

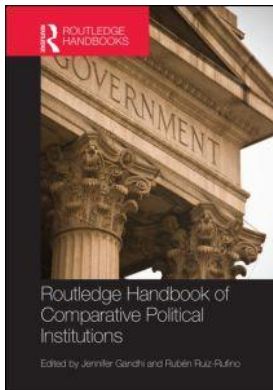
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17

ELECTION ADMINISTRATION,
ELECTION OBSERVATION,
AND ELECTION QUALITY

*Susan D. Hyde and Kevin Pallister*¹

Article 21 of the Universal Declaration of Human Rights states that the “will of the people... shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.” Most countries in the world hold periodic elections, formal provisions for universal and equal suffrage are common, and election rules guaranteeing a secret ballot are nearly universal. However, despite the apparent progress made towards the widespread adoption of democratic political institutions, the quality of elections held throughout the world continues to vary widely, with some elections approaching the democratic ideal type and others used as tools of authoritarian resilience.² [Figure 17.1](#) illustrates several of these trends.

This chapter provides an overview of recent findings on election administration and election observation, two of the more prominent institutions that influence the quality of elections. Electoral management bodies (EMBs) are the institutions that run elections, whereas election observation aims to provide an independent evaluation of election quality, often making recommendations for improvements in future elections directly to the EMB and host-government. In some countries, the relationship between EMBs and observers is cooperative. In others, the relationship is highly adversarial.

Both EMBs and election observers affect the quality of elections. The conduct of EMBs directly bears on the quality of the electoral process, from the efficiency and accessibility of voter registration to the accuracy of the final vote tally. Election observation may affect election quality by deterring fraud or potentially leading to the substitution of some types of electoral manipulation with others. Observers may also influence election quality through their short-term and long-term effects on EMBs. In the short term, the presence of observers and their recommendations to EMBs may influence the actions of election administrators. In the long term, the recommendations of election observers often include suggestions about EMB institutional design, and over time, recommendations from observers about changes to the election administration may lead to higher-quality elections.

Not only do EMBs and election observers affect the objective quality of elections, but they both also influence how citizens and voters view elections. In general, citizens’ peaceful acceptance of election results helps to validate the process as a credible reflection of democratic choice. Alternatively, if citizens perceive an election to be seriously flawed, they are more likely to protest the results and, under some conditions, become disillusioned with the democratic process

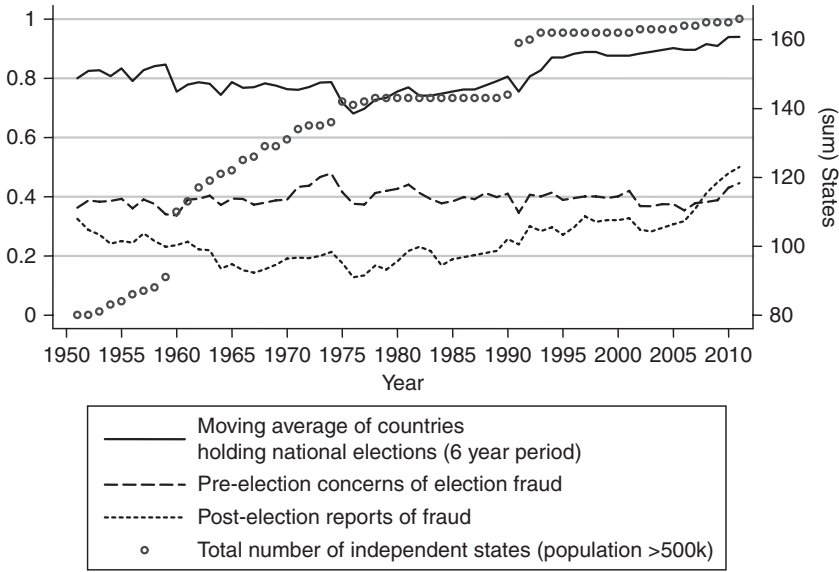


Figure 17.1 Trends in national elections over time

Source: Hyde, Susan D., and Nikolay Marinov. 2012. “Which Elections Can be Lost?” *Political Analysis* 20 (2): 191–210.

(see, for example, Magaloni 2006; Simpson 2013; Svobik 2013). As discussed as follows, public perceptions of election quality may be just as consequential as the true quality of elections.³ Elections can be run fairly and competently, but unless this fact is recognized by the public, many of the purported benefits of democratic elections are undermined. The reports of impartial election observers, both during the pre-election period and following election day, and (partly as a result of these reports) whether EMBs are partisan or neutral, competent or ineffective, can influence election quality—and citizen perceptions of election quality—in important ways.

Many of these relationships remain underexplored in the existing academic literature. Until recently, the administrative conduct of elections—the details of how voters are identified and registered, how ballots are prepared, how votes are tallied, and so on—was a relatively neglected topic. Yet failures of election administration—real or perceived—are a central means by which election quality can be undermined⁴ and, in countries with a history of problematic elections, reforming the EMB is a commonly proposed solution.

This chapter provides an overview of recent work on two types of electoral institutions—electoral management bodies and electoral observation—with particular attention to their consequences for the democratic quality of elections, by which we mean the extent to which electoral processes meet internationally agreed upon standards for fair competition and free participation throughout all stages of the election cycle.⁵ Because both literatures are new, we summarize lessons learned to date, and suggest areas in which future research is likely to be productive.

Electoral management bodies

Despite its centrality to the functioning of representative democracy, election administration attracted little comparative attention until the early 2000s. Empirical research on election administration remains in the early stages, and much of the scholarship has focused on the United States following the problems surrounding the 2000 presidential election. But comparative research has

begun to look more closely at “electoral governance,” or “the wider set of activities that creates and maintains the broad institutional framework in which voting and electoral competition take place” (Mozaffar and Schedler 2002: 7). Scholars began to emphasize the importance of high quality election administration for the legitimacy of new democracies (Elklit and Reynolds 2002) and for stability in post-conflict societies (Lyons 2004), while recent work has focused on the causes and consequences of “electoral malpractice” (Birch 2011), “electoral misconduct” (Donno 2008, 2013), and “electoral integrity” (Norris 2014; Norris *et al.* 2014). In short, there has been a trend towards seeing election administration and election quality more generally not only as indicators of democratic progress, but as independent variables affecting democratization (cf. Mozaffar and Schedler 2002: 12) and as dependent variables worthy of study.

To date, much of the scholarship on comparative election administration focuses on the formal institutional structure of electoral management bodies (EMBs). EMBs carry out essential electoral tasks such as conducting the polling and counting the votes, and often are also responsible for election-related activities such as voter registration, voter education, campaign regulation, and dispute resolution (International IDEA 2006: 5). Not surprisingly, efforts to systematically assess the quality of elections across countries explicitly include features of electoral authorities in their measurements (Elklit and Reynolds 2005; Norris *et al.* 2013).

Among both scholars and democracy assistance practitioners, it is now almost conventional wisdom that an independent election commission is necessary for high quality elections and helps improve the chances for democratization, with the 2000 Mexican elections widely used as the ideal case in which a newly independent election commission helped bring about the country’s first partisan transition in power in over 70 years. As Mozaffar and Schedler (2002: 15) put it, “removing electoral governance from executive control has turned into a rallying cry of democratizing forces all over the globe. Establishing an independent electoral commission, in fact, has become a compelling international norm, a *sine qua non* of electoral credibility.” Birch (2008: 308) similarly notes that “[a]mong practitioners in the fields of electoral assistance and observation, independent central electoral commissions have come to be regarded as the hallmark of accountable electoral administration.”⁶ Some scholars have even argued that independent electoral commissions are key to ensuring democratic consolidation and legitimacy, with Lehoucq (2002: 31) going so far as to argue that in early twentieth century Latin America the independence of electoral bodies was “one of the central institutional developments that made democratization stick in some places, but not in others.”

The prevailing view that EMB independence from government and partisan interests helps determine whether elections are likely to be credible has helped generate several typologies of EMB structure, but there is not yet widespread agreement as to which structural elements are most important for the creation of a truly impartial EMB. An early and influential study by Rafael López-Pintor (2000) distinguished between governmental, independent, and mixed models of election administration,⁷ a typology that has been employed by others in subsequent work. In the governmental approach, an agency of the executive branch (such as the Interior Ministry) administers elections. This model is common among the established democracies in Western Europe, as well as among nondemocratic states in the Middle East.

In contrast, the independent model involves an electoral management body (variously called an electoral commission, council, or tribunal, among other designations) that is formally independent of the executive branch. In some cases, two independent bodies share authority over electoral administration—for instance, with one body responsible for conducting elections and the other playing a supervisory role and acting as a court of appeals for legal challenges to the other body’s decisions. López-Pintor (2000) observed over a decade ago an international trend towards the establishment of permanent EMBs independent of the

executive branch. Today the independent model is most common globally, with most countries in Latin America, Eastern and Central Europe, and the former Soviet Union having independent EMBs. During post-Arab Spring reforms, Egypt and Tunisia both established independent electoral management bodies, and moved away from the governmental model.

In between these two poles is a mixed model of election administration, in which the government administers elections under the oversight of a judicial or party-based body. This model is least common, and is used in France and Japan, among other countries (ACE Project 2013; Birch 2011: 120–121; López-Pintor 2000: 20–24).

Table 17.1 presents data on the proportion of countries that employ each EMB model. While the data suggest a trend towards independent EMBs and away from the mixed model since the turn of the century, comparisons of the data over time should be made cautiously. While data from 2000 and 2004 come from the same author, as do the data from 2006 and 2012, differences in coding rules may make comparisons between 2000–2004 and 2006–2012 problematic.⁸ With this proviso, the data suggest that by 2012 the number of countries with formally independent EMBs had risen to nearly 70 percent from 54 percent in 2000. Rates of governmental EMBs appear to stay constant at around 20 percent. And in 2012 the rate of mixed models had fallen to almost 10 percent from about 27 percent in 2000.

Other potentially important determinants of an EMB's impartiality include who administers and staffs an electoral body and how they are selected. Although civil servants run the election administration under the governmental model, independent and mixed EMBs vary significantly in the legal requirements and selection processes for election commissioners. A central concern has been the extent to which political parties influence the selection and behavior of election commissioners or magistrates, or what Rosas (2010) terms “partisan autonomy.”

Methods of measuring partisan autonomy are varied. Policy-oriented organizations have distinguished between EMBs whose members are selected on the basis of partisanship, expertise, or a combination of the two. Partisan EMBs may be dominated by a single party or, more commonly, staffed by representatives of several parties (as in Guyana, Israel, Mozambique, and many local election boards in the United States).⁹ In this type of EMB, commissioners are selected partly with the purpose of protecting the interests of their sponsoring parties within the election administration. In expert-based EMBs, the criteria for the selection of EMB commissioners typically include political neutrality and academic training, and the election law may prohibit EMB commissioners from having been active in a political party for a specified period of time prior to appointment (as in Guatemala) (International IDEA 2006: 89). In empirical work, Hartlyn, McCoy, and Mustillo (2008) have adapted the partisan-expert-combined typology of EMB partisan autonomy (while further distinguishing between single-party and multiparty EMBs).

Table 17.1 Formal models of EMB independence (percentage of countries)

	2000 ^a	2004 ^b	2006 ^c	2012 ^d
Governmental	19.3	15.6	20.9	18.2
Mixed	26.9	26.6	13.7	12.3
Independent	53.8	57.8	65.4	69.5
Sample Size (n)	145	154	153	154

^aData from López-Pintor (2000, 25).

^bData from López-Pintor (2004, Annex 1).

^cData from International IDEA (2006, 8).

^dData from International IDEA (2012b).

Table 17.2 Selection criteria of independent and mixed EMBs

	2006		2013		Change (2006–2013)
	#	%	#	%	
Expertise	89	62.7	110	69.2	+6.5
Combination	30	21.1	41	25.8	+4.7
Partisanship	23	16.2	8	5.0	–11.2
Total	142	100	159	100	

Sources: ACE Project 2013; International IDEA 2006, Annex A. Data comes from all countries with independent and mixed EMB models for which there is clear coding of the basis on which EMB members are selected. For mixed (governmental-independent) EMBs, countries are coded according to the criteria by which members of the independent branch of the EMB are selected.

Table 17.2 presents data on the number of countries with independent and mixed EMBs that employ party-based, expert-based, and combined criteria for selecting EMB officials. Election administrators are formally selected by the criteria of expertise in a majority of countries. Although data are currently available for only two points in time, there seems to be a trend away from purely partisan criteria in selecting all EMB members, with only eight countries in total coded as such in 2013, down from 23 countries in 2006.

A related but distinct question from the selection criteria of EMB members is which agencies control the selection process. The exact selection process varies by country, and may involve any combination of actors, including the executive, legislature, judiciary, political parties, and civil society. For instance, the executive may nominate EMB members who are subject to confirmation by the legislature (e.g., Kenya, Sierra Leone), in some cases by qualified majority (e.g. Mexico). Elsewhere the supreme court names the EMB members (e.g. Costa Rica), or non-state actors are involved in the nomination process (International IDEA 2006: 95–96). In some countries, nomination of EMB members is divided between different actors, for instance with some commissioners named by political parties and others named by the courts (International IDEA 2006: 90). Rosas (2010) considers EMB selection processes in empirical work, employing a three-point scale of partisan autonomy based on the extent to which parties have a role in nominating and selecting top EMB officials.¹⁰ Hartlyn *et al.* (2008) also employ a measure of partisan autonomy based on the nomination process and the tenure of EMB appointees relative to those who appoint them.¹¹

All of these measures capture elements of EMB neutrality, yet they also rely predominantly on formal institutional arrangements and thus may fail to capture how these institutions work in practice (Rosas 2010: 80).¹² Different operationalizations of partisan autonomy also produce widely divergent measurements: as Table 17.3 shows, most “expert-based” EMBs are appointed entirely by partisan actors, and thus score very differently depending on the measurement used. Without knowledge of the informal institutions surrounding EMB appointment, it is difficult to determine which method of measurement yields a more meaningful score of partisan autonomy. Reconciling and improving upon existing measures of EMB partisan autonomy will be a priority for future research.

Effects of EMB structure

Overall, existing scholarship suggests that the simplistic view that an independent election commission can automatically bring about high quality elections is not supported—although there is

Table 17.3 Selection process and criteria of independent and mixed EMBs

		Selection criteria		
		Expertise	Combination	Partisanship
Selected by	Judiciary	7	-	-
	Executive and/or legislature/parties and judiciary or civil society	30	13	2
	Executive and legislature/parties	27	14	3
	Legislature/parties	16	10	1
	Executive	25	2	2

Note: Cells present the number of countries in each category. For mixed (governmental-independent) EMBs, countries are coded according to the criteria by which members of the independent branch of the EMB are selected.

Source: Authors' recoding of data from ACE Project 2013.

widespread consensus that independent EMBs are preferable to the governmental model. The desirability of partisan- or expert-based EMBs is more contentious. On the one hand, nonpartisan electoral management bodies are often considered ideal to ensure impartial electoral administration (Pastor 1999: 18; Reilly 2003: 21), and international election observers often recommend that countries move towards non-partisan electoral commissions to improve election quality. The dangers of partisan election officials manipulating the administration of elections to benefit their parties—whether through decisions regarding the electoral process or through outright tampering with the vote count—are obvious. Non-partisan election administrators, in contrast, will presumably have no reason to attempt such tactics, although formal status as non-partisan is not a guarantee that an EMB will behave impartially. It will continue to be difficult to judge whether biased EMBs are masquerading as non-partisan.

On the other hand, multiparty EMBs may provide neutral election administration if the representation of different parties produces a system of checks, while the participation of parties may produce consensus and transparency (International IDEA 2006: 88–89; López-Pintor 2000: 63). In some polarized contexts, moreover, there may be no tradition of administrative independence and a lack of independent notables to staff the EMB, thus making a multiparty body more appropriate. This may particularly be the case in post-conflict situations in which parties are distrustful of each other and seek mutual guarantees. Yet multiparty EMBs may face challenges in decision-making if parties cannot come to agreement, and small parties may be disadvantaged vis-à-vis larger parties if they lack representation on the electoral commission (Birch 2011: 116–117; International IDEA 2006: 88–89; 2012a, 6, 14; Lyons 2004). These problems may be particularly acute in electoral authoritarian contexts.

Beyond categorizing EMBs, scholars have begun to empirically test the consequences of institutional variation among EMBs. These studies have used several measures of EMB independence and of electoral quality, and have employed quantitative and qualitative methods. However, convincingly demonstrating the independent effect of EMB structure on electoral behavior remains extremely difficult. Researchers have not yet uncovered why some countries adopted “better” EMB models than others, and it is still plausible that the correlations discussed as follows are spurious, as countries that are more likely to comply with international norms about EMB structure may be the very same countries also likely to hold higher-quality elections.

Quantitative studies have used both subjective measures of election quality based on the perceptions of citizens (Birch 2008) and elites (Rosas 2010), and ostensibly more objective measures based

on election observer reports (Birch 2011; Hartlyn *et al.* 2008). Birch (2008) studies the impact of formal EMB independence from the government on voter confidence in the fairness of elections across 28 countries, finding a surprising negative correlation between EMB independence and popular confidence. As Birch acknowledges (312–313), endogeneity and measurement problems may affect the results: independent EMBs may tend to be introduced in countries with low quality elections, and the formal independence of EMBs does not necessarily measure their actual independence from the government or partisan interests.¹³ Indeed, Birch's (2011) analysis shows that formal EMB independence is not a statistically significant predictor of *de facto* EMB independence (121–123), which raises serious questions about what can be learned from studies of the effects of formal EMB structure on electoral quality. As referenced, the remedy to this measurement problem is not as easy as using measures of *de facto* EMB independence instead; as such measures are complicated by the fact that biased EMBs may have strong incentives to conceal their biases.

Other studies have focused on the effects of EMB partisan autonomy. Limiting their analysis to presidential elections in Latin America and the Caribbean from 1980 to 2003, Hartlyn *et al.* (2008) find that electoral processes are significantly more likely to be found acceptable by observers where the electoral body is professional and non-partisan.¹⁴ They conclude “that independent, professional [electoral] bodies are close to being a sufficient condition for successful elections” (89). Non-partisan EMBs are not a *necessary* condition for successful elections, however; the multiparty EMB model “can bring confidence if all major political parties feel represented,” although “it can also lead to stalemates or to lower technical competence if directors are chosen for political affiliation rather than skills” (Hartlyn *et al.* 2008: 90). Rosas (2010) studies the impact of EMB structure on the confidence of Latin American politicians in electoral quality. He finds that formal autonomy is associated with elite confidence in elections, but that in countries with high levels of democracy, elites have less confidence in electoral processes when partisan autonomy is high.

In a wider set of cases, Birch (2011: 121–123) finds that political party involvement in naming EMB members is associated with lower *de facto* EMB independence and greater election administration manipulation. Yet partisan involvement in EMB appointments is also associated with less exclusion of political parties from the electoral contest, suggesting that partisan watchdogs are wary of certain forms of manipulation—such as revoking the registration of parties that enjoy representation on the electoral body.

Several qualitative studies have also addressed the effects of EMB structure in the context of broader examinations of comparative election administration. In a wide-ranging comparative study, Schaffer (2008) shows how efforts to clean up elections by reducing fraud can raise barriers to voting, in part through intentional manipulation or mismanagement on the part of election officials. While the partisan staffing of the electoral management body does not lead inexorably to administrative disenfranchisement, Schaffer does suggest the dangers of both partisanship and excessive legal independence of EMBs, arguing that “[w]here electoral bodies are shielded from public scrutiny by a veil of constitutional independence...or where political parties are positioned to quietly manipulate electoral procedures..., the dangers of opacity and abuse increase” (89–90).

In a study of election administration practices that facilitate and impede voter participation in three Central American cases, Pallister (2013) finds that partisan EMBs have generated the administrative exclusion of some voters, although non-partisan election administration is neither a necessary nor sufficient condition for inclusive electoral procedures. He also finds that where non-partisan electoral management bodies do contribute to inclusiveness, they often do so not just by neutrally applying electoral rules but by developing bureaucratic capacity that partisan EMBs often lack and by lobbying for legal reforms. Evidence of this latter mechanism of EMB influence on electoral conduct provides empirical support for Elmendorf's (2006) suggestion that electoral commissions

may influence electoral reform through such channels as shifting public opinion towards their proposed reforms, constraining legislative actions, and influencing judicial review decisions of election legislation. This lobbying role of electoral management bodies has been largely overlooked in the literature, but given their expertise and bureaucratic authority, non-partisan EMBs are likely to be influential actors in processes of election law reform.

In sum, the comparative literature emphasizes the importance of election administration for overall election quality and potentially for democratic consolidation, and the evidence so far suggests tentatively that non-partisan electoral management bodies are associated with better quality elections than are partisan bodies. Yet the effects of EMB structure are only beginning to be studied systematically. It is unknown whether, and under what conditions, expert-based electoral management bodies are more likely to carry out particular types of election administration initiatives (such as lowering barriers to voting or adopting stringent safeguards against fraud), or whether expert-based EMBs foster more confidence in electoral integrity among citizens or elites.

Explanations of EMB choice

Far less is known about what leads countries to adopt particular EMB institutional arrangements, even though this question is important for evaluating the extent to which selection problems affect research on the effects of EMB institutional design, as well as for efforts to establish impartial EMBs. As Schaffer (2008: 165) notes, proposals for creating independent non-partisan electoral bodies face “the problem of getting from here to there. Where partisans control both the legislative agenda and the electoral administration, why should lawmakers agree to relinquish their party’s control over the electoral administration?”

Several hypotheses are raised throughout the literature. López-Pintor (2000) suggests that the trend towards independent rather than governmental EMBs is driven by mistrust between parties (63). Schaffer (2008) suggests that governing parties may delegate electoral authority to an independent body

if they fear that the legislative balance of power will soon change or that the electoral administration may fall into the hands of an opposing party. ...Fearing what might happen if the electoral administration were to be captured by their opponents, lawmakers might agree to “tie the hands” of future electoral administrators.

(Schaffer 2008: 165)

The electoral system and effective number of parties may also matter, with partisan EMBs perhaps more likely in two-party systems where the dominant parties will balance each other and non-partisan EMBs likely to be chosen in more fragmented party systems (Mozaffar and Schedler 2002: 17).

Other possible explanations of the adoption of non-partisan EMBs include the miscalculation of incumbents who believe that an independent EMB will not prevent fraud (or that the party will be victorious without fraud), and pressure from the opposition and civil society and the government’s attendant need for legitimacy (Hartlyn *et al.* 2008: 75; Schaffer 2008: 165). The latter applies to Mexico and Senegal in the 1990s, as “[r]uling parties in both countries acquiesced to opposition demands and transferred authority over electoral administration from the executive branch to an independent body—and soon after were voted out of power” (Schaffer 2008: 166).

Finally, the formal design of electoral management bodies may be influenced by international factors, such as the recommendations of election observers or other international actors.

If so, then EMB institutional design may be a pathway by which election observation influences election quality. Of course, countries may adopt a non-partisan EMB model merely as window dressing for observers, and nevertheless attempt to manipulate elections. Even in such cases, though, the establishment of a non-partisan EMB could have unintended consequences and lead to improved elections despite the intentions of incumbents.

Thus while the literature suggests several hypotheses, relatively few studies have empirically addressed the institutional development of electoral management bodies. Some work has focused on particular cases, such as the establishment of Mexico's independent Federal Electoral Institute (Eisenstadt 2004). Comparatively, Mozaffar (2002) takes a quantitative approach to studying EMB structure in Africa, finding that colonial legacies, postcolonial authoritarian regimes, ethno-political cleavages, and resulting political negotiations influence institutional design. Yet Mozaffar's analysis is limited to a relatively small number of cases, and focuses on the formal legal independence of electoral bodies rather than partisan autonomy. Understanding the question of why some countries adopt particular arrangements will be crucial to understanding whether and how changing the structure of EMBs can help bring about higher-quality elections.

Election observation and public perceptions of election quality

Like EMBs, impartial election observation may influence election quality, but through more complex mechanisms. A central goal of international and domestic non-partisan election observation (or citizen observation) is to provide an impartial assessment of election quality and, as a result, contribute to higher-quality elections. If citizens already trust their electoral process and democracy is widely perceived as the "only game in town" (Przeworski 1991), then election observation may not be as useful. But in countries in which elections are new, or which have a history of problematic elections, the impartial assessment provided by international and/or domestic election observers can be an important inducement for governments to hold more democratic elections, or a way in which cheating incumbents are recognized and sanctioned (Bjornlund 2004; Hyde 2011b; Hyde and Marinov 2014; Kelley 2012a).

Multiple audiences consume the reports from election observers, including citizens within the host country; the EMB and government of the host country; international audiences interested in democratization, often including foreign aid donors, investors, or international partners; and the governments of other countries undergoing similar transitions.

Since the early 1990s, scholars have developed a large and increasingly sophisticated literature on international election observation (Bjornlund 2004; Carothers 1997; Hyde 2007, 2011b; Kelley 2008, 2012a).¹⁵ Domestic election observation, or citizen observation, has attracted somewhat less scholarly attention (Lean 2007, 2013), but is widely viewed as complementary, and in some ways, better, than international observation (Bjornlund 2004). By 2006, about 80 percent of all national elections were formally observed by international groups, and roughly 70 percent were observed by domestic non-partisan groups.¹⁶

The literature on election observation suggests that observers have complex, and sometimes unintended, effects on election quality. To be clear, the vast majority of international election observation groups adhere to a strict policy of non-interference in the electoral process (Declaration 2005). Although one could argue that their mere presence is a form of "interference," in practice, this standard means that observers stick to observing the process from the sidelines, summarizing the findings of their observation, and making recommendations for improvements in the quality of the process. They tend to avoid direct actions, such as attempting to stop an incident of election fraud, which would give the appearance of intentional influence on the process.

That said, it is clear that international observers document fraud in more than a quarter of observed elections (1991–2006), and that international observer groups with a demonstrated willingness to criticize elections were present in about 40 percent of elections in the post-Cold War period.¹⁷ However, the effects of observation are difficult to summarize in part because some of their intended effects are long term, and the effects of observers on election quality may be evolving over time (Hyde 2011b). Observers have been associated with higher-quality elections (Kelley 2012a: ch. 7), can directly reduce election fraud on election day (Hyde 2007), and may make post-election protest more “accurate” and more likely to follow fraudulent elections (Daxecker 2012; Hyde and Marinov 2014; Little 2012; Svulik and Chernykh 2012).

Some scholars have highlighted the possibility that incumbent governments wishing to benefit from the legitimacy of democratic elections but avoid risking their hold on power attempt to stack the deck in their favor using methods less likely to provoke condemnation from election observers (Beaulieu and Hyde 2009; Hyde 2011b: ch. 5; Hyde and O’Mahony 2010; Schedler 2002; Simpser 2008; Simpser and Donno 2012).¹⁸ This line of inquiry is particularly relevant when debating the likely consequences of EMB reform. If incumbents grant *de jure* independence to an EMB, they could be doing so because they are sincere reformers or because they are working to create a veneer of legitimacy over what is still a corrupt electoral process. As Alvaraz *et al.* (2008: 12) note, “it can be difficult to distinguish between blatant attempts to manipulate the election and isolated anomalies, incidents, or irregularities that may be completely unintentional.” For EMBs, problems with elections can be intentionally created, but to evade the more serious criticism from election observers, can be made to look like incompetence, a lack of technical capacity, or may be blamed on a lack of resources.

A popular criticism of international election observation centers on the possibility that they will legitimize electoral autocrats, and relatedly, that their standards for democratic elections are not consistent over time or between countries (Geisler 1993; Kelley 2009, 2010). Some have argued that this false legitimization occurs if observers agree to observe an election of a regime that stands little chance of holding free and fair elections, regardless of whether observers ultimately criticize the elections. Others argue that so long as observers are willing to issue strongly worded condemnations of problematic elections, such concerns are overblown.

What is clear is that international and domestic observers are now present at nearly all elections that have pre-election concerns about fraud (a proxy for those elections in which they are most likely to be needed). Comparisons between observed and unobserved elections are difficult to interpret, in part because the selection process is non-random (Hyde 2007; Kelley 2012a). For an election to be observed, there must both be willing observers and a host-government willing to accredit them. This is particularly true for international observation. If observed elections are of higher-quality than unobserved elections, it is difficult to rule out the possibility that observers are simply permitted (and choose) to go to elections that would have been of higher-quality in the first place. But observers do not appear to be selecting elections that are already problem-free (Hyde 2011b; Hyde and Marinov 2014).

What is not yet clear is how the dynamics between host country governments, pseudo-democrats, and election observation groups play out over time. Many of the cross-national findings about the “effects” of election observation could be causally attributed to election observers or could be due to some other omitted variable such as increased international and domestic attention to the electoral process. Although these concepts can be analytically distinct, empirical work is much more difficult.

It is also increasingly clear that the effect of observers on election quality is unlikely to be revealed in the course of a single electoral cycle. The dynamics between EMBs, incumbent governments, election observers, and the audiences that react to the reports from observers are

complex, and may be part of what Schedler (2002) has called a “nested game of democratization by elections” (see also Beaulieu 2014 and Lindberg 2006, 2009). In a new treatment of this overtime dynamic, Beaulieu (2014: 3) highlights political protest surrounding elections as an important element, and argues that “where the incumbent can enact reforms to appease international actors without fear of certain electoral defeat, electoral protests can have positive consequences for democracy.”

Another potentially important but understudied point is that some of the effects of election observation may be demonstration effects: the effects of observers on the quality of elections in one country may serve as an example to other countries undergoing similar processes, with the potential for diffusion of both technology for higher-quality elections and techniques for evading pressure for democratizing reforms.

Directions for future research

The literature reviewed has contributed significantly to our understanding of the impacts of international election monitoring and the institutional design of electoral management bodies on electoral quality. We suggest several avenues for future research to further test these findings and expand the research focus to heretofore neglected aspects of electoral bodies.

Scholars studying election administration from a comparative perspective might consider four directions for future research. First, comparative studies of the effects of variations in EMB partisanship have so far focused largely on Latin America (Hartlyn *et al.* 2008; Pallister 2013; Rosas 2010). While researchers have undertaken individual case studies from other regions (e.g. McMillan 2012), our knowledge of the consequences of EMB institutional design would be expanded through further cross-regional research, either through comparative case studies or through more comprehensive data collection that extends existing quantitative studies.

Second, our understanding of the consequences of partisanship or expertise in electoral management bodies would be enhanced by greater understanding of the interests and worldviews of non-partisan election officials and of the internal politics of EMBs. Whereas partisan appointees are widely considered to act as party watchdogs whose behavior can be analyzed through a principal-agent framework, the literature is largely silent on the goals of neutral election administrators and the decision-making processes among electoral commissioners. Along these lines, Elmendorf (2006: 443) suggests the need for “case studies that seek to document the self-understanding and thought processes of election administrators and law-reform commissioners, as well as the debates that take place inside such organizations.” This is an area where fine-grained case studies or ethnographic work on electoral bodies may prove especially fruitful in shedding light inside the black box of EMBs to provide richer insights into how partisanship and autonomy influence election officials.

Third, the comparative literature on election administration might also be advanced by considering a largely neglected dimension of institutional design: the degree of EMB centralization. In some countries (e.g. Sweden, Switzerland, and the United States), a significant degree of authority over election administration is devolved to provincial or local election boards (International IDEA 2006: 17–19). The distribution of electoral authority between national and subnational bodies creates the potential for vested bureaucratic interests, as evident by the resistance of state and local election officials in the United States towards any efforts at centralizing election administration (Ewald 2009: 6; Hasen 2010: 1098). Such bureaucratic turf struggles have not been the focus of research, and may have important consequences for the quality of election administration and for attempts at electoral reform.

Fourth, future research might also focus on testing hypotheses about the conditions under which independent and non-partisan EMBs are likely to be established, the conditions that lead professional electoral bodies to become politicized, and when strategic manipulation involving the EMB is most likely to occur. While many cases evidence the resilience of EMB institutional independence over time (International IDEA 2012a: 9), other cases show that the professionalism and independence of EMBs can be undone by determined political interests (e.g. Pallister 2013: ch. 6). In general, we know little about the structural, strategic, and normative influences on the choice of EMB institutional structures and their subsequent evolution. Further research is needed on how political party systems, historical legacies, international influences, and other factors shape the construction and evolution of electoral management institutions and their effectiveness.

Further research is also needed on the international influences on domestic electoral institutions and conduct. While research on election observation has come to important findings, much of that work has focused on the short-term effects of observers in preventing fraud (though see Kelley 2012a: ch. 8). Less is known about the medium- to long-term effects of election observation, especially the influence of observers' recommendations for electoral reform. We know little, for example, about the extent to which recommendations for reform offered by different observer groups are consistent or contradictory, or the extent to which observer recommendations influence the decisions of domestic actors.

Beyond election observation are several channels of potential international influence on electoral conduct that have not been studied systematically, including regional and global networks of EMBs and electoral experts and international flows of technical and financial electoral assistance.¹⁹ Regional associations of EMBs began to form in the 1980s in Central and South America, and in the 1990s regional associations were formed in Central and Eastern Europe, Africa, Asia, the Caribbean, and the Pacific.²⁰ In 1999 the Global Electoral Organization (GEO) was convened with the goals of providing a forum for collaboration, professional networking, and agenda setting for electoral management bodies (International IDEA 2006: 282). Interwoven with these EMB associations are a variety of intergovernmental and international nongovernmental organizations that provide financial and technical assistance for elections, including support for the institutional development of electoral management bodies and for the conduct of all aspects of the electoral process (voter registration, voter education, transmission of election results, and so on).²¹

Despite the extensiveness of these international ties, little is known about their effects on domestic electoral institutions and practices. International technical assistance and regional networks of EMBs—and the associated conferences, seminars, publications, election management courses, and information clearinghouses—offer opportunities for election officials and experts to directly share experiences, offer policy advice, and devise sets of best practices. This presents an opportunity for scholars to study dynamics of socialization and norm diffusion and the influence of epistemic communities (Haas 1992): just as election observation has become a global norm, scholars might study whether transnational contacts have facilitated the articulation and diffusion of norms related to electoral administration (Slaughter 2005), or whether some countries attempt to comply with international expectations about independent election administration without complying with the spirit of these reforms. These “pseudo” reforms are one of the major challenges to understanding the effects of EMBs on electoral quality.

Overall, it is clear that election administration and election observation both have significant potential to influence the quality of elections. However, due to the potential for reforms to be hollow and changes to take place over multiple electoral cycles, future research will be necessary. Additionally, because some governments will always attempt to corrupt the electoral process, the

potential for backsliding to follow successful reform will continue. How can reforms in election administration be protected from corruption, strategic electoral manipulation, and partisan biases? Is election administration reform a leading trend that can cause significant improvements to election quality, or a trailing indicator of a country's likely democratization? Will election observation always be helpful, or can it become obsolete with sufficiently high quality election administration? These and other questions remain, and we look forward to future developments in this vibrant literature.

Notes

- 1 Authors' names are in alphabetical order.
- 2 See Boix and Svobik (2008), Gandhi and Przeworski (2009), Gandhi (2010), Gandhi and Lust-Okar (2009), Geddes (1999), Lust-Okar (2006), Magaloni (2006), Malesky and Schuler (2010), Schedler (2006), Simpser (2013), and Wright (2008).
- 3 Pastor (1999) noted that because public acceptance of elections as fair by all major political forces is an important part of democratization, election administration had been a missing variable in the study of democratization.
- 4 Other threats to the objective quality of elections include forms of election manipulation perpetrated by political parties or governments, such as gerrymandering, campaign finance abuses, limits on media access, and electoral repression.
- 5 Election quality includes dimensions such as the fairness of constituency boundaries, the quality of voter registration, equitable access to campaign finance and media, the fairness and efficiency of voting procedures on election day, the accuracy and transparency of the vote count, and so on. See Elklit and Reynolds (2005) and Norris, Frank, and Martínez i Coma (2013).
- 6 López-Pintor (2000: 12) also argues the point forcefully: "Historical evidence, coupled with conclusions by observers and advocacy by electoral professionals, almost unanimously indicates that independent electoral bodies serve democratic stability better than elections run by the executive branch."
- 7 Two additional categories identified by López-Pintor (2000: 24) are highly decentralized election administration systems (such as the United States) and two or more independent bodies responsible for election administration. However, the former can often be considered a subtype of the governmental model, while the latter is a subtype of the independent model. Subsequent work has classified these systems as such (e.g., Birch 2008; International IDEA 2006).
- 8 To maintain comparable samples, data for 2006 and 2012 are limited to countries for which data was available from 2000 and/or 2004. Thirty-nine countries were coded differently between the 2004 and 2006 sources, compared with 24 countries coded differently between 2006 and 2012 and only five countries coded differently between 2000 and 2004. The large number of differences between the 2004 and 2006 sources suggests that different sources made slightly different coding decisions.
- 9 Such multiparty EMBs may include representatives of all political parties, "or a threshold may restrict representation – for example, to those parties represented in the legislature or with more than a specified proportion of members in the legislature" (International IDEA 2006: 88).
- 10 Those EMBs whose members are chosen by the judiciary are scored most autonomous, while EMBs are scored least autonomous where parties directly select election commissioners. Cases where parties play a role in selecting EMB members through confirmation in the legislature are scored as intermediate (Rosas 2010: 79–80).
- 11 In their coding scheme, "the least autonomous agencies are appointed by one chamber of the legislature only, with autonomy increasing as agencies are named through processes involving multiple branches of government, to processes dominated by the judiciary, to those dominated by civil society" (Hartlyn *et al.* 2008: 80). EMBs are also considered more autonomous when their members enjoy longer tenure than the legislative and executive officials who appoint them. Rosas (2010) employs this alternative measure in his study as well.
- 12 For instance, a nomination criterion of expertise specified by law may be undermined in practice by partisan actors who appoint the EMB, while at the same time EMB members named by partisan actors may not behave as party watchdogs. As one source notes, "In some countries, political party nominees to an EMB are eminent persons who are required to maintain high standards of impartiality and professionalism, and thus they do not serve as political party representatives on the EMB" (International IDEA 2006: 88).

- Estévez *et al.* (2008) also present evidence of party influence on roll call votes in Mexico's purportedly non-partisan EMB. Hartlyn *et al.* (2008) measure of partisan autonomy for EMBs in Latin America is attentive to this issue, as it relies not only on formal appointment processes but also on verification by country experts.
- 13 A recent policy document makes a similar point: "The formal model [of EMB structure] says very little about an EMB's actual independence. In fact, most nondemocratic regimes in today's world boast an Independent Model of electoral administration" (International IDEA 2012a: 9).
 - 14 In their statistical model, the effect is large: a multiparty EMB improves the odds of an acceptable election by 37 percentage points over a single-party EMB (from .48 to .85), while a fully independent EMB improves the odds of an acceptable election by another 13 percentage points (to .98) (Hartlyn *et al.* 84).
 - 15 At the same time, election observation practitioners have developed policy guides and shared standards of evaluating electoral quality (Davis-Roberts and Carroll 2010; Declaration 2005; Elklit and Reynolds 2005; European Commission 2007; European Union 2008; International IDEA 2002; OSCE-ODIHR 2005).
 - 16 Calculations used data collected by Hyde. Domestic observation is somewhat harder to document, and coders were unable to establish whether domestic non-partisan observers were present in about 3 percent of elections.
 - 17 Author's calculations using Hyde (2011b) data.
 - 18 Somewhat contradicting this possibility is Kelley's finding that many governments use multiple forms of manipulation simultaneously (2012a).
 - 19 Kelley (2012b) suggests similar avenues for future research.
 - 20 These regional associations are: the Association of Electoral Institutions of Central America (known as the Tikal Protocol) and the Association of South American Electoral Organizations (the Quito Protocol), which coordinate under the Inter-American Union of Electoral Organizations (UNIORE); the Association of Central and Eastern European Electoral Officials (ACEEEO); the Association of African Election Authorities (AAEA); the Association of Asian Election Authorities (AAEA); the Pacific Islands, Australia, and New Zealand Electoral Administrators Network (PIANZEA); and the Association of Caribbean Electoral Organizations (ACEO) (International IDEA 2006, 280–281).
 - 21 Organizations involved in such assistance include the International Foundation for Electoral Systems, the Organization of American States, the European Commission, the United Nations Development Program, and the United Nations Electoral Assistance Division.

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