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Chapter 1

0.1 Introduction

The alleged dangers of direct democracy have been debated since the founding of the United States, and this discussion carries on into the current time whenever the subject of referendum¹ elections is raised. All 50 states, to one degree or another, place questions of constitutional or statutory change before their voters on election day. The information citizens receive from their state government is paramount regarding the nature of the proposal, as well as the effects of the change both for them personally, and for their state as a whole. As such, it is vitally important that, to the extent possible, official language be kept free of manipulation for political ends.

While much scholarship in recent years has been devoted to the study of

¹The terms “referendum” and “initiative petition”, and their variants, have different legal connotations related to the process by which the issue in question reaches the electorate. I explore these differences more in Chapter 2. However, for simplicity’s sake, I use the terms interchangeably in this text to refer in general to any constitutional or statutory change placed before the voters of a state.

framing effects in news media and electioneering, relatively little attention has been given to the way ballot measures are written. Most studies that have been undertaken, which are specifically related to ballot language, have shown either mixed or inconclusive results. However, some threads of findings have emerged which may reveal important factors that have the potential to affect election outcomes. For example, it has been argued by some that citizens who are politically savvy, or who are avid consumers of news and policy analysis, should tend to rely less on the wording of a ballot title and more on their own knowledge of the issue in question. In fact, one such study provided the genesis for this current project. Burnett and Kogan (2012) found that voters in states with high levels of referendum election activity exhibited a lower level of sensitivity to changes in the wording of ballot propositions. They posited that individuals in these high-volume states might develop language parsing and discernment skills, which allow them to circumvent or disregard confusing, assumptive, or manipulative language which may appear on the ballot. The converse, of course, is that other voters who are less well informed, or for whom political news only holds a passing interest, may be more apt to respond either positively or negatively to differences in language framing.

The so-called “sophisticated voter” is, to many scholars, a fantastical beast (Lupia 2006). The question of how best to measure the knowledge and attentiveness of the electorate has been the subject of some considerable debate (Lupia 1994; Druckman 2001). One variable that appears to be underutilized is the sophistication of, or the habits of, the voter as

it pertains to their ability to sift through loaded language and make an informed decision on election day. Burnett and Kogan's (2012) study measured sophistication at the aggregate state level, and it therefore rested on the assumption that the electorate as a whole gains experience because of the electoral culture in certain states. They also differentiated between those states which permit initiative petitions, as opposed to those which restrict direct democracy to legislative or statutory referrals.

My aim with this project was to move the unit of analysis down to the level of the individual voter, as I believe this has the potential to provide more informative measures. If experience is the key to mitigating framing effects, then the phenomenon should be observable no matter where the individual resides. A voter in a state in which relatively few state questions are proposed, but who gets out and votes each time one is presented, may develop the same level of knowledge as one who only votes occasionally, but with many opportunities. Further, ballot language wording is a factor that cuts across the various state procedural laws which reflect differences in how propositions reach the electorate in the first place. Whether ballot measures are placed before voters by the citizens themselves, or by the legislature, a ballot title and summary must still be written. Thus, in any state in the union, at any given time, there will be a number of experienced and non-experienced voters. It therefore seems readily apparent that how often an individual votes is an important variable to consider when modeling framing effects.

0.2 Structure of Thesis

The recent 2016 state question campaigns in Oklahoma presented an excellent real-world basis for an experiment to test the above phenomena. I chose two of the ballot measures set before the voters; first, the Education Sales Tax (referred to colloquially as State Question 779 or the “Boren tax”), and second, a constitutional repealer related to the use of state property for religious purposes (State Question 790 or the “Ten Commandments monument” question). Each of these involves a change to Oklahoma’s Constitution, but for purposes of analytical contrast, they address vastly different policy areas. The remainder of this paper follows the procedure which I undertook in designing and implementing the research design, and in data collection and analysis.

In Chapter 2, I outline the state of current scholarship in framing and voter sophistication as they relate to ballot wording. I then describe the project as consisting of two stages: a content analysis of the campaigns and arguments for and against each question, and a survey experiment used to test the framing effects. The importance of this line of inquiry lies in the procedures by which ballot propositions are brought before the electorate. By using the various legal processes available to either craft or challenge ballot titles, interest groups favoring a particular proposition are often able to insert their preferred frame into the language of the measure. This is particularly true of initiative measures. Therefore, I first ascertained the general frames of the opposing sides’ positions, and then determined the specific arguments underlying each as well as the target audience. In Chap-

ter 3, I provide historical background and details of the content analysis, as well as a description of the frames chosen for the second stage.

Chapter 4 contains the quantitative analysis of data from the survey experiment, which involved 502 respondents obtained through the Amazon Mechanical Turk service. I outline the nature of the treatments and the implementation of the survey, and then proceed to show the results. In both cases, I find no evidence that habitual voting mitigates the framing effects of ballot language. Chapter 5 concludes the matter, where I discuss some of the implications of the findings, both for policymakers and future researchers.