in direct democracy elections. Our analysis provided only mixed support for the conventional wisdom. What our results clearly showed is that individuals' use of endorsements is much more limited and highly conditional. Our limited findings stand in contrast to the belief that voters routinely use endorsements to inform their decisions on complicated ballot measures to overcome their information deficiencies. Put another way, our results challenge the widely held assumption that voters are competent policymakers who can adeptly use the institutions of direct democracy to select policy outcomes they prefer. Future

85. See Matsusaka, *supra* note 15, at 198.

86. Craig M. Burnett & Vladimir Kogan, *The Case of the Stolen Initiative: Were the Voters Framed?* (June 15, 2012) (unpublished manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1643448.

research should further establish when and under what conditions voters use endorsements to inform their decisions. Finally, scholars need to forge a new model of decision-making in direct democracy elections that takes into account voters' limited use of endorsements.