

Accepted Manuscript

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PII: S0047-2727(16)30201-8
DOI: doi: [10.1016/j.jpubeco.2016.11.016](https://doi.org/10.1016/j.jpubeco.2016.11.016)
Reference: PUBEC 3729

To appear in: *Journal of Public Economics*

Received date: 23 December 2013
Revised date: 28 November 2016
Accepted date: 28 November 2016



Please cite this article as: ATTANASI, Giuseppe, CORAZZINI, Luca, PASSARELLI, Francesco, Voting as a Lottery, *Journal of Public Economics* (2016), doi: [10.1016/j.jpubeco.2016.11.016](https://doi.org/10.1016/j.jpubeco.2016.11.016)

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Voting as a Lottery*

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November 2016

Abstract

This paper studies the issue of constitutional design, and supermajorities in particular, from a behavioral economics perspective. The relevant parameters are voting power, risk aversion, and pessimism. Voters who feel powerful prefer lower thresholds, while risk averters and those who feel pessimistic about the majority prefer higher thresholds. We also analyze the effects of loss aversion and overconfidence. The former leads voters to prefer more protective voting rules, a manifestation of their bias towards the status quo. The latter leads them to prefer overly low (high) protection when they receive good (bad) news about how others will vote. Finally, we study constitutional agreements on the voting rule. Members of the constituent assembly are heterogeneous in the parameters above. Weak and minority members anticipate high expropriation risk in future decisions. This gives them consistent leverage to push for a protective constitution.

Keywords: supermajority, weighted votes, loss aversion, overconfidence, behavioral political economy, constitutions.

JEL Codes: D72, H11, D81, D03.

*We thank Francesco Trebbi, two anonymous referees, Philippe Aghion, Olivier Armantier, John Carey, Dean Lacy, Matthias Messner, Aldo Montesano, Antonio Nicolò, Anastasiya Shchepetova, Robert Sugden, Piero Tedeschi, Unal Zenginobuz and participants at the PET 2008 in Seoul, the PET 2009 in Lyon and a seminar at Catholic University Milan, for useful comments and suggestions. We also thank Brandon Gill for outstanding assistance in editing. G. Attanasi gratefully acknowledges financial support by the project “Creative, Sustainable Economies and Societies” (CSES), University of Strasbourg IDEX Unistra. F. Passarelli gratefully acknowledges support by Collegio Carlo Alberto, Turin.

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