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WHEN WILL PARTIES COMPLY WITH ELECTORAL RESULTS?
POLITICAL INSTITUTIONS AND STRATEGIC CHOICES OF POLITICAL PARTIES
FOLLOWING ELECTORAL DEFEAT

BY

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DISSERTATION

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Abstract

This study examines the electoral compliance of political parties. In recent decades the number of countries holding multi-party elections has increased dramatically. Often times, however, one or more of the parties participating in the election refuse to comply with the announced results and frequently resort to extra-legal strategies to dispute electoral outcomes. I develop and test a model of electoral compliance based on both election-level and party-level factors. I model the decisions of political parties to reject electoral outcomes as well as their selection of post-electoral strategies, taking into account legal and extra-legal tactics. The analysis focuses on post-electoral strategies of political parties in elections held in the countries of Eastern Europe and the former Soviet Union between 1990 and 2009. My findings indicate that political parties likely employ several types of strategic calculations when deciding how to respond to electoral defeat. Most prominently, political parties take into account their chances of winning in the future electoral cycles when responding to current electoral outcomes. Moreover, the characteristics of individual political parties, including their political histories and ideology, play an important role in their decision to reject electoral results. This study shows that approaching the phenomenon of electoral compliance from both the election- and the party-level offers a more accurate perspective of, and new insights into, the questions of post-electoral compliance.

To my parents

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Chapter 1. Rethinking Post-electoral Protests

Everyone views elections as the cornerstone of a democratic regime. Equally important, though less commonly noticed, is the time immediately following the election, when the results are announced and the electoral losers must decide whether or not to comply with electoral outcomes. This is the moment of truth - if the losers refuse to comply with the electoral results then the very idea of election-based democracy is undermined. Yet surprisingly, scholars know very little about when the losers of elections will comply with the results of the elections and when they will decide to reject them.

This is even more surprising since compliance varies considerably. In 2007, following the presidential election in Kenya, the decision by political parties to reject the outcome spiraled into a political, economic, and humanitarian catastrophe. Similarly, the 2008 presidential election in Armenia was followed by such large public demonstrations that the government declared a state of national emergency. The political arenas of each country now bear the indelible marks of these crises. In contrast, the 2000 presidential election in the U.S. showed that the losing party - even when it has a strong basis on which to challenge electoral outcomes - might limit its response to a legal battle and, upon losing the battle, comply with the announced results. Finally, a close review of elections in Mexico since 1988 reveals that the *same* political party – Democratic Revolution Party (PRD) – can choose different strategies. The PRD has taken actions ranging from compliance to protests on the streets; followed at different times by formal or *de facto* recognition of the electoral results.

These observations raise two important questions. First, what are the factors that lead political parties to accept defeat in some elections but not others? Second, why do political

parties pursue legal avenues for contesting results in some elections, yet take their supporters to the streets in others? I address both these questions in my dissertation.

Mass demonstration in protest of electoral outcomes has become *the* phenomenon of interest in comparative politics in the last decade thanks to a clustering of protests that occurred in post-communist countries, which were followed by similar events in other regions such as Africa and Middle East (e.g. Kenya 2007, Iran 2009). The attention given to post-electoral protests is understandable. After all, extreme anomalous events tend to grab the attention of scholars and policy makers alike. This, for example, explains the prevalence of studies of war in international relations which, despite its rarity compared to other international phenomenon, e.g. trade negotiations, remains the focus of much scholarly inquiry. Post-electoral mass protest is an extreme phenomenon that has revived the study of elections and renewed attention to the post-communist countries. A common frustration in the literature on war is that the number of theories explaining war has at this point exceeded the number of wars. Comparative politics scholars should be careful not to fall into the war literature trap and focus only on the final outcomes of mass protests – many decisions have to be made before either war or protests occur (Senese and Vasquez 2008; Diehl and Goertz 2000).

A number of scholars have focused their attention on explaining when post-electoral protests succeed. Their interest in the success of post-electoral protests is often driven by the belief that “successful” protests might lead to the development of democracy. Over time, this view has become equally popular among academics and policy makers. For example, elections in Georgia 2003, Ukraine 2004, and Kyrgyzstan 2005 have been described as a “sharp political break with the past” and as having “shifted politics in a decidedly more

democratic direction” (Bunce and Wolchik 2010: 44-45). Mitchell wrote that 2003 events in Georgia “represented a victory not only for the Georgian people but for democracy globally” (Mitchell 2004: 342).

Academics and policy makers not only praised post-electoral protests in countries where they took place, they encouraged other states to follow. On a tour of the Caucasus in May 2005, US President George W. Bush visited Georgia calling it a model for others to emulate: “...your most important contribution is your example. In recent months, the world has marveled at the hopeful changes taking place from Baghdad to Beirut to Bishkek. But before there was a Purple Revolution in Iraq, or an Orange Revolution in Ukraine, or a Cedar Revolution in Lebanon, there was the Rose Revolution in Georgia. Your courage is inspiring democratic reformers...”¹

Such universal recommendation, however, may be dangerous, fundamentally undercutting democracy. After all, at its core, democracy is based on majority rule through the ballot box, not potentially violent streets protests. Moreover, recent work has shown that post-electoral protests, even when successful, are often ineffective in advancing democratization (Kalandadze and Orenstein 2009) and in some cases may even be detrimental to the process of democratic consolidation (Areshidze 2007). Lurking in the shadow of any mass post-electoral protest is the danger of establishing a precedent for resolving electoral disputes through extra-legal channels.² The success of past protests sends a signal to future political actors that protest is an acceptable conflict resolution strategy (Eisenstadt 2004).

¹ President’s Address and Thanks Citizens in Tbilisi, Georgia <http://georgewbush-whitehouse.archives.gov/news/releases/2005/05/20050510-2.html> (accessed on January 19, 2011).

² This is a problem even in the case when opposition parties succeed at using extra-legal route.

Because previous studies have focused so much on whether or not electoral protest is successful, they have ignored not only the alternative strategies that political parties could use to reject electoral outcomes but also the reasons why political parties decide to reject electoral results in the first place. Thus, a number of questions about electoral disputes remain unanswered. The most fundamental task in unraveling the puzzles of protests and post-electoral compliance is to determine under which conditions political parties decide to reject electoral outcomes. After all, our goal should not be to increase the propensity of political parties to decide the questions of political office on the streets but instead to create conditions for them to be able to decide these questions at the ballot box or in the courtroom.

A scholarly consensus has emerged that rejection of electoral outcomes, mass post-electoral protests in particular, appear to be driven by the quality of the electoral contest (Thompson and Kuntz 2004; Tucker 2007). Yet, this consensus faces a conundrum: not all disputed elections are fraudulent and not all fraudulent elections prompt post-electoral protests (Bunce and Wolchik 2010). The difficulty in measuring election quality objectively further obstructs our ability to understand exactly how better or worse quality of elections might lead political actors to protest electoral outcomes. The question remains, why do political parties accept defeat in some elections but reject the outcomes in others?

I argue that, although the quality of an election is a factor in electoral compliance, it cannot and does not tell the whole story. The objective of this dissertation is to show that the compliance decision political parties face after elections is more complex and more nuanced than the simple calculation of the ineffable quality of a given election. Instead, I argue that parties adopt a strategic, not a pavlovian, response to the stimulus of electoral defeat.

With a few exceptions, the strategic elements of how political parties respond to electoral defeat have gone unexamined. This is particularly surprising because multiple studies of party behavior in the past fifty years have shown that political parties are strategic actors capable of making decision based on short-term and long-term expectations. For example, we have theories about how electoral rules condition parties' expectations about winning such that parties enter electoral competition only when they expect to obtain votes (Duverger 1954, Cox 1997). Scholars have also shown that political parties invest in their core supporters, who would vote for them anyway, because they need to sustain their electoral coalitions overtime (Diaz-Cayeros, Estevez, and Magaloni 2007).

While these studies focused on democratic systems, recent work suggests that a similar underlying logic can be used to predict the behavior of political parties in authoritarian elections as well. For example, the probability of regime transition conditions party's pre-electoral behavior in such a way that opposition political parties coalesce only when the probability of regime transition increases but is not certain. Once the probability of regime transition approaches certainty, opposition parties see fewer gains from cooperating; calculating that they can achieve office on their own, eliminating the need to share the spoils after the transition (Ghandi and Reuter 2008).

Once we accept that political parties may be motivated by strategic calculations when responding to electoral defeat, the question becomes one of specifying what exactly those calculations entail. An important key to answering this question lies in examination of the political and legal environment that will shape tomorrow's electoral opportunities for today's political losers.

Drawing upon the insights of Przeworski (1991), I argue that a party's decision about how to respond is influenced by three main considerations. First, political parties will reject electoral outcomes if their prospects of winning in the future are low. Second, political parties take into account what they receive as a result of the election and what access they will have to the policy-making process between now and when the next election takes place. Lastly, political parties evaluate the probability of making gains through electoral dispute.

1.1. How Should We Study Electoral Compliance?

Despite the recent increase in studies of electoral compliance, few have wrestled with the conceptual difficulties that plague research on post-electoral disputes. My primary motivation for discussing the conceptual problems is twofold: first, clarification of the concepts will help lay out a transparent and solid foundation for the theoretical model. Second, a clear understanding of the concepts is essential for conducting valid and reliable empirical tests.

Four conceptual issues have hindered progress in the study of electoral compliance that are particularly relevant to this dissertation. First, what constitutes electoral compliance has not been explicitly defined. Second, scholars have typically focused on elections as the unit of analysis when in fact the actors that make the decision to reject or accept electoral outcomes are political parties. Third, in many cases just who the political losers of a contest are would benefit from a more precise definition. Finally, recent research has been dominated by analysis of one type of electoral rejection, mass protest. This narrow focus has largely overlooked the other rejection strategies that losers might employ to affect the political reality of a country following an election. At several points during this discussion of concepts

I make references to different examples to illustrate how the proposed re-conceptualization could be beneficially applied to the study of electoral compliance.

What is Electoral Compliance?

Until recently, the term *compliance* in political science has been most frequently used in reference to a state's fulfillment of its obligation vis-à-vis an international treaty (Simmons 1998; 2009; Simmons and Hopkins 2005; von Stein 2005, to name a few). In international law, a country is considered to have complied when it followed the rules of the treaty – e.g. to lower tariff barriers or pay for pollution cleanup (Allee 2004; Dai 2007). Conversely, a country is considered to have not complied when it acts counter to a treaty it has signed and ratified, conducting genocide or violating political or civil rights (Simmons 2009).

In the electoral compliance literature scholars are concerned with what political parties choose to do after the election. Following Eisenstadt's (2004) logic, I equate a lack of actions to change the outcomes of the election with compliance. Thus, a party complies with the results of an election when it either announces that it accepts the outcomes, or refrains from taking any action that might seek to undercut or overturn the electoral outcomes.

In conceding defeat losing parties will frequently make allegations that fraud was committed. The former Prime Minister and leaders of the Socialist Party called the results of the Albania's 2005 election as "politically unacceptable", describing the winners as "illegitimate" and blaming "electoral violence" for their defeat. But on February 2, 2005 (the first day of the new parliament) the Socialist Party formally conceded its defeat.³ Despite their media appearance denouncing the electoral results and alleging electoral fraud, no further action was taken to alter the electoral outcome. Such denunciation cannot be

³ Keesing's Record of World Events. Albania. Vol. 51, September 2005.

considered non-compliance given its low cost and the prevalence of cheap talk in the political arena.

Alleging fraud is not compliance in the positive sense of graciously conceding defeat, but without additional action the outcome of the electoral contest is the same – the winner takes office. However, if a party organizes public demonstrations, files an official petition to the central electoral commission or courts, refuses to take seats in the elected legislature or takes other actions to overturn the results, it is sincerely trying to alter the outcome of the election. The absence of any actions to subvert the outcomes of the election is not an ideal indicator of compliance, especially in the developing countries; however, it is the best observable measure available for the study of electoral compliance, which offers the most direct insight into the calculations of individual party strategies following a given election (Eisenstadt 2004).

Who are the Actors?

Existing studies use the “election” or the aggregate “opposition parties” as the unit of analysis. The benefits of such simplicity are undermined by the fact that such an approach leaves these studies essentially without an actor, whose actions elections scholars are trying to explain in the first place. Implicitly, this approach assumes that all parties that lost the election adopt the same strategy with the same goals in mind.

This assumption, however, is simply unrealistic. It is neither supported by the historical record nor helpful in explaining why a particular party rejected the electoral outcome. In reality, the acceptance of electoral results is a decision made by the individual political parties. Focusing on elections fails to acknowledge the variation in characteristics of

individual political parties and the role those characteristics play in shaping post-electoral tactics. If the focus is the election or the aggregate of the “opposition parties,” then the conditions that lead to a specific losing party’s decision will continue to be overlooked or assumed away. Yet it is precisely these conditions that scholars should try to specify and understand when doing research on post-electoral disputes.

Shifting the unit of analysis away from elections toward the political parties raises another issue. When discussing post-electoral events, media and scholarly accounts frequently focus on specific individuals within the party, e.g. the leader. In Georgia in 2003, for example, it was Mikheil Saakashvili who led Georgia’s Rose Revolution. However, it was the United National Movement party, not Saakashvili, who rejected the electoral results of the parliamentary contest. After all, it was the party, not Saakashvili, who lost the parliamentary election. Saakashvili alone could not carry out attempts to organize a nationwide protest. Like politicians in other countries, he relied on his party to organize and fund protest actions.⁴

Some scholars might suggest that, because public protests would not materialize without people to support them, understanding electoral compliance requires an examination of citizens and not political parties.⁵ In this case, however, the more appropriate research question is why some individuals participate in public demonstrations whereas others do not, a question that is outside the focus of this dissertation.⁶ Although this question is an interesting and important one, the phenomenon I am interested in studying is the action of the

⁴ Michael Findley uses a similar approach when defining the spoilers in the case of the peace agreements (Findley 2007).

⁵ In their recent article, McAdam and Tarrow (2010), argue that more connection should be drawn between the studies of social movements and electoral studies.

⁶ A number of studies explore individual level determinants of electoral compliance although their emphasis is the degree of consent of election losers with winner’s policies (Nadeau and Blais 1993; Anderson et al. 2005).

actor that participated in the elections and can make a choice between acceptance and rejection, between a legal and extra-legal route of dispute resolution, namely the political parties.

It is also important to note that a political party is usually not a monolithic actor but is made up of many actors that may have heterogeneous preferences. For example, some members of the National League for Democracy party in Myanmar wanted to participate in 2010 parliamentary election, however, others, including its leader Aung San Suu Kwei, insisted that the party should boycott the vote. Yet because the fascination with political tell-all's is yet to spread to post-communist countries, no reliable, systematic set of sources on internal divisions within parties exist. Thus, I leave aside the questions of internal party politics for future research on political party behavior and focus on the political party as the actor in this study.

Who Are the Losers?

The most obvious political losers in any election are those political parties that lost. However, situations do arise where losers retain office. In the 1990 general elections in Myanmar the National League for Democracy (NLD) won. Nonetheless, the National Unity Party, backed by the military, refused to recognize the results and did not allow the winner to take office. Aung San Suu Kyi, the leader of the NLD, went on to spend 20 years under various forms of arrest after the citizens of Myanmar cast their votes. In this case the identity of the electoral loser is clear, it is the incumbent - the National Unity Party. The majority of early work on electoral compliance analyzed similar cases and how such events were associated with breakdown of an electoral regime (Przeworski 1991).

In recent years, however, many incumbents have begun to manipulate outcomes of the elections well before the results are announced. In such cases the loser could be (1) the incumbent, who might have lost had the vote not been manipulated or (2) the opposition political party/parties who might have won had the vote not been manipulated. Incumbent President Mwai Kibaki, leader of the Party of National Unity, won the 2007 elections in Kenya amidst widespread reports of fraud. In such instance the “true” winner of the electoral contest is masked by some unobserved level of manipulation. Even more confounding, there is no way to know whether or not the manipulation was crucial in changing the electoral outcome, or if it simply inflated the margin of victory.

If we adopt the pragmatic, outcome-based approach I advocated above we must acknowledge that the only observable fact is the announced result. By this standard, the leader of the Orange Democratic Movement, Raila Odinga was the loser of Kenya’s 2007 elections and re-elected President Kibaki was the winner. The advantage of adopting this approach to classifying winners and losers is that it considers only the final political reality on the ground, regardless of the level of election manipulation. I argue that it is the reality of electoral outcomes (and other observable acts) that inform political parties and hold the possibility to provoke non-compliance. Therefore, when referring to electoral losers in this dissertation, I am referring to the political party/parties that lost the elections based on the announced results.

Rejection Strategies

In addition to identifying the actors, it is important to discuss the different methods political parties can use to reject electoral results. Existing studies have thus far focused on a

single strategy – mass post-electoral protest. Mass protest, however, is only one of many strategies available to political parties. Choosing to boycott a second electoral round or refusing to take seats in the newly elected legislature are also extra-legal means by which political parties can attempt to overturn electoral outcomes. Extant work on electoral disputes generally does not consider boycotting second rounds or refusing to take seats in the legislature instances of non-compliance behavior yet they are clearly intended to subvert electoral outcome.

I argue that post-electoral protest is not always available to a political party. Even though a party may choose to stage a post-electoral protest, the protest may not materialize due to logistical, communication, or other problems. Thus, treating post-electoral protest as the only indication of electoral rejection is problematic. Political parties that decide to reject electoral outcomes may not be able to assemble enough protesters to have a significant political impact. They may lack in organization or the government may credibly threaten to crack down on protests and successfully intimidate losing parties and their supporters; or the electorate may simply be apathetic.⁷ Unfortunately, threats of repression or successful intimidation of opposition parties and their supporters leave little observable evidence to account for them empirically (Hyde 2011; Kuran 1995).⁸ Yet, it is both plausible and reasonable that some parties that are dissatisfied with an electoral outcome may use strategies other than post-electoral protest to voice their rejection. For these reasons I define non-

⁷ A number of studies argue that the communist regime, for instance, produced citizens characterized by apathy toward politics (Jowitt 1992; Bernhard and Karakoç 2007; Pop-Eleches 2008; Pop-Eleches and Tucker forthcoming).

⁸ Although, recent work suggests that increased repression may actually spur mass public to go to the streets (Bell, Sam and Amanda Murdie. Predictive Societal Indicators of Radicalism http://radicalism.milcord.com/blog/?page_id=2)

compliance more broadly than previous studies. I consider a variety of rejection strategies in my conceptual definition, theory, and the empirical testing.

In sum, this work departs from existing studies in three main ways. First, it creates a distinct measure of compliance based on positive, meaningful actions intended to alter the outcome of the elections. Second, it shifts the unit of analysis from the election, at which nearly all scholars have conducted their research, to the political party. It is political parties, after all, that makes the decision whether or not to comply with an electoral outcome. This shift also recognizes that the behavior of political parties may change from one election to the other, and that different parties in the same election may adopt different strategies. Third, it takes a more nuanced view of compliance considering whether a party chooses legal or extra-legal method of rejection.

1.2. Contributions of the Dissertation

This dissertation makes several contributions to the democratization and political conflict literature. It also has a number of policy implications that I discuss below. The contribution stems primarily from the broader focus on all stages of the electoral process, especially pre-electoral events, as well as a more precise conceptualization of electoral compliance.

Theoretical Importance

The findings of the dissertation are significant for at least two literatures. First, the dissertation has implications for the broader literature on political conflict and democratization. The question of when and why countries democratize has preoccupied

comparative politics for more than a couple decades. Linz and Stepan state that “a democratic transition is complete when agreement has been reached about political procedures to produce elected government” (Linz and Stepan 1996, p. 3). Compliance with electoral results is a direct manifestation of whether or not such an agreement indeed exists among all the political actors. The present study does not join the debate on what constitutes a democracy. Rather, it makes an inquiry into an essential element of even a minimal definition by investigating when the outcomes of multiparty elections will be accepted by political parties.

These findings also speak to and link together two strands of research on the effects of higher and lower-level institutions, respectively. The agenda of political science in the past years has focused on higher-level institutions – form of government, electoral systems (Linz 1994; Cheibub 2007; Birch 2007b to name a few) – and how they affect the prospects of democratization and democratic consolidation. Meanwhile, recent work has started to examine the importance of lower-level institutions, such as conflict resolution systems and electoral governance (Pastor 1999; Birch 2007a; Hartlyn, McCoy, and Mustillo 2008) for democratization. My dissertation will take into consideration the broad institutional context in which elections are held and tie it to more election-specific and party-specific factors in order to explain an issue of great importance to both democracy and civil peace: the acceptance of electoral results by political parties.

Finally, my work offers a new way of thinking about electoral rejection, a subject of considerable interest in the rapidly growing literature on electoral revolutions. The occurrence of electoral revolutions in Eastern Europe and the former Soviet Union attracted the attention of many scholars to the issue of electoral compliance in political science. The

overwhelming majority of the existing studies, however, focus on consequences of the electoral protest rather than their underlying causes (Bunce and Wolchik 2009a; 2009b; Way 2008; 2009). This study seeks to remedy the imbalance in our knowledge of electoral compliance by focusing on the reasons why electoral rejections and post-electoral protests occur in the first place. I also hope this investigation will offer a new perspective from which to consider the role that political parties play in electoral disputes. In addition to choosing post-electoral strategies, political parties are also responsible for bargaining with the incumbent over how to best resolve any dispute that might occur. Considering that they run campaigns, accept and reject electoral outcomes, and initiate election disputes, political parties deserve more attention than they currently receive from researchers.

Policy Importance

Given the domestic impact and growing international saliency of post-electoral disputes as well as the time and effort spent on their resolution, any gap in our understanding of why political parties reject electoral outcomes is a serious and potentially costly omission in the scholarly literature. In fact, a recent investigation by an election promotion organization to give advice on the institutional design for electoral dispute resolution revealed a surprising paucity of academic and applied research on the topic as well as a growing demand for it (Autheman 2004).

Multiple states and international actors are involved in electoral assistance and the mediation of post-electoral conflicts. Understanding why particular parties rejected electoral results and why they decided to use extra-legal strategies is important because international actors must tailor their electoral assistance and mediation efforts to elections/parties

effectively. If we do not understand why parties reject electoral results in the first place, we are unlikely to find a solution to the crisis that follows. For example, international monitors pay particular attention to the election day; however, if the pre-electoral dynamics are the primary reasons for a party's refusal to comply with electoral results, then more attention and resources should be devoted to monitoring the pre-electoral stage.

1.3. Plan of the Dissertation

The remainder of this dissertation is designed to address the questions and issues raised above. The first part of Chapter 2 briefly reviews quality of election literature, paying special attention to the recent studies that center on electoral revolutions and discusses the shortcomings of the existing studies. In the second part of Chapter 2, I develop a strategic theory of electoral compliance that describes why political parties use extra-legal means to contest electoral outcomes and which elections are most likely to be rejected by political parties. Chapter 3 of the dissertation introduces the data set I assembled for the 22 post-communist countries in Eastern Europe and the former Soviet Union between 1990 and 2009. This includes information on electoral compliance, characteristics of the elections and institutional framework, as well as the institutional changes implemented in each country. In Chapter 4, I analyze the reasons why parties reject electoral results, focusing on the actions of the largest opposition parties. I use multiple statistical methods to do so, including multinomial and ordered logistic regression analyses. In Chapter 5, I develop and test a theory to explain the variation in compliance among different political parties. I conclude the dissertation by summarizing its most important results and discussing the avenue for future research.

Chapter 2. When Will Parties Comply with Electoral Outcomes?

2.1. Election Quality

Although several explanations for the post-electoral behavior of losers exist in the literature, none is entirely satisfactory. Most recent comparative scholarship suggests that party's response to elections is primarily a function of election day factors. According to this view, compliance is a spur-of-the-moment decision where losers chose to contest or accept electoral outcomes based on factors such as the margin of victory between the winners and the losers or the level of fraud committed by the incumbent (Tucker 2007; Beaulieu 2009; Lindberg 2006; Bessinger 2007).

Yet, the historical record does not support such a narrow view. Georgian opposition parties, for example, already had an opinion about the quality of the November 2003 elections as early as April, when they organized anti-government rallies demanding free and fair elections and the appointment of a new Central Electoral Commission (CEC).⁹ Similarly, in Azerbaijan opposition parties held a number of nationwide protests as early as May 1998 against the government's failure to ensure democratic conditions for the upcoming presidential elections scheduled for October of that year.¹⁰

As the above examples illustrate, political parties begin to form opinions about the electoral process and the incumbent they face long before the election day. Political parties frequently go into the election with views already formed about the contest and, in some cases, a post-electoral strategy already in place. Furthermore, the pre-electoral events may even influence the election day events themselves. Having been able to shape electoral rules in its favor before the election, the incumbent party may not need to rely on election day

⁹ Europa World On-line, OSCE 2004.

¹⁰ Keesing's Record of World Events. Azerbaijan. Vol. 44, May 1998.

violations in order to feel confident that it will get its desired outcome. Limiting explanations of electoral compliance to solely election day factors misses an important stage of the electoral process: what potential winners and losers did earlier in the process, in anticipation of the upcoming election.

Moreover, election day explanations rely heavily on the *quality* of elections to explain compliance - a variable that is notoriously difficult to observe objectively. Electoral fraud has existed as long as elections themselves and history books are full of examples of incidents of electoral fraud from Napoleon III to George W. Bush. While direct evidence of fraud is cited in virtually any election, it is much more difficult to aggregate such incidents of fraud into a meaningful measure of their effect on the final outcome of the election. Some electoral irregularities are present virtually in all elections, so the question of how much fraud is needed to qualify an election as fraudulent remains open.

Proposed solutions to the measurement problem have included adopting subjective judgments (Mainwaring, Brinks, and Pérez-Liñán 2001), creating tautological definitions (e.g., Pastor 1999 classifies elections as “flawed” depending on whether political parties objected to the process by boycotting the elections or rejecting the results of the contest), or relying on the judgment of allegedly impartial observers on the ground.

Even the latter solution to the measurement problem is problematic as an objective indicator of the quality of elections. For example, the electoral results of the 2008 elections in Armenia have been vigorously disputed, even though they obtained the stamp of approval from the Western observers. More generally, Kelly (2009) has shown that Electoral Observer Missions may act strategically and sometimes endorse questionable elections to avoid

potential crises.¹¹ During the 1996 electoral crisis in Albania, the Socialist Party accused electoral observers of endorsing openly fraudulent elections; at the same time, Western observers justified their decision to avoid criticizing the elections by saying that their goal was to avoid violent instability: “the Albanian people would not be served if we bring them turmoil, as we surely would if we criticize this election” (Gumbel 1996). In 2009 presidential elections in Afghanistan, western observers were similarly “in a delicate spot.”¹² Despite the obvious evidence of vote-rigging, observers were hesitant to reject the election outcomes fearful it might delegitimize Hamid Karzai and create political upheaval in a country that was already highly unstable. Furthermore, damaging Karzai’s credibility risked making his cooperation with the United States more problematic in the future. Even though it was suspected that Karzai did not actually receive the majority reported in the first round, he would still have been a likely winner if the second round had been held.

At the same time, however, election monitors must be concerned with their own credibility. Therefore, once they realize that their positive assessment will be unable to prevent the growing probability of violence or post-electoral protest, they may criticize the election to preserve their credibility. This suggests that the causality between the monitors’ verdict and party’s rejection of electoral outcomes may be reversed (Kelley 2009). If observers sometimes certify elections based on criteria outside of the “free and fair” guidelines, how can we plausibly treat their endorsement of an election as an objective indicator of a high quality election?

¹¹ But see Hyde, Susan. 2011. “The Pseudo-Democrat’s Dilemma: Why Election Monitoring Became an International Norm.” Cornell University Press.

¹² Landler, Mark and Helene Cooper. 2009. “Marred Afghan Vote Leaves U.S. in a Delicate Spot,” *New York Times*, September 8 (last accessed on April 5, 2010).

Still other scholars interested in questions of election quality shy away from using loser's compliance as their main indicator of quality. They argue that political parties might reject the elections because of strategic reasons rather than electoral quality (Hyde 2011; Hartlyn, McCoy, and Mustillo 2003; 2008). On the one hand, elections could be procedurally fair and technically sound but the parties that lost the election may act as sore losers and refuse to accept defeat.¹³ On the other hand, the same authors suggest that the opposition parties might sometimes judge elections by standards lower than those of independent electoral observers (Hartlyn, McCoy, and Mustillo 2008; Hyde 2011). Thus, elections could be problematic, suffering from questionable irregularities and manipulation, yet parties may decide to accept the defeat due to some strategic calculation. How such calculations are made, however, remains unexplored in the political science literature.

2.2. The Politics of Electoral Rejection

The research into why political parties reject electoral outcomes has yet to develop a coherent explanation that takes into account factors beyond a few election day characteristics. Pre-electoral factors as well as the characteristics of political parties very likely have some impact on a party's decision to comply with or reject electoral outcomes, but to date are unexamined. As a result, one does not find in the literature any fully adequate analytical models that explain either why political parties reject electoral outcomes or how these post-electoral crises can be prevented or best resolved. To fill these gaps, I develop a theory of electoral compliance that takes into account not only election day quality but also strategic calculations of political parties that lose the elections.

¹³ Similar issues, however, did not stop scholars from studying electoral boycotts (Lindberg 2006; Beaulieu 2006; Beaulieu and Hyde 2008).

What do Parties Want?

Each political party has preferences over the outcome of the elections. In addition, political parties that lose elections also have a range of options when they decide how to respond to defeat. They can accept electoral outcomes, let the winner take office and wait to compete in the next election. Alternatively, they can decide to reject electoral outcomes and question the validity of the results in the courts, on the streets, or both.

In many countries elections take place every four or five years, as a result their outcomes have lasting consequences for all political parties. Given the variety of responses available to parties and the lasting effects of elections, the question of what parties want from the elections is crucial to building a theory that explains their behavior in the electoral process, especially why they reject or accept electoral outcomes.

The conventional wisdom holds that the main goal of the opposition parties is simply to win the current election. However, some evidence suggests that this might in fact be a poor assumption to make. Not all parties that lose take their grievances to the streets in protest or contest electoral outcomes in the courts. In some cases parties reject electoral results while simultaneously admitting that they had no chance of winning in the first place. Moreover, many electoral disputes are settled far short of granting the losers victory or even recounting the votes. These facts suggest that political parties have other goals in mind beyond simple victory in the current election. I propose that, in addition to responding to election day violations, the decision to reject electoral results is a strategic activity undertaken by political parties with a goal to improve their chances of winning in the future.

For the party that lost an election, rejection has the potential to improve future chances of victory in several ways. Perhaps most directly, rejection could force the

incumbent to change the electoral rules or improve the conditions under which the next election is conducted. In effect opposition parties can trade in the acceptance of the current electoral outcomes for future changes to the rules or conditions under which elections are held. However, even if the incumbent cannot or will not implement the changes or credibly commit to improve electoral conditions in the future, rejection might still pay off indirectly. Beyond winning institutional concessions, the opposition may use rejection to improve their policy making position between elections. These changes – while far short of an institutional change – at least offer the opposition parties some influence over whether the incumbent is able to quickly or easily create more disadvantageous rules or electoral conditions in future elections.

Thus, political parties that lost can reasonably be motivated by strategic calculations about future elections when making their decision to accept or reject electoral defeat in the present. This theoretical assumption is not new. Adam Przeworski (1991) has suggested that the strategic nature of political parties and concern about their future electoral fortunes affect their decision to comply with electoral outcomes in the present. Przeworski was mainly interested in explaining democratic stability and the breakdown of democracy – a situation where rejection of electoral results led to suspension of the elections. There is no reason, however, that this insight should not apply to rejections of electoral outcomes by one or more political parties in cases that do not lead to a breakdown in the electoral cycle. I argue that assuming parties to be strategic actors with concerns about future elections can equally be applied to such cases. After all, political parties do not necessarily need to suspend the whole electoral cycle if they have little prospect of winning under the current rules. Often they exert

political pressure on the incumbent to improve conditions or change rules in future competitions without overturning the entire system.

More recently, Lindberg, for example, acknowledged that “opposition parties and presidential candidates may also accept defeat and the results of less than free and fair elections” (Lindberg 2006: 44). He suggested that this may happen a) when opposition parties acknowledge that they would have lost given completely fair elections or b) when an electoral process is accepted as a substantial improvement on the past and political parties believe that there is a perceived prospect of future advancement and better chance of winning the next electoral round (Lindberg 2006). Similarly, Hartlyn, McCoy, and Mustillo (2003) acknowledge that the strategic political calculations of political parties may lead them to assess elections differently than international observers.

Borrowing from and building on these works, I begin my explanation of electoral rejection from the assumption that political parties are strategic actors. They make their decisions about how to react to the outcomes of elections that have been held under less than ideal conditions with their eyes toward the future. I argue that they can and do look beyond winning or losing one specific contest or electoral round. In fact, political parties may sometimes be willing to accept what at first appears to be a suboptimal outcome of the current election, if the costs of rejection are outweighed by the potential for future electoral gains. At other times, political parties may refuse to accept outcomes even if they lost fairly but believe that they will have less or no chance of winning in the future.

Institutional Changes as Assessment Devices

The analytical challenge posed by this understanding of what political parties want is to identify the conditions under which parties' prospects of future victory are reduced or threatened. If parties care about their long-term political fortunes when in the electoral process are they most vulnerable to attack?

Most scholars believe that the acceptance or rejection of electoral results on the part of the losing political parties is a reaction to some set of actions by the incumbent party. So in building a theory of electoral rejection we are well advised to put actions of the incumbent at the heart of any explanation. The incumbent is the political actor best situated to attack the long-term interests of opposition parties. As the illustrative examples above demonstrate political parties have strong strategic incentives to monitor and challenge disadvantageous electoral rules, institutions or conditions. It follows from these two observations that political parties begin to form opinions about the election contest well before the polling stations open. If this is so, then examining the pre-electoral struggle between the incumbent and the opposition, in addition to the election day events, is crucial for understanding the post-electoral behavior of electoral losers.

If we think of elections as a set of distinct stages – pre-electoral, election day, post-electoral – then the time during which institutional manipulations are most attractive to the incumbent, and most threatening to the opposition parties, is the pre-electoral stage. The pre-electoral stage is when the incumbent and the opposition negotiate and wrestle over the institutions and rules under which the election will be conducted.¹⁴ It is also the stage when opposition parties evaluate the incumbent they face, forming beliefs about his willingness to

¹⁴ Schedler even suggests that during the periods around the election actors interact on a two level game, where “electoral competition is “nested” inside electoral reform” (Schedler 2002: 103).

play fair. Is the incumbent willing to make the electoral process fair for all the actors? Is the incumbent willing to compromise? The pre-electoral dynamic is likely to *shape* the beliefs of the actors about the quality of the upcoming elections. In other words, the incumbent can establish a precedent in his behavior before the elections are even held. Political parties observe the actions of the incumbent before a given election and can use those observations to develop expectations about the future. In this way the pre-electoral stage has the potential to significantly affect how political parties perceive the election and whether they will comply with the electoral results.

Specifically, I argue that: (1) political parties that lose the election do not only care about immediate victory but also care about the probability of winning in the future; (2) electoral rules are the key factors in determining the probability of future victory; and (3) given increasing domestic and international pressures to hold elections that appear free and fair, incumbents who wish to cheat will seek methods that escape observer scrutiny; thus, the nature of election monitoring today makes the pre-electoral stage an ideal time for election manipulation; (4) therefore, incumbents will use the pre-electoral stage to make the changes to the electoral rules, which should increase the probability of incumbent retaining office; (5) political parties in turn will perceive these pre-electoral actions initiated by the incumbent as a sign of electoral vulnerability and unwillingness to play fair in the election in question or in the future; (6) thus, opposition parties will be more likely to reject elections if election-related rules have been altered before the election.

I discuss each point of the argument in detail below. Although some parts of my theory share the same concern with electoral manipulation that the quality of election theory possesses, it offers a unique account of the pre-electoral environment, when the institutional

elements of elections are most vulnerable to manipulation. Most importantly my theory offers different predictions about when and why political parties will decide to reject election outcomes.

The Incumbent

Since the 1990s there has been a significant increase in the number of elections monitored by international observers. Parallel to the increase in monitoring, conducting acceptable elections increasingly carries potential international benefits,¹⁵ such that many incumbents now prefer to retain power through apparently democratic elections – though election rigging remains available to them. This twin increase has affected the strategic incentives attached to electoral manipulations by incumbents¹⁶ (Hyde 2011; Lust-Okar and Jamal 2002). To conduct a sufficiently democratic election that both domestic and international audiences will believe in, incumbents have been forced to shift away from election day violations to other less scrutinized stages of the electoral process, like the pre-electoral stage when electoral rules are particularly vulnerable to attack (Beaulieu and Hyde 2009; Simpser and Donno 2009).

Because observers pay close attention to the election day (Hartlyn and McCoy 2006; Carothers 1997; Elklit and Svensson 1997; Kelley 2009) the pre-electoral stage offers an ideal time for making the changes that could improve incumbent's chances of victory without attracting the same barrage of criticism incurred by ballot box stuffing. Bjornlund (2004) captures the observer's failure to reconcile effectively pre-electoral stage violations and a clean election day in Cambodia's 1998 election:

¹⁵ Such as foreign aid, accession to international organization; for more see Hyde (2011).

¹⁶ By rigged election I mean by employing election day violations such as stuffing ballot boxes, intimidation or vote processing.

Despite protestations to the contrary, in the end the standard methodology, even with the presence of long-term monitors and preelection engagement, once again simply focused too much on election day, thus diverting attention from the preexisting flaws (Bjornlund 2004: 177).

During the pre-electoral stage electoral rules “constitute one of the major points of contention among opposition elites and incumbents” (Lust-Okar and Jamal 2002: 340). The concept of electoral rules as used here includes the broad set of regulations concerning elections. Electoral rules include not only the electoral formula, but also composition of the electoral administration, access to the ballot for potential candidates, or term limits for elected officials, and other rules governing the electoral process. The incumbent’s attention to these rules is not surprising.

Even though unanimous consensus in political science is rare, most scholars agree that electoral rules matter for the behavior of political actors. Electoral institutions have been analyzed as important to the causal stories of a wide range of political phenomena, including: the number of parties in a political system (Duverger 1954; Cox 1997), degree of disproportionality (Lijphart 1994), coalition formation (Golder 2006), government instability (Mainwaring 1993; Lijphart 1984), and women’s representation (Norris 2004; Paxton and Hughes 2007), to name only a few. In sum, the rules and institutions that govern the electoral process have powerful consequences for political actors - they shape electoral outcomes, thereby influencing a political party’s access to the policy-making process.

It is important to note, however, that electoral rules are chosen by the political actors they govern. Because political actors understand the significance of electoral regulations, they bargain hard for favorable rules and vigorously fight against changes that might hurt their chances of winning elections or accessing the policy-making process. Most importantly,

once enacted/changed, electoral rules can be indefinitely enforced, carrying their consequences from one election to the next. Thus, political parties have good reasons to worry that the changes to institutions or rules, once in place, will carry long-term consequences for their political health and survival.

Electoral rules and institutions vary in how difficult they are to change; some rules are more entrenched than others. Constitutional provisions frequently require supermajority whereas non-constitutional law can be enacted by a simple majority vote. For example, incumbents wishing to run for office again in violation of term limits often need to garner the support of a supermajority in the legislature because term limits are most frequently written in constitutional provisions (Elkins, Ginsburg, and Melton 2011). Similarly, the details of the electoral systems are frequently included in the constitution or left to non-constitutional law that requires two-thirds majority to be changes.¹⁷ For example, Slovenia's constitution states that "the electoral system shall be regulated by a law passed by the State Assembly by a two-thirds majority vote of all deputies."¹⁸

Other sources of election-related regulations vary by country. For example, some countries include the laws governing the composition of the electoral management bodies in their constitutions, such as Albania from 1998 to 2008 or Kyrgyzstan 2003, while others do not.¹⁹

Because election-related rule changes have long-term consequences they directly affect a political party's chances of winning in the future election. If an unfavorable rule remains unchanged until the next election, the political party that lost the election is likely to

¹⁷ Data from Comparative Constitutions Project, <http://www.comparativeconstitutionsproject.org/>

¹⁸ Constitutions of the Republic of Slovenia of 1991 as amended to 2006, article 80.

¹⁹ Data from Comparative Constitutions Project, <http://www.comparativeconstitutionsproject.org/>

remain locked into the disadvantageous political position in the next election cycle and others to come.

But why would the incumbent change the rules that brought him to power in the first place? I argue that the incumbent may resort to pre-electoral institutional change if (1) the existing rules can hurt incumbent's chances of retaining office in the future or (2) the electorate has shifted or some other aspect of the political environment has changed, e.g. new issues arising or a decrease in the ability of the incumbent to provide services or payouts. However, these arguments require that the incumbent party be able to update its information about the possible changes in its election prospects. This update must occur following the previous election and before the next electoral contest takes place.

There are at least three ways for incumbent parties to update themselves on their political position. First, the incumbent party can evaluate its strength and popularity during local elections. Second, the incumbent can conduct opinion polls. Third, the incumbent party can track the situation by putting some of its initiatives up for a referendum.²⁰ In sum, incumbents have the motive, the capability, and the opportunity to change electoral institutions in the pre-electoral stage.

Opposition Parties

Another aspect of the pre-electoral stage explanation is how the opposition parties perceive the changes to electoral law and how these changes shape their subsequent electoral strategy. Institutional changes prior to the elections are signals of the incumbent's willingness to alter the institutions if necessary to retain office. Moreover, an abrupt electoral

²⁰ For example, the Democratic Party of Albania came to power in 1992 and, after poor results of the 1992 local elections and 1994 referendum on the constitution, it changed the electoral rules before the 1996 elections (Krisafi 2004).

law reform by the incumbent is also likely to be seen as an indication of electoral vulnerability. In other words, under the current electoral arrangements, the incumbent party would lose or at least not gain its desired majority. Thus, the pre-electoral changes to electoral rules will generate doubts that the incumbent is willing to play fair and may signal to the opposition parties that the incumbent party feels vulnerable.

In addition to the signaling logic discussed above, the fact that the incumbent was able to change the electoral institutions reinforces the incumbent's control of the institutional framework. This use of power by the incumbent may also reduce the opposition's faith in any legal mechanism of contestation. Most importantly, if the motivation for rejection comes from some source beyond electoral defeat, i.e. electoral framework, then appealing to the legal mechanism of dispute resolution might not be enough to achieve a desired outcome. In order to explain the logic above it is necessary to outline possible mechanisms for resolving electoral disputes and distinctions among them.

Of the ways to resolve electoral disputes, a distinction should be made among three main mechanisms: 1) those that provide a formal remedy, such as the means of bringing electoral challenges, which annul, modify or acknowledge the irregularity; 2) those that are punitive in nature, which impose a penalty on the perpetrator, entity or person responsible for the irregularity, such as election-related administrative and criminal liabilities; and 3) those alternative mechanisms for electoral dispute resolution which are voluntary for the parties in dispute and frequently informal (Orozco-Henriquez et al. 2010:1).

When a political party files a legal petition it triggers the first mechanism (modifying/acknowledging an irregularity) and possibly, the second mechanisms (imposing a penalty). The remedies available in the case of formal remedies are limited to modification of

the electoral results. Though results are occasionally annulled in their entirety and the winner is changed, such instances are very rare. In most of cases, a legal complaint triggers a partial recount of the votes with little change to the electoral outcome. The punitive mechanism may result in punishment of a person responsible for electoral violations. However, such punishments, when they happen, rarely affect candidates or political parties directly unless the candidates themselves are jailed.

The outcomes discussed above are even less likely to happen if the incumbent party controls the institutions of electoral resolution. Most importantly, none of the triggered mechanisms include a pathway to an institutional change or credible commitment to conduct the next election under more competitive conditions. Therefore, I argue that if the incumbent has changed rules governing elections prior to the election, opposition political parties are more likely to resort to extra-legal means when contesting electoral outcomes.

Once the election period is over, opposition parties know that it will be difficult to change the status quo before the next round of elections. The political parties hurt by the new status quo will not only have lost seats, or votes, or access to policy making in the current election cycle; like compounding interest in savings account, the deleterious effects of the new status quo can steadily accrue over successive elections, weakening a party and threatening its long-term viability.

Thus, I contend that opposition parties use elections and immediate post-electoral contest to express dissatisfaction with the existing institutions and laws that govern the elections themselves. In particular, the political parties disadvantaged by the existing electoral laws realize that the provisions cannot be easily changed. If the incumbent was able to implement the changes it means that other parties did not have the majority necessary to

block them. Outside of the election period opposition are unlikely to garner as much attention to the issue of institutional unfairness or clearly demonstrate the effects of it as immediately following the election. Importantly, by rejecting the electoral results the political parties can exert pressure on the incumbent to bargain over the framework for future elections.

If the arguments above are correct, they may help explain why political parties that did not have a chance of winning sometimes decide to reject electoral results. Their objective might be not to delegitimize the winner, as is frequently suggested by scholarly and journalistic accounts (Hartlyn, McCoy, and Mustillo 2008). Rather, a party's rejection could be aimed at the institutional framework threatening to permanently shut them out of influencing policy-making and reduce their electoral prospects in future cycles.²¹

This argument may also help explain why parties in some elections pursue legal mechanisms for contesting electoral outcomes yet take their supporters to the streets in others. Street protests and other extra-legal measures are, I argue, more likely when far-reaching institutional changes are made. In effect, my argument suggests that the opposition parties know whether or not they will reject the election outcome *before* the election itself takes place.

To summarize, the theory of compliance I develop in this section has, at its roots, a concept of political parties as strategic actors with concerns about their future competitiveness. Political parties make not only short-term but also long-term calculations when responding to electoral defeat. I have argued that changes made by the incumbent to the political institutions and rules that govern elections give political parties information about the incumbent's strength and their own chances of winning in future elections. Because

²¹ By influence over policy I mean both the ability to affect political decisions and/or create hurdles for further changes in the institutional setting.

it is hard for opposition political parties to exert pressure on an incumbent between election cycles, opposition parties use immediate rejection of the elections to extract concessions from the incumbent, hoping to improve their chances of winning in future elections.

2.3. Post-Electoral Tactics

Putting aside for a moment how political parties perceive pre-electoral changes, what strategies exactly can political parties use to demonstrate their rejection of electoral outcomes and what do they mean? Political parties are faced with choosing one of three options: accepting electoral outcomes, rejecting and contesting the results in the courts, rejecting and contesting the results through extra-legal measures (e.g. street protests). The last two options are not mutually exclusive and are frequently used jointly by many political parties. In Iran in 2009, for instance, Mir Hussein Mousavi called his supporters to the streets to protest the electoral outcomes but at the same time lodged an official appeal against the electoral results with the Guardian Council.

The rejection strategies available to political parties will vary across different types of elections. Following a presidential election, political parties are restricted to either contesting the results in court or staging a post-electoral protest. In some cases a second round may exist that parties can boycott, opening an additional route to reject the outcome. All these options are often available to political parties following a parliamentary contest. Moreover, in the event a party won seats, it may refuse to take its seats in protest of the electoral outcomes, denying the incumbent the legitimacy of a full parliament.²²

²² This strategy is rather costly and most boycotts of the legislature end before the next election takes place though some last up to 18 months.

The availability of rejection methods also varies among political parties. A political party that failed to gain any seats in the legislature will not be able to reject electoral outcomes by refusing to participate in the newly elected body. Similarly, a political party whose presidential candidate finished third in the first round of elections will not be able to refuse to participate in the second round of election. In sum, by closely examining how rejections have played out in recent history, we are able to take a more nuanced view of what the rejection decision looks like and how it varies across types of elections and parties.

2.4. Electoral Gains and Potential Challenge Success

Although much of the discussion thus far has centered on evaluation of the likelihood of winning the next electoral cycle, the decision to reject electoral outcomes is dependent on other factors as well, such as party's position as a result of the current election and the likelihood that the challenge, if mounted, would be successful. Obviously, political parties that won the election have very little reason to reject the outcomes. Among those that lost the election some political parties will have lost more than others. Put differently, some political parties will have gained seats in the election; seats they will put at risk should they decide to reject the outcomes. Rejection involves a possibility of losing what has been gained in the election. The better the position of a political party following the election the more risk they must tolerate in rejecting the electoral results.

After losing the parliamentary election in Bulgaria in 1990, Zhelyu Zhelev, president of the Union of Democratic Forces (UDF), described the results as "positive for us considering that the BSP is forced to establish a definitely weak government, while we shall

be very strong opposition without which no one can adopt any decisions.”²³ In the Bulgarian case, the UDF lost but gained enough ground in the elections to be content in its role opposing the victor’s policy initiatives in parliament. For some political parties their very survival until the next election can be put into question if they are forced to play the role of a very weak opposition between electoral cycles. Thus, the standing of political parties following elections is likely to be a factor in the decision to risk upsetting the electoral process by rejecting the outcome of the election.

In addition to evaluating its standing as a result of the election, a political party contemplating accepting or rejecting electoral outcomes needs to assess the probability that rejection of an election, if undertaken, will be successful. When a political party decides to reject the outcome of an election, it can realistically have one of two objectives: a) changing the declared winner or b) improving the party/candidate’s position without changing the winner. For a party seeking to change the winner of the election, the results can be modified through either a total recount of the votes or by nullifying the votes received at a given number of polling stations due to irregularities. In some countries a total recount is provided by law at the request of any of the parties (e.g. Canada, Hungary, and Lithuania). In others, even though not mandated by law, legal precedents established a practice of conducting a total recount. For example, the decision of Supreme Court of Taiwan validated the total recount of the national vote ordered by the Appellate Court after 2004 presidential election. Similarly, Moldovan Constitutional Court ordered a total recount after the turbulent 2009 parliamentary election. Alternatively, a losing party may seek to have the election declare null and void, opening the possibility that new elections could be held. A recent prominent example of cancellation of election is 2004 vote in Ukraine (Orozco-Henriquez et al. 2010).

²³ Keesing’s Record of World Events. Bulgaria: BSP Election Victory. Vol. 36, June 1990.

One defining feature of the existing explanations of electoral compliance is that they primarily focus on the benefits of rejecting electoral results without taking into account the potential costs. The decision to reject electoral outcomes can be costly in several aspects. Credible challenges require political parties to dedicate time and resources that could be spent fighting legislative battles or preparing for the next election. Additionally, voters may punish a party that rejects an electoral outcome without much evidence or with little probability of success. Losing a rejection challenge may serve as a very public signal of a political party's relative weakness (Magaloni 2010). One question political parties must answer before deciding to publicly challenge electoral results is how likely is it that they will gain enough from their rejection to avoid looking foolish in addition to losing? Political parties must then conduct a cost-benefit analysis of decision to accept or reject electoral outcomes.

In sum, a political party that lost the elections takes three things into account when making its decision about how to react to electoral outcomes: a) its prospects of winning in the future, and b) its position as a result of the current election and c) its chances of gaining from electoral challenge. In the next chapters I detail the research design that connects this conceptual discussion and the theory to a set of measurable variables and statistical tests designed to empirically evaluate the predictions generated by my theory of electoral rejection.

Chapter 3. Measuring Electoral Compliance

I have argued above that electoral compliance (i.e. acceptance of electoral outcomes by electoral losers) involves a more complex calculation by losing parties than a simple reaction to quality of elections. To understand electoral compliance I believe we must take into account that political parties are forward looking and therefore they consider the current loss in the context of future electoral cycles. Thus, Chapter 2 develops a model of electoral compliance, which may be summarized as follows:

$$\text{Compliance}_t = F(\text{Quality of Elections}_t, \text{Prospects of Victory}_{t+1})$$

where

$$\text{Prospects of Victory}_{t+1} = \text{Pre-electoral Actions of Incumbent}$$

Having developed a theory of electoral compliance that generates specific predictions about when electoral compliance should be most and least likely, in this chapter I discuss how I operationalize the key concepts and test the relevant hypotheses. The chapter proceeds as follows. First, I discuss the sample of the countries and unit of analysis I use to conduct the analysis. Next, I describe the data and present descriptive statistics to illustrate patterns of variation in electoral compliance and institutional changes in post-communist countries under investigation.

3.1. The Sample

The analysis reported here focuses on compliance behavior of political parties in elections that took place in 22 post-communist countries in Eastern Europe and the former

Soviet Union between 1990 and December 2009. I start the data collection with the first multi-party election in a country and stop for all countries on December 31, 2009. The only exception is Croatia, for which I include a second round of the presidential election that was held on January 10, 2010.

There are at least three reasons why the focus on the elections in Eastern Europe and the former Soviet Union is warranted. First, all of the countries in Eastern Europe and the former Soviet Union started holding multiparty elections around the same time, shortly after the collapse of the Berlin Wall in 1989. Within the third wave of democratization, this region allows for the establishment of a non-arbitrary starting point for the analysis, effectively controlling for the duration of the electoral regime by design. Despite the diversity of communist and post-communist regimes in the region, many scholars agree that many internal similarities existed among them prior to 1989 (Roberts 2009; Bunce and Wolchik 2009a; 2010).

Second, most of the electoral revolutions that renewed scholarly interest in electoral compliance have taken place in Eastern Europe and countries of the former Soviet Union. Thus, these cases are crucially important to our understanding and explanation of electoral compliance. These events are also some of the most documented electoral rejections on record, allowing for the construction of a more accurate and comprehensive database.

Finally, because there has been much more scholarly research on the election disputes in Eastern Europe and the former Soviet Union than in other regions, I am able to engage with an existing literature directly.

The sample of elections I have assembled includes all national level direct presidential and parliamentary elections in which more than one political party was allowed

to participate. For presidential elections, I treat each round as a separate election because different actors may contest different rounds of presidential elections. Thus, this structure of the data allows me to account for political parties rejecting different rounds of presidential elections. In contrast, the outcomes of the parliamentary elections are usually rejected as a whole. Thus, I code multiple rounds of parliamentary elections as one single election and focus on how different parties did or did not comply with the outcomes. This results in a dataset containing a total of 216 elections, 107 presidential and 109 parliamentary, in 22 countries.²⁴

The number of elections held per country varies from 4 in the Czech Republic to 17 in Romania. The presence of directly elected presidents is the main reason for the wide variation in the number of elections held in different countries. Because separate elections are held to fill presidential and legislative offices, the number of elections in countries with direct presidential elections is higher. All of the countries in the region that hold direct presidential elections also require a second round to be held if no candidate obtains a majority in the first round, further increasing the number of elections held and electoral compliance decisions by political parties. A majority of the presidential elections examined here (66%) went to the second round.

I collected all the data myself which has advantages and drawbacks. A double-blind coding procedure would allow crosschecking for the reliability of scores. However, employing additional coders is costly in both time and resources. In contrast, using a single coder is more likely to result in consistent application of the coding criteria across cases.

²⁴ The countries and years covered are listed in the Appendix A. Elections in Bosnia-Herzegovina are not included in the sample because they were administrated under the UN supervisions.

Whenever possible I compare the data I have gathered with existing datasets to ensure reliability, which I discuss below.

It should be noted that the dataset includes countries that are considered democratic by conventional measures (i.e. Freedom House, Polity IV, Pzeworski et al. 2000, Cheibub, Gandhi, and Vreeland 2010) and some that are not rated as democratic. Institutional changes and electoral rejection occur in both democratic and non-democratic countries where elections are held. I, therefore, do not limit the sample by regime type. Instead, I include it as an explanatory variable.²⁵

3.2. The Actors

A total of 65 political parties rejected the outcomes of 45 elections in Eastern Europe and the former Soviet Union between 1990 and 2009. In other words, rejection of the same election by multiple political parties is not uncommon. For the purposes of this chapter, if more than one political party rejected electoral outcomes, the party with largest share of seats (following the parliamentary contest) or votes (following the presidential election) is credited with rejection.

There are a number of reasons to focus initially on the actions of the largest vote/seat-getter from among the political losers. First, the actions of the largest opposition party are likely to be the most consequential for the post-electoral developments. Frequently only the party that received substantive share of seats in the legislative body or share of votes in the presidential elections can undertake the full range of the strategic rejection actions that I

²⁵ In her study of the role of opposition mobilization and NGO involvement and their effects for democratization, Donno (2008) finds a similar pattern - flawed elections and executive consolidation occur in both democratic and non-democratic countries, leading her to include regime variable as an explanatory variable.

consider in this study. For example, a party needs to get the seats to be able to refuse to take them in the newly elected legislature.

Second, there is evidence to suggest that smaller political parties that reject electoral results might consider the actions of the large opposition party when making their own post-electoral decisions. In all except three rejected elections under consideration, the largest party that rejected electoral outcomes finished in either the second or third place with the top three parties captured on average about 87% of the seats in the parliamentary elections and about 89% of votes in the first round of the presidential elections.²⁶ This evidence suggests that in the majority of cases considered here the opposition consisted of a main opposition party and smaller opposition parties (that may or may not be represented by a seated representative).

Focusing on the largest vote/seat-getter from among the parties that rejected electoral results does not explain the variation among parties' responses to electoral defeat in the same election. For example, why did the Socialist Party in Albania refuse to take seats following the 1996 electoral defeat whereas the Human Rights Party did not? I believe that this question is important for our understanding of the dynamics of electoral compliance and will address it in Chapter 5.

3.3. Electoral Compliance

A party is considered to have complied with the results of an election when it explicitly announces that it accepts the outcome and/or refrains from taking actions that question or seek to overturn the outcome. I distinguish between claims of fraud on the part of the losing parties and the actual rejection of the results. Frequently, losing parties concede

²⁶ Electoral results for 5 elections were not included in this calculation: Belarus 2000, 2004, 2008, Kazakhstan 1995, and Kyrgyzstan 1995. In Belarus 2000, 2004, 2008 nominally independent candidates won majority of electoral seats. Electoral results for Kazakhstan 1995 and Kyrgyzstan 1995 were not available.

defeat while also making allegations that fraud was committed. For purposes of the study at hand though, verbal denunciation alone is not strong enough to be considered a rejection of the election outcome.

To study electoral compliance systematically we must have information about what actions, if any, political parties took in responses to electoral defeat. Specifically, two basic forms of rejection are possible. First, a political party can take a legal action directed at changing the outcome of the election, such as filing a petition to cancel or nullify electoral outcomes. Second, a political party can use extra-legal means to contest electoral outcomes such as, staging a post-electoral mass protest, refusing to recognize the newly elected legislature demonstrated by not taking its seats, or boycotting the second round of the election.

These forms of rejection are not mutually exclusive; often parties adopt both courses of action. One question that I investigate in Chapter 4 is why sometimes parties do nothing or challenge electoral outcomes through institutional means but at other times take their supporters to the streets (either in addition to, or instead of, the institutional route).

I construct the dependent variable, rejection of electoral outcomes, in two different ways. First, I create two dichotomous variables. The first variable, legal rejection, is coded 1 if a political party used legal route of dispute resolution only, and 0 otherwise. The second variable, extra-legal rejection, is coded 1 if a political party resorted to extra-legal actions to contest electoral outcomes either in addition or instead of legal actions. Second, I create an ordinal variable coded 0 if political party complied with electoral outcomes, 1 for legal rejection only, and 2 for the use of extra-legal tactics.

Assembling data on party compliance poses a particular challenge. The actions of the political parties are not listed along with official election results. This omission makes it difficult to quickly compile accurate information about which parties rejected electoral results and what actions they took to contest them. In addition, the media coverage varies across countries and elections. Some elections, such as Ukraine's 2004 presidential election, received ample attention in the media while other elections, especially cases from early 1990s, were barely reported on at all.

Scholars interested in electoral observer assessments can code the reports issued and be sure that they have captured all the information contained in the report. In contrast, there is no single complete source that provides information about electoral compliance. Assembling this data requires scouting through the news archives and vast case study literature that analyzes elections and political competition. In the case of electoral compliance, an observer's report or a news article's failure to mention whether results of the election were accepted by all participating parties does not mean that all political parties complied with electoral outcomes. A comprehensive search and analysis of additional news sources, case studies and other election related information is required to ensure that an election was in fact accepted by all parties and, if it was not, to identify which parties rejected electoral outcomes and what actions followed.

Lastly, even these additional sources frequently provide information only on the most salient rejection indicator - post-electoral protest - but devote little attention to cases where one or more opposition parties rejected electoral outcomes without resorting to staging a mass post-electoral protest. These practical issues associated with collecting data on electoral

compliance discussed above may explain why I have been unable to locate any complete datasets of electoral compliance.

Although no existing dataset codes electoral compliance at the party level, three existing publically available datasets code post-electoral events at the aggregate level of election –Lindberg’s dataset of African elections (2006; 2009), Institutions and Elections Project (IAEP) directed by Patrick Regan and David Clark, and Hyde and Marinov’s National Elections Across Democracy and Autocracy Dataset (NELDA). I briefly note below how my dataset differs from existing definitions and data collection strategies used in these projects.

First, none of the existing datasets offers information on parties’ post-electoral strategies such as questioning electoral outcomes in court vs. staging a mass public protest thus neither speaks to what particular strategies parties adopt in rejecting electoral outcomes. NELDA and IAEP, for instance, code only when political parties stage post-electoral protests.

Second, as I argue elsewhere, public announcement of the political party that it rejects electoral outcomes is not enough to indicate absence of compliance. Talk is often cheap, and many political parties question electoral outcomes in their public appearances but fail to undertake any action to change the results, leaving the outcome the same. Lindberg’s dataset on African elections, for instance, does not specify whether the political parties actually undertook any specific action to warrant being coded as having rejected electoral outcomes. Unlike the existing datasets, my dataset not only adds clarity to the concept of electoral compliance but also specifies what action a party took following an election.

I relied on multiple sources of information when collecting the data on post-electoral compliance, including Lexis-Nexis database, Keesing's Record of World Events, as well as reports produced by the Organization for Security and Cooperation in Europe (OSCE) and the Commission on Security and Cooperation in Europe (CSCE, also known as U.S. Helsinki Commission). Articles from academic journals such as *Electoral Studies*, *Journal of Democracy* and others have also been extremely helpful in verifying whether a political party rejected an election and, if so, what tactics it used to contest electoral results.²⁷

Table 3.1 shows that in about one-fifth of elections at least one political party refused to accept the electoral results. Political parties used a variety of ways to question the outcomes among which extra-legal means predominated - 16.7% of all elections were followed by one or more actions taken outside of the legal framework of dispute resolution.

Table 3.1. Electoral Compliance in post-communist countries (1990-2009)²⁸

Action	# Elections	Percentage
Comply	171	79.1%
Reject - legal means	9	4.2%
Reject - extra-legal means	36	16.7%
Mass protest	(27)	
Refuse to take seats	(11)	
Boycott 2nd round	(4)	
Total	216	100%

Although the detailed breakdown of the post-electoral behavior of political parties around the world is not available, the NELDA dataset allows some comparison between my sample and the general population. NELDA reveals that in the general population 16% of

²⁷ Please see Appendix B for a full list of sources.

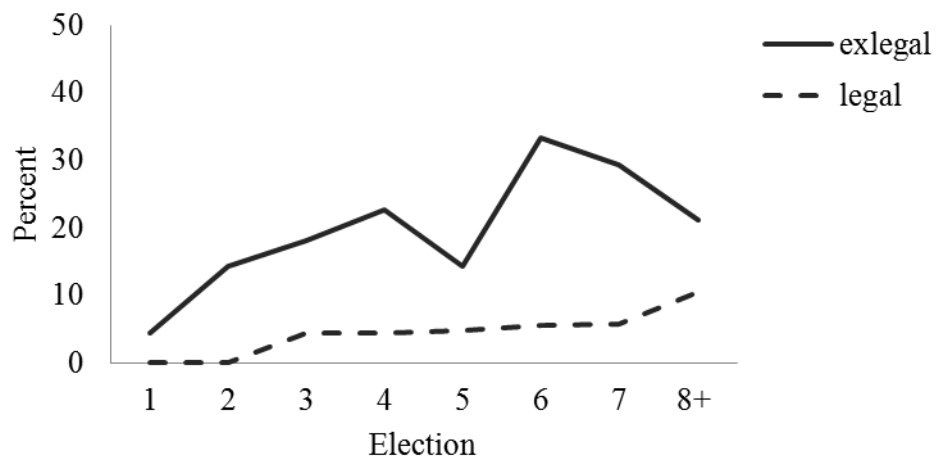
²⁸ In many cases parties use multiple means to demonstrate their rejection of electoral outcomes, e.g. public protest and refusal to accept seats in the new legislature.

elections were followed by mass post-electoral protests, closely approximating the levels of protests in the post-communist countries I sample here.²⁹ This gives me confidence that, although no data collection process is perfect, I have not vastly underestimated or overestimated the incidents of post-electoral protests within the sample.

Electoral Compliance Overtime

It is also informative to examine whether and how electoral compliance changes across elections and time. Graphing the type of rejection as countries hold more elections reveals what trends, if any, exist in electoral rejection in the region. Figure 3.1 illustrates political party rejection showing the percent of elections rejected in Eastern Europe and countries of the former Soviet Union starting with the first multi-party election in each country.

Figure 3.1. Electoral Rejection Overtime³⁰



²⁹ Author's calculations using the NELDA dataset (Hyde and Marinov 2010).

³⁰ To approximate Lindberg's (2006) analysis, in this graph second round of the presidential election was counted as one election.

Overall, as post-communist countries held more elections the rate of rejection has been on the rise. However, there is a decreasing trend during the fifth election, after which it spikes again to indicate higher rate of rejection during the sixth election. Interestingly, after the sixth election, the rate of extra-legal rejections goes down again whereas the rate of the legal rejections increasing. Although it is hard to draw any definitive conclusions from this graph alone, this preliminary descriptive graph suggests that as countries hold more elections at least some political parties tend to embrace legal as opposed to extra-legal means to dispute electoral outcomes.

3.4. Explanatory Variables

As I argue above, several factors may influence party's decision to reject electoral outcomes. To test the predictions derived from my theory we need to find indicators for party's prospects of future victory, electoral gains, and chance of successful rejection. I consider indicators for each below.

Prospects of Future Victory

My primary independent variable of interest is prospect of future victory. It depends on both incumbent's track record and institutions in place. First, opposition political parties have lower chances of winning in the future if the incumbent party has proven its control of the electoral arena by winning the elections time and again. In established multi-party competition political parties have some reasonable expectations of winning an election or at least of becoming a part of the government at some point. Often these expectations are based

on experience since “in established democracies, most of today’s losers were already yesterday’s winners and vice versa” (Moehler and Lindberg 2009: 1451).

These expectations are different in new democracies, where political parties have often been prevented from competing or even forming under previous regimes. When parties enter the multi-party politics in new democracies the temporary nature of these disadvantages is not always evident, at least not until the alternation in power is established on the regular basis. Until this happens, the more elections are won by the incumbent the less likely is the opposition to believe that it has a chance of winning in the future.

In response to these considerations I code incumbent victory as a dichotomous variable: 1 if incumbent won the election, 0 otherwise. Table 3.2 summarizes the rules for coding the incumbent victory. In a parliamentary system, it is coded 1 if the incumbent prime minister or someone from the same party keeps the position of the prime minister after the election. In a presidential system, it is 1 if there is a presidential election and the incumbent party retains office and 0 otherwise. If there is a legislative election it is coded 1 if the party of the president receives the largest share of seats and 0 otherwise. In the mixed systems, it is 1 if there is a presidential election and the incumbent president or someone from the same party keeps the office, 0 otherwise. If there is a parliamentary election, it is 1 if the incumbent prime minister or someone from the same party keeps the position of the prime minister after the election. Once each election is coded as being won by the incumbent party or not, I calculate the number of consecutive elections, in which the incumbent party retained control of the office. These rules are summarized in Table 3.2.

Table 3.2. Rules for Coding Incumbent Victory

System/Election type	<i>Presidential Election</i>	<i>Legislative Election</i>
<i>Presidential System</i>	If incumbent president or someone from the same party retains office	If party of the president received the largest share of seats in the legislature
<i>Mixed System</i>	If incumbent president or someone from the same party retains office	If incumbent prime minister of someone from the same party keeps the position of the prime minister
<i>Parliamentary System</i>	-----	If incumbent prime minister of someone from the same party keeps the position of the prime minister

For the first election, the incumbent is the political party that held power before the first multi-party election took place. For instance, Leonid Kravchuk won the 1991 presidential election in Ukraine. Before this first multi-party election, Leonin Kravchuk held the highest political position in Ukraine as the first secretary of the Communist Party. Therefore, I consider the first election in Ukraine to be won by the incumbent.

Table 3.3 presents results of a summary of the number of consecutive elections that have been won by the incumbent party. Of all the elections under consideration, the incumbent party lost 97 (44.9%) of elections and retained office in 119 elections. As Table 3.3 shows, the number of consecutive elections that have been won by the incumbent party ranges from 1 election to 8.

Table 3.3. Number of Consecutive Elections Won by the Incumbent Party³¹

# Consecutive Victories	# Elections	Percent
0	97	44.9%
1	46	21.3%
2	27	12.5%
3	15	6.9%
4	12	5.6%
5	10	4.6%
6	5	2.3%
7	2	0.9%
8	2	0.9%
Total	216	100%

Second, as I argued above political parties are more likely to reject electoral outcomes if the institutional rules have been changed prior to an election. I focus on three main aspects of election-related rules: 1) rules governing electoral system, 2) rules governing the operation of electoral bodies that oversee elections in the country, and 3) rules governing the powers of the executive. These three types of election-related rules define the main framework within which every election takes place and thereby structure the chances that political parties will have to win in the next electoral round.

Because my substantive interest is in electoral compliance I examine only those changes that can be reasonably thought to reduce the opposition's chances of winning in the future. I code each case for the presence (1) or absence (0) of a restrictive change in a particular aspect of the rule that was enacted prior to the election. Next, I create an indicator variable *Change*, which is coded 1 only if a restrictive change in one of the rules took place

³¹ 1 indicates one consecutive victory, meaning that the same party won two elections in a row – first election when it came to power and second when it retained office. In some cases the number is inflated due to coding each presidential round as a separate election. Thus if the incumbent wins the first and second round of election, it is counted as winning 3 times in a row - first time to come to office, first round, and second, round.

prior to an election. Below I discuss the criteria for coding restrictive changes in each of the three areas.

Electoral System Changes

In the case of electoral rules, I code the change as more restrictive if a law has been enacted that increased the number of seats elected under majoritarian rules, restricted opposition access to public finances, disqualifies opposition candidates or disenfranchises certain groups of voters on arbitrary grounds (Simpser and Donno 2009; Roberts and Seawright 2010).

For instance, in 1995 in Albania, a commission appointed entirely by the ruling Democratic Party adopted two laws: Law on Genocide and Law on Verification of Moral Character. The Law on Genocide prohibited those who "collaborated" with the communist regime from holding office until 2002. Such laws are not unique in the post-communist countries (Nalepa 2010). However, the commission, which made the decisions about which candidates can be disqualified, was completely under the control of the ruling party and did not act in a transparent matter. Importantly, the laws directly targeted key members and leaders of the leading opposition party, the Socialist Party, many of whom as a result were disqualified from running in the election (Krisafi 1997; Biberaj 1998).

In addition, four months prior to Albania's 1996 election saw the Democratic Party change the electoral system as well. Parliament of Albania is comprised of 140 and in 1992, 100 of those deputies were directly elected in 100 single-member districts with 40 chosen proportionally according to the votes received by party lists. The voters had one vote, which

at the district level went to the candidate and at the national level went to the party.³² Changes enacted in February 1996 raised the number of the deputies elected from the single-member districts from 100 to 115 while the number of deputies elected from the party lists was reduced to 25. Importantly, the law took away the compensation between direct and proportional mandates. According to Article 3 of the amendment, the voters had now two votes - one for the candidate and the other for the party.³³

A third example is electoral change enacted in Azerbaijan prior to 2003 legislative election. In August 2003, the ruling party of Azerbaijan, New Azerbaijan Party, changed the electoral system by eliminating the proportional list component of legislative elections, so that all 125 deputies were elected from single-member constituencies in a single round (OSCE 2006).

It is important to note that frequently multiple changes to electoral system have been enacted together. For example, a change in the electoral formula and laws disqualifying opposition candidates from the election on arbitrary grounds are frequently enacted at the same time as Albania's example above illustrates.

Coding laws disqualifying opposition parties from participating in the election on arbitrary grounds as restrictive is not controversial. However, it is hard to objectively judge the changes in the electoral formula as more or less restrictive since no particular electoral formula is considered to be universally superior or more democratic than others. My decision to focus on the changes in the share of seats elected in single member districts is motivated by two factors: the theory presented in Chapter 2 and existing research on electoral systems and electoral manipulation.

³² Law No. 7555, Dated February 4, 1992, to Amend Law No. 7491, Dated April 29, 1991, on Major Constitutional Provisions, Article 6.

³³ Law No. 8055 on Elections of the People's Assembly of Republic of Albania, Article 3.

Theoretically I argue that when making their post-electoral decisions political parties that lost the election consider what chances they have of winning in the future, which in turn are defined by the electoral institutions in place, one of them being the electoral formula. The main distinction made in the electoral formula is between elections held in single-member districts (SMD) and elections run in multiple-member districts under the rules of proportional representation (PR). Because the opposition parties in many transitional countries are frequently weak and/or fractionalized, they tend to favor laws that promote representation for smaller parties such as multi-member districts and proportional representation.

SMD, on the other hand, has long been associated with magnifying the success of large parties. The system is particularly harmful for countries new to multi-party elections, where the party system is frequently geographically heterogeneous and poorly entrenched. In such situation SMD will encourage a large number of small, poorly organized and inexperienced parties and even independents to run in the legislative elections. Consequently, only one party, frequently the authoritarian successor, will be able to fully benefit from ‘large party effect’ of the system (Lust-Okar and Jamal 2002; Birch 2005).

Birch (2005) tests the effects of the SMD in Eastern Europe and the former Soviet Union countries and finds that: 1) SMD systems generate legislatures in which a single party holds substantial majorities; 2) SMD systems are not conducive to an alternation of power between the political parties since it magnifies the difference between the success of the largest party and second-largest party. In fact, second largest parties frequently gain less than 20% of the seats under SMD, leaving the opposing weak, at times powerless, against the electoral winner. The effect of SMD is often to allow the winner to dominate the decision-making process in government.

In her recent work, Birch (2007b) also found a connection between the electoral formula and electoral manipulation, which may further support the argument that opposition parties favor the rules of proportional representation and thus oppose the laws that increase the number of seats elected in single-member districts. She argues that elections held in single-member districts are more likely to be the object of electoral manipulation than elections run under proportional representation rules for two main reasons: 1) there is more to gain from individual efforts to manipulate elections than in the case for candidates in PR and 2) if employed, electoral manipulation is more efficient under SMD rules since the number of votes that need to be altered to change the outcomes is lower than it is under PR. These findings support the assumption that opposition parties will perceive changes in the electoral systems that increase the share of SMD seats as a signal that incumbent is unwilling to play fair.

Importantly, in all the cases under consideration I find that the opposition parties indeed always resist the changes in electoral system that increase the number of seats elected in single-member districts, perceiving it as advantaging the incumbent party.

For instance, liberals and national-democratic opposition vigorously opposed majoritarian, first-past-the-post electoral system adopted by Ukrainian parliament on November 18, 1993. They argued that the law would favor the communist deputies and declined to vote on the law, walking out of the parliament in defiance (CSCE 1994). Similar, opposition parties in Armenia in 2002 widely criticized a new electoral law that increased the number of parliamentary seats based on single-mandate constituencies from 37 to 56, and decreased from 94 to 75 the number of seats elected on a proportional party-list basis.³⁴

³⁴ Keesing's Record of World Events. Armenia. Vol. 48, August 2002.

The electoral systems in the post-communist countries under investigation take three types: pure SMD system, mixed system, and pure proportional representation system. Mixed systems vary considerably in the proportion of two types of seats –those elected in the single-member districts and multi-member districts, ranging from 12.9% in Bulgaria in 2009 to 87% in Kazakhstan 1999. This allows me to operationalize electoral formula as the proportion of SMD seats in the system. If a pure proportional representation has 0% SMD seats and a pure majoritarian system has 100% SMD seats, we can readily obtain a measure of proportion of SMD seats that ranges from 0% to 100%.

To code changes in the electoral formula, I begin by coding the number of seats elected in single-member districts and proportional representation in countries under consideration. Since no single dataset contains all the necessary information on elections, I use a variety of sources to code electoral rules, which include Cheibub's Election Data, Binghamton Election Archive, Inter-parliamentary Union database on National Parliaments, countries' electoral laws and constitutions.³⁵ Next I code any increase in the percent of seats elected in single-member district. The change is coded as affecting the elections following its enactment.

I also identify other changes in electoral rules that result in disqualification of opposition candidates on arbitrary grounds, or limit the opposition's access to public finance. Reports of election monitors such as those produced by Organization for Security and Cooperation in Europe (OSCE) and the Commission on Security and Cooperation in Europe (CSCE) have been particularly helpful in identifying these changes. Each report contains a section that reviews changes in the electoral laws that took place before a given election. In

³⁵ Please see Appendix B for a full list of sources.

addition, other sources such as Keesing's Record of World Events and *European Journal of Political Research* were used.

Changes in Electoral Management Bodies

In the case of electoral management bodies a restrictive change is coded as 1 if it led to establishment of control or increase in control by the incumbent party over the appointment of the members of the Central Electoral Commission (CEC).

In May 1998 Milli Majlis, Azerbaijan's legislative body, approved a law on CEC, which designated that 12 members were appointed by the president and 12 members by the parliament, which was controlled by the president's party. The opposition vigorously opposed the law and fought for having an equal representation on the CEC, where the president will appoint 12 members and the opposition will appoint the remaining 12.³⁶ Their concern understandably was that the law will grant total control over the CEC to the president. Changes such as these directly threaten the electoral future of opposition parties.

Similarly, prior to the parliamentary election in Georgia in 2003, the ruling party implemented changes to the Unified Electoral Code (UEC). Amendments adopted in August 2003 provided for a 15-member Central Election Commission comprising of: five members appointed by the President, three by Revival, two by the Industrialists and one each by New Rights, United Democrats, National Movement, and Labour. Unusually, the UEC stipulated that the President would appoint the Chairperson from nominations made by the OSCE. While the formula ensured a plural party representation in the administration, a tactical alliance between the five Presidential appointees and the five members appointed by Revival

³⁶ Keesing's Record of World Events. Azerbaijan. Vol. 44, May 1998. Other source suggests opposition demanded 17 out of 24 to be representatives of political parties.

and the Industrialists gave this grouping a *de facto* two-thirds majority and control of the Central Election Commission (OSCE 2004).

The importance of the independent electoral bodies that oversee electoral process in the past decade has been recognized by the scholars starting with a seminal article by Pastor in 1999 in which he pointed out the importance of inclusion of electoral commissions in the studies of democratization and elections (Pastor 1999). More importantly, opposition parties also recognize the importance of independent electoral commission in ensuring the fairness of the electoral contest. For example, in their reaction to the new election law that changed the composition of electoral commission prior to the 1996 election in Albania, opposition party leaders charged that the structure of electoral commissions amounted to a "coup d'etat," after which the Democratic Party would be able to freely manipulate the process. In fact, many electoral disputes between the incumbent and the opposition parties center on the composition of electoral commission.

For instance, opposition parties in Georgia expressed their concern with the composition of the electoral commission and fairness of the upcoming election prior to the events of the Rose revolution. In Ukraine the composition of the electoral commission was changed after the annulment of the December 2004 contest but before the rerun of the second round as a part of the measures to ensure that the rerun of the elections would be held under free and fair conditions.

To track the changes in the structure of the electoral oversight bodies, I begin by coding who appoints how many of the vote-carrying members of the central election commission in each country. This information is drawn from multiple sources including

electoral laws and laws on the central electoral commissions.³⁷ In addition, I consult the websites of the electoral commissions, national constitutions, and reports of election monitors, where necessary, to verify the fact that a given election was conducted under the specified composition. I also use these sources to double check the dates and entry into force of the particular change to the structure of the commission.

Executive Dominance

Lastly, I code constitutional changes that increase the powers of the executive. Such changes include abolishment of term limits, granting the president the right to dissolve the legislature, subjecting decisions of the judiciary to the presidential veto. The majority of these changes require a constitutional amendment making them easy to identify and code.³⁸ Given their saliency constitutional changes are frequently covered in the news and feature prominently in the reports of the election monitors.

For instance, on November 1996, Belarus held a referendum initiated by the President Alexander Lukashenko on increase of presidential powers and term limits; it allowed the president to issue legally binding decrees at will, provided significant powers of appointment to judiciary and new legislature, and extended term end date from 1999 to 2001.³⁹ This effectively removed the opposition parties and judiciary from the policy making process for years to come.

³⁷ I use the following sources to locate the relevant laws: the World Law Guide, Political Transformation and the Electoral process in the Post-Communist Europe project based at the University of Essex, and the Electoral Knowledge Network. For a full list of sources please see Appendix B.

³⁸ I also use the data from Donno 2008. For other sources please see Appendix B.

³⁹ Keesing's Record of World Events. Belarus. Referendum on Constitutional Change. Vol. 42, November 1996.

On April 1995, President of Kazakhtan Nursulan Nazarbayev dissolved the parliament and held referenda to extend his term length to 2000 and increase presidential powers. In early August President Nazarbayev announced that the Constitutional Court, with which he had recently been in conflict with over the dissolution of parliament, would be replaced with a Constitutional Council whose decisions would be subject to a presidential veto. Critics claimed that this measure would give undivided power to Nazarbayev, who had already extended his term in office until 2000.⁴⁰

As the examples above show there is a diverse number of ways that rules can be altered to increase the dominance of the executive compared to the changes to the rules governing electoral system and electoral management bodies. The executives try not only to increase term length or even abolish terms limits but also to increase their power by acquiring the ability to issue unilateral legally binding decrees and to extend their authority over the judiciary.

Once all the changes have been coded and categorized, I create a dichotomous variable – institutional change - that is coded as 1 if any restrictive law has been enacted in any of the three areas discussed above. A change that occurred any time after the previous election and before the current elections is coded as affecting the current election. If a country held presidential and parliamentary election in the same year, and the change was enacted prior to these elections, both elections are coded as having had the change.

Table 3.4 presents results of a summary of elections prior to which institutional changes took place by type of rule change. A total of 15% of elections under consideration were preceded by a change in institutional rules. Electoral system changes have been the

⁴⁰ Keesing's Record of World Events. Kazakhstan. Constitutional Referendum. Vol. 41, August 1995.

most frequent (affecting 10% of elections), followed by changes to rules expending the executive powers (7%), and changes to appointment procedure of central election commission (5%). Restrictive electoral changes affected elections in a total of 14 countries.

Table 3.4. Restrictive Institutional Changes

Institutional Changes	# Elections	Percentage
Total Elections Affected	33	15.3%
Electoral System	9	4.2%
Electoral Commission (EC)	1	0.1%
Executive Domination (ED)	9	4.2%
Electoral System + EC	7	3.0%
Electoral system + ED	4	1.9%
Electoral System + EC + ED	2	0.9%
EC + ED	1	0.1%

As the table shows, different types of changes are frequently enacted together. In fact, out of all the elections affected by institutional changes, 42% (14 out of 33) were preceded by changes in more than one area of electoral rules. Changes to the electoral system and executive domination part of the time stand alone. However, changes to the rules governing the central electoral commission are frequently accompanied by a change in at least one other rule.

Electoral Gains

What constitutes a gain in an election? I theorized in the previous chapter that it is the ability to influence policy-making or at least prevent changes to the institutional framework. Political parties are likely to have little access to the policy-making if the winner controls a majority or a super-majority of the seats in the legislative body, thus effectively controlling the legislative body.

I operationalize the control of the legislature as percent of seats controlled by the government parties. The share of votes has not been used for two reasons. First, reliable figures for share of votes were missing for some election in post-communist countries. Second, make up of parliament is particularly important as an indicator of agenda and policy control. A two-thirds majority in parliament, for example, typically gives the ruling party an unrestrained ability to introduce changes to the constitution unilaterally.

In such a situation bipartisan agreement on the rules of the game is no longer needed. The incumbent party is free to introduce any changes it desires. A simple majority in the legislature may be enough to control rules that are not constitutionalized and thus marginalize the opposition parties' role in the policy-making (Lindberg 2006). In either case the voting power of government parties vis-à-vis the opposition parties is a potential point of contest in the politics of post-electoral compliance.

Here it is worth remembering that legislative elections which happened in two or more rounds are coded as one election. Coding multi-round legislative elections as one election may create a potential problem when parties reject the first round and do not participate in the second. Unfortunately, the majority of sources do not report the results of each round in a consistent manner and as such this level of specificity is unavailable.

Moreover, in some cases political parties reject electoral outcomes before the official results are even announced. In addition, I have found no cases where political parties rejected electoral outcomes immediately after the election took place and withdrew their complaints once the official results were announced. Therefore, I code the official results as the most available and acceptable proxy to what the political parties expect the results would be even when they reject the outcome before the official results are announced.

I used a number of sources to collect data on electoral results and political party government status, which includes Binghamton Election Archive, Inter-parliamentary Union database on National Parliaments, Keesing's Record of World Events, Europa World as well as secondary country related sources. I later verify the data against Beck et al. (2001) data updated to 2010.

One issue that deserves a special attention is the number of *de jure* independent candidates that are *de facto* supporters of the ruling party that participate in the elections in post-communist countries. The large number of these candidates may cause a researcher to underestimate the majorities of the ruling party in the legislature. To address this problem, I excluded elections where nominally independent candidates won the majority of the seats in the legislature.⁴¹

Success of Rejection

In order to measure the potential a political party has to improve its position via means of rejection I gather two types of data. First, I collect data on type of the election. I code it as a dichotomous variable: 0 if the election is presidential, 1 if the election is

⁴¹ It excluded Belarus 2000, 2004, and 2008. I included 2000 election in Kyrgyzstan, where 73 out of 105 seats were won by the nominally independent candidates. The seat share was calculated out of 31 seats won by the political parties.

legislative.⁴² Second, I collect data on electoral results in the elections under consideration and calculate the margin of victory. For the presidential elections, margin of victory is measured as vote share for the winner minus vote share for the second placed party/candidate. In the case of parliamentary elections, margin of victory is measured as seats share for the largest party in government minus the seat share for the largest party in opposition.⁴³

In a presidential election, if the reported margin of victory is large it would be hard for a political party or candidate to improve its standing by requesting a recount or any other dispute resolution means short of annulling all the results. In the case of a narrow margin of victory, the winner could potentially be changed as a result of a recount. In contrast, a legislative election with a narrow margin of victory will in fact indicate that the second placed party has gained a significant share of seats and may be satisfied with the results. A wide margin, on the other hand, may incentivize second placed party to increase seats share as a result of the rejection or secure a part in the government coalition in exchange for its compliance with results.⁴⁴ Therefore, we should expect political parties to reject electoral outcomes in the presidential election when the margin of victory is narrow and in the parliamentary elections when the margin of victory is wide.

Quality of Elections

As discussed in the previous chapter, several factors may influence parties' post-electoral decisions, but the baseline expectation of the existing literature is that political

⁴² I include legislative elections only for the lower house.

⁴³ I exclude elections boycotted by all or major political parties in opposition because in that case the large margin of victory will be large not necessarily due to lack of competition or fraud but simply due to non-participation of the opposition political parties (e.g. Kazakhstan 1995, Azerbaijan 2008).

⁴⁴ Offer to join the governing coalition may come right after the election (or even before) to avoid conflict.

parties respond primarily to the quality of the election as signaled by the international monitors' assessments. To examine this hypothesis, I use Kelley's Data on International Election Monitoring (DIEM). The data codes monitors' overall assessment of a given election. It is coded 0 if the monitors state that the election represents the will of the people, was free and fair or in other ways frankly endorsed the outcome. It is coded 0.5 if the monitor's statement about the election is entirely ambiguous, or if the mission openly states that it has no opinion, or simply is silent. When election monitors explicitly state that an election did not represent the will of the voters, was not free and fair, or otherwise condemn the election, the election is coded as 1.⁴⁵

Although there are a number of other datasets that code election quality, Kelley's data represents the most detailed approach to coding quality of elections. Its ordinal coding allows it to include cases where election monitors either did not issue a verdict or did not make a definitive assessment of the election. Because many elections are observed by more than one organization the dataset contains variables that accommodate more than one observer's assessment. If an election was monitored by more than one organization, the variable denotes the most negative assessment given by any organization.

Unfortunately, DIEM's coverage ends in 2004 so I collect my own data to extend the original coding to post-2004 elections using Kelley's coding rules. DIEM also codes only the assessments issued by the observer missions present in the country resulting in missing values for some cases. In some countries, like Poland and the Czech Republic, international observers no longer monitor elections since it is now assumed that they will be free and fair, which also results in missing values. At the other extreme, some countries do not allow

⁴⁵ If the election was monitored by more than one organization, I use the max variables that denote the highest value given by an organization. For more see Kelley (2009).

observers to monitor their elections or observers decided to withdraw because of hostile regulations imposed on them by the host country. Thankfully, there is only one case of this in the current sample. Monitors refused to observe electoral process only in one election in the post-communist countries under consideration, the presidential election in Russia in 2008, when OSCE monitoring group refused to monitor the elections because of “severe restrictions on its observers by the Russian government.”⁴⁶

Missing values can thus indicate two cases: (1) elections were free and fair and given the history of quality elections in the country, monitors no longer observe the electoral process or (2) elections were not free and fair since the monitors either withdrew prior to or were not allowed to be present in the first place. Data is also unavailable for 7 elections that took place in 1991 in 7 post-Soviet Republics. Table 3.5 presents a summary of quality of elections in countries of Eastern Europe and the former Soviet Union.

Table 3.5. Election Quality in Post-communist Elections⁴⁷

Verdict	# Elections	Percentage
Positive	128	62.8%
Ambiguous	41	20.1%
Condemn	35	17.2%
Total	204	100%

⁴⁶ “Wrap: OSCE election watchdog to boycott Russian polls - tensions rise.” *RIA Novosti*, February 7, 2008.

⁴⁷ 12 elections are not included due to missing date: 7 elections that took place in 1991 in the former Soviet Republics, Russia 2008 – not observed, and 4 elections in Croatia due to data ending in 2004.

Monitors endorsed around 63% of the elections that took place in the region since 1990. Out of the remaining 37%, they openly rejected 17% of elections that took place in the region. In 20% of the cases, monitors either issued an ambiguous verdict or disagreed among themselves regarding the assessment of the elections. This is important because existing theories of electoral quality do not consider what happens when monitors issue an ambiguous verdict refusing to openly endorse or criticize an election.⁴⁸

Interestingly, quality of elections in the region closely approximates the levels in the world, where 66% of elections were accepted by the international monitors as free and fair. The distribution of ambiguous and negative assessments, however, differs. In Eastern Europe and the former Soviet Union, 20% of the observers' assessments were ambiguous, compared to only 7% worldwide. This discrepancy indicates that election monitors in this region more hesitant to issue a definite verdict. Within the data this spike in ambiguous verdicts results in a fewer negative verdicts (17%) than the observed worldwide (27%).⁴⁹

Additional Explanatory Variables

In addition to the primary variables of interest discussed above, I include a number of substantively important control variables to account for other factors that may encourage or dissuade political parties from rejecting electoral outcomes. An established literature posits that in rich countries all political actors will accept electoral results because even electoral losers have too much to lose by rejecting the outcomes (Przeworski 1991; 2003). Thus, in order to control for the effect of economic development on political parties' post-electoral behavior I include GDP per capita PPP. Since elections take place during different months in

⁴⁸ Without this crucial signal, the theory that observer's assessment drives non-compliance lacks a causal mechanism to explain the actions of the political parties that lost the election.

⁴⁹ Data from Kelley (2009).

different countries, I use the GDP per capita from the year previous to the given election.⁵⁰

Data on countries' real GDP per capita PPP is from the World Bank.⁵¹

Table 3.6. Economic Development

GDP per capita	# Elections	Percentage
0-3,000	36	16.7%
3,000-6,000	35	16.2%
6,000-9,000	64	29.6%
>9,000	81	37.5%
Total	216	100%

GDP per capita PPP in the sample ranges between \$1,308.5 in 1994 in Kyrgyzstan to \$26,320.75 in Slovenia in 2007. Table 3.9 groups the GDP per capita into four categories for descriptive purposes. 37.5% elections were conducted in countries with GDP per capita above \$ 9,000 and only 16.7% of elections took place in GDP per capita below \$3,000.⁵²

I also include a measure of human rights to control for the possibility that rejection on the part of political parties is a form of social movement where parties use post-electoral period to contest broader social problems and express anti-regime behavior as opposed to a responding to any elections-related factors. Eisenstadt (2004), for instance, finds that the Party of the Democratic Revolution (PRD) in Mexico used elections as an opportunity “to contest broader social ills” and initiated post-electoral conflicts in response to the history of social conflict rather than election-related factors (Eisenstadt 2004: 158).

On the other hand, it is also important to account for the possibility that human rights violations or repression by the government might deter political parties from rejecting

⁵⁰ Except for Poland 1990, 1989 figures is not available, I use 1990 figures to code 1990 elections.

⁵¹ Constant 2005 International \$, available at www.worldbank.org (last accessed February 14, 2010).

⁵² Please see Appendix A for countries in each of the categories.

electoral outcomes. Rights violations or repression may also affect the ability of the political parties to stage mass post-electoral protests. In an environment of heavy-handed government repression, citizens will be less likely to rush to the streets in support of political parties that lost.

Thus, it is hard to predict *ex-ante* the effect that government repression will have on the rate of rejection. These two reasonable arguments result in contradictory hypotheses. What is clear, though, is that a record of political repression could reasonably affect the political calculations of opposition parties and should be included as a statistical control.

To account for political repression I use Physical Integrity Rights Index from Singranelli-Richards Human Rights Dataset. The variable is lagged one year. The index is focused on government human rights practices and is frequently used in the political science literature. The Physical Integrity Rights include the rights not to be tortured, extrajudicially killed, disappeared, or imprisoned for political beliefs. Physical integrity rights are coded using the annual *US State Department Country Reports on Human Rights Practices* and Amnesty International's Annual Reports. When discrepancies exist between the two sources, Amnesty International is considered to be the authoritative source. The indicators are ordinal meaning that they provide information in terms of "more or less" but not precisely how much more or less. The Physical Integrity Rights Index ranges from 0 (no government respect for these rights) to 8 (full government respect for all four rights) (Cinganelli and Richards 2010; 1999).

As table 3.7 shows, majority of elections in Eastern Europe and the former Soviet Union were conducted under circumstances of moderate violations of the physical integrity rights of citizens.

Table 3.7. Physical Integrity Index⁵³

Physical Integrity	# Elections	Percentage
1	6	2.9%
2	8	3.8%
3	13	6.2%
4	22	10.5%
5	37	17.7%
6	45	21.5%
7	60	28.7%
8	18	8.6%
Total	209	100%

A final important factor to consider is regime type. Scholars argue that democracies are fundamentally different from dictatorships, which in this case directly affects party's post-electoral strategies. I classify countries as democracies and dictatorship for each year before the election takes place using data from Przeworski et al. (2000), updated by Cheibub, Gandhi, and Vreeland (2010). The advantage of using this dataset over other available datasets is the ability to clearly define what differentiates democracies and dictatorships. In the sample under investigation, I already include countries where chief executive and legislatures are elected and more than one party is allowed to participate in the election. Therefore, the only difference between dictatorships and democracies in this sample would be whether the incumbent ever lost an election. In this case we should expect that parties will be more likely to reject electoral outcomes in a dictatorship.

In the dataset, 22% of the elections were conducted under dictatorship and 78% of elections were held in democracies. 48 elections under dictatorship took place in 6 countries: Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, and the Russian Federation.

⁵³ Data are not available for 7 founding elections: Armenia 1991, Azerbaijan 1992, Georgia 1991, Kazakhstan 1991, Kyrgyzstan 1991, Russia 1991, and Ukraine 1991.

Table 3.8. Regime Type

Regime type	# Elections	Percentage
Dictatorship	48	22.2%
Democracy	168	77.8%
Total	216	100%

3.5. Conclusions

The descriptive statistics presented in this chapter paint an interesting picture of the nature of the elections and election-related developments in the post-communist countries. I find that non-compliance events are not uncommon, plaguing 20% of elections in Eastern Europe and the former Soviet Union following the fall of the Berlin Wall. Rejection of electoral outcomes has proliferated as the countries in this region held more elections. Yet, recently there has been a slight decrease in the propensity of political parties that reject electoral outcomes to use extra-legal means and a slight increase in the use of legal means of contestation in the post-electoral period.

Every election creates winners and losers; however not all elections are rejected and not all political parties take their supporters to the streets to protest unfavorable outcomes. This variation begs the question why. There must be some reason, some set of factors that cause political parties to accept electoral outcomes in some elections and not others. I have argued that beyond the quality of elections political parties employ a series of strategic calculations in deciding whether to reject electoral results, considering their prospects for

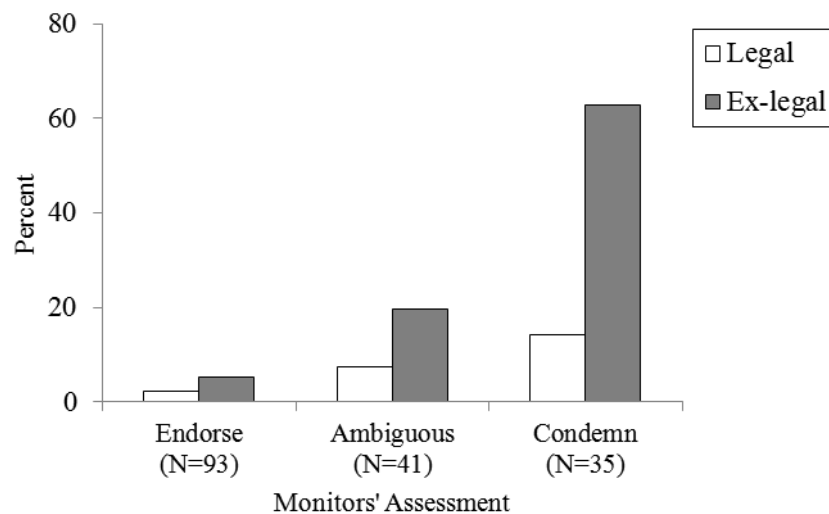
future victory and successful non-compliance. My analysis in chapters 4 will test this argument empirically.

Chapter 4. Explaining Electoral Compliance

4.1. Electoral Compliance in Eastern Europe and the former Soviet Union

According to the quality of elections theory of electoral compliance discussed in Chapter 2, political parties should be more likely to reject electoral outcomes when electoral monitors issue a negative verdict of the election. Figure 4.1 shows the percentage of rejected elections by monitors' assessment. The figure graphs two types of rejection: legal rejection only and extra-legal rejection across monitors' assessments.

Figure 4.1. Electoral Compliance by Monitors' Assessment



Despite a general concurrence between the acceptances and rejections of electoral outcomes by election monitors and opposition parties, the agreement between the two is not perfect. There are instances where monitors endorse an election only to have political parties actively reject it. More detrimental for the election quality explanation is the fact that in cases where the monitors' assessment was ambiguous political parties rejected nearly a

quarter of the electoral outcomes. This is especially interesting because the studies that use international monitors' assessments to explain the propensity of parties to reject electoral outcomes are silent on why elections would be rejected when observers disagree or fail to issue a clear judgment of election quality.

Overall, there is a general correlation between the monitors' assessment of the election quality and parties' rejection of electoral results. Yet the correlation is not as strong as we might expect given the causal account that quality of election advocates present. Moreover, there are a significant number of elections that lack a clear signal from electoral monitors, for which the quality of election theory cannot account.

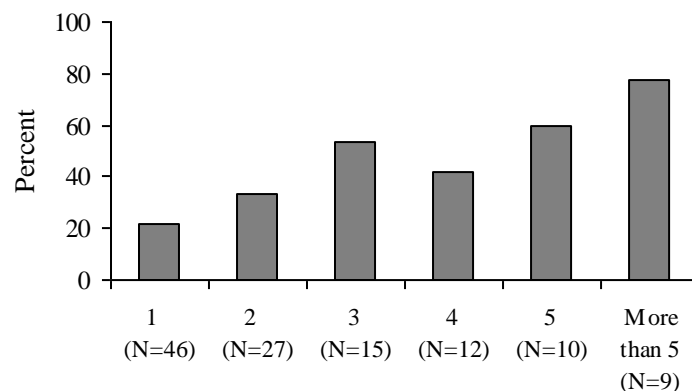
Nonetheless, Figure 4.1 does lend some support to the theory that political parties are more likely to reject election outcomes when election monitors issue a negative assessment of the election held. Of course, other factors may be driving this pattern that are not accounted for in the figure above. If we broaden the quality of elections explanation to include information directly gathered by political parties, political losers might then be thought to act on private evidence of electoral manipulation, correlated with the assessment of monitors and other public information (Donno 2008). In such a circumstance the source of the assessment would differ yet the causal dynamic would appear unchanged: political parties would reject because of poor quality elections.

It is also worth remembering though that private information could work in multiple ways. For example, the causal arrow between monitors and parties might actually run in reverse. Witnessing opposition party actions in advance of the assessment might influence the willingness of election monitors to endorse or condemn an election (Kelley 2009).

Strategic Incentives for Electoral Rejection

Outside of concerns over the quality of the election there exist a number of strategic incentives for political parties to reject electoral outcomes. I begin with some descriptive statistics on indicators of the chances of future victory. Figure 4.2 shows the rate of compliance by the number of electoral cycles in which the incumbent party retained office. The longer the incumbent party stays in office the more it is able to consolidate its power, consequently reducing the chances that the opposition party can come to office via electoral means in the future electoral cycle. According to the logic of strategic incentives, political parties should be more likely to reject electoral outcomes the longer the incumbent party stays in office.

Figure 4.2. Electoral Rejection by the Number of Consecutive Victories

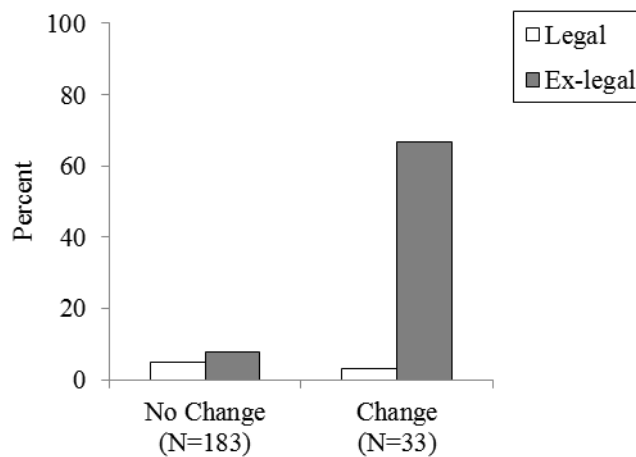


The data summarized in Figure 4.2 lends support to this hypothesis. There is a marked increase in the percentage of rejected elections the longer the incumbent stays in power, climbing from about 22% after two consecutive victories to 78% when the incumbent party retains office for more than 5 consecutive elections. As Figure 4.2 shows, the biggest increase in the rate of rejection occurs following the first and second consecutive victories. It

decreases following the fourth consecutive victory but gradually increases again after the fifth victory.

Apart from incumbent's tenure, political parties should be more likely to reject electoral outcomes via extra-legal means following a pre-electoral institutional change. These changes could affect the probability of winning in the future and, given that they change institutional rules, legal challenge will be unlikely to undo them. I graph the rates of electoral rejection by the presence or absence of an institutional change prior to an election in the figure 4.3.

Figure 4.3. Electoral Rejection by Institutional Change



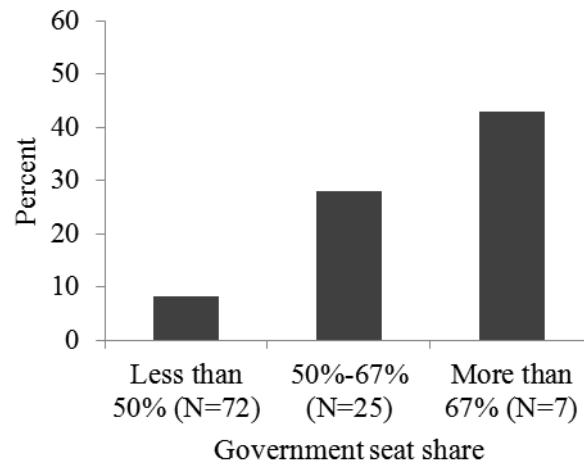
There appears to be a strong relationship between institutional change and extra-legal rejection. Political parties used extra-legal means to reject electoral outcomes in about 67% of elections following pre-electoral change but only in 8% of elections following no changes in the institutions related to elections. Meanwhile, the rate of legal challenges decreases slightly in cases where institutional changes have been made. This lends preliminary support

to my contention that the occurrence of institutional changes prior to the election likely affects the post-electoral calculus of political parties.

Electoral Gains and Challenge Success

If opposition parties value access to the policy-making process, they should be more likely to reject electoral outcomes if the incumbent party wins an overwhelming majority of the seats in the parliamentary elections. Figure 4.4 shows the percentage of rejected parliamentary elections by the majority status of the incumbent government.

Figure 4.4. Extra-legal Rejection by Government Majority Status (Parliamentary elections only)

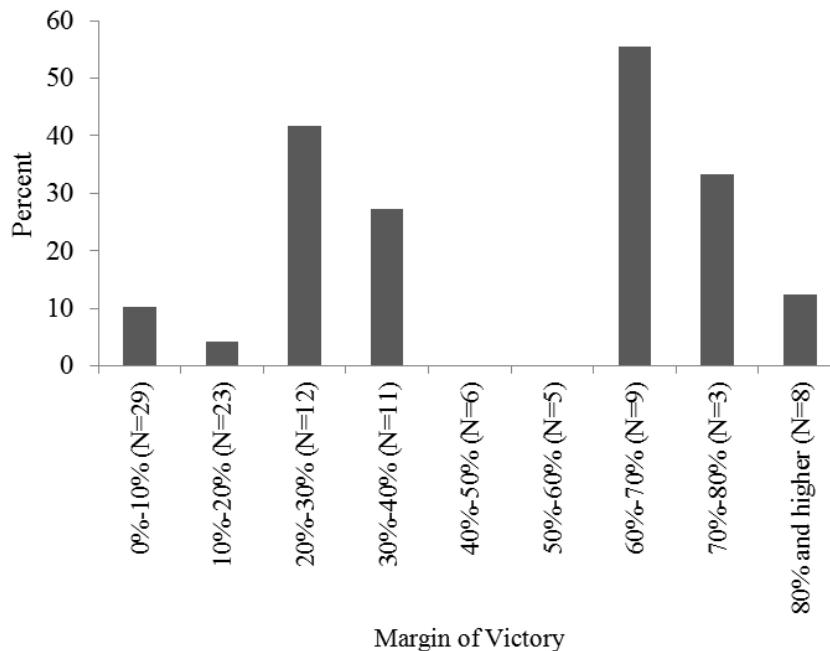


As expected, political parties are more likely to reject electoral results if the incumbent party is heading a government that controls majority or super majority of the seats. However, political parties also rejected 8% of elections following which the

government formed did not control the majority of the seats, so although majority control may be a sufficient condition for rejecting electoral outcomes it is not a necessary one.⁵⁴

Figures 4.5 and 4.6 show percentage of rejected elections by margin of victory and two types of the election: presidential and parliamentary. For descriptive clarity I group each set of cases into nine margin of victory categories. When I sort the cases by election type two interesting trends emerge.

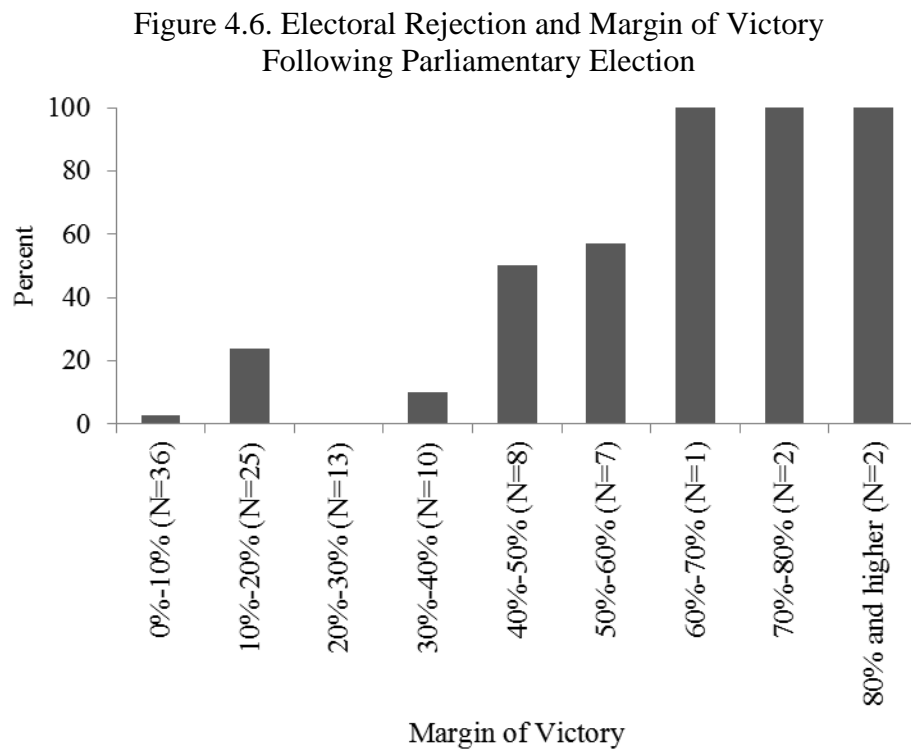
Figure 4.5. Electoral Rejection and Margin of Victory Following Presidential Election



⁵⁴ This includes 3 elections: Armenia 2003, Georgia 2003, and Kyrgyzstan 2000. In both Armenia and Kyrgyzstan, a significant number of independent candidates were elected. This phenomenon is not uncommon in the post-communist countries. Frequently independent candidates are believed to support the government. It is difficult to qualify the case of Georgia's 2003 elections since only preliminary party list results were available and no government was formed due to the events of the Rose Revolution. However, it could be calculated that the incumbent party has received the largest number of seats, 38 (25%), which still put it well below the majority. At some point during the events of the Rose Revolution Party for Democratic Revival has promised to support Shevardnadze's government, if formed. But event together these two parties controlled only 47% of the seats (Areshidze 2007).

In presidential elections, the relationship between the margin of victory and rejection is curvilinear, suggesting that in fact two different dynamics might be at play. First, political parties are more likely to reject electoral outcomes when the margin of victory is narrow as suggested by successful challenge hypothesis. Second, political parties also reject electoral outcomes when the margin is unrealistically wide, possibly indicating large-scale fraud on the part of the incumbent.

However, the direction of the trend is not straightforward and it is possible to suggest that the relationship between margin of victory and electoral rejection resembles an inverted U-shape. The rate of rejection increases from very narrow margin up to the 20%-30%, dips a little bit at the 30%-40% range and bottoms out between 40%-60%. It reaches its highest when the margin is between 60% and 70% of the vote and decrease afterwards.



In parliamentary elections the relationship between the rejection of electoral outcomes and margin of victory is more straightforward: it is positive and linear. Political parties are more likely to reject electoral outcomes of the parliamentary elections as the margin of victory increases. The descriptive statistics on the margin of victory and type of the elections provide some preliminary support for the proposed hypotheses about the challenge success and post-electoral rejection.

These findings also call into question some existing theories of electoral manipulation. For instance, Simpson (2005; 2008) finds that manipulated elections are frequently won with overwhelming margins of victory. This raises a question: why would an incumbent party manipulate the elections to the extent far beyond what is necessary for a victory? Simpson suggests that incumbents use electoral manipulation not only to increase their vote totals, but also to influence the expectations, consequently affecting the pattern of political participation. He argues that an overwhelming victory of the incumbent party can discourage its opponents from joining or supporting rival political parties and from even voting in the subsequent elections.

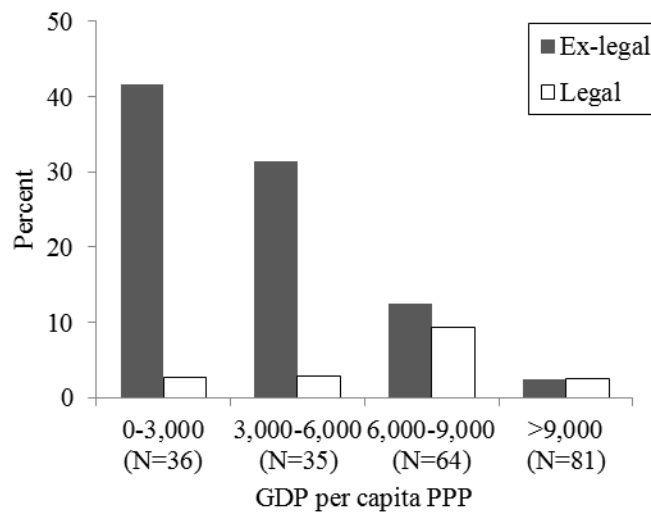
The figure above, however, suggests that winning by a large margin might actually be a liability. Based on this sample, wider margins of victory would seem to expose incumbent parties to a greater risk of post-electoral disputes with opposition parties, a development that may affect their claims to legitimacy or even their ability to hold on to power.

I also find several interesting dynamics when analyzing the relationship between electoral rejection and economic development. Recall that one strand of the literature hypothesized that political parties should be more likely to reject electoral outcomes in poorer countries. Figure 4.7 reveals an empirical relationship between electoral compliance

and economic development.⁵⁵ GDP per capita (PPP) is grouped into four categories for descriptive purposes.

The data shows that political losers in poorer countries reject elections using extra-legal means with greater frequency than their wealthier counterparts. The trend in rejecting the results of elections via legal means is actually reversed. Political parties are more likely to resort to legal means to dispute electoral outcomes in richer countries (GDP per capita between \$6,000 and \$ 9,000) than in poorer countries.

Figure 4.7. Electoral Rejection by GDP per capita

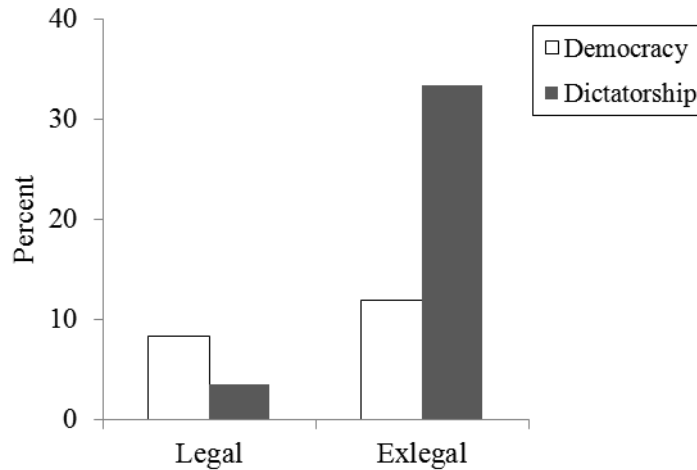


Lastly, Figure 4.8 shows the empirical relationship between electoral compliance and regime type. As expected, parties are more likely to reject electoral outcomes in democracies than in dictatorships. However, the difference is not as dramatic as one might expect. Dictatorships do not have the monopoly on post-electoral disputes; political parties in

⁵⁵ Data from World Development Indicators, GDP per capita is recorded at t-1, in 2005 US prices.

democratic countries also resort to a variety of tactics to dispute electoral outcomes, though not at the rate of parties in dictatorships. When contesting electoral outcomes, however, political parties in democratic countries seek legal redress more frequently than extra-legal. This lends some support to the broader idea in political science that political parties in democratic systems, as flawed and problematic as they might be, tend to resolve the questions of power via legal avenues.

Figure 4.8. Electoral Rejection by Regime Type⁵⁶



4.2. Multivariate Analysis

The descriptive statistics above give some indication that electoral compliance may result from more than just poor quality elections. Trends and relationships appear to exist between electoral compliance and several other factors as well, several of which feature directly in the theory of strategic, forward-looking political parties I proposed earlier. Below, I present more rigorous multivariate tests of the role of these factors in explaining the

⁵⁶ Extra-legal (exlegal in the figure) category includes both staging post-electoral protests and other extra-legal means.

variation in electoral compliance across cases. Do changes during the pre-electoral stage increase the probability that political parties will reject electoral outcomes using extra-legal means? Are the assessments of monitors important? What other factors, if any, play a role in the decisions of political parties to reject electoral outcomes?

Table 4.1. Determinants of Extra-legal Rejection
Logistic Regression

	<i>Model 1</i> <i>Quality</i>	<i>Model 2</i> <i>Change</i>	<i>Model 3</i> <i>Fixed effects</i>
Institutional Change	----	2.22*** (.63)	1.82** (.79)
Consecutive Victories	----	.52*** (.17)	.86*** (.31)
Monitors' Assessment	2.64*** (.85)	1.27 (.81)	.87 (.95)
GDP per capita	-.23*** (.08)	-.25*** (.09)	-.06 (.43)
Democracy	-.65 (.60)	.81 (.60)	2.48 (1.7)
Number of Elections	.14 (.15)	.10 (.15)	.06 (.24)
Human Rights	.15 (.17)	.13 (.22)	.31 (.33)
Constant	-2.29 (1.39)	-3.97** (1.89)	
N	169	169	88
Wald χ^2	32.35	59.52	
Prob > χ^2	.00	.00	.00
Pseudo R ²	.32	.45	
LR χ^2			28.60
Log likelihood	-58.34	-46.94	-21.49

*Notes: Cells contain coefficients. Robust standard errors, clustered on country, are in parentheses. ** $p \leq .05$; *** $p \leq .01$.*

Table 4.1 presents results of a series of regression specifications designed to answer these questions. The dependent variable is a dummy variable for extra-legal rejection. Because the extra-legal rejection variable is dichotomous, the models are standard logistic regressions, which estimate the probability of observing electoral rejection. The key independent variables of interest include monitors' assessments, institutional change, and consecutive victories. I also include four control variables to account for other plausible important factors that might affect extra-legal rejection.

The results in Table 4.1 generally align well with the patterns revealed in the descriptive analyses above. Model 1 presents a direct test of the quality of elections hypothesis by including only the monitors' assessments as the key independent variable. As expected the odds that political parties will reject electoral outcomes using extra-legal means increase as monitors issue more negative assessments of elections.

Importantly, though, the assessments of monitors lose their statistical significance when institutional change and consecutive victories are included in the model. This shift in significance indicates that political parties do consider their chances of winning in future elections when choosing how to respond to their current electoral defeat. Model 2 shows that political parties are more likely to reject electoral outcomes using extra-legal means when institutional rules have been changed prior to an election. The fact that this variable is statistically significant in Model 2, while controlling for the quality of elections, means that institutional changes must exert a pressure on political parties to reject elections independent of the quality of the election.

The number of consecutive victories also has a positive and significant impact on the probability of extra-legal rejection. As the number of consecutive victories of the incumbent

party increases opposition parties are more likely to reject electoral outcomes. Interestingly, when the sample includes only elections won by the incumbent party (not shown) consecutive victories lose its significance but institutional change remains statistically significant. This suggests that what the incumbent party does matters more than how long it has been in power.

Still these findings could be driven by factors related to the specific country in which the events occurred. Perhaps something about particular countries makes their opposition parties more prone to electoral rejection. If this is the case, the findings in the first two models might result from one or more omitted variables. To account for this possibility I estimate a country fixed-effects model in the third column.

The results of the fixed-effects model differ from those reported in model 2 in two respects. First, the sample size is reduced to 88 observations. This is to be expected with fixed-effects models. The reduction in size indicates that there are countries where there is no variation in electoral rejection across different elections. Second, economic development, which has significant negative effect on electoral compliance in the first two models, loses its statistical significance. Nevertheless, the institutional change remains positive and statistically significant. Therefore, the substantive conclusions reached in this chapter do not appear to depend on the choice of the standard logistic model over fixed-effects model.

The models also control for human right violations and the number of elections that took place in each country. None of these variables reaches accepted level of statistical significance. Surprisingly, democracy never reaches statistical significance in any of the models either. This is a break from the general pattern of the broader findings in political

science that the presence of democracy matters for everything from war to government performance.

It is possible that the answer for these unexpected findings lies in how democracy variable is coded. I use data from Przeworski et al. (2000, extended by Cheibub et al. 2010). Since all the countries in Eastern Europe and former Soviet Union included in the analysis elect their chief executives and legislatures in multi-party elections, the only feature that distinguishes democracies from dictatorships in this dataset is the alternation rule. This rule records whether an alternation in office via means of elections occurred in the country in the past. Therefore, insignificant results may suggest that what matters is the action of the current occupant of the office instead of electoral alternation that happened in the past.

Types of Institutional Changes

The previous section presented statistical evidence that institutional changes enacted by the incumbent before the election increase the probability that the losing political party will reject electoral outcomes. In this section, I further examine the effects of institutional changes by evaluating whether some institutional changes are more likely to lead to electoral rejection than others. In addition, I test whether the number of changes made before a given election has an impact of parties' decision to reject electoral outcomes.

Table 4.2 presents the results of these analyses. The primary independent variable in the first two models is a change in one of the three election related rules; in the first model it is a change in the electoral formula, in the second model it is a change in rules governing the status of the executive. In Model 3, the primary independent variable is a count of changes enacted prior to each election ranging from 0 to 3. The dependent variable in all three models

is extra-legal rejection of electoral outcomes because I theorize that institutional changes should *ceteris paribus* increase the likelihood of an extra-legal response.

Table 4.2. Type and Number of Electoral Changes
Logistic Regression

	<i>Electoral Formula</i>	<i>Executive Dominance</i>	<i>Number of Changes</i>
Electoral Formula	1.69** (.70)	----	----
Executive Dominance	----	2.23** (.89)	-----
Number of Changes	----	----	1.59*** (.43)
Monitors' Assessment	2.43*** (.86)	2.52*** (.84)	2.07** (.88)
GDP per capita	-.17** (.08)	-.22*** (.07)	-.16** (.07)
Democracy	-.38 (.55)	-.03 (.67)	-.21 (.50)
Constant	-1.53** (.78)	-1.56** (.75)	-1.89** (.84)
N	169	169	169
Wald χ^2	33.95	37.82	52.12
Prob > χ^2	.00	.00	.00
Pseudo R ²	.36	.37	.43
Log likelihood	-55.44	-54.34	-49.32

Notes: Cells contain coefficients. Robust standard errors, clustered on country, are in parentheses. ** $p \leq .05$; *** $p \leq .01$.

As results in Table 4.2 indicate, institutional changes, whether measured separately or added together, maintain a statistically significant impact on the decision of political parties to reject electoral outcomes using extra-legal means. Monitors' assessments and economic development also remain statistically significant, whereas democracy is negative, as we would expect, but is not statistically significant.

The models in Table 4.2 do not include changes in the rules governing appointment of the central electoral commission as they perfectly predict the outcome. Political parties rejected every election preceded by a change in rules governing the electoral commission. This is not surprising since such changes are highly salient, directly affecting political party's chances of winning. Additionally, the fact that the electoral commission experienced a change that placed it further within the control of the incumbent party would have the effect of making the alternative to extra-legal challenges (i.e. legal challenge) futile.

However, as table 3.7 earlier showed, in 10 out of 11 cases changes to the central electoral commission regulations were accompanied by changes in other areas of electoral regulations. Therefore, it is hard to determine whether it is changes to the rules governing the central electoral commission alone or the combination of changes that have such a strong influence on the decision of political parties to reject the electoral outcomes.

Extra-legal Rejection Strategy

Though the results of the logistic regressions are compelling, they provide only a crude estimation of the impact of institutional change on electoral compliance. They only capture extra-legal rejection against the context of all other outcomes, including compliance and legal contestation. The main hypothesis developed in chapter 2 predicts that political parties should be more likely to reject electoral outcomes and use extra-legal means to contest them when election related institutions have been changed before the election. Thus, following institutional change we should be more likely to a) observe extra-legal rejection as opposed to compliance with electoral outcomes and b) observe extra-legal rejection as

opposed to rejection via legal route of conflict resolution. The logistic regressions presented in Table 4.1 and 4.2 therefore test only the first of the two hypotheses.

The model in Table 4.3 is designed to test the second hypothesis. The basic question it addresses is whether institutional changes increase the probability of extra-legal rejection compared to legal rejection or whether they increase the probability of rejection in general. Because rejection in this case is unordered three-level variable, the model that I present is multinomial logistic regressions. This model estimates the probability of observing different types of rejection – compliance, legal rejection, or extra-legal rejection - if election-related institutions have been changed prior to an election.

Table 4.3. Predicting Electoral Rejection
Multinomial Logit Estimates

	<i>Comply vs. Legal</i>	<i>Extra-legal vs. Legal</i>
Institutional change	.96 (.68)	2.84*** (.73)
Monitors' Assessment	-3.64** (1.33)	-1.18 (1.13)
GDP per capita	-.08 (.08)	-.25** (.10)
Democracy	.16 (.82)	.11 (.74)
Constant	4.36** (1.36)	2.49** (1.01)
N = 169		
Wald $\chi^2 = 106.13$		
Prob < $\chi^2 = .00$		
Pseudo R ² = .34		
Log likelihood = -80.32		

Notes: Cells contain coefficients. ** $p \leq .05$; *** $p \leq .01$.
Robust standard errors, clustered on country, are in parentheses.

In this analysis, three main findings are of a particular interest. First, institutional change is a statistically significant predictor of when political parties use extra-legal means of rejection as opposed to using only legal route. Political parties are more likely to contest electoral outcomes through extra-legal means than legal if elections were preceded by an institutional change. Institutional change, however, has no impact on political party's decision to comply with electoral outcomes as opposed to pursuing legal route of contestation. Other factors, such as electoral quality, are more important in predicting this. This fits with the expectations of my theory of political party behavior; specifically political parties should be more likely to pursue extra-legal means to contest electoral outcomes when they are concerned with their future chances of victory.

Second, the primary explanatory variable for parties' decisions to seek legal redress following an electoral defeat is the assessment of the monitors. Monitors' assessments, however, exert no influence on parties' decisions to use extra-legal tactics. Lastly, economic development only matters in predicting the use of extra-legal means of conflict resolution as opposed to the legal route. This means that political parties in poorer countries are more likely to contest elections using extra-legal means than legal means.

Before we accept the evidence above, it is worth considering that rejection may in fact exhibit a clear hierarchy of intensity of post-electoral strategies ranging from acceptance to extra-legal rejection. If so, it would be an ordered three-level variable. In Table 4.4, I replicate the model reported in Table 4.3 but use ordered logistic regression. The outcomes variable in this case is measured as: (1) accept, (2) legal rejection, and (3) extra-legal rejection.

Table 4.4. Electoral Rejection as Escalation Strategy
Ordered logistic regression

Institutional change	1.67*** (.60)
Monitors' Assessment	2.61*** (.90)
GDP per capita	-.12** (.05)
Democracy	-.006 (.54)
Cut 1	1.81 (.84)
Cut 2	2.38 (.90)
N	169
Wald χ^2	49.19
Prob < χ^2	.00
Pseudo R ²	31
Log likelihood	-84.19

Notes: Cells contain coefficients.

Robust standard errors, clustered on country, are in parentheses.

**** $p \leq .01$; ** $p \leq .05$*

Even when we use ordered logistic regression, the main findings remain the same across all the covariates. Institutional change remains a significant predictor of electoral rejection. Monitors' assessments also have positive statistically significant impact as well as economic development. Democracy is negative but does not reach the acceptable level of statistical significance. To sum up, the substantive conclusions of this chapter do not appear to depend on the choice of the multinomial model over the ordered logistic model.

Electoral Quality

Are the assessments of election monitors a good measure of the quality of elections? Election monitors exist primarily to report on the quality of elections they observe. As a result, monitors' assessments of election recently have been widely used in the studies of elections and post-electoral disputes. Therefore, the most basic assumption is that their assessments reflect the actual level of electoral irregularities. This assumption, however, has been challenged in the recent studies of politics of international observation. Kelley (2009; 2010), for instance, finds that other factors, such as organizational politics and norms as well as several factors associated with the country and election can influence monitors' overall evaluation of an election. Thus, the question is whether we can account for electoral quality more directly.

Monitors frequently produce two types of information about the elections. First are the overall assessments of the elections. These assessments can frequently be found in the immediate post-electoral statements or press releases issued by the monitoring organizations. These statements attract significant amount of attention and, despite longer and more detailed reports that come out months later, the immediate assessments are considered to be authoritative statements on the overall quality of the elections. Second, monitors also produce longer reports that discuss the details of how the elections were conducted. It is these detailed reports that provide information on different types of irregularities observed during an election. Although international election monitors do not intentionally hide or invent the irregularities they observe, Kelly (2009) finds that the number of irregularities is not the only determinant in the election assessment. In short, monitors consider more than simple electoral violations on the ground in making their endorsement. As I noted above, concern

over potential violence often intrudes on the willingness of monitors to endorse or condemn an election.

An alternative approach to relying on the conclusions of election monitors is to review the information their reports contain regarding particular irregularities observed during the election. This approach, which I employ in the following analysis, has the advantage of extracting observations of specific violations and therefore uses the raw data of the case absent the politically sensitive interpretation of the election monitors. In particular, I use four separate indicators, which include: (1) pre-electoral cheating; (2) pre-election capacity; (3) election-day cheating; and (4) elections-day capacity. Each variable is coded on the scale from 0 to 3, where “0” indicates absence of problems and “3” indicates the highest level of the problems. This data for this variable are obtained from Kelley (2009). The description of what kinds of irregularities are included in each category is described in Table 4.5.⁵⁷

Table 4.5. Four Types of Electoral Irregularities

Pre-election Capacity	Problems with voter list or registrations Complains about electoral commission conduct Voter information problems Procedural problems and technical difficulties
Pre-election Cheating	Intimidation Media Freedom of campaign Improper use of public funds
Election-day Capacity	Information insufficiency Administrative insufficiencies Problems in voter list Complains about electoral commission conduct
Election-day Cheating	Voter processing Voter fraud Intimidation

Source: Kelley (2009).

⁵⁷ Please see Kelley (2009) for details on coding.

It is important to note that even though *pre-election capacity* variable measures the types and number of problems that occurred before the election, it does not capture any of the issues that would be captured by the *institutional change* variable. Pre-electoral capacity primarily measures problems of voter lists or registration, voter information problems, and procedural and technical issues. It does not include any assessment of the institutional framework of the elections.

Table 4.6. Election Quality Disaggregated⁵⁸
Logistic Regression

	<i>Extra-legal Rejection</i>
Institutional Change	2.04*** (.67)
Pre-election Cheating	-.06 (.36)
Pre-election Capacity	1.09** (.43)
Election-day Cheating	1.21** (.62)
Election-day Capacity	-.61 (.76)
GDP per capita	.27 (.13)
Democracy	.13 (.62)
Constant	-4.57** (2.19)
N	107
Wald χ^2	72.67
Prob > χ^2	.00
Pseudo R ²	.49
Log likelihood	-27.67

Notes: Cells contain coefficients. ** $p \leq .05$; *** $p \leq .01$
Robust standard errors, clustered on country, are in parentheses.

⁵⁸ The sample is reduced due to data availability.

The model in Table 4.6 is designed to test the impact of four main types of irregularities on the likelihood of extra-legal rejection by opposition parties. The model also includes institutional change variable and two control variables from the previous models. The results indicate that including separate irregularity variables does not change the main substantive findings in the previous models. Institutional change retains a statistically significant impact on political party's decision to reject electoral outcomes using extra-legal means. Two of the four variables that measure electoral quality are also statistically significant. As we would expect pre-election capacity and election-day cheating have a positive impact on the probability of extra-legal rejection. However, none of the remaining two irregularity variables are statistically significant. Thus, the effect of the pre-electoral institutional change seems to be robust even when alternative measures of electoral quality are included.

Margin of Victory

Models in Table 4.7 test the hypothesis about the relationship between margin of victory and electoral rejection. My theory does not generate specific expectations about the route political parties will use to contest the outcomes, therefore, the dependent variable in all four models is electoral rejection which includes both: legal and extra-legal means to reject electoral results. The main independent variable is the margin of victory between the winner and the largest opposition party. For the presidential elections I also include a squared term of the key independent variable to control for possible non-linear relationship. Lastly, I include two control variables from previous models that were found to be significant predictors of post-electoral rejection as well as a democracy variable. Theoretically, we

should expect different patterns of relationship across presidential and parliamentary elections; therefore I split the sample into presidential and parliamentary elections.

Table 4.7. Margin of Victory, Majorities and Electoral Rejection
Logistic Regression

	<i>Presidential elections</i>		<i>Parliamentary election</i>	
	Model 1	Model 2	Model 3	Model 4
Margin of Victory	.003 (.01)	.09** (.03)	.05** (.02)	----
Margin Squared	----	-.0009** (.0004)	----	----
Government Majorities	----	----	----	.07*** (.03)
Quality of Elections	2.61*** (.94)	2.76*** (.86)	3.45*** (1.3)	4.22*** (1.3)
GDP per capita	-.07 (.07)	-.09 (.09)	-.17* (.09)	-.19** (.09)
Democracy	.40 (.60)	.71 (.70)	-.58 (.68)	-1.02 (.90)
Constant	-2.11*** (.60)	-3.35*** (.89)	-2.86** (1.2)	-5.59*** (2.05)
N	73	73	90	90
Wald χ^2	15.67	20.74	20.28	31.18
Prob > χ^2	.00	.00	.00	.00
Pseudo R ²	.28	.25	.49	.50
Log-likelihood	-31.94	-30.4	-25.01	-24.41

Notes: Cells contain coefficients. Robust standard errors, clustered on country, are in parentheses.

* $p \leq .1$; ** $p \leq .05$; *** $p \leq .01$

In the analysis of the presidential elections, two points are of particular interest. First, the non-significant impact of margin of victory on electoral rejection is not surprising since a non-linear relationship was already suspected. Second, as results in model 2 indicate, the

relationship between the margin of victory and rejection is indeed non-linear and resembles an inverted U shape.

The results suggest that in Eastern Europe and former Soviet Union, defeated presidential candidates reject electoral outcomes not only when the margins of victory is either narrow or relatively wide but also when they are between 20% and 40% of vote (as Table 4.5 demonstrates). This may also indicate some strategic motivation on the part of the candidates beyond simple consideration of how likely they are to win the challenge. Lastly, the rate of rejection is low at the very wide margin of victory. This may indicate two scenarios. First, some of the elections may not have a clear opposition party that competes for the presidential position such as the founding elections in many post-communist countries. Second, the control of the winner is so extensive that any challenge to the results does not have any chance of success.

The results of the analysis of the parliamentary elections, on the other hand, are as expected. Margin of victory is a positive statistically significant predictor of electoral rejection in the parliamentary contests. Political parties are more likely to reject electoral outcomes as the margin of victory increases. Also, both economic development and monitors' assessments remain consistent predictors of electoral rejection across different types of elections with the exception of Model 2, where economic development fails to reach acceptable levels of statistical significance. Overall, the results of the first three models in Table 4.5 suggest that it is important to take into account the type of elections when considering the relationship between the margin of victory and electoral compliance.

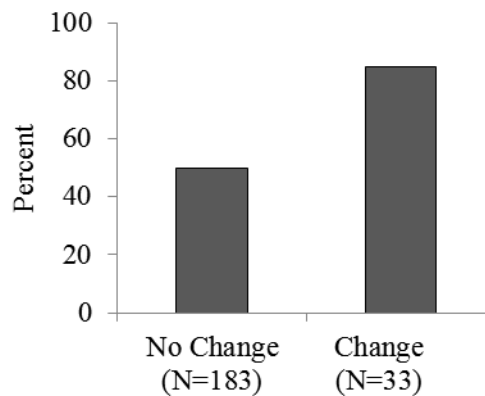
Lastly, Model 4 includes government majorities as the main independent variable measured as a percent of seats controlled by the government after the parliamentary

elections. The positive and statistically significant coefficient on government majorities confirms that as the number of seats controlled by the government increases political parties are more like to reject the results of the parliamentary elections.

Institutional Changes and Incumbent's Victory

The results in the previous sections indicate that institutional changes have a statistically significant effect on parties' post-electoral strategies. However, do these institutional changes increase the probability of incumbent party winning the election? In other words, is the reaction of political parties to the institutional changes justified?

Figure 4.9. Election Victory and Institutional Change



The descriptive statics presented in Figure 4.9 show that incumbent parties win more elections following institutional changes. In the sample, incumbent party won office in about 88% of the elections that took place following a restrictive institutional change and only 49% of the time without. Despite its importance, pre-electoral change is not a foolproof recipe for victory, in 12% of elections, incumbent failed to win the election even after the changes were

introduced. This leaves us with the question of how much of their victories incumbent parties owe to institutional changes. Models 1-3 presented in Table 4.8 are designed to examine this question in a multivariate analysis.

Table 4.8. Predicting Victory of the Incumbent Party
Logistic Regression

	<i>Model 1</i> ⁵⁹ <i>Change</i>	<i>Model 2</i> <i>SMD</i>	<i>Model 3</i> <i>Overall</i>
Institutional Change	1.47*** (.57)		1.57*** (.60)
SMD		.02*** (.01)	
Parliamentary	-.81*** (.29)		-.80** (.34)
GDP per capita	-.03 (.03)	-.05 (.05)	-.01 (.31)
Democracy	-1.58*** (.39)	-1.60*** (.56)	-1.45*** (.39)
Turnout			.01 (.01)
Constant	2.79*** (.67)	1.09 (.99)	1.27 (1.19)
N	214	108	204
Wald χ^2	43.99	28.24	45.53
Prob > χ^2	.00	.00	.00
Pseudo R ²	.13	.18	.12
Log likelihood	-127.88	-61.40	-122.39

*Notes: Cells contain coefficients. Robust standard errors, clustered on country, are in parentheses. ** p ≤ .05; *** p ≤ .01*

Ideally, I would control for the popularity of the political parties; unfortunately, reliable systematic data on popular support of the political parties does not exist.

Nonetheless, from the available covariates, I am able to model the determinants of the

⁵⁹ Excludes elections boycotted by the opposition, since in those cases the incumbent wins by default.

incumbent's victory. Because incumbent victory is a dichotomous variable, the models are logistic regressions, which estimate the probability of an incumbent winning an election.

Results in Table 4.8 provide a few insights into which factors increase the probability of incumbent's victory in Eastern Europe and former Soviet Union. First, opposition parties are correct in their beliefs that institutional changes affect prospects of winning an election. An incumbent party is more likely to win an election when it changes the institutional rules before the election. This finding is robust across all models.

Model 2 tests one of the rules that went into coding pre-electoral changes – increase in the number of seats selected by the single-member district electoral formula, the assumption being that SMD increases the probability of incumbent party winning office. Electoral formula under which elections are conducted is indeed a statically significant predictor of an incumbent's victory, the higher the share of seats elected in single-member districts the more likely the incumbent party is to retain office in parliamentary elections.

As expected, a number of control variables are statically significant in predicting an incumbent's victory. Incumbent parties are more likely to retain office as a result of presidential elections as opposed to parliamentary. Incumbent parties are also more likely to retain office in dictatorships than in democracies. Lastly, neither economic development nor turnout is a significant predictor of an incumbent's ability to retain office.

The magnitude of statistically significant coefficients of Model 3 is illustrated in Table 4.9. It shows that, holding all other variables at their means, on average incumbent party is 32% more likely to win an election if it changed institution rules in advance.

Table 4.9. Changes in Probability of Incumbent Victory

Variable	Changes in Probability
Institutional Change	.32 (.0967)
Parliamentary	-.19 (.0831)
Democracy	-.31 (.0726)

Note: Standard errors are in parentheses

4.3. Conclusions

The finding that pre-electoral institutional changes increase incumbent party's probability of winning an election brings us full circle, back to the theory of electoral compliance developed in this dissertation. I theorized in Chapter 2 that the concerns of political parties about winning in future electoral cycles should lead them to use extra-legal means to reject electoral outcomes following pre-electoral institutional changes enacted by the ruling party. As the analysis presented in this chapter has shown, this prediction largely holds true. Pre-electoral changes are systematically related to the decision of political parties to use extra-legal means to reject electoral outcomes. Additionally, the institutional changes so vigorously opposed by the opposition parties systematically benefit the ruling party at the ballot box. From this we can infer that opposition parties are correct when they make a connection between the institutional changes and their chances of winning an electoral contest.

However, one piece in the electoral compliance puzzle is still missing – I have not yet examines whether political parties' characteristics play any role in explaining their post-electoral behavior. To investigate whether political parties that rejected electoral outcomes

are systematically different from parties that accept them we need to identify which particular characteristics are most like to affect parties' post-electoral decisions. I explore these characteristics in the next chapter.

Chapter 5. Beyond the *Opposition*: Who Rejects Electoral Outcomes?

A concern about the electoral compliance of defeated political parties lies at the heart of questions about elections and democracy. The primary goal of this study so far has been to examine the conditions under which political parties comply with electoral outcomes. In doing so, I have advanced a theory of electoral compliance based on strategic, future-oriented political parties. Until now however I have focused my investigation on election-level factors in order to determine their effects on the post-electoral strategies of political parties.

The analyses of the previous chapters offer support for the predictions of my theory of electoral compliance and call into question the causal force of election quality. Specifically, I find that political parties are sensitive to the incumbent party's actions during the pre-electoral stage and they care about institutional changes that might disadvantage them in the future.

What my analysis up to this point has not grappled with is the characteristics of the individual political parties themselves. In this chapter, I ask questions such as: are all parties equally likely to reject electoral outcomes? How do specific characteristics, for example party age or ideological position, affect the probability of rejection? What is the impact of party level characteristics relative to election level factors? My goal in this chapter is to provide a first attempt at examining a relatively understudied area of comparative electoral studies: the effects of individual party characteristics on electoral rejection.

Much of the existing literature tends to use "elections" or the aggregate "opposition parties" as the unit of analysis when studying electoral compliance. This choice is important because there are limits to the information we might glean in any study that employs an

aggregate unit of analysis, especially when smaller unitary actors exist about which we can and, I argue, should theorize.

In many recent studies, elections are classified as rejected if one or more of the opposition parties questioned electoral outcomes. This approach is problematic because it tells us very little about the political parties that deliberate over and subsequently choose to mount the rejection. By aggregating all parties or representing rejection by one as rejection by all, current scholarship assumes that all opposition parties will necessarily follow the same post-electoral strategy, overlooking the potential for variation across different parties. I contend in this chapter that examining how individual political parties respond to defeat can help us learn about the dynamics within and the probability of post-electoral disputes. As I will show below, variation in the characteristics of political parties influences their post-electoral decisions in substantial and meaningful ways.

Unit of analysis problems are not unique to post-electoral conflict studies. The literature on third-party intervention in civil wars, for instance, has long suffered from the same problem of “phenomenon-centric” approach. Many scholars have analyzed the questions of third-party interventions in civil conflicts but, until recently, they have only addressed interventions indirectly by using “civil war” as the unit of analysis without accounting for intervener’s characteristics or the dynamics among different potential interveners. By including factors at the level of the individual political actors (i.e. the interveners) this literature has started to develop more precise and sophisticated explanations of civil war interventions (Findley and Teo 2006).

In this chapter, I propose an actor-centric approach to the study of post-electoral disputes, in which the political parties that reject electoral results are theoretically central and

therefore are the unit of analysis. Developing this party-centric approach should provide more accurate predictions of electoral compliance as well as new and interesting predictions of the electoral behavior of political parties, the actors most intimately bound up in the electoral process. It may even generate new and promising research questions.

This chapter makes an important contribution to relatively scarce comparative research focused on the dynamics of political parties that engage in post-electoral disputes. Certain cases of post-electoral dispute have received greater attention than others (i.e. Ukraine, Georgia, and Serbia). With few exceptions these studies focus exclusively on the mass protests that followed different elections and whether or not those protests were successful in overturning the electoral results. Moreover, the majority of these studies do not consider the characteristics of individual opposition parties beyond the percent of vote/seats they gain. Including these measures in an explanation of rejection is helpful but it does not go nearly far enough to explain why a particular party decided to reject the election.

While these studies are informative in examining a specific type of post-electoral phenomenon (i.e. the overturning of electoral results) and provide useful research into the political parties on the ground in a subset of elections, as a literature they fail to generate a truly comparative account of electoral compliance by political parties. They overlook many of the cases where parties rejected electoral outcomes to no avail, failing to change the outcome. Furthermore, they ignore the role that characteristics of political parties might play in their post-electoral decisions. As a result, we are left with little actual understanding of how the parties that reject electoral results differ from those that comply.

In this chapter, I approach this question by looking empirically at a broad group of cases where political parties rejected electoral outcomes, regardless of their subsequent

successes or failures in overturning the outcomes. I include cases where political parties used legal and extra-legal means to dispute electoral outcomes. By examining this sample of electoral rejections, I hope to present a picture of what post-electoral disputes in post-communist countries look like, as well as provide a preliminary analysis of the characteristics of individual political parties and the dynamic during post-electoral disputes.

5.1. Parties and Post-electoral Strategies

Only two studies have analyzed post-electoral conflict at the level of the political party. In the first, Todd Eisenstadt analyzed the rise of opposition parties in Mexico and their role during the country's protracted transition to democracy (Eisenstadt 2004). The second study, by Beatriz Magaloni, analyzed the factors behind the longstanding dominance of the Institutional Revolutionary Party (PRI) in Mexican politics (Magaloni 2006). Both studies find important differences between the strategies adopted by the two opposition parties they examine, suggesting that the individual characteristics of opposition parties that lost the election are important predictors of their post-electoral behavior.

These studies contribute greatly to our understanding of electoral compliance and, at a minimum, make a compelling case for the promise of actor-level explanations in the case of Mexico. The drawback to the analyses of Eisenstadt and Magaloni is that we are left wondering whether actor-level theories of political party compliance would be equally successful beyond the borders of Mexico. After reviewing their work, I investigate this question in the context of countries of Eastern Europe and the former Soviet Union.

Eisenstadt (2004) finds that the two main opposition parties during the period of the PRI rule in Mexico - National Action Party (PAN) and Party of the Democratic Revolution

(PRD) - used divergent strategies when responding to electoral defeat. These strategies were affected by a number of factors including the margin of victory in the election in question, the level of party organization in the particular localities, and other differences between the two parties. Importantly, Eisenstadt argues that the two opposition political parties were differently affected by the same circumstances. For example, the PAN was less likely to stage post-electoral conflicts in municipalities with stronger electoral institutions whereas the PRD was more likely to mobilize in localities with stronger electoral institutions. Eisenstadt contends that the underlying reasons for post-electoral conflicts for the two parties were very different. The PAN's strategies were essentially driven by the perceptions of electoral fairness whereas the source of the PDR's actions was embedded in the broader underlying social tensions.

Similarly, Magaloni (2006; 2010) focuses on the two main opposition parties in Mexican politics in her study of the survival of the Institutional Revolutionary Party (PRI). Magaloni argues that the nature of the opposition parties' voter base is one of the key factors in understanding their post-electoral strategies. She argues and offers evidence that if an opposition party's base consists largely of radical voters it will be more likely to reject electoral outcomes. Conversely, if the majority of a party's supporters are moderate, the party will be more likely to comply with electoral outcomes.

This argument is intuitively appealing because the incentives of political parties to appeal to, as well as be constrained by, their voters is a conceptual relationship long established in the political party literature. What both Eisenstadt and Magaloni do is connect this intuition about party-level variation (i.e. different parties have different supporters with

different motivations) to generate predictive theories of PAN and PRD's post-electoral behavior.

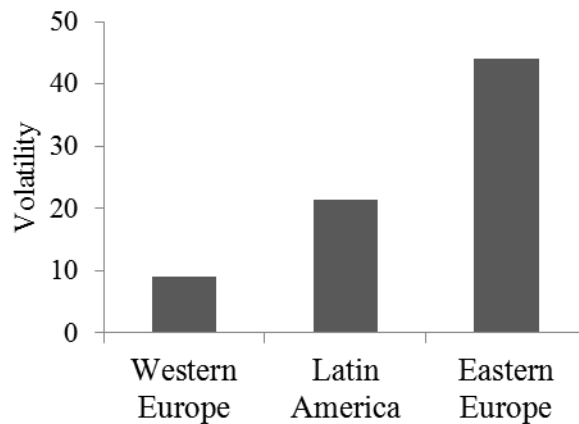
The advantages of focusing on Mexico are the small number of opposition parties, the extensive documentation available on elections, and the record of inter-party dynamics over the past several decades. This empirical record makes a deep comparative analysis conducted by Eisenstadt and Magaloni feasible. Importantly, multiple opposition-party electoral disputes in one municipality were rare. Frequently a municipality was contested either by the PAN or the PRD making it easy to identify the major opposition contender in each election (Eisenstadt 2004). Thus, Mexico is a logical springboard for beginning to examine the effect that variation in political party characteristics might have on post-electoral disputes. Yet examining the electoral disputes of Mexico alone cannot fully answer the question of how party-level factors affect electoral disputes across the globe. Such an answer necessarily requires expanding the scope of inquiry.

Regrettably, some countries within the post-communist region do not readily lend themselves to such detailed analysis. The countries of Eastern Europe and the former Soviet Union are famous for the proliferation of political parties that occurred following the collapse of the Berlin Wall. The sheer number of parties that proliferated is itself an obstacle to any concise analysis of a political party's motivations and dynamics. The large number of parties, however, is not the only problem researchers encounter in surveying the party system in this region.

The region has also been home to high levels of electoral volatility for a protracted period of time. Electoral volatility is understood as the change in vote shares for individual parties across consecutive elections (Tavits 2005). Historically measured by the Pedersen

Index, the volatility in Eastern Europe and the former Soviet Union is significantly higher than in other regions, as Figure 5.1 shows. This means that even if the number of parties that either received seats in the legislative body or participated in the elections was not high, the support for these parties varied dramatically across elections.

Figure 5.1. Average Electoral Volatility across Regions⁶⁰



A third complicating obstacle to analyzing factors at the party level in Eastern Europe and the former Soviet Union is that systematic information on the electorate and political parties (readily available in the Mexican case) is at times unavailable for some countries. This makes the sort of detailed description of clearly identified political parties more challenging.

Despite these obstacles, I believe that useful inferences can be drawn from examining the electoral disputes in Eastern Europe and the former Soviet Union. These electoral

⁶⁰ Data on Western Europe 1885-1985 from Bartolini and Mair 1990; data on 16 congressional elections for Latin America during 1980 and 1990 from Roberts and Wibbels (1999), and data on Eastern Europe from Mainwaring and Zoco (2007). This trend is also consistent with Tavits (2005), who finds that average electoral volatility in Eastern Europe is higher than in countries of Western Europe and Latin America. Although Tavits finds lower average levels of electoral volatility in Eastern Europe than Mainwaring and Zoco (2007), most likely due to the sample of elections she uses.

disputes constitute a relatively new phenomenon in the region because these countries began holding multi-party elections only following the collapse of the Berlin Wall. Yet, with some 20 years having passed, the political parties in the region have had time to accumulate an impressive history of electoral compliance and non-compliance, making a quantitative analysis like mine possible. Moreover, despite the electoral volatility and at times spotty case histories, this region generates a significant number of researchable instances of rejection, containing some of the most important cases of electoral rejection in recent history (e.g. the color revolutions). Additionally, because this region has not been fully explored at the party level, any findings I can offer will be a valuable addition to the scholarly and historical record. In sum, the electoral disputes in Easter Europe and the former Soviet Union offer a treasure trove of information ripe for exploration and analysis.

5.2. A United Front?

Opposition unity is a popular concept in the study of elections. A unified opposition, it is commonly theorized, possesses an almost supernatural ability to combat fraudulent elections. The idea of unified opposition has attracted attention of the scholars that study the success of post-electoral disputes as well as scholars of electoral politics and democratic transition more generally.

Most work on the success of the post-electoral protests credits opposition unity with being the key to winning both elections and post-electoral disputes (van de Walle 2006; Bunce and Wolchik 2007). Bunce and Wolchik (2007) argue that a united opposition is a critical part of the “electoral model” used to win power. Most frequently the concept of opposition unity is used to refer to the coalition building among opposition parties done in

advance of elections. Recent studies have applied the concept of opposition unity to the creation of electoral blocs by groups of parties and the parties' coordination efforts to put forward a single candidate for presidential elections (Gandhi and Reuter 2008; Gandhi 2008). In sum, these studies approach opposition unity as an arrangement made by parties in advance of the electoral contest.

In this section I am interested in investigating opposition unity *after* the elections are over. While unity has traditionally been assumed by scholars who employ proxies for the “the opposition” in their quantitative work, it has yet to be empirically examined. The natural question to ask then is: Are opposition parties always united in their response to electoral loss?

For purposes of this study I define opposition unity post-election as when all opposition political parties agree on the post-electoral actions, such as filing a claim to contest electoral outcomes in the courts, or jointly contest electoral results via extra-legal means, such as refusing to take seats in the legislature or launch street demonstrations.

Similar to pre-electoral unity, opposition unity following electoral defeat may vary across different types of elections. For instance, following a presidential election we should expect only the runner up party/candidate to reject electoral outcomes. Meanwhile, following parliamentary elections we should expect the opposition parties to unite in their response to defeat since if results are overturned they can share the spoils.

The question of opposition unity during a post-electoral dispute is important both for theory building and empirical testing. If opposition parties are not always united in their response to electoral defeat then using an aggregate of the “opposition” in analysis of post-electoral disputes is problematic because it predicts the same behavior for all actors when in

fact that behavior may vary across parties. The problematic nature of this discrepancy extends to the proxies used to study electoral compliance. For instance, it might be inaccurate to use the aggregated percentage of seats won by all opposition parties to calculate the margin of victory between the opposition that rejects and the incumbent party that won, especially if some parties not in government accepted the electoral outcomes.

The question of the opposition unity during the post-electoral dispute is also important theoretically. The post-electoral conflict is frequently viewed as the government against the opposition thus assuming that all or most opposition parties act in unison. Until now, however, no one has conducted a study of electoral defeat in order to determine whether parties do in fact act in unison following most elections. What if the monolithic opposition, which scholars commonly assume, crumbles and we observe a variety of responses to electoral defeat by individual political parties? If this is the case then the appropriate question to ask, and one I attempt to address herein, is which party characteristics, if any, might affect the decision to reject electoral outcomes? Before answering this question though we must identify who exactly qualifies as an opposition party.

Identifying Opposition Parties

One approach to identifying the opposition parties would be to consider all the political parties who lost a given election as members of the opposition. However, this approach ignores the more complicated reality that some of the parties that lost would never contemplate rejection as an option. Political parties closely associated with the winning party and those invited to form a coalition and thereby participate in the government are among

those parties for whom rejection is simply not an option. However, an offer to form a coalition may follow a rejection threat by a particular party, thus serving as a conflict resolution strategy by the winner. Similarly, the winner may also anticipate the rejection, offering a part of the spoils to some of the losers to prevent a post-electoral conflict from taking place. Therefore, ideally the study of rejection would also examine the causes of government participation and the factors that led to its creation. Unfortunately, these events usually take place behind closed doors and away from the eyes of both the public and the media. As a result, reliable data on these processes is not available.

Therefore, I identify opposition parties prior to the election. A political party that was not a part of the government at the moment of the elections is considered to be an opposition party. I take three main steps to collect data to investigate opposition unity in response to electoral defeat. First, I identify all the parties that participated in 45 elections that have been rejected by one or more political parties. For presidential elections all candidates that participated and received at least 1% of the votes are included. For the parliamentary elections I include all political parties that participated in the election and gained at least 1% of the vote. Second, I code the partisan composition of the government prior to each election. Lastly, I identify the political parties that rejected electoral results of the election and the strategy they adopted. As in the case of identifying rejected elections, I rely on multiple sources of information when coding the post-electoral compliance of individual political parties. My sources include Lexis-Nexis database, Keesing's Record of World Events, as well as reports produced by the Organization for Security and Cooperation in Europe (OSCE) and the Commission on Security and Cooperation in Europe (CSCE, also known as U.S. Helsinki Commission). In addition, I comb through articles from academic journals such

as *Electoral Studies*, *Journal of Democracy* and others to verify whether a political party rejected an election and, if so, how it expressed its rejection.⁶¹

Due to scarcity of information on different political parties in Eastern Europe and the former Soviet Union as well as the high level of electoral volatility mentioned above, researching individual political parties in this region presents several challenges. For instance, it is sometimes difficult to identify individual parties involved in rejection since often the only information available on the rejection reports the actions of the rejecting alliance as a whole.⁶² For example, following the 1995 parliamentary election in Azerbaijan, “The Round Table Group,” an umbrella organization of 20 opposition parties rejected electoral outcomes and refused to recognize the newly elected legislative body.⁶³ Another example is the 1995 parliamentary election in Armenia, the outcome of which was rejected by the co-operation for the Sake of Justice, a bloc of nine opposition parties.⁶⁴ Even though the particular parties are not specified in these cases, I consider such instances as unity among all opposition parties.

I measure opposition unity using three ordinal values: “One party” when only one political party rejected electoral outcomes; “Some parties but not all” when some but not all opposition parties rejected electoral outcomes; and “All parties” when all known opposition parties rejected electoral outcomes. These are admittedly crude cuts of the data, but this ordinal grouping helps me to quickly answer the most pressing question of this chapter: are parties frequently united following electoral defeat?

⁶¹ Please see a full list of sources by country in the Appendix B.

⁶² This should not be necessarily taken to imply that all parties were in fact united. Speaking of the opposition is both a scholarly and journalistic convention for referring to those parties on opposition to the electoral outcomes. It ignores parties who remain on the sidelines or accept the outcomes.

⁶³ Keesing's Record of World Events. 1995. Azerbaijan. Vol. 41, November.

⁶⁴ Keesing's Record of World Events. 1995 . Armenia. Vol. 41, July.

Opposition Unity following Electoral Defeat

Table 5.1 summarizes the pattern of party unity in 42 disputed elections in Eastern Europe and the former Soviet Union.⁶⁵ The findings in Table 5.1 demonstrate that there is likely to be a problem with using the aggregate “opposition parties” in conducting research on post-electoral disputes. In less than a third of the rejected elections opposition parties were unanimous in their actions following electoral defeat.

Table 5.1. Opposition Unity following Electoral Rejection

	Number	Percent
One party	12	28.6%
Some parties but not all	19	45.2%
All parties	11	26.2%
Total	42	100%

Sources: author's calculations

Azerbaijan's 1995 and Armenia's 1995 elections discussed above are examples of unanimous opposition response to electoral defeat. In both cases all opposition parties rejected electoral outcomes refusing to recognize the legitimacy of newly elected legislative bodies. This, however, is not the modal outcome of contested elections in Eastern Europe and the former Soviet Union.

⁶⁵ For three elections information about which particular parties rejected and whether they acted together with other opposition parties was not available.

In over 45% of the rejected elections some but not all of the opposition parties challenged the electoral outcomes. One particularly telling case is the 2003 parliamentary election in Georgia. Immediately following the November 2nd elections, both the National Movement and the Burinandze-Democrats claimed victory in parliamentary elections and denounced the ruling party for stealing the election. Yet despite the frenzied extra-legal rejection of the National Movement and the Burinandze-Democrats, all remaining parties including Labour, New Rights, and Industry Will Save Georgia abstained from joining the protests (OSCE 2004).

Lastly, 28.6% of elections under consideration were challenged by only one opposition party. For instance, the candidate of the National Unity Party Artashes Geghamyan challenged the results of the first round of 2003 presidential elections in Armenia in a field of three candidates.⁶⁶ Similarly, the outcome of the parliamentary election in Kyrgyzstan in 2007 was rejected by only one party - Ata Meken.

Broadly, this breakdown of unity calls into question the assumption of consistent unified action by opposition political parties. In only a minority of cases we observe all parties agree to rejection of a given election. Much more common is the rejection by a subset of parties or single party, while some or all the other parties opt out of taking any actions to reject the electoral outcomes. This initial examination also opens up several important questions. Why do certain parties work together to protest the election? What causes so many parties to sit out protests raging on the streets?

When we divide the sample by election type further fractures in opposition unity can be seen (Table 5.2). In presidential elections – perhaps due to pre-electoral coordination and the candidate-centric nature of the contest – single party rejection occurs in a plurality of

⁶⁶ Three candidates gathered more than 1% of the vote, excluding the winner of the first round.

elections, with only a quarter of presidential elections experiencing unanimous opposition unity. By contrast, the overwhelming majority of parliamentary elections display at least some coordination between parties, with single party rejections being relatively rare.

Table 5.2. Opposition Unity and Type of Elections

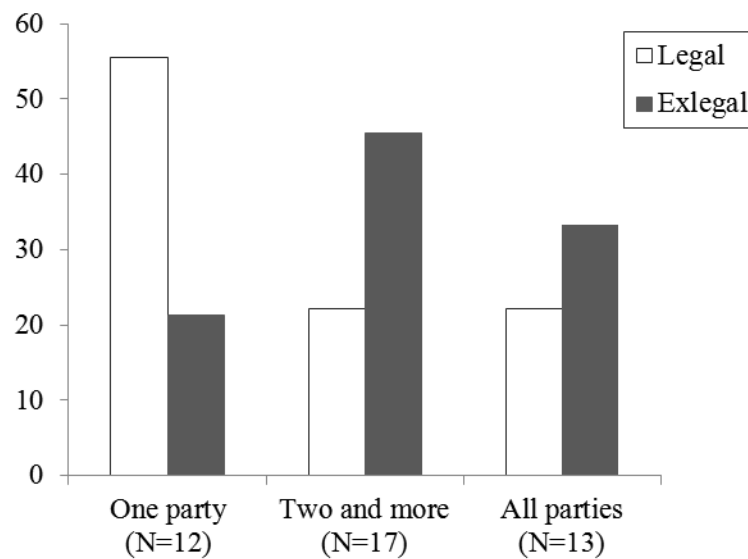
	<i>Presidential Election</i>		<i>Parliamentary Election</i>	
	Number	Percent	Number	Percent
Only one party	9	45.0%	3	13.6%
Some parties but not all	6	30.0%	11	50.0%
All parties	5	25.0%	8	36.4%
Total	20	100%	22	100%

Sources: author's calculations

This observed variation in opposition unity across types of elections makes sense when we consider the stakes for the parties involved. In presidential elections, an individual candidate from a single party is usually best positioned and best incentivized to challenge the outcome. Moreover, because the spoils of overturning a presidential electoral outcome primarily accrue to the leading challenger, other parties not claiming the candidate as their own have fewer reasons to join in the rejection. Meanwhile, the rejection, recount, and overturning of parliamentary election results can mean extra seats for some, if not all, of the opposition parties. In such an environment a unified front is both more feasible and more desirable for all the electoral losers involved.

In addition to distinguishing election type, it is also important to assess whether and how the variations in unity that we have examined impacts the choice of tactics that opposition parties employ. Are united opposition parties more likely to challenge electoral outcomes on the streets? Figure 5.2 shows the relationship between the unity of the opposition parties and rejection tactics.

Figure 5.2. Opposition Unity and Rejection Tactics



When only one party rejects electoral results, that party is more likely to seek legal redress than to use extra-legal means. Given the difficulty of launching a sizable and sustained series of protests large enough to have an impact on the ruling party, it is not surprising that single parties rarely opt to go it alone in using extra-legal tactics. Moreover, alternative extra-legal tactics – e.g. refusing to take seats in the legislative body – may lose some of their bite when only one party participates. In sum, the propensity of single parties

to challenge electoral outcomes through legal means makes good theoretical and practical sense.

Conversely, political parties are more likely to resort to extra-legal means to reject electoral outcomes than seek legal redress when at least some parties or all political parties unite in their decision to reject electoral outcomes. In such cases political parties can launch a sizable mass post-electoral protest, including the supporters of multiple parties. With the amassed resources of some or all opposition parties launching a potentially successful, sizable, and sustained series of protests, extra-legal rejection becomes a feasible and desirable method of airing election grievances. By pooling their resources parties increase their ability to affect the political context within which the ruling party must govern.

What should not be lost in the findings about who protests and who files suit is that not all opposition parties automatically reject electoral outcomes following defeat. Significant variation exists in the responses of individual parties: variation in response to defeat, in response to election types, and in the choice of tactics used to reject. In the next section I extend this investigation to examine what common characteristics, if any, the political parties that reject electoral outcomes share.

5.3. Party's Age and Electoral Compliance

Parties are born and parties die; some grow large, others split into multiple new parties; and others simply wither away or merge with other parties. Even in long established two-party democracies like the United States political parties have come and gone, the Whig Party (1833-1856) being just one of several examples. One characteristic that might affect a party's rejection calculus regarding the rejection of electoral results is its age. A new party is

commonly defined as one that runs in an election for the first time. New parties might be either genuinely new (created since the last election) or have recently split from an existing party (Hug 2001; Tavits 2007).

Emergence of new parties is an integral part of electoral competition in countries that begin holding multi-party elections (e.g. the countries of Eastern Europe and the former Soviet Union). An average of 5.6 new parties have emerged in each election held in post-communist democracies since 1990 as opposed to only one party in each election held in Western European countries between 1945 and 1991 (Tavits 2007).

Cox (1997) and Tavits (2007) have explored the determinants of new party emergence and success in established and new democracies. They argue that new political parties are more likely to emerge when the cost of entry into the electoral arena is low, the benefits of office high, and the probability of attracting votes is good. The last of these is particularly likely when the voters are disappointed with the performance of the existing parties and lack an acceptable alternative in the system.

Although the question of emergence of and support for new political parties has been explored in the existing literature, we still know very little about the nature and dynamics confronted by new, or more broadly young, political parties in the political arena. For instance, do new or young political parties differ from more established, older political parties in their reaction to electoral defeat?⁶⁷ Does the age of a political party affect its decision to use extra-legal means to reject electoral outcomes?

So far the only initial answers to these questions have been developed at the voter level. Anderson et al. (2005) argue that the supporters of the new parties that lose are more

⁶⁷ Age of political parties is often used as an indicator of institutionalization (Mainwaring 1998, Mainwaring and Scully 1995, Resnick 2011).

likely to have a positive view of the electoral democracy as they might not have an expectation to win the first time around. However, they find only moderate support for this theory. At the same time, they find that supporters of new parties are the most critical when it comes to evaluating the fairness of the electoral contest. They are more likely to view elections as being unfair compared to the voting base of older political parties.

Thus, we still know very little about the elite level dynamics of new, young, and old parties. The evidence developed at the individual level suggests two contradicting hypotheses. On the one hand, we should expect younger parties to be more likely to comply with electoral outcomes than older parties, as their short-term strategy may be to build their support and, consequently, they do not expect to win in the first or second election that they participate in. On the other hand, we should expect younger political parties to be less likely to comply with electoral outcomes for two reasons. First, based on the existing empirical evidence discussed above, their supporters tend to be more critical of the quality of the electoral contest, a view we could infer that party elites might share. Second, even if the elites did not internalize the views of their voters, they possess a more receptive audience for launching, or attempting to launch a mass electoral protest, then, *ceteris paribus*, they might more readily opt to do so because the obstacles to incentivizing participation might be lower.

To evaluate these hypotheses I begin by collecting data on the age of all the political parties that gained at least 1% of the vote in the elections under consideration. There are a number of different ways to operationalize new parties. According to the conventional definition, mentioned in the beginning of this section, a new political party is the party that runs in the election for the first time (Hugs 2001; Tavits 2007). Anderson et al. (2005) extend the number of elections to two and consider any political party that participates in the

election for the first or second time to be a new party. I am, however, interested not only in the number of times the political party participated in the election but also the number of years it has been in existence. Therefore, for each party I code the year it was created and calculate the years it has been in existence up to the election in question.

For instance, the Azerbaijan Popular Front Party was founded in 1989. Therefore, it had existed for 6 years when it participated in the 1995 parliamentary elections in Azerbaijan. Its age, therefore, is coded as 6 years for that election (CSCE 1996). Another example is the Country of Laws (Orinats Yerkir), a political party in Armenia, which was created in 1997. During the 2007 election it was 10 years old (Mkhitaryan 2007). The reason for doing this is to examine how many electoral opportunities and disappointments the party might have already endured to temper its response.

Again, collecting data on the party age in Eastern Europe and the former Soviet Union poses some challenges. First, the data on some parties in the region has yet to be available. A second challenge exists when an election is rejected by a unified opposition (whether unanimous or partial). Under such circumstance, the parties taking part in the coalition cannot always be clearly identified. Lastly, in many presidential elections, candidates frequently run as independents. If they decide to reject electoral outcomes and are not affiliated with any political party, identifying age of the rejected party is not possible.

A total of 65 political parties rejected electoral results. Given the measurement issues and data availability discussed above, I was able to identify the age of 57 parties that rejected electoral outcomes and 290 parties that accepted electoral outcomes.⁶⁸ I included all political parties that participated in the elections under consideration and gained at least 1% of the

⁶⁸ Information for 5 other parties that rejected electoral outcomes was not available. In addition, 3 independent candidates rejected the results of the presidential election.

vote for which information was available. I also limited the sample to countries that have experienced at least one rejected election since the collapse of the Berlin Wall. This sample selection controls for possible unobserved differences between the countries that experiences at least one rejected election and countries that never had a political party dispute electoral outcomes.

The age of the political parties is coded starting from the year a given political party has been registered under its current name. Many political parties have changed their names throughout the years of existence. For instance, many communist parties changed their names after the collapse of the communist regime. Every time a political party changes its name it is considered to be a new political party and its age clock is reset. In addition, many political parties have existed either before World War II or before the establishment of the communist regime. They have been either disbanded or prohibited during the communist years and then reestablished after the collapse of the communist regimes. To deal with this situation I consider these political parties born on the day of their registration following the collapse of the communist regime. Finally, political parties frequently compete as coalitions in which blocs of parties receive joint votes and seats but parties in the bloc still remain separate parties and issue separate programs. When the coalition is dominated by one opposition party, the age of the dominant party is used. If no particular party dominates the coalition then the age is coded as missing.

As Table 5.3 shows the average political party that rejected electoral outcomes is 6.5 years. In established democracies this may be considered to be a relatively young party. However, in Eastern Europe and the former Soviet Union, the oldest party is 20 years old by the end of the data collection in December 2009 and that is only if it was created in the very

onset of regime transition in 1989. A party that is around 7 years old in these countries existed for a third of the time of post-communist politics and therefore cannot be considered very young relative to the political context in which it is situated in.

Table 5.3. Party Age and Electoral Compliance

	N	Mean	Std. dev.	Min	Max
Parties that Rejected	57	6.5	4.4	0	18
Parties that Accepted	290	7.2	5.4	0	20

Source: author's calculations

The age of political parties that rejected electoral outcomes ranges from zero (when the party is born in the year of the election) to 18 years old (i.e. the Socialist Party of Albania). As the standard deviations indicate, and as we might expect given the range of party ages associated with rejection, there exist substantial variation among political parties that reject elections.

The age of political parties that accepted electoral outcomes ranges from being created the year of the election to 20 years. As table 5.3 shows, on average political parties that accept electoral outcomes are about 7 months older than parties that accept electoral outcomes. As the standard deviation again suggests, there is substantive variation among political parties that accept electoral outcomes as well. As a result, I do not find a significant difference in the age at which political parties are willing to accept or reject electoral outcomes.

Similarly, I do not find any significant differences in the age of political parties and the tactics used to reject. The average party that rejected electoral outcomes using extra-legal means was 7 years old, whereas an average party that sought only legal redress was 6 years old. Together these findings call into question conjectures that party age is a significant factor leading to electoral rejection.

5.4. Political Ideology, Origin, and Pre-electoral Coalitions

The political ideology and the historical origin of political parties may also play a role in the decision to reject electoral outcomes. I have argued that political parties care about both winning office and influencing policy. It has, however, been suggested in the literature that political parties in post-communist countries tend to be more office-seeking. Therefore, political parties in most post-communist countries might be better placed along a regime-anti-regime continuum, rather than an ideological space. If this is true then we should expect that ideology would play no role in an opposition party's decision to reject an electoral outcome. If ideology of political parties matters, however, there may be political parties with specific ideologies that are more likely to reject electoral outcomes than others.

I use Armegion and Careja's (2004) coding of party types to capture the ideology of political parties in Eastern Europe and the former Soviet Union. This measure classifies political parties in Eastern Europe and the former Soviet Union into one of 17 party types: communist, post-communist, left-socialist, socialist, pensioners, greens, ultra-right, ethnic, regional, alliance, protest and no-label or independent. I coded a very small number of parties not included in the original dataset myself. I also made one modification to the coding of Armegion and Careja (2004). I created a coding rule for political parties that competed as

coalitions in which a bloc of parties received joint votes and seats but where individual parties remained separate parties with independent issue programs. Mirroring my party age coding decision, when a single party dominates the coalition, I use the dominant party's ideology as ideology for the coalition type. If the coalition is not clearly dominated by a single party I retain the original code of "alliance".

Table 5.4. Political Ideology and Electoral Rejection⁶⁹

Party Ideology	Percent	Number
Socialist	37.3%	22
Communist	6.8%	4
Liberal	16.9%	10
Post-Communist	3.4%	2
Nationalist	27.1%	16
Independent	5.1%	3
Alliance	3.4%	2
Total	100%	59

Source: author's calculations

As Table 5.4 shows, two types of political parties account for the majority of rejected elections in post-communist countries under consideration: socialist and nationalist parties. Not surprisingly, ethnic, regional, or green party in the sample did not reject a single election.

⁶⁹ Information on ideology of six parties that rejected electoral results was not available.

These parties have limited and frequently geographically concentrated support and thus often lack national appeal to mount a credible rejection. In addition, these parties may not expect to win a national election. Lastly, it is also possible that the constituencies of these political parties are moderate and do not necessarily favor mounting post-electoral disputes.

Communist Successor Parties

In addition to political ideology, political parties in Eastern Europe and the former Soviet Union vary in terms of their historical origin (Druckman and Roberts 2007). Political parties with one particular type of historical origin stand out in this region: communist successor parties (CSPs). Many new political parties were formed in Eastern Europe and the former Soviet Union after the collapse of the Berlin Wall. However, the old regime did not disappear; instead a number of political parties associated with old regime were formed. Contrary to the initial expectation that CSPs in the region would disappear quickly, these parties proved to be surprisingly durable. Today, more than 20 years after the collapse of the Berlin Wall, almost all countries in Eastern Europe and the former Soviet Union have at least one active communist successor party (Bozóki and Ishiyama 2002).

To determine whether a party was a CSP I use information found in Bozóki and Ishiyama (2002), Bugajski (2002), Druckman and Roberts (2007) as well as other sources.⁷⁰ It is important to note that a party's classification as a CSP does not signify its current ideology but rather reflects its origin (Druckman and Roberts 2007). In fact, as Table 5.5 shows, CSPs in the sample hold a range of ideological views from socialist and left-socialist to communist, and post-communist.

⁷⁰ Please see a full list of sources in the Appendix B.

Table 5.5. Ideology of CSP⁷¹

Party Type	Number	Percent
Socialist	3	23.1%
Left-socialist	1	7.7%
Communist	8	61.5%
Post-communist	1	7.7%
Total	13	100%

Source: author's calculations

There has been a growing interest in the fate of communist successor parties (CSPs) following the collapse of communist regimes in the region. The existing work on CSPs has primarily focused on two main questions. First, what explains the success of CSPs in some countries and not others? Second, how does the existence of CSPs affect political dynamics in the country, coalition formation and government survival in particular? (Ishiyama 1999; Grzymala-Busse 2001; Bozóki and Ishiyama 2002; Druckman and Roberts 2007; Tzelgov 2010, to name a few).

Druckman and Roberts (2007), for instance, find that CSPs are in general disadvantaged in coalition formation. CSPs are less likely to be included in governing coalitions than other parties. And even when CSPs are included in the government, they are frequently allocated less than their proportional share of cabinet portfolios. Furthermore, Grzymala-Busse (2001) has shown that political parties that form coalitions with CSPs are later punished at the polls, which may explain their resistance to forming such coalitions.

⁷¹ Ideology for one party was not available.

Tzelgov (2010), however, finds that government coalitions that include CSPs last longer than governments that do not include these political parties. Moreover, government composition conditions the effect of the economy on government termination. Governments that include CSPs are more likely to dissolve in periods of positive economic performance, whereas governments that do not include CSPs are more likely to break down when the economy is performing poorly.

No work, however, looks at what role, if any, CSPs play in electoral compliance. On the one hand, if CSPs are discriminated against in government formation then we should expect these parties to be more likely to reject electoral outcomes. On the other hand, it might be reasonable to expect CSPs to be less likely to reject electoral outcomes because their reputations have already been damaged by the transition, with many CSPs having suffered from lustration laws that prevented them from fully participating in electoral politics (Nalepa 2010). The empirical section in the chapter takes up these conjectures along with other questions in examining the electoral compliance of individual political parties.

Pre-electoral Coalitions and Electoral Compliance

In the previous sections I found that political parties are not always united in their response to electoral defeat. However, political parties in the region frequently enter pre-electoral coalitions with hope to defeat the ruling party. Following Golder (2006), I define pre-electoral coalition as a collection of parties that do not compete independently in an election. For instance, in the case of presidential elections political parties could agree on a joint candidate in the attempt to defeat the ruling party. In the case of parliamentary elections, political parties can agree to run joint lists or joint candidates.

To date, there has been limited research on the pre-electoral coalitions as the majority of the scholarly attention has been devoted to explaining government formation following an election. One notable exception is the study of pre-electoral coalition formation by Golder (2006). She finds that pre-electoral coalitions are most likely to form in three types of cases: when parties are ideologically compatible, when the expected coalition size is large, and among parties that are of similar size. Looking at the electoral context, Golder finds that the coalitions are also more likely to form when electoral rules are disproportional and the party system is ideologically polarized.

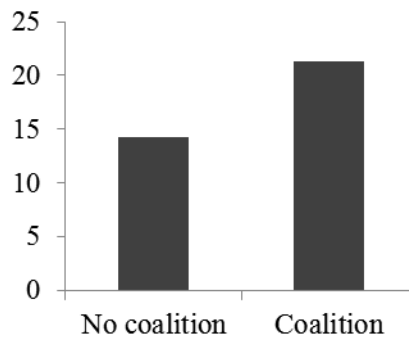
My main interest in this chapter, however, is in the effects of the pre-electoral coalition rather than their formation. Analyzing the effects of pre-electoral coalitions, Golder (2006) finds that pre-electoral coalitions help parties enter government. Furthermore, government coalitions based on pre-electoral coalitions tend to be more ideologically compatible, take less time to form, and last longer than government not constrained by pre-electoral pacts. These are important findings for when coalition partners win an election. But what happens when the parties that formed a pre-electoral coalition lose? Are these political parties more likely to reject electoral outcomes following defeat?

Pre-electoral coalitions are important because they have an impact on electoral outcomes. One of the primary purposes of forming a pre-electoral coalition is to increase the parties' chances of electoral victory. Being a part of a pre-electoral coalition increases the probability that a political party will enter government, will be able to overcome an existing electoral threshold, or take advantage of electoral bonuses in system with disproportional electoral rules (Golder 2006). As a result, I argue that political parties that entered into a pre-electoral coalition should be more likely to reject electoral outcomes for two reasons.

First, political parties that join pre-electoral coalition have a higher expectation of winning the election, which comes from the very fact that they enter into the coalition. For instance, if multiple opposition parties agree on one presidential candidate their expectation of defeating the incumbent increases. This sets a higher expectation for the electoral performance of the joint candidate with a subsequently sharper reaction should that candidate fail to win.

Second, political parties that entered a pre-electoral coalition have already had to reach some agreements and therefore could expect a speedier resolution of coordination problems in rejecting the election. By lowering the transaction costs of negotiating how to reject an unfavorable outcome, the parties have effectively made rejection a more attractive option than if they had not negotiated beforehand.

Figure 5.3. Pre-electoral Coalition and Electoral Rejection



As Figure 5.3 shows, political parties that entered a pre-electoral coalition with other parties are more likely to reject electoral outcomes than parties that ran independently, but the difference fails to reach statistical significance level.

5.5. Multivariate Analysis

Making use of recent advances in multilevel modeling techniques (Raudenbush and Bryk 2002), in this section I examine the extent to which political party's decision to reject or accept electoral results is influenced by party-level factors and electoral context. The data used here have a hierarchical structure, wherein observations of political party characteristics are nested within an electoral context. From the previous chapters I include four election-level variables: institutional changes, the monitors' assessment of the election, whether country is a dictatorship or democracy during the time the election is held, and GDP per capita. At the party-level I include six independent variables: membership in the government at the moment of the election, membership in a pre-electoral coalition, ideology, party age, and whether or not a party is a communist successor party.

The results of the hierarchical logit model are reported in Table 5.6. The effects of institutional change and quality of elections remain the variables of interest at the election level; they are now examined also controlling for the effects of political party characteristics on compliance decisions at the first level.

Consistent with the institutional change hypothesis presented in Chapter 2, political parties continue to be more likely to reject electoral outcomes when election-related rules have been changed prior to the election even when we control for all the other characteristics of political parties. Similarly, the assessments of electoral quality by election monitors continue to fail to achieve statistical significance in predicting the rejection of individual political parties. Moreover, there is consistent support for the economic development hypothesis - political parties are more likely to reject outcomes in poorer countries. We

observe a statistically significant increase in electoral rejection as GDP per capita decreases. Lastly, democracy remains insignificant as a predictor of electoral rejection.

Table 5.6. Hierarchical Logit Estimates of Electoral Rejection

	<i>Model 1</i>		<i>Model 2</i>	
<i>Level-One Effects:</i>				
Intercept	-1.36	(.96)	-1.53	(.94)
Government	-1.94 **	(.77)	-1.87**	(.80)
Pre-electoral coalition	1.25***	(.43)	1.48***	(.42)
Socialist	1.08**	(.47)	.98**	(.43)
Nationalist	1.15*	(.60)	1.20**	(.55)
Age	.01	(.03)	----	
CSP	.08	(.59)	----	
<i>Level-Two Effect:</i>				
Institutional Change	1.19*	(.66)	1.35*	(.69)
Monitor's Assessment	.07	(.72)	.02	(.80)
GDP per capita	-.18**	(.09)	-.18**	(.09)
Democracy	-.63	(.57)	-.55	(.56)
<i>Variance Component</i>	1.14 ^a		1.61 ^b	
Number of Level-One Units	86		91	
Number of Level-Two Units	304		345	

Note: The above coefficients are hierarchical logit estimates of electoral rejection. Robust standard errors are in parentheses.

^a $\chi^2_{81df}=112.4, p<.01$; ^b $\chi^2_{86df}=126.4, p<.01$

* $p<.1$, ** $p<.05$, *** $p<.01$

Four political party characteristics have a statistically significant impact on the rejection decisions of political parties. A political party is more likely to reject electoral results if it was not a part of the government at the moment of the election. Being a part of a pre-electoral coalition also increases the likelihood a party will reject an election. In keeping

with descriptive statistics presented earlier, socialist and nationalist political parties are more likely to reject electoral outcomes than other types of political parties. Lastly, neither age nor historical origin of political parties appears to impact the likelihood of political parties to reject electoral outcomes.

The majority of the missing data occurs in age and CSP variables. If we exclude these variables from the analysis (Model 2) the sample increases to 91 observations at the second level and 345 at the party level. However, the substantive results remain the same even taking the missing observations into account.

5.6. Conclusions

Broadly this chapter has shown that political parties that lose an election are not always, or even often, united in their responses to defeat. Specifically, I find that in only a third of the elections investigated here did political parties present a unified front in rejecting elections. Furthermore, the unity of opposition political parties following defeat depends on the type of election. Political parties are more likely to agree on post-electoral strategy following parliamentary elections than presidential elections. This indicates that the political calculus of rejecting electoral outcomes likely depends on the incentives of individual parties and the availability of allies with which to share the burdens of extra-legal rejection.

This chapter has also shown that by differentiating between types of parties and measuring individual party compliance, as well as other characteristics, we are able to tell a more accurate tale of electoral rejection. For instance, using HLM we can infer from the data here that pre-electoral coalition formation, participation in government at the moment of the election, and ideology, all enter into the decision making process leading to rejection.

Political parties do not exhibit a universal, pavlovian reaction to electoral defeat. Instead, political parties' decisions to reject elections are based on individual party characteristics as well as their calculations of future electoral competitions. In sum, the findings here open up a new perspective on elections, one in which party leaders and elites are constantly jockeying for position, forming alliances, and, at times, fighting for their very survival.

My hope is that this chapter highlights the variation that exists at the party-level as well as the opportunities that exist for further research that uses the party as the unit of analysis. It is worth noting one last time that building theory on faulty assumptions, like a unified opposition, can and often does result in inaccurate predictions and fundamental misunderstandings of electoral politics. To this end I hope that I have called the assumption of a unified opposition into question in way that shines a light on the pressing questions that present themselves at the party-level, questions which scholars of electoral compliance will likely need to wrestle with in the future.

Chapter 6. Political Institutions, Parties, and Electoral Compliance

Elections lie at the core of democratic governance. The introduction of multiparty elections in most countries tends to be greeted with excitement by both domestic and international audiences. And yet, elections themselves are only a start. Democracy depends fundamentally on the willingness on its participants – voters, interest groups, and, most saliently, political parties – to accept defeat. If the participating political parties reject the outcome of an election then the democratic ideals undergirding a country’s political system may be quickly called into question. The dilemma of electoral compliance is neither an idle nor inconsequential concern for scholars or political actors. Cases from around the world show that when opposition parties are allowed to participate in elections they bring the possibility of broader political engagement and legitimacy. At the same time, they also introduce significant risk that they might reject the electoral outcomes, in many cases going outside the established legal avenues in an effort to overturn the results. The myriad of benefits derived from broadening the scope of participation in elections necessarily rests uncomfortably on the hope that those who participate will comply with electoral outcomes, even in defeat.

At the same time, the act of rejection carries real risks to the parties that consider it: political repression and possible punishment at the polls, not to mention potentially damaging the very democracy a party hopes to participate in. Many have wondered why a political party might reject electoral results, thereby exposing itself to these and other risks. The quality of an election is an obvious and common suspect and many scholars have argued that electoral irregularities on the election day are the primary drivers of most post-electoral disputes. Still, how political parties learn the extent of the electoral manipulation and the

amount of manipulation required to warrant engaging in a post-electoral conflict remains under theorized and poorly operationalized.

In response to this roadblock many scholars have turned instead to the pressing question of what guarantees the success of post-electoral protest once the decision to reject the electoral results has been made. Unfortunately, in the wake of promising electoral revolutions, history has shown that even “successful” protests have often failed to bring about the sort of widespread, systemic change hoped for by both scholars of and participants in post-electoral disputes.

While these lines of inquiry have made major contributions to the still relatively young literature on electoral compliance, they are nonetheless limited by their focus on post-electoral protests and their subsequent success or failure – other forms of disputing elections are left unexamined. And although questions about when post-electoral protests succeed or fail are important, existing answers to these questions fail to examine the deeper motivations behind why electoral rejections occur in the first place.

In this dissertation I have examined a wide range of potential causes for the rejection of electoral outcomes, whether rejection took the form of protest or proceeded through existing legal channels. In explaining extra-legal rejection, I thought to broaden the gaze beyond election day factors and I found support for the causal primacy of non-election day factors in accounting for political parties’ decision to reject an announced electoral result. In particular, I showed that institutional changes by the incumbent that have taken place prior to the election itself are central in accounting for the decision to reject. Additionally, I have advanced a unique, albeit preliminary, study of the actors that actually make the post-electoral decision to reject: political parties. Though much work remains to be done, I find

persuasive evidence that future research on electoral compliance will benefit from focusing its scholarly attention on the motivations and decision-making process of political parties.

The conceptualization of electoral rejection that I use offers several distinct advantages over existing work. First, it includes a better representation of the full range of tactics available to political parties following an electoral defeat. The launching of a protest, although clearly an important and consequential method of rejection, is only one of many strategies available to political parties. It is crucial that we take into account the other actions available to political parties such as refusing to take seats in the newly elected bodies or boycotting second rounds of elections. I have argued that for some parties these might be the most feasible and far-reaching options available. Second, accounting for the full spectrum of post-electoral tactics available to political parties focuses our attention on the distinction between legal and extra-legal tactics in all their forms and draws us away from debates that are confined to the success or failure of mass protest. After all, political parties have an option of contesting electoral outcomes in the courtrooms and some do, a fact unaccounted for in studies of mass protest. One important question that the conceptual framework I propose allows us to ask is why political parties opt to employ barricades as opposed to barristers.

I investigated this question and found that the reasons for not going to court are many but at the front of the pack is the parties' concern about institutional changes enacted *before* the election; changes that affect the likelihood of their success not only in the current election but for electoral cycles to come. In pulling apart elections by type, I also discovered that the importance of the margin of victories between the winner and the first loser varies between presidential and parliamentary elections. And finally, I tested the quality of elections

explanations and found several holes in its account of electoral rejection. Across a number of regressions, the measures of electoral quality by election monitors – perhaps the best available measure of quality – failed to attain statistical significance. It seems clear that political parties that lose are interested in more than a free and fair election day. This study gives evidence that electoral losers value the opportunity to win in future electoral cycles and to influence policy-making between cycles. These values inform the decisions of political parties to accept or reject electoral outcomes.

Thus, in building theories about electoral compliance we need to remember that political parties are strategic actors and that the quality (fairness) of the current election is not the only thing that matters in their decisions to comply with electoral outcomes; political institutions and electoral reforms that affect future elections also matter, probably more so than the nature of the specific contest. To understand the phenomenon of post electoral rejection we must expand our analysis beyond the election day to account for the whole electoral process from pre-electoral actions of the incumbent to the institutional framework that governs the election itself. Only by taking this wider view can we truly hope to capture the causal sequence that leads political parties to reject an election.

Lastly, I find that examining the political actors central to the game of electoral rejection is crucial for our understanding of electoral compliance. Despite its prevalence, the view that the opposition is united in its response to post-electoral defeat is not a fact. Thus, the best question to ask to understand electoral compliance is not why “the opposition” rejects electoral outcomes. Instead we should ask why *individual political parties* decide to reject the outcome of an election.

My study shows how this decision depends on both election-level factors as well as the individual characteristics of political parties. In addition to the institutional changes, I find that being a part of a pre-electoral coalition increases the likelihood that a political party will reject electoral outcomes, whereas political parties that are in government at the moment of the election are less likely to reject electoral outcomes. Additionally, socialist and nationalist political parties are more likely to reject electoral outcomes than other parties. Future work should investigate what particular characteristics of the socialist and nationalist parties make them more prone to electoral rejection.

6.1. Future Research Agenda

With the on-going spread of democracy and the popular elections as the means to choose government, scholars and policy-makers are well advised to make every effort to understand the elements that make the mechanism of elections work, chief among them the compliance of losing political parties. Because this dissertation attempts to reframe our understanding of rejection, it necessarily raises a number of avenues for future research. Here I highlight five general pathways forward.

First, the present study focuses primarily on electoral rejection in countries of Eastern Europe and the former Soviet Union, an improvement on single-country studies but still not a comprehensive look at compliance around the world. As with any work with a regional focus, mine begs the question of generalizability of both its findings and conclusions. Does the theory of strategic, future-oriented parties I have proposed account equally well for electoral rejection in other regions of the world, such as Africa or Latin America? A logical next step is to expand the scope of current inquiry to include additional regions, examining

some of the regional characteristics earlier reported in other work in the context of the theory proposed herein. In this way we can assess how rejection rates, political norms and culture interface with the actor-based theory of electoral compliance that I have offered.

Second, it was the contention of this study that electoral compliance should be analyzed from the perspective of the actor who actually decides about whether to accept or reject an election. Several questions about individual political party characteristics remain that are beyond the scope of the current study. The current study makes only a first cut at the electoral histories of individual political parties in Eastern Europe and the former Soviet Union, but several questions about the past experiences of those parties remain. For example, do some political parties tend to reject multiple elections? Answering this question may shed light on both the nature of electoral rejection and the fate of opposition parties following a rejection attempt; allowing us to investigate the political consequences for opposition parties that reject election outcomes. Is the ability of rejecters to survive between elections markedly different from non-rejecters? If so, why? If rejecting parties do survive, does rejection in a previous election result in future gains or punishment at the ballot box? These questions require further digging into the historical record. But they all point to important variation and causal dynamics at the party-level that could directly affect electoral compliance.

Intensifying our focus on parties would open up additional avenues of inquiry as well. One of the most important variables that remain unexplored is the long-term political history of electoral losers. I have shown that presence in government at the moment of the election in question affects the likelihood of rejection, but this is an admittedly crude measure of the political history of political parties. Are political parties that have never been in government

before more likely to reject electoral outcomes than parties that have any previous office experience? We might expect political parties that have served time in government at some point prior to the election to be more likely to accept electoral outcomes than the parties that have never been in government. Unfortunately, the detailed data on cabinet composition for many former Soviet Union republics is not yet available. As a result, they are frequently omitted from studies that use cabinet composition variables (Müller-Rommel et al. 2004; Conrad and Golder 2010). Like information on the political performance of individual political parties, collecting data on cabinet compositions for countries of the former Soviet Union is a worthy research goal.

Third, the focus of future work should remain on political elites, since elites are in a unique position to make the decisions both about the acceptance or rejection of electoral outcomes and the strategy used to contest them. Based on the current study, it is my contention that electoral compliance is most directly discussed and decided at the level of political elites within the party, not among the crowds of the general public.

One element of analysis missing from the current study is the interviews with members of parliament and other party elites. A series of multiple interviews should allow us to further analyze how key decisions-makers perceived institutional changes prior to post-electoral rejection in Eastern Europe and the former Soviet Union. Moreover, gathering interview data on party elites should shed light on the broad process, concerns, and calculations of parties facing electoral defeat and the option of rejection. An additional benefit of focusing on the party elites is that they are in a unique position to influence the institutional design of elections and to most clearly and persuasively voice their opposition to institutional changes made in advance of an election. After all, in Eastern Europe and the

former Soviet Union it was the political elites that discussed and adopted new electoral systems following the collapse of the Berlin Wall.⁷²

Although my primary focus is on political elites, I also agree that the general public is important. Therefore, it is important to examine the role that elites see the mass public playing in electoral compliance and who among the general public elites see as relevant to solicit input from and coordinate actions with. Thus, another aspect of any interviews conducted with political parties should include questions about when and how elites make the decision to involve the general public in a post-electoral dispute.

Fourth, in the beginning of this study I argued that understanding of why political parties reject electoral outcomes is important for ability to prevent or resolve electoral disputes more effectively. Therefore, a logical next step in broadening the electoral compliance research agenda is to focus on how post-electoral disputes are eventually resolved. With the growing number of post-electoral disputes and concerns about the impact of electoral rejection, we still know very little about the dispute resolution process.

We should start from such questions as: What does a resolved dispute look like? And how many post-electoral disputes have been resolved? It is important to note here that I am not calling for a measure of success akin to the ones used in existing studies of post-electoral protest, but, instead I am thinking of a measure of political accommodation that may stop well short of dramatically overturning the election's results. Once we have agreed on a measure of dispute resolution we can begin to survey the countries of the world to determine when, how, and where election disputes are resolved.

In extending the study of electoral compliance to include dispute resolution we ought to examine which tools – formal and informal – are used to settle post-electoral challenges.

⁷² Luong (2002) takes a similar approach in her work on institutional change in Central Asia.

Do different constitutional designs and national contexts allow for different tools to be used in different types of elections? Answering questions about the resolution of disputes and the tools used will help us understand the full arc of electoral compliance from pre-electoral changes and post-electoral strategies to resolution and continued governance. Additionally, if a goal of the electoral compliance scholarship is to learn from the past and offer advice to the observers and agencies grappling with compliance issues, we must examine dispute resolution because it is the most pressing and policy-relevant aspect of the compliance arc.

The little work that exists on electoral dispute resolution so far has focused on the events in Kenya following 2007 elections. Kenya's 2007 post-electoral dispute was settled by adoption of a power-sharing agreement. It included the creation of the position of prime-minister and established a coalitional government. Cheeseman and Tendi (2008) examined the effectiveness of this post-electoral settlement. They concluded that power-sharing was not an effective solution in the case of Kenya, finding that the arrangement postponed the conflict rather than resolved it. This provokes the question about what other alternative mechanisms are used to settle post-electoral disputes and how effectively they are used. Cheeseman and Tendi point to an untenable solution, yet surely more stable resolutions must exist. To date though we have only impressionistic understandings of the range and type of resolution strategies that exist and why those might work or not across different contexts.

Finally, any future work on electoral compliance and dispute resolution should focus not only on how disputes are resolved, but also on the impact of these resolution strategies on other democratic practices. Existing studies have already considered whether post-electoral disputes lead to democratic advancement in the countries that experience them. However, there has been virtually no work on lower level outcomes. For instance, consider the situation

where a president comes to power as a result of a controversial election. Does this type of beginning affect his or her ability to govern? This is an open question. The answer to this question will of course be connected in part to the reasons for the dispute and in part to how the dispute was settled, if at all, and both the resolution and the subsequent governing deserve examination. Therefore, it is important that we investigate not only how post-electoral disputes are conducted and resolved, but also that we assess how different solutions impact other aspects of democratic practice.

Electoral compliance is a rich and promising area of research. In this dissertation I sought to deepen and advance our understanding of the process, the role of institutions in the decision to engage in legal vs. extra-legal contest, and the promise of party-level theories and data. Political party conflict will persist and, as the number of countries holding elections increases, so too will the threat of non-compliance. Our single best hope of meeting these challenges begins in understanding the process that leads from electoral grievance to protests on the streets or lawsuits in the courtrooms.

Appendix A. Description of Data

Table A.1. Countries and Elections Covered

Country	Election Years Included	Number of Elections
Albania	1992-2009	6
Armenia	1991-2009	11
Azerbaijan	1992-2009	8
Belarus	1994-2009	8
Bulgaria	1990-2009	15
Croatia	1992-2010	13
Czech Republic	1996-2009	4
Estonia	1992-2009	5
Georgia	1991-2009	11
Hungary	1990-2009	5
Kazakhstan	1991-2009	8
Kyrgyz Republic	1991-2009	9
Latvia	1993-2009	5
Lithuania	1992-2009	13
Macedonia	1994-2009	12
Moldova	1994-2009	8
Poland	1990-2009	13
Romania	1990-2009	17
Russia	1991-2009	11
Slovak Republic	1994-2009	10
Slovenia	1992-2009	11
Ukraine	1991-2009	13
Total		216

Table A.2. Electoral Majorities in Post-communist Elections

Majority	Parliamentary Election (p) ⁷³	Parliamentary Elections (g) ⁷⁴
Less than 50% ⁷⁵	69.2%	25%
<i>N</i>	(72)	(26)
50% - 66.7%	24%	53.9%
<i>N</i>	(25)	(56)
More than 66.7%	6.7%	21.2%
<i>N</i>	(7)	(22)
Total	100%	100%
<i>N</i>	(104)	(104)

⁷³ Largest party's in government seat share. Total of 109 parliamentary elections held in the region. Election results for 5 are not available for various reasons (Belarus 2000, 2004, 2008, Kazakhstan 1995, Kyrgyzstan 1995).

⁷⁴ Seat share of all political parties in government.

⁷⁵ Including 50% (3 cases).

Table A.3. Margin of Victory and Type of Election

Margin	Presidential	Parliamentary
0-10%	29 (27.4%)	36 (34.6%)
10%-20%	23 (21.7%)	25 (24%)
20%-30%	12 (11.3%)	13 (12.5%)
30%-40%	11 (10.4%)	10 (9.6%)
40%-50%	6 (5.7%)	8 (7.7%)
50%-60%	5 (4.7%)	7 (6.7%)
60%-70%	9 (8.5%)	1 (1%)
70% and higher	11 (10.4%)	4 (3.9%)
Total	106 (100%)	104 (100%)

Table A.4. GDP per capita in Eastern Europe and the former Soviet Union

\$0 - \$3,000	\$3,000 - \$6,000
Albania 1992 Armenia 1991-2003 Azerbaijan 1995-2003 Georgia 1995-2003 Kyrgyz Republic 1991-2009 Moldova 1994-2009	Albania 1996-2005 Armenia 2007-2008 Azerbaijan 1992-1993 Belarus 1994-2001 Georgia 1991-1992 Kazakhstan 1994-1999 Ukraine 1994-2006
\$6,000 - \$9,000	> \$9,000
Albania 2009 Azerbaijan 2008 Belarus 2004-2006 Bulgaria 1990-2001 Estonia 1995 Kazakhstan 1991, 2004-2005 Latvia 1993-1998 Lithuania 1996-1998 Macedonia 1994-2009 Poland 1990-1995 Romania 1990-2004 Russian Federation 1995-2000 Ukraine 1991, 2007	Belarus 2008 Bulgaria 2005-2009 Croatia 1992-2009 Czech Republic 1996-2006 Estonia 1992-2007 Hungary 1990-2006 Kazakhstan 2007 Latvia 2002, 2006 Lithuania 1992-2009 Poland 1997-2007 Russian Federation 1991-1993, 2003-2008 Slovak Republic 1994-2009 Slovenia 1992-2008

Table A.5. Summary Statistics

<i>Variables</i>	<i>Observations</i>	<i>Mean</i>	<i>Std. dev.</i>	<i>Min</i>	<i>Max</i>
Overall rejection	216	0.21	0.41	0	1
Legal rejection	216	0.04	0.21	0	1
Protest	216	0.13	0.33	0	1
Extra-legal rejection	216	0.17	0.37	0	1
Institutional change	216	0.15	0.36	0	1
Consecutive victories	216	1.40	1.80	0	8
Margin of victory	210	26.58	24.37	0	100
Government majorities	104	55.86	14.84	18.22	100
Election quality	169	0.32	0.40	0	1
Incumbent victory	216	0.55	0.49	0	1
Election type	216	1.50	0.50	0	1
Regime type	216	0.78	0.42	0	1
Physical Integrity	209	5.59	1.72	1	8
GDP per capita (PPP)	216	8,478.87	5,106.04	1,308.5	26,320.75

Appendix B. Sources on Elections and Political Parties

Table B.1. Summary of Sources

Concept	Source
Overall rejection	author's dataset
Extra-legal rejection	author's dataset
Protest	author's dataset
Legal rejection	author's dataset
Institutional changes	author's dataset
Consecutive victories	author's dataset
Margin of victory	author's dataset
Election Quality	Kelley 2009
Incumbent victory	author's dataset
Election type	author's dataset, Hyde and Marinov 2010
GDP (PPP) per capita	World Bank www.worldbank.org , last accessed February 2011
Repression	Cinganelli and Richards 2010
Regime type	Przeworski et al. 2000; Cheibub, Gandhi, and Vreeland 2010

General Sources Used to Code Electoral Compliance

Lexis-Nexis database

Keesing's Record of World Events

Journal of Democracy

Europa World

Electoral Studies

Organization for Security and Cooperation in Europe (OSCE)

Commission on Security and Cooperation in Europe (CSCE, also known as U.S. Helsinki Commission)

General Source Used to Code Institutional Changes

Organization for Security and Cooperation in Europe (OSCE)

Commission on Security and Cooperation in Europe (CSCE, also known as U.S. Helsinki Commission)

Europa World Online

Kissling's Record of World Events

The World Law Guide

Political Transformation and the Electoral process in the Post-Communist Europe project based at the University of Essex

Electoral Knowledge Network

Cheibub's Election Data

Binghamton Election Archive

Inter-parliamentary Union database on National Parliaments

European Journal of Political Research

Various electoral laws and national constitutions

Table B.2. Sources on Elections and Political Parties by Country

Country	Sources
Albania	Nohlen and Stöver (2010), Banks et al. (2009), Biberaj (1998), IRI 1996, Krisafi 2004, IPU Parline database, Bucpapaj (2004), Barjaba and Leka (2004), Bideleux (2007), IFES Election Guide, Szajkowski (2007), OSCE (var.), CSCE (var.), IRI 1996, Zarate's Political Collections, <i>Keesing's Record of World Events</i>
Armenia	Mkhitarian et al. (2007), Nelson and Katulis (2005), Nohlen et al. (2001), Yesayan (2004), IPU Parline database, Birch 2003, CSCE (var.), OSCE (var.), Defeis (1998), IFES Election Guide, Ruiz-Rufino (2008), Grigoryan (2007), <i>Keesing's Record of World Events</i>
Azerbaijan	Nohlen et al. (2001), Allahyarova and Mammadov (2010), IFES Elections Guide, IPU Parline database, CSCE (var.), OSCE (var.), Ergun (2009), <i>Keesing's Record of World Events</i>
Belarus	Nohlen and Stöver (2010), Bugajski (2002), IFES Elections Guide, IPU Parline database, OSCE (var.), CSCE (var.), <i>Keesing's Record of World Events</i>
Bulgaria	Bugajski (2002), Birch (2003), Conrad and Golder (2010), Bideleux and Jeffries (2007), Nohlen and Stöver (2010), IFES Elections Guide, <i>European Journal of Political Research</i> (country reports), <i>Keesing's Record of World Events</i>
Czech Republic	Bugajski (2002), Nohlen and Stöver (2010), Birch (2002), Conrad and Golder (2010), <i>European Journal of Political Research</i> (country reports), IPU Parline database, <i>Keesing's Record of World Events</i>

Table B.2. (cont.)

Country	Sources
Croatia	Nohlen and Stöver (2010), Conrad and Golder (2010), IFES Elections Guide, Druckman and Roberts (2007), Bideleux and Jeffries (2007), Bugajski (2002), Zarate's Political Collections http://www.terra.es/personal2/monolith/00europa.htm , <i>Keesing's Record of World Events</i>
Estonia	Bugajski (2002), Nohlen and Stöver (2010), Birch (2002), Conrad and Golder (2010), <i>European Journal of Political Research</i> (country reports), IFES Elections Guide, IPU Parline database, <i>Keesing's Record of World Events</i>
Georgia	Nohlen et al. (2001), Wheatley (2005), Nodia and Scholtbach (2006), Areshidze (2007), Allison (1996), CSCE (var.), Republican Party of Georgia website http://republicans.ge/index.php?newlang=eng , <i>Keesing's Record of World Events</i> , europeanforum.net
Hungary	Bugajski (2002), Nohlen and Stöver (2010), Birch (2002), Conrad and Golder (2010), <i>European Journal of Political Research</i> (country reports), IFES Elections Guide, IPU Parline database, <i>Keesing's Record of World Events</i>
Kazakhstan	Nohlen et al. (2006), RFE/RL, Issacs (2008), Bowyer (2008), Beacháin (2005), Abazov (2001), Struthers (2004), <i>Keesing's Record of World Events</i>

Table B.2. (cont.)

Country	Sources
Kyrgyzstan	Nohlen et al. (2006), Abazov (2003, 2007), OSCE (var.), CSCE (var.), Anderson (1996, 1999), Golovina and Dzyubenko (2009), <i>Lexis-Nexis</i> , http://kyrgyzstan.carnegieendowment.org/ <i>Keesing's Record of World Events</i>
Latvia	Bugajski (2002), Nohlen and Stöver (2010), Birch (2002), Conrad and Golder (2010), <i>European Journal of Political Research</i> (country reports), IFES Elections Guide, IPU Parline database, <i>Keesing's Record of World Events</i>
Lithuania	Bugajski (2002), Nohlen and Stöver (2010), Birch (2002), Conrad and Golder (2010), <i>European Journal of Political Research</i> (country reports), IFES Elections Guide, IPU Parline database, <i>Keesing's Record of World Events</i>
Macedonia	Nohlen and Stöver (2010), IRI (1994), Birch (2003), Bugajski (2002), OSCE (var.), CSCE (var.), Gall (1999), Bideleux and Jeffries (2007), Druckman and Roberts (2008), <i>Keesing's Record of World Events</i>
Moldova	Nohlen and Stöver (2010), Birch (2003), Bugajski (2002), Senyuva (2010), Barry (2009), Zawadzki (2009), Banks et al. (2009), OSCE (var.), CSCE (var.), <i>Keesing's Record of World Events</i> , Political Parties of the Republic of Moldova http://www.parties.e-democracy.md/en/

Table B.2. (cont.)

Country	Sources
Poland	Bugajski (2002), Nohlen and Stöver (2010), Birch (2002), Conrad and Golder (2010), <i>European Journal of Political Research</i> (country reports), IFES Elections Guide, IPU Parline database, <i>Keesing's Record of World Events</i>
Romania	Nohlen and Stöver (2010), Bugajski (2002), Conrad and Golder (2010), Bideleux and Jeffries (2007), Pop-Eleches (2008), Druckman and Roberts (2008), <i>Keesing's Record of World Events</i>
Slovakia	Bugajski (2002), Nohlen and Stöver (2010), Birch (2002), Conrad and Golder (2010), <i>European Journal of Political Research</i> (country reports), IFES Elections Guide, IPU Parline database, <i>Keesing's Record of World Events</i>
Slovenia	Bugajski (2002), Nohlen and Stöver (2010), Birch (2002), Conrad and Golder (2010), <i>European Journal of Political Research</i> (country reports), IFES Elections Guide, IPU Parline database, <i>Keesing's Record of World Events</i>
Ukraine	Nohlen and Stöver (2010), Bugajski (2002), Kuzio (2008), Birch (2002, 2003), Herron (2007, 2008), Hesli (2006; 2007), OSCE (var.), CSCE (var.), RFE/RL, IFES Elections Guide, IPU Parline database, Our Ukraine party http://www.razom.org.ua/ , Central Election Commission of Ukraine www.cvk.gov.ua , <i>Keesing's Record of World Events</i>

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Education

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- 2004 M.A., Department of Political Science
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- 2002 B.A., Department of International Relations
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Research and Teaching Interests

Comparative Politics, Comparative Political Institutions, Democracy and Democratization, Executive-Legislative Relations, Elections and Democracy, Comparative Constitutional Design, Politics of Eastern and Central Europe

Publications

- 2011 Althaus, Scott, Nathaniel Swigger, Svitlana Chernykh, David Hendry, Sergio Wals, and Christopher Tiwald. "Assumed Transmission in Political Science: A Call for Bringing Description Back In." *Journal of Politics*.
- 2009 Cheibub, José Antonio and Svitlana Chernykh. 2009. "Are Semi-Presidential Constitutions Bad for Democratic Performance?" *Constitutional Political Economy* 20 (3-4): 202-229.
- 2008 Cheibub, José Antonio and Svitlana Chernykh. 2008. "Constitutions and Democratic Performance in Semi-Presidential Democracy." *Japanese Journal of Political Science* 9 (3): 269-303.
- 2008 Ginsburg, Tom, Svitlana Chernykh, and Zachary Elkins. 2008. "Commitment and Diffusion: How and Why National Constitutions Incorporate International Law." *Illinois Law Review* (1).

Under Review

“Newspaper Silence on the Human Cost of the Military Conflict from World War One to Gulf War Two” (with Scott Althaus, Nathaniel Swigger, David Hendry, Sergio Wals, Christopher Tiwald).

Working Papers

When Will Parties Comply with Electoral Results?

Does Constitutional Entrenchment Lead to Credible Property Rights Reforms? (with James Melton).

The Tone of American War News from Verdun to Baghdad (with Scott Althaus, Nathaniel Swigger, David Hendry, Sergio C. Wals, and Christopher Tiwald).

Diffusion and Constitutional Reform: Integrating Macro- and Micro-level Evidence (with Zachary Elkins).

Fellowships and Awards

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| 2009-2011 | Paul and William Schroeder Pre-Doctoral Fellowship, Cline Center for Democracy, University of Illinois. |
| 2009 | Paul Lazarfeld Award for Best Paper presented at the 2008 APSA annual meeting. Awarded by the APSA political communication division for “Uplifting Manhood to Wonderful Heights?” (with Scott Althaus, Nathaniel Swigger, David Hendry, Sergio Wals and Christopher Tiwald). |
| 2009 | Peter F. Nardulli Award for Research Related Travel (awarded to attend 2009 Annual Meeting of the American Political Science Association), Department of Political Science, University of Illinois. |
| 2008, 2009 | Russian, East European, and Eurasian Center Travel Award (awarded twice, to attend 2008 and 2009 Annual Meetings of the American Political Science Association), University of Illinois. |
| 2007 | High Honors, Ph.D. Qualifying Examination in Comparative Politics, Department of Political Science, University of Illinois. |
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Conference Presentations

- 2009 “When Will Political Parties Comply with Electoral Results?” *paper presented at the 2009 Annual Meeting of the Midwest Political Science Association, Chicago, IL and 2009 Annual Meeting of the American Political Science Association, Toronto, Canada.*
- 2008 “Diffusion and Constitutional Reform: Integrating Macro- and Micro-level Evidence” (with Zachary Elkins), *paper presented at the 2008 Annual Meeting of the American Political Science Association, Boston, MA.*
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- 2007 “Semi-Presidential Systems: Separating Myth from Reality,” *paper presented at the 2007 Annual Meeting of the Midwest Political Science Association, Chicago, IL.*
- 2007 “Democratic Habits through Non-Democratic Means: Age and Voter Turnout in the Former Soviet Republics,” *paper presented at the 2007 Annual Meeting of the Midwest Political Science Association, Chicago, IL.*

Research Experience

- 2008-2011 *Project Manager and Senior Researcher, Comparative Constitutions Project, Cline Center for Democracy, University of Illinois.*
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- 2005-2008 *Research Assistant, Comparative Constitutions Project, Cline Center for Democracy, University of Illinois.* <http://www.comparativeconstitutionsproject.org>

Teaching Experience

- Summer 2010 *Instructor*
Course: Introduction to Comparative Politics
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Additional Relevant Training and Experience

July 2006 Inter-University Consortium for Political and Social Research (ICPSR)
July 2005 Courses: Regression Analysis II: Linear Models, Maximum Likelihood Estimation
University of Michigan, Ann Arbor.

2005 Graduate Teaching Certificate, Center for Teaching Excellence, University of
Illinois.

Fall 2006 Student Mentor, New Students Orientation, Center for Teaching Excellence,
Fall 2005 University of Illinois.

2003-2004 Graduate Coordinator, Political, Military, and Diplomatic Lecture Series, Dr. Dale
Herspring, Kansas State University.

Summer 2003 Research Intern, Russia and Eurasia Program, Center for Strategic and International
Studies, Washington, DC.

Professional Membership

American Political Science Association
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Service to Department

2008-2011 Graduate Student Coordinator for Comparative Politics Workshop, University of
Illinois.

2004-2007 Comparative Politics Job Search Committee, University of Illinois.

Languages

English (fluent), Ukrainian (native), Russian (native), Polish (basic knowledge), French (3 years of college course work)

References

Available upon request