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A Comparative Analysis of Electoral Management Bodies in Central America

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Dedication

I dedicate this dissertation to my family,

Elsa, Cecilia, Elizabeth, and Abraham, and

My parents,

Antonio and Marina.

ABSTRACT OF THE DISSERTATION

A Comparative Analysis of Electoral Management Bodies in Central America

by

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This dissertation enhances our understanding of elections and electoral processes in developing democracies by examining the institutions responsible for the management of elections – electoral management bodies (EMBs). This study provides a comparative analysis of electoral management bodies in the Central American states that democratized during the third wave of democratization, including El Salvador, Guatemala, Honduras, and Nicaragua. In so doing, this dissertation 1) explains the introduction of formally independent EMBs in each of these cases, 2) explains the development of autonomy and impartiality exhibited by each EMB, and 3) explains citizens' trust in their respective EMB. This study contributes the scholarly literature on elections and election management in developing democracies. This study also makes a significant contribution to the policy community by identifying concrete areas in which to strengthen democracy.

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Chapter 1: Introduction

Free and fair elections are desired by all democratic states. Achieving this though has remained elusive for many developing democracies. Why? Academicians have noted that the conduct of democratic elections is an extraordinarily complex process that requires coordination and planning at multiple levels and phases (Wall et al. 2006; Massicotte et al. 2004; Mozaffar and Schedler 2002). In particular, scholars have commented that developing democracies often lack the bureaucratic capacity or “administrative competence” to conduct democratic elections (Pastor 1999).

In response, many democratic states have sought to overcome these obstacles through the establishment of institutions capable of handling the complexity of elections – these institutions are known as electoral management bodies or EMBs (Wall et al. 2006; Mozaffar and Schedler 2002; López-Pintor 2000). The design and introduction of these institutions often reflects the cultural and political traditions of each state as well as its particular experience with democracy (López-Pintor 2000, 20). As a result, electoral management bodies often take on different forms and classifications.¹ Notwithstanding

¹ For example, the United Nations Development Programme identifies five main types of electoral management bodies. These types include the government-run model, a model run by the government in a decentralized system, a model run by the government but under some supervisory or judicial authority, an independent body, and a model that is independent with multiple bodies. For the most part, three variations of these five are used in practice around the world (Lopez-Pintor 2000, 25). Pastor (1999) identifies four main types of electoral administrations, including a body completely run by the government, one run by the government with oversight from a judicial body, an independent electoral commission, and a multiparty electoral commission (79). Mozaffar and Schedler (2002) identify the “power-sharing” model, where the main political players agree to establish rules of restraint on the electoral game (results in a multiparty commission), a “delegation” model, where electoral authority is delegated to individuals who are independent and neutral (results in a nonpartisan commission), and the “abdication” model, where the main political players abdicate electoral authority to citizen authorities or independent officials, who in turn appoint neutral, nonpartisan electoral officials (results in nonpartisan commission). Massicotte, Blais, and Yoshinaka (2004) also identify three main types including an electoral

these differences, the purpose of electoral management bodies is clear – to facilitate and secure the credibility and legitimacy of democratic elections (Mozaffar and Schedler 2002, 6). More specifically, EMBs are responsible for the management of those elements deemed “essential” for democratic elections (Wall et al. 2006, 5).² While the responsibilities and powers of electoral management bodies vary by country, it is clear that these institutions play a vital role in a country’s democratic development.

Contemporary research suggests that for developing democracies, the ideal EMB is one that is professional, autonomous, and impartial in its operations (Wall et al. 2006; Hartlyn et al. 2008; Lehoucq and Molina 2002). Indeed, a recent survey of EMBs across the world indicates that most developing democracies have established legally independent electoral management bodies (Wall et al. 2006, 304-325; López-Pintor 2000).³ This seems logical. In the face of multiparty competition, the main political actors or interests would prefer legally independent EMBs to those dependent on the government since the former would manage elections in a transparent and impartial manner (at least in theory) while the latter increases the likelihood of management that may favor the individuals within the government (Lehoucq 2002; Massicotte et al. 2004, 5). Thus, we would expect developing

commission, the appointment of a single official, or the appointment of a government minister, all of which have autonomy over electoral matters in their respective country (83). More recently in a study on electoral management design, the International IDEA identifies the independent model, which is independent and autonomous from the government, the mixed model, which combines elements of the government and independent-model, and the government model, which is operated by the government usually by a ministry of the executive branch (Wall et al. 2006, 7-9).

² These include “a) determining who is eligible to vote; b) receiving and validating the nominations of electoral participants (for elections, political parties, and/or candidates); c) conducting polling; d) counting the votes; and e) tabulating the votes” (Wall et al. 2006, 5).

³ While most developing democracies have legally independent EMBs, developed or advanced democracies generally rely on EMBs that are run by their respective government (Wall et al. 2006).

democracies to have independent EMBs given the uncertainty that accompanies elections in post-democratization contexts (see Mozaffar and Schedler 2002).

Perhaps a more interesting question concerns the introduction of these democratic institutions in authoritarian contexts. In effect, why would the leaders of authoritarian (or semi-authoritarian) regimes⁴ choose to give up their power (at least on paper) to manipulate elections and electoral outcomes by introducing independent electoral authorities? While various scholars have speculated why states, both democratic and non-democratic, would introduce independent EMBs, very few have put forth a systematic explanation for the introduction of EMBs, especially in authoritarian contexts.⁵ While the introduction of a legally independent electoral management body in an authoritarian context provides an important step on the path towards democracy, the establishment of a legally independent EMB cannot be seen as a sufficient condition for the successful conduct of elections; indeed, there are a number of variables that ultimately affect this process (Mozaffar and Schedler 2002, 6; Pottie 2001, 133). The 2006 Mexican presidential election is a case in point.⁶ Hence, although the establishment of legally independent electoral management bodies may provide the foundation for effective election management and thus free and fair elections, it is clearly not a sufficient condition for these positive outcomes.

⁴ By authoritarian regimes I am referring to those regimes that concentrate political power in an authority (i.e. an individual or group of individuals) not responsible to the majority of the citizens within a country (i.e. the people).

⁵ Lehoucq and Molina's (2002) work on Costa Rica's TSE is the exception.

⁶ Even with a credible, legitimate, and autonomous electoral management body, the Federal Electoral Institute (IFE), many questioned the cleanliness of the election and thus credibility of the EMB in the aftermath of the election.

This brings us to another significant area of inquiry related to election management. That is, how do we gauge the effectiveness of an EMB once established? Several strategies have been proposed. For one, scholars have employed the analysis of public opinion data; in particular, scholars have sought to determine the effectiveness of an EMB by looking at respondents' trust in their respective EMB (Kerevel 2009; Rosas 2010; Ugues 2010). Another strategy is to look at election outcomes; that is, whether elections are considered 'democratic' or 'free and fair' (Hartlyn et al. 2009; Hartlyn et al. 2008; Elkit and Reynolds 2005; Elkit and Reynolds 2002). The current work considers these and additional approaches in its analysis of the performance of electoral management bodies.

In effect, this dissertation sets forth three objectives. First, this work shall describe and explain the foundations of election management in the population of Central American states that democratized during the third wave of democratization. These cases include El Salvador, Guatemala, Honduras, and Nicaragua. In particular, this dissertation explains why, in the absence of full-fledge democratic rule, the leaders of these countries chose to introduce new, formally independent EMBs when they did. While elections and electoral management bodies are certainly not a new phenomena in this region,⁷ a comparative analysis of the emergence of formally independent EMBs is a phenomena that has yet to be

⁷ For instance, El Salvador has had the *Consejo Central de Elecciones* (1950 – 1993) followed by the *Tribunal Supremo Electoral* (1993 – present). Guatemala has had the *Tribunal Electoral* (1956-1965), the *Registro y Consejo Electorales* (1965-1982) and the *Tribunal Supremo Electoral* (1983 – present). Nicaragua has had the *Consejo Nacional de Elecciones* (1939-1979) and the *Consejo Supremo Electoral* (1983-present). Honduras has had the *Consejo Nacional de Elecciones* (1957 - 1979) and the *Tribunal Nacional de Elecciones* (1979 – 2004), followed by the *Tribunal Supremo Electoral* (2004 – present).

explained in this region.⁸ Understanding why, how, and when these institutions emerged within these particular states is important in facilitating our understanding of the process of democratization in these countries but also other developing democracies as well.

The second objective of this work concerns the performance of the electoral management body in each of these states. As stated above, in the developing democratic context, the ideal EMB is one that is professional, autonomous in its operations, and impartial to outside political influences (Wall et al. 2006; Hartlyn et al. 2008; Lehoucq and Molina 2002). And, in fact, most EMBs across the world, including those of Central America, have established formally independent EMBs (see Wall et al. 2006: 304-325; also López-Pintor 2000).⁹ That being said, it should be noted that although the establishment of formally independent EMBs may provide the foundation for effective election management and thus free and fair elections, it is clearly not a sufficient condition for these positive outcomes. It is also important, then, to examine the factors that contribute to EMB autonomy¹⁰ and impartiality as well, as these have been cited as critical features of effective election management (Wall et al. 2006; Hartlyn et al. 2008). The question of interest, then, is

⁸ An exception to this is the work by Lehoucq and Molina (2002), who thoroughly explain the introduction of the Costa Rican *TSE*.

⁹ While most developing democracies have formally independent EMBs, mature democracies generally rely on EMBs that are run by their respective government (Wall et al. 2006).

¹⁰ It is important to note the difference between formal independence and autonomy. Formal independence refers to the de jure independence of the EMB; that is, whether the institution is legally independent from other branches of government such as the executive or legislature. Autonomy, on the other hand, refers to the de facto independence of each EMB; in other words, whether the institution has the ability to function independently and not just the legal right to do so. This distinction is similar to that made in the literature on central bank independence (see Cuckierman et al. 1992; Grilli et al. 1991; Debelle and Fischer 1994).

how we account for the level of autonomy¹¹ and impartiality¹² exhibited by these institutions? Understanding how EMBs develop into autonomous and impartial institutions is important from a scholarly perspective, since this aids our understanding of the process of democratization and the development of democratic institutions. This is also important from a policy perspective because it helps policymakers, intergovernmental organizations, and non-governmental organizations identify concrete areas in which to strengthen democracy.

Finally, given the important role that citizen's attitudes towards democracy play in the process of democratic consolidation (Dalton 2004; Donovan and Bowler 2004), the third objective of this work is to ascertain how the performance of each electoral management body helps foster attitudes supportive of democracy, but more specifically, attitudes that are supportive of the institutions responsible for managing elections in their respective country. In particular, this section of the dissertation explains whether and to what extent the level of autonomy and impartiality exhibited by each EMB in El Salvador, Guatemala, Honduras, and Nicaragua affects citizen trust in these institutions.

The rest of this chapter will proceed as follows. First, it will review the literature on election management in Latin America – the regional focus of this dissertation. This will be

¹¹ Autonomy is operationalized as the ability to operate free of interference from any outside pressure, including government officials, political parties, etc. EMB autonomy can be assessed in the following areas: 1) the appointment of EMB members, 2) the operation of EMB members, 3) the term of office of EMB members (and ease at which they can be removed from their posts), and 4) the control of the EMB budget.

¹² Impartiality is operationalized as the ability to operate without any political favoritism or bias, including preferential treatment towards government officials, political parties, etc. EMB impartiality can be assessed in the following areas: 1) the registration of parties and candidates, 2) the financing of parties and candidates, 3) the reporting of election results, and 4) electoral rulings (made by the EMB).

followed by a discussion of case selection and the EMBs for these respective cases. Lastly, I will provide an overview of the chapters of the dissertation, noting the different dimensions of election management that will be studied as well as a discussion of key findings.

Election Management in Latin America

Studies of election management in Latin American have reviewed electoral management bodies from both a comparative and case-specific perspective. Comparative analyses by López-Pintor (2000) and Wall et al. (2006), for instance, provide us with some of the general features of electoral management bodies in Latin America within their broader discussion of election management around the world. One of the notable features of these analyses is that both sets of authors indicate that legally independent electoral management bodies are the norm in Latin America. In fact, their research indicates that 17 of 18 Latin American countries possess legally independent electoral management bodies.¹³

Jaramillo's (2007) comparative analysis of electoral management bodies in Latin America – or *órganos electorales supremos* as he refers to them as – indicates that every country in Latin America (except for Argentina) mentions their electoral management body in their respective constitutions; this, argues Jaramillo, is an indication of the importance of EMBs in the region (375). Jaramillo also argues that the process of introducing legally independent EMBs in Latin America during the 20th century was part of a concerted effort to provide

¹³ The population of cases here refers to Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela. Of these, Argentina is the only country that does not possess a legally independent EMB; Argentina's *Cámara Nacional Electoral* is a government body under a supervisory collective authority that is largely judiciary.

transparency in elections, which, subsequently, helped bolster the credibility of electoral processes of many countries in the region (410). Ultimately, Jaramillo maintains that contemporary EMBs are first-class institutions within the national political systems of Latin America because they have facilitated the consolidation of democracy in the region by promoting confidence in elections and electoral proceedings (423, 435).

While Jaramillo's work provides a descriptive analysis of EMBs in Latin America, other scholars have sought to understand the impact of, say, independent EMBs on other features of democracy such as elections and public opinion. For instance, Hartlyn, McCoy, and Mustillo (2008; 2009) argue that the quality of election management in Latin America has a positive and significant effect on the quality of elections for democracies in the region. Hartlyn et al. demonstrate that the professionalization and independence of EMBs is critical for free and fair elections in Latin America, where there are typically weak administrative processes and mistrust among political elite. In a similar vein, Rosas (2010) finds that independent EMBs have an important effect on attitudes towards elections and electoral processes among political elite in Latin America. In short, Rosas finds that Latin American political elite are more likely to express confidence in elections when their respective EMB exhibits higher levels of political independence (see also Kerevel 2009 and Ugues 2010).

These comparative studies provide important lessons on the salient features of these institutions and their relationship with other facets of democracy. Case-specific studies have also greatly contributed to this literature by providing a more nuanced treatment of specific EMBs in the region. For example, Lehoucq and Molina's (2002) study of Costa Rica provides an in-depth analysis of the development of election management in that country.

Through their examination of petitions to nullify electoral results during the first half of the 20th century, Lehoucq and Molina explain the dynamics of electoral fraud as well as reforms to the system of electoral management which led to the introduction of the *Tribunal Supremo de Elecciones* (TSE). One of the authors' main arguments is that an apolitical EMB is the ideal institution to manage elections because institutions run by parties or heavily influenced by partisan interests will result in conflict and instability (also see Lehoucq 2002). Additional research on Costa Rica has shed light on the institutional design of the Costa Rican TSE (Mora Chinchilla 2010) as well as significant institutional reforms that it has undergone (Picado León 2009). All of these studies note the positive impact that Costa Rica's TSE has had on elections in particular and democratic consolidation more broadly.

Mexico's *Instituto Federal Electoral* (IFE) has also been the subject of a number of studies. Among other things, academicians have sought to explain the introduction of the IFE (Magaloni 2006, chapter 8; Magaloni 2005) as well as significant reforms to the body such as the process of *ciudadanización*¹⁴ (Prud'home 1998; Avritzer 2002, chapter 6). Scholars have also noted the positive role of the IFE in Mexico's protracted transition to democracy (Eisenstadt 2004; 2002; Camp 2004; Domínguez and Lawson 2004; Domínguez 1999).¹⁵ More recently, however, scholarly work on Mexico has sought to understand the influence

¹⁴ Ciudadanización refers to the principle of full citizen control – at all levels – of the Federal Electoral Institute.

¹⁵ Although Eisenstadt (2004; 2002) views the establishment of the IFE as an important step in Mexico's democratization, we should note that he places a greater importance on other factors such as informal negotiations with respected to the "protracted democratization." As such, he is critical of research that assumes that the establishment of the IFE was a sufficient condition for democratization and democratic consolidation in Mexico.

of partisanship in the IFE (Estévez et al. 2008) and other factors that may affect the IFE's credibility, especially during the 2006 presidential election (Schedler 2009; Eisenstadt 2007; Estrada and Poiré 2007; Ugues 2010).

In addition to Costa Rica and Mexico, scholars have studied EMBs in other Latin America countries. Fleischer and Barreto (2009), for instance, review the role of the *Tribunal Superior Electoral* (TSE) in Brazil. They argue that the Brazilian TSE played an important role in promoting the legitimacy of the Brazilian electoral system during various phases of the country's political development especially during and after the political opening of 1974-1985. The EMBs of Chile and Uruguay played similar roles in their countries' political development as well. Both the *Servicio Electoral* (Chile) and the *Corte Electoral* (Uruguay) played important roles in enhancing the credibility of elections and electoral systems in their respective country and each was critical during the plebiscites to end military rule in their respective countries – Uruguay in 1980 and Chile in 1988 (López-Pintor 2000, 22-34).

While the aforementioned EMBs have had a positive role in enhancing the credibility of elections in their respective countries, others have been inhibited from doing so. In Bolivia, recent political developments have threatened democratic political institutions such as the *Corte Nacional Electoral* to the point that the independence of the institution is seriously threatened (Romero Ballivian 2009). Moreover in Venezuela, executive assaults on democratic political institutions during the Chavez era have not spared the *Consejo Nacional Electoral* either. According to Alvarez (2009), the *Consejo* is unable to function in an impartial manner due to the political and institutional context created by the Chavez regime. Thus,

while some countries have the institutions in place to foster credible elections, these institutions are unable to facilitate this process due to factors exogenous to the institution.

Ultimately, the evidence indicates that the existence of a professional and non-partisan electoral management body can help facilitate not only a credible electoral process but aid in the deepening of a country's democracy. This is a trend that seems ubiquitous across Latin America (Hartlyn et al. 2008; 2009). Of course, the effectiveness of these institutions is contingent on a number of positive factors (e.g. civil society, effective democratic leadership, etc.). As Hartlyn et al. (2008) argue successful elections and election management in new democracies "requires generating a virtuous circle across state institutions, civil society actors, rule of law, and acceptance of the rules of the game by political parties" (93). In short, those factors necessary for democratic consolidation may also be necessary for the consolidation of the institutions responsible for election management.

Case Selection

While there is a growing body of research on election management in Latin America, there is a clear absence of scholarship on Central America (Costa Rica is the exception here). Hence, this study seeks to fill this gap in the literature by providing an analysis of election management in this region. The population of cases examined in this work includes four of the original Central American states including Guatemala, El Salvador, Honduras, and Nicaragua (Booth et al. 2006; Mahoney 2001). Costa Rica is excluded from this analysis given that it is and has been (since the 1950s or so) a "classical liberal, representative,

constitutional polity with a high degree of electoral honesty” (Booth 1989, 21).¹⁶ While Costa Rica and its neighbors share a set of important historical similarities that can be traced back from the conquest to the period of independence from Spain and later Mexico and then the formation of the United Provinces of Central America (Booth et al. 2010), it is clearly different from its neighbors with respect to its modern political development. This makes its inclusion in this analysis impractical.

In contrast, El Salvador, Guatemala, Honduras, and Nicaragua have had many of the same experiences during the 20th century which provides for a more sound comparison (Walker and Armony 2000).¹⁷ For one, each case experienced a period of sustained authoritarian rule¹⁸ which featured fraudulent or restricted elections, and varying degrees of political repression or violence (or both). This was followed by a period of political

¹⁶ In Costa Rica, democratization occurred following the fraudulent presidential election of 1948 and subsequent civil war led by José Figueres and the National Liberation Junta (Booth 1999). After the Junta relinquished power to Otilio Ulate, the rightful winner of the 1948 election, Costa Rica enacted a set of reforms including the creation of the *Tribunal Supremo de Elecciones* (TSE) and the abolition of the military which helped sow the seeds for democratic development (Booth 2000). Costa Rica has enjoyed over 60 years of uninterrupted democratic rule and is considered a consolidated democracy (Booth et al. 2006; Schedler 1998). In this respect, Costa Rica differs significantly from its regional neighbors.

¹⁷ Panama is excluded from this analysis since it did not experience the introduction or creation of a new, formally independent electoral management body during its most recent transition to democracy (1989-present). On the contrary, Panama’s Electoral Tribunal was established in 1956 as it is known today – an entity independent of the executive and judicial branches, with exclusive jurisdiction in electoral matters, and composed of the three organs of State, each naming a judge for twelve years (see <http://www.tribunal-electoral.gob.pa/administracion/index.html>, accessed on 12 August 2010).

¹⁸ In El Salvador, military-led governments were in power from the 1930s until about the mid-1980s (Bird and Williams 2000). In Guatemala, military rule followed the toppling of President Jacobo Arbenz (1954) and lasted until the mid-1980s (Jonas and Walker 2000). In Nicaragua the Somoza dynasty ruled with the support of the National Guard from 1937 until 1979 (Walker 2000). In Honduras, the military ruled for a large part of the 1970s and transferred power to civilians in the early 1980s (Ruhl 2000).

liberalization, which featured a move towards procedural democracy with its emphasis on elections. This process of political liberalization, which occurred during what is commonly referred to as the “third wave” of democratization (Huntington 1991), set the ground work for the protracted transitions to democracy in each case. Finally, and with respect to election management, each case experienced the introduction of new, formally independent electoral management bodies during a span of about 16 years – Honduras in 1977, Guatemala 1983, Nicaragua in 1984, and El Salvador in 1993.

In Honduras, the *Tribunal Nacional de Elecciones* (TNE) was established in 1977. The TNE was preceded by the *Consejo Nacional de Elecciones* (1957-1976) and was established as an autonomous and independent institution with jurisdiction and responsibility for elections at all levels. The TNE was comprised of one magistrate appointed by the president from a list nominated by the Supreme Court of Justice and one magistrate for each of the legally registered political parties (López-Pintor 2000, 36). At the time of the TNE’s establishment there were four legally registered political parties, resulting in a five member tribunal. The *Tribunal* was responsible for “inscribing political parties and candidates, registering voters, resolving electoral complaints, establishing the time and places for voting, training poll workers, and counting and reporting votes” (Merrill 1995).

In 2004, Honduras replaced the TNE with the *Tribunal Supremo Electoral* (TSE), which is the current EMB. The Honduran TSE was established in 2004 following the reforms in 2001 (*Acuerdos Cívicos* [09/04/2001]).¹⁹ The TSE is formally independent from the other branches of government and is responsible for all matters related to elections and

¹⁹ See <http://www.tse.hn/jc/institucion/Historia.html>, accessed on 16 April 2010.

electoral proceedings.²⁰ The Honduran TSE is responsible for elections at all levels (i.e. national, regional, and local) and the election of representatives to the Central American Parliament (PARLACEN).²¹ The TSE is comprised of four magistrates (one of which is a *suplente* or substitute) who serve four year terms.²² The magistrates are selected by the Supreme Court and each of the legally registered political parties, and are appointed by the president.²³ The TSE has the right to resolve electoral disputes and impose sanctions in cases that violate electoral law; however, the *Justicia Ordinaria* (judicial competent authority) must be notified of all legal proceedings regarding electoral disputes.²⁴

In Guatemala, the current electoral management body, the *Tribunal Supremo Electoral* (TSE), was established in 1983. The TSE was preceded by the *Consejo Electoral* and the *Registro Electoral*. The Guatemalan TSE is formally independent and is considered the maximum authority on all electoral matters.²⁵ The TSE is comprised of five magistrates and five substitutes (*suplentes*) who serve six year terms. The magistrates are selected based upon their expertise in electoral matters. They are nominated by the Nomination Committee

²⁰ *Ley Electoral y de las Organizaciones Políticas*. Decree No. 44-2004, Article 9.

²¹ *Ley Electoral y de las Organizaciones Políticas*. Decree No. 44-2004, Article 114.

²² Although the TSE magistrates are designated to serve a four year period, they will not leave office unless they resign or are asked to step down by the appropriate authorities (see <http://aceproject.org/epic-en/CDCountry?country=HN>, accessed on 16 April 2010).

²³ See <http://aceproject.org/epic-en/CDCountry?country=HN>, accessed on 16 April 2010.

²⁴ *Ley Electoral y de las Organizaciones Políticas*. Decree No. 44-2004, Articles 208-218.

²⁵ See <http://www.tse.org.gt/acercade.php>, accessed on 16 April 2010.

(*Comisión de Postulación*)²⁶ and must be approved by a two-thirds vote in Congress.²⁷ The TSE is responsible for elections at all levels (i.e., national, regional, and local) as well as elections for representatives to PARLACEN. Furthermore, the Guatemalan TSE is responsible for responding to formal electoral complaints and adjudicating electoral disputes as stipulated in Article 125 of the Guatemalan Electoral Law.

Nicaragua's current EMB, the *Consejo Supremo Electoral* (CSE), was introduced in 1984. The CSE was preceded by the *Tribunal Electoral*, which managed elections during the Somoza regime. The Nicaraguan CSE, like the TSE of Guatemala, is formally independent from the other branches of government.²⁸ Nicaraguan Electoral Law states that the CSE is responsible for all electoral matters, including elections at all levels (i.e., national, regional, and local), plebiscites, and referenda, as well as the election of representatives to PARLACEN (Articles 1 and 2). The CSE is comprised of seven incumbent magistrates (*magistrados titulares*) and three substitutes (*magistrados suplentes*). The magistrates are selected based on their expertise and are elected by the National Assembly.²⁹ The CSE and its

²⁶ The Nomination Committee is comprised of scholars on law and electoral matters (<http://www.tse.org.gt/magistrados.php>, accessed on 16 April 2010).

²⁷ See <http://www.tse.org.gt/magistrados.php>, accessed on 16 April 2010.

²⁸ It should be noted that although the CSE is formally independent, news reports have purported that the CSE has become highly politicized (see http://www.transparency.org/regional_pages/recrea/estudios/sistemas_control/cse_nicaragua, accessed on April 16, 2010; <http://impreso.elnuevodiario.com.ni/2006/09/21/especiales/29207>, accessed on 16 April 2010)

²⁹ See <http://aceproject.org/epic-en/CDCountry?country=NI>, accessed on 16 April 2010.

subordinate branches are also responsible for hearing formal complaints and resolving electoral disputes.³⁰

In El Salvador the current electoral management body, the *Tribunal Supremo Electoral* (TSE), was established in 1993 as a formally independent institution. The TSE was preceded by the *Consejo Central de Elecciones* (1950-1993). It is comprised of five magistrates (with five substitutes), three of which are nominated by the leading political parties and the other two by the Supreme Court of Justice. Nominations are approved by the Salvadoran Legislative Assembly and serve for a period of five years.³¹ The TSE magistrates are thus selected on a basis of partisanship and expertise.³² The TSE is responsible for elections at all levels (i.e. national and local) as well as the election of representatives to PARLACEN.³³ As the maximum authority in electoral matters, the TSE has jurisdiction over the entire territory and is responsible for the adjudication of all formal electoral disputes.³⁴

It is worth noting that the introduction of these institutions during the 1970s, 80s, and 90s, was a significant development in these countries because they corresponded to a regional shift towards electoral democracy, where the struggle for power shifted from armed violence to competition at the ballot box. Ultimately, the introduction and development of

³⁰ See <http://aceproject.org/epic-en/CDCountry?country=NI>, accessed on 16 April 2010.

³¹ *Código Electoral*, article 59.

³² *Código Electoral*, articles 59, 60, and 61; <http://aceproject.org/epic-en/CDCountry?country=SV>, accessed on 16 April 2010.

³³ *Código Electoral*, article 59.

³⁴ *Código Electoral*, article 55 and 57.

these institutions has aided democracy in each of these countries by establishing the framework to facilitate the coordination and planning of democratic elections and enhance the ability to detect and eliminate electoral fraud. As Torres-Rivas (2007) argues, these institutions have lent credibility to the electoral process as a whole in each country (524-525).

Outline of the Dissertation

Given that scholars are still searching for a deeper understanding of the role of EMBs (e.g. how and why are they created, their performance, etc.), this dissertation seeks to further our understanding of elections and electoral processes by examining the role of these institutions in developing democracies. In particular, this work seeks to further our understanding of these issues by examining the EMBs of four developing democracies – El Salvador, Guatemala, Honduras, and Nicaragua.

This dissertation proceeds in four sections. Chapter 2 presents a comparative analysis of the emergence of formally independent EMBs in El Salvador, Guatemala, Honduras, and Nicaragua. What is particularly interesting with the Central American cases is that new, formally independent EMBs were introduced during periods of authoritarian or semi-authoritarian rule. This begs the question of why authoritarian leaders choose to give up their power (at least on paper) to manipulate elections and electoral outcomes by introducing independent electoral authorities. As such, this chapter explains why authoritarian leaders chose to introduce new, formally independent EMBs in El Salvador (1993), Guatemala (1983), Honduras (1977), and Nicaragua (1984). Through a comparative analysis of these cases, I find that the authoritarian and semi-authoritarian leaders of these states had ulterior motives for introducing these institutions. More specifically, I argue that the introduction of

these institutions was a strategic response by the leaders of these countries to (a) assuage international pressures and, to a lesser extent, domestic pressures and (b) gain resources (such as military or economic aid or both) that would help sustain the regime.

In Chapter 3, I explain the performance of the EMBs in the four Central American cases mentioned above. While scholars and policymakers alike have emphasized the *de jure* or legal independence of EMBs as an important feature of election management, recent scholarship has indicated that the presence of a formally independent EMB is by no means a sufficient condition for effective election management (Mozaffar and Schedler 2002; Hartlyn et al. 2008). In response, this work seeks to explain how each of these EMBs fares with respect to its autonomy – defined as the ability to function free of interference from any outside pressure, including government officials, political parties, the military, etc. – and impartiality – defined as the ability to function without any political favoritism or bias, including preferential treatment towards government officials, political parties, etc. – over time. The analyses in Chapter 3 suggest that the performance of the Central American EMBs – both institutional autonomy and impartiality – largely depends on the degree of politicization (formal and informal) affecting each institution.

Chapter 4 explores the relationship between EMB performance and citizens' attitudes about the institution. In particular, this chapter explains whether and to what extent the levels of autonomy and impartiality exhibited by each electoral authority affects citizens' trust in their respective EMB. The chapter argues that "better" EMB performance is will result in "better" evaluations of the respective electoral authorities. Specifically, this work hypothesizes that citizens in each of these countries are more likely to trust their respective

EMBs when these institutions exhibit higher levels of autonomy and impartiality in previous election. In contrast, citizens are less likely to trust their respective EMB when these institutions exhibit low levels of autonomy and impartiality in previous elections. Through the use of quantitative analysis of public opinion data this work finds that institutional autonomy does have a significant impact on citizens' attitudes, but that other factors are important as well.

Chapter 5 summarizes the objectives of this study as well as the key findings. This chapter also highlights the significance of these findings and discusses avenues for future research. Finally, this chapter presents preliminary ideas for a unified theory of electoral management body performance with relevance for Central America, specifically, and Latin America, more broadly.

Chapter 2: The Introduction of Formally Independent Electoral Management Bodies in Central America

On the morning of 30 June 1983, in the midst of a brutal counterinsurgency campaign, the government of Guatemala, led by General Efraín Ríos Montt,³⁵ established the *Tribunal Supremo Electoral* (Supreme Electoral Tribunal, TSE). The Tribunal replaced previous electoral authorities and, more importantly, was introduced as an independent entity responsible for the preparation of new electoral rules and elections for the Constituent Assembly to be held the following year (Gramajo Morales 1997, 124; Asociación de Investigación y Estudios Sociales 2006, 20-22). Ríos Montt maintained that the introduction of the TSE was an important step in the process of building an “authentic democracy” in Guatemala (Crossette 1983).

While the authenticity of democracy in Guatemala is to a certain extent still questionable, the introduction of a democratic political institution such as the TSE during a period of highly exclusionary politics is remarkable and quite surprising. It is surprising because this period marked the bloodiest era of the counterinsurgency campaign³⁶ and remarkable because it demonstrated the contradictions in Guatemala’s political reality. On the one hand, the Guatemalan state was aggressively pursuing a brutal campaign against insurgents throughout country but especially in rural areas. And on the other, the state was

³⁵ Ríos Montt was the de facto president of Guatemala from March 1982 to August 1983.

³⁶ In fact, during the period between 1981 and 1983 close to 150,000 civilians were killed or had “disappeared” (Jonas and Walker 2000, 10).

implementing a “democratization” project which consisted of a liberalization of the political arena with an emphasis on elections (Jonas 1989; Sieder 1996a; Azpuru 2006).

This process, however, was indicative of the political environment throughout most of Central America. Honduras, a “soft” military regime, had begun a similar process in 1977 (Merrill 1995), while the Sandinistas in Nicaragua introduced their own independent electoral management body just a few years later (Merrill 1993). Ultimately, the introduction of formally independent electoral management bodies in Honduras (1977), Guatemala (1983), Nicaragua (1984), and later in El Salvador (1993) raises an important question³⁷: Why would the leaders of authoritarian (or semi-authoritarian) regimes³⁸ choose to give up their power (at least on paper) to manipulate elections and electoral outcomes by introducing independent electoral authorities?

One explanation for the introduction of these institutions rests on the notion that these independent bodies constituted part of a broader political transition taking place in each of these countries. In fact, a cursory review of each of these country’s recent histories indicates that during the 1970s and 1980s each country engaged in a process of political

³⁷ These EMBs include the Salvadoran *Tribunal Supremo Electoral* (1993-present), the Guatemalan *Tribunal Supremo Electoral* (1983-present), the Honduran *Tribunal Nacional Electoral* (1979-2004), and the Nicaraguan *Consejo Supremo Electoral* (1984-present).

³⁸ By authoritarian regimes I am referring to those regimes that concentrate political power in an authority (i.e. an individual or group of individuals) not responsible to the majority of the citizens within a country (i.e. the people). At the time of the introduction of their respective EMBs, Honduras, Guatemala, and Nicaragua fit this conceptualization. El Salvador, on the other hand, is conceptualized as a semi-authoritarian regime because at the time of the introduction of the Salvadoran TSE power was less concentrated in the hands one political group. Still, given the context of civil war and the abuses committed by the Salvadoran armed forces we cannot, at that time, consider El Salvador a democracy.

opening that most would constitute as a political transition. Given the special emphasis placed on elections in these countries during this process, it is not surprising to observe the introduction of institutions such as EMBs at this time. This explanation suggests that each of these EMBs was established as part of a broader process of transition in each country whereby elections were equated, by some, as an authentic process of democratization. One, then, could make the argument that the establishment of these institutions was a rather simple process. That is, the introduction of new, formally independent electoral management bodies occurred during a period of political transition when elections were anticipated or expected to occur in the near future.

Another explanation is that these institutions were introduced in response to significant electoral fraud. That is, in the absence of a credible and independent electoral authority, an instance of significant electoral fraud – fraud that alters the outcome of an election – could serve as a catalyst to spur the introduction of an independent EMB. Indeed, electoral fraud was a political reality of the military regimes of El Salvador (1931-1984), Guatemala (1954-1985), and Honduras (1932-1982) as well as the Somoza dictatorship (1936-1979) in Nicaragua (Jonas and Walker 2000; Bird and Williams 2000; Ruhl 2000; Walker 2000). The introduction of independent electoral management bodies, then, would represent a response by authoritarian and semi-authoritarian rulers to the demands for fairness and transparency in the electoral process by the opposition following an instance of significant electoral fraud in their respective country.

A third explanation – one that this author will argue in favor of – is that the authoritarian and semi-authoritarian leaders of these states had ulterior motives for

introducing these institutions. That is, these leaders introduced independent electoral management bodies in order to provide for the appearance of democratic electoral competition. The introduction of these EMBs, however, was not an automatic process that resulted from the larger movement toward democracy or elections. On the contrary, the introduction of these institutions was a strategic response by the leaders of these countries to (a) assuage the demands of domestic, regional, and international political pressures and (b) gain resources (such as military or economic aid or both) that would help to sustain the regime.

This chapter will first provide some background on election management in Central America and then describe how and when the electoral management bodies of El Salvador, Guatemala, Honduras, and Nicaragua were introduced. It will then discuss the three explanations presented above and elaborate on why the political leaders of these countries would choose to establish these democratic political institutions (i.e. EMBs). Next, it will present a comparative analysis of these three perspectives, providing evidence and analysis for each. The following section will provide a critical assessment of each argument and explain why the third explanation is most compelling and consistent. The final section summarizes the findings of these analyses and provides concluding remarks.

Background

While all of the Central American states currently have legally independent electoral management bodies, the evolution of election management in the region is quite varied. For instance, Costa Rica and Panama have maintained the same electoral management body for over 50 years. In Costa Rica, the *Tribunal Supremo de Elecciones* (TSE) was established in 1949

following the civil war and restoration of democracy. The TSE was established as the fourth branch of government and is considered the final arbiter on all electoral matters in Costa Rica (Lehoucq and Molina 2002).³⁹ In Panama, the current electoral management body, the *Tribunal Electoral* (TE), was established in 1956. And, while de facto military rule prevented the TE from fully exercising its authority over electoral matters from 1968 to 1989, the Tribunal now manages elections at all levels and is responsible for the adjudication of electoral disputes and the prosecution of electoral violations.⁴⁰

Election management in El Salvador, Guatemala, Honduras, and Nicaragua, in contrast, has undergone significant changes during the past several decades. Each of these countries experienced the introduction of new, formally independent electoral management bodies during a span of about 16 years. In Honduras, for example, the *Tribunal Nacional de Elecciones* (TNE) was established following the decree of the electoral law of 1977 (*La Ley Electoral y de las Organizaciones Políticas de 1977*) by the government of General Juan Alberto Melgar Castro (Sieder 1996b, 22; Boussard 2003, 154-155). The TNE replaced the largely defunct *Consejo Nacional de Elecciones* (1957-1979) as an autonomous and independent institution with jurisdiction and responsibility for elections at all levels. The TNE was inaugurated in 1978 in preparation for the elections to constituent assembly in 1980 and the presidential and legislative elections of 1981 (Merrill 1995). While the TNE was established as a legally independent body, the membership of the magistrates was largely based on partisanship. Initially, the TNE was comprised of one magistrate appointed by the president

³⁹ See http://www.tse.go.cr/historia_tse.htm, accessed on 10 March 2010.

⁴⁰ See <http://aceproject.org/epic-en/CDCountry?country=PA>, accessed on 16 April 2010.

from a list nominated by the Supreme Court of Justice and one magistrate for each of the legally registered political parties (López-Pintor 2000, 36). At the time of the TNE's establishment (1977-80) there were four legally registered political parties, resulting in a five member tribunal (Merrill 1995). The *Tribunal* was responsible for “inscribing political parties and candidates, registering voters, resolving electoral complaints, establishing the time and places for voting, training poll workers, and counting and reporting votes” (Merrill 1995). The TNE successfully managed the elections for the constituent assembly (1980) and the subsequent presidential and legislative elections (1981) that transferred political authority to civilian leaders in 1981.⁴¹

In Guatemala, the *Tribunal Supremo Electoral* (TSE) was established in 1983 under decree law 30-83 [the Organic Law of the Supreme Electoral Tribunal] (Asociación de Investigación y Estudios Sociales 2006, 20-22).⁴² The TSE replaced the *Consejo Electoral* and the *Registro Electoral* and was introduced as a formally independent body with authority on all electoral matters.⁴³ Like the Honduran TNE, the Guatemalan TSE was introduced in preparation for the elections of the constituent assembly in 1984 (Booth et al. 2010, 143). Unlike the Honduran electoral authority, however, the composition of TSE magistrates was (and continues to be) based solely on expertise. In fact, the five TSE magistrates (and substitutes) are selected based upon their expertise in electoral matters.⁴⁴ They are

⁴¹ In 2004, Honduras modified the TNE into its current EMB, the *Tribunal Supremo Electoral* (TSE). Nonetheless, the general framework of the electoral management body remained largely the same.

⁴² See <http://www.cidh.oas.org/countryrep/Guatemala83eng/TOC.htm>, accessed on 28 March 2011.

⁴³ See <http://www.tse.org.gt/acercade.php>, accessed on 16 April 2010.

⁴⁴ See <http://www.tse.org.gt/magistrados.php>, accessed on 16 April 2010.

nominated by the Nomination Committee (*Comisión de Postulación*)⁴⁵ and must be approved by a two-thirds vote in Congress.⁴⁶ The TSE is responsible for elections at all levels (i.e., national, regional, and local) as well as elections for representatives to the Central American Parliament (PARLACEN). Furthermore, the Guatemalan TSE is responsible for responding to formal electoral complaints and adjudicating electoral disputes as stipulated in Article 125 of the Guatemalan Electoral Law. The TSE successfully managed the elections for the constituent assembly (1984) and general elections (1985) and oversaw the transition to civilian rule in Guatemala.

Nicaragua's *Consejo Supremo Electoral* (CSE) was established in 1984 by the Council of State following the reforms to the Fundamental Statute of the Republic of Nicaragua and the introduction of the Electoral Law in that same year (Merrill 1993; British Broadcasting Corporation 1984). The CSE was established as the fourth branch of government and replaced the *Tribunal Electoral*, which managed elections during the Somoza regime. The Nicaraguan CSE, like the TSE of Guatemala, is formally independent from the other branches of government. The independent CSE and its subordinate branches are responsible for all electoral matters in the country and for hearing formal complaints and resolving electoral disputes.⁴⁷ The Council is comprised of seven incumbent magistrates (and three substitutes) who are selected based on their expertise and are elected by the National

⁴⁵ The Nomination Committee is comprised of scholars on law and electoral matters (<http://www.tse.org.gt/magistrados.php>, accessed on 16 April 2010).

⁴⁶ See <http://www.tse.org.gt/magistrados.php>, accessed on 16 April 2010.

⁴⁷ See <http://aceproject.org/epic-en/CDCountry?country=NI>, accessed on 16 April 2010.

Assembly.⁴⁸ The CSE began its duties in 1984 in preparation for the presidential and legislative elections and received favorable assessments from most international observers for its management of the electoral process (LASA 1985; Jonas 1989, 143).

In El Salvador, the *Tribunal Supremo Electoral* (TSE) was established in 1993 as part of the reforms to the electoral system put forth in the National Commission for the Consolidation of Peace (COPAZ) with the signing of the Chapultepec Peace Accords (United Nations 1995).⁴⁹ The TSE was introduced in an effort to improve on the deficiencies of its predecessor, the *Consejo Central de Elecciones* (1950-1993), by selecting its five magistrates on the basis of partisanship (nominated by the leading political parties) as well as expertise in electoral matters (nominated by the Supreme Court of Justice).⁵⁰ Nominations are approved by the Salvadoran Legislative Assembly and serve for a period of five years.⁵¹ The TSE is responsible for elections at all levels (i.e. national and local) as well as the election of representatives to PARLACEN.⁵² As the maximum authority in electoral matters, the TSE has jurisdiction over the entire territory and is responsible for the adjudication of all formal electoral disputes.⁵³ The TSE began its duties in 1993 in

⁴⁸ See <http://aceproject.org/epic-en/CDCountry?country=NI>, accessed on 16 April 2010.

⁴⁹ See <http://www.elsalvador.com/noticias/especiales/acuerdosdepaz2002/index.html>, accessed on 30 March 2010.

⁵⁰ *Código Electoral*, article 59.

⁵¹ *Código Electoral*, article 59.

⁵² *Código Electoral*, article 59.

⁵³ *Código Electoral*, article 55 and 57.

preparation for the presidential and legislative elections of 1994 – the “elections of the century.”

While each of these EMBs was introduced in roughly the same time period, the processes in which each of these institutions were introduced varies by country. In Honduras and Guatemala, the introduction of these institutions was controlled by the military. The governments of Melgar Castro (1975-1978) and Paz García (1978-1982) in Honduras (Merrill 1995; Boussard 2003: 154-155) and the governments of Ríos Montt (1982-1983) and Mejía Victores (1983-1986) in Guatemala (Trudeau 1993, 60-66; Rosada Granados 1992, 100-101) initiated and directed the introduction of the TNE and TSE, respectively. In Nicaragua, the process of establishing the CSE was led by the Sandinista-controlled Council of State, which in effect, controlled the military (Merrill 1993; Godoy Reyes 1992, 183). In El Salvador, the process, although led by the government, had a considerable amount of input by the opposition. In fact, the process of designing and introducing the Salvadoran TSE took place during the multi-party COPAZ negotiations, which had considerable input from the *Frente Farabundo Martí para la Liberación Nacional* [FMLN] (United Nations 1995).

Clearly, the introduction of these political institutions (EMBs) represented a positive direction in the political development of each country. However, they, as with the presence of multiparty elections, were not sufficient to claim that each country had become democratic. On the contrary, each country had its own set of problems that prevented full-fledged democratization. In Guatemala and Honduras the military, although it had allowed restricted multi-party elections, was still firmly in control of the process of liberalization. For

example in Honduras, General Policarpo Paz García “stayed on as chief executive with a military cabinet weighted against the Liberals and demanded that the constitutional assembly maintain the armed forces’ autonomous status” (Ruhl 2000, 52). Even after power was formally restored to civilian authorities, the military still managed the Honduran political process from a safe distance (Rosenberg 1989, 42-44). Guatemala also faced a number of challenges throughout the 1980s. The most notable, of course, included the brutal counterinsurgency strategy in the rural highlands and the political repression unleashed against dissidents of the military regime (Jonas and Walker 2000, 10-11; Trudeau 1993, 60-74). In El Salvador, elections were held in 1984 and 1989, which provided civilians with formal authority in the country. Unfortunately, El Salvador also found itself in the midst of a bloody civil war during the 1980s, which severely inhibited democratic development (Diskin and Sharpe 1986, 74-77). Revolutionary Nicaragua had its share of challenges during the 1980s as well. Perhaps the most critical issues were the Contra War and the diplomatic tension with the Reagan administration (1980-1988), which resulted in an overtly hostile U.S. foreign policy toward Nicaragua and political restrictions imposed by the Sandinista regime within Nicaragua (Gilbert 1986, 105-106).

What, then, do we make of the introduction of these electoral management bodies? The next section will present three competing explanations for why the leaders of these regimes allowed for the introduction of these legally independent electoral management bodies.

Competing Explanations

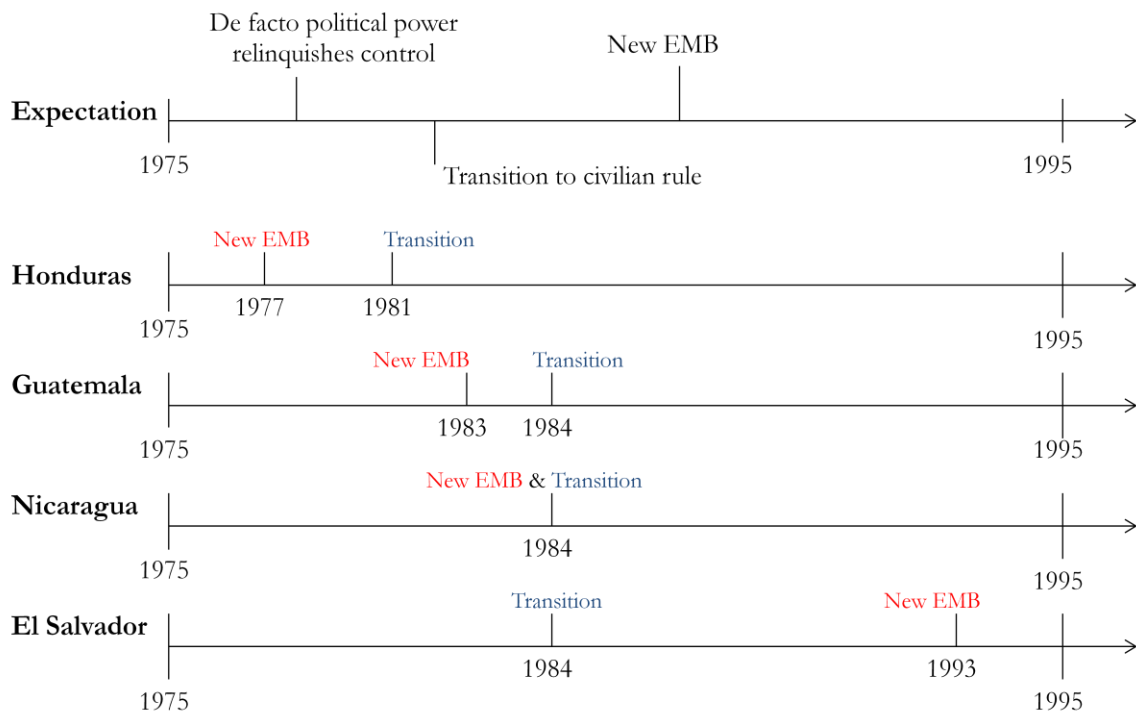
A critical theme to consider with the introduction of the EMBs of El Salvador, Guatemala, Honduras, and Nicaragua is that each of these institutions was introduced during periods of authoritarian or semi-authoritarian rule. This is important because it brings us back to the question posed in the introduction of this chapter: why would leaders of authoritarian regimes choose to give up their formal power to manipulate elections by introducing independent electoral authorities? This section seeks to answer this question by offering three competing explanations.

The first explanation proposed in this chapter concerns the role of political opening or transitions in the region. Based on the comparative history of each of these cases, one could infer that each country's EMB was established as part of the broader process of political transition taking place in each country. According to this perspective, then, formally independent electoral management bodies are introduced when authoritarian leaders have signaled that a transition or political opening will take place. Why? First, the literature on democratization often notes that political openings are significant moments in a country's political development where nondemocratic (authoritarian) practices are replaced with democratic ones and a process of democratic institutionalization occurs (Przeworski 1986, 55-57). Indeed, this process often results in the drafting of new constitutions and the introduction of new political institutions such as legislatures and courts. Moreover, this transitional period is also one in which political parties are allowed to organize freely (for the most part), which is an important component for democratic political competition and ultimately democratic consolidation (Mainwaring and Scully 1995).

Second, scholars have indicated that the process of political opening or transition is often accompanied or signaled by the announcement or scheduling of elections (Middlebrook 1998). While the convocation of elections is not a sufficient condition for democracy, it is often considered one of the key features of democratization and is clearly necessary for democratic governance (O'Donnell and Schmitter 1986, 57; Mateo Diaz and Payne 2007; Booth 1995). In transitional regimes, however, the political process lacks the integrity to prevent autocratic abuses especially those related to the electoral process. In order to provide legitimacy to the electoral process, political leaders could provide institutional guarantees to ensure that elections, in particular, and the political process, in general, will not be invalidated by some type of illicit behavior. Given that electoral management bodies are established to ensure that elections are managed in a credible fashion, new EMBs can be considered one such institutional guarantee. This is important because in the absence of a credible and independent electoral authority the opposition is less likely to participate or give credence to the "official" results of the electoral contest (Wall et al. 2006). As such, the anticipation of future elections within a broader process of democratization could prompt political leaders to introduce a formally independent electoral management body as a sign that their intentions to democratize are sincere. In sum, the first explanation proposed for why authoritarian leaders would choose to introduce a formally independent electoral management body is that these types of institutions are established (introduced) as an institutional guarantee to citizens when their country is embarking upon a period of significant political transition and elections are anticipated.

If the *political transitions hypothesis* is correct, we should observe the de facto political powers within each country (either the armed forces or other political entities) relinquish power to civilian leaders. During this transition we should observe civilian leaders assume full control of the state. As part of this transition we should observe civilian leaders introduce new democratic political institutions such as a new (independent) electoral management body (see Figure 2.1).

Figure 2.1 – Depiction of the Political Transitions Hypothesis.



A second explanation for why authoritarian rulers would choose to establish a formally independent electoral management body is that these types of institutions are introduced following an instance of significant electoral fraud (Lehoucq and Molina 2002; Magaloni 2006). Significant electoral fraud is defined as an instance of electoral fraud that

violates the existing electoral procedures and has significant implications for the outcome of an election. In this view, significant electoral fraud is consistent with López-Pintor's *outcome determinative fraud* – “where the fraud affects the outcome of the election such that the winners and losers are different from what they would have been had the fraud not been committed” (2011, 6-7).⁵⁴ Significant electoral fraud can have severe repercussions for the existing political system and regime – for instance, México following the 1988 presidential election (Gómez Tagle 2004; Magaloni 2005).

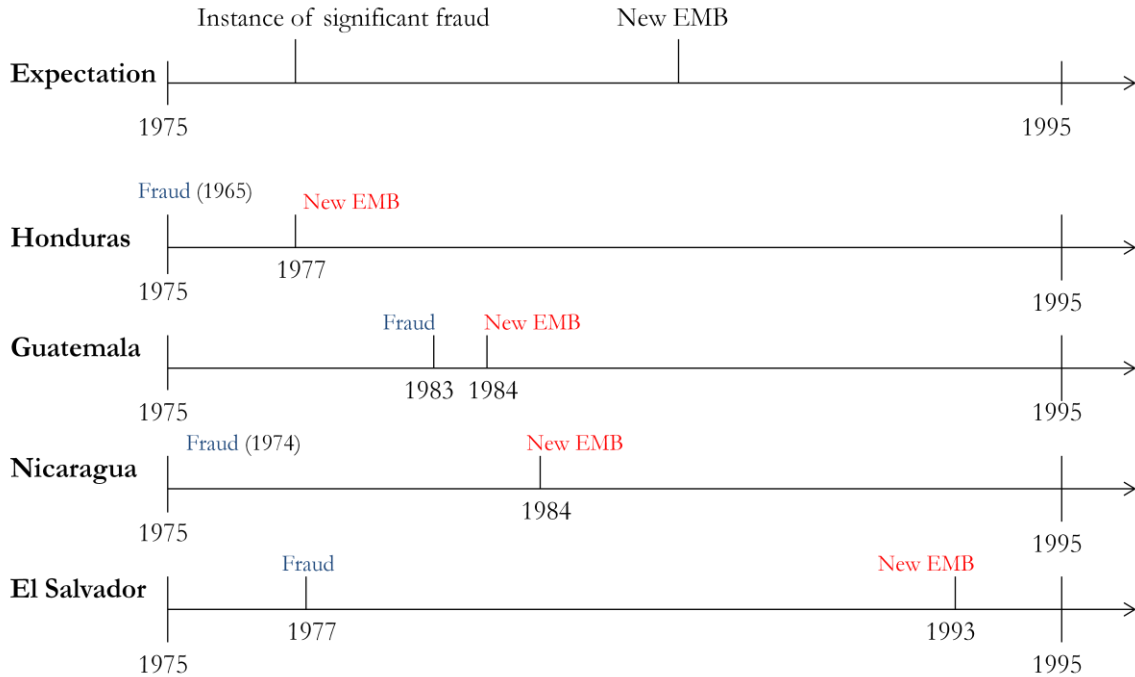
The repercussions of electoral fraud are even more pronounced when the opposition has the ability to contest the credibility of the electoral process or the outcome of the election (Magaloni 2010). According to Magaloni (2010), there are certain conditions under which authoritarian leaders would choose not to commit fraud. Assuming that the incumbent leaders have no way of credibly committing to a clean electoral process and that incumbent leaders want elections to be considered ‘legitimate,’ the authoritarian leaders must provide some commitment to the opposition that it will not steal the election (Magaloni 2010; Magaloni 2005, 129-136). As such, Magaloni states that “[the] only way to commit an intransigent opposition to the electoral process is if the autocrat credibly ties his hands *ex ante* to not commit fraud by transforming the existing institutions. One way of doing this is

⁵⁴ López-Pintor (2011) defines electoral fraud “as any purposeful action taken to tamper with electoral activities and election-related materials in order to affect the results of an election, which may interfere with or thwart the will of the voters” (6). According to López-Pintor, “[there] are two main categories of electoral fraud: *outcome determinative fraud*, where the fraud affects the outcome of the election such that the winners and loser are different from what they would have been had the fraud not been committed; and *non-outcome determinative fraud*, when the outcomes are not affected (i.e. the winners and losers would have been the same even absent the commission of fraud). Both types of electoral fraud entail criminal behavior that should be punished according to the law; however, outcome determinative fraud has more serious political implications, in that it allows a party or candidate to take over public positions contrary to the popular will” (6-7).

by delegating the organization of the elections to a truly independent electoral commission that can persuade the opposition to endorse them” (2010, 763). In sum, when there is significant electoral fraud the establishment of a new, formally independent EMB is likely to occur due to the demands for fairness and transparency in the electoral process by competing interests such as political parties, individual candidates, and civil society organizations – in other words, the opposition – and the concession by authoritarian leaders to tie their hands from electoral fraud.

If the *electoral fraud hypothesis* is correct, we should observe at least one instance of significant electoral fraud (in some cases it is more than one instance), followed by public announcements from the regime concerning electoral fraud and the need to introduce safeguards to prevent future fraud and preserve the legitimacy of the political system. These announcements would then be followed by the introduction of a new (independent) electoral management body as a credible commitment by the regime to ensure free and fair elections (see Figure 2.2).

Figure 2.2 – Depiction of the Electoral Fraud Hypothesis.



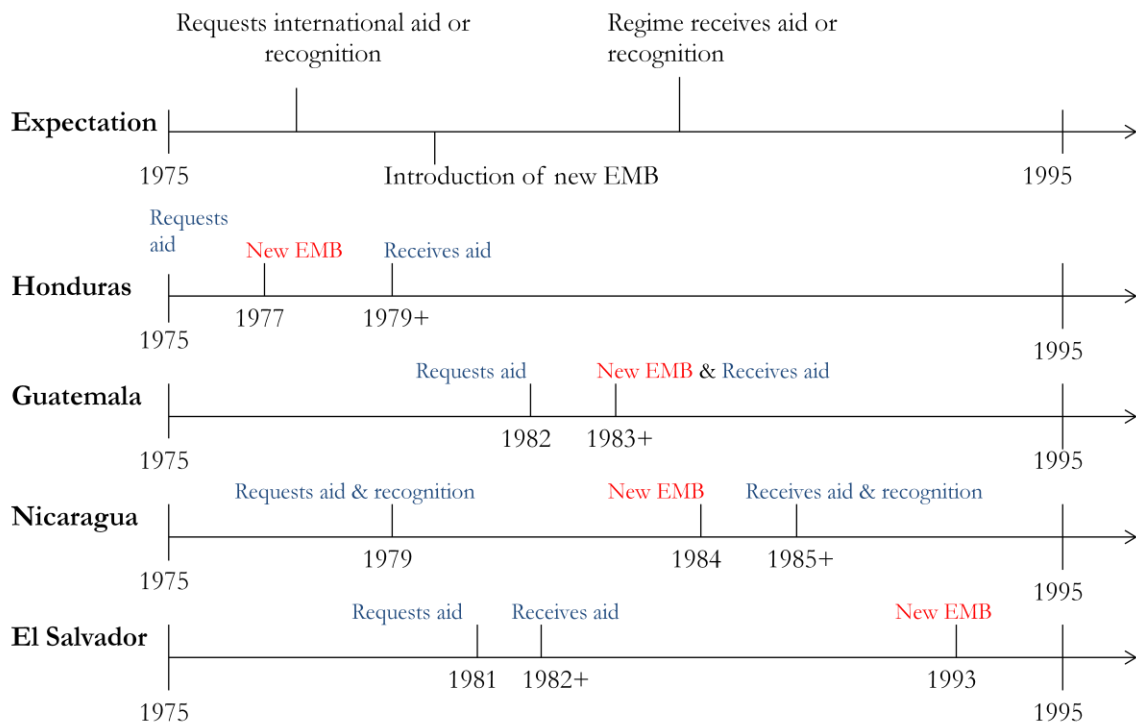
A final explanation highlights the political behavior of authoritarian rulers in this process. Recent scholarship on authoritarian regimes indicates that because autocratic leaders require compliance and cooperation within their societies they 1) introduce or maintain political institutions that often resemble those found in democratic regimes and 2) that these political institutions play an important role in these types of regimes (Gandhi 20008; Gandhi and Przeworski 2007; Boix and Svobik 2007; Gandhi and Przeworski 2006). Authoritarian leaders seek compliance, on the one hand, to maintain stability within society as well as to minimize the threat of rebellion from those seeking to replace them. On the other, they require the cooperation of outside groups – those groups not part of the regime – in order to solidify their grip on power and increase the likelihood of their survival (Gandhi 2008; Gandhi and Przeworski 2007; Gandhi and Przeworski 2006).

To provide for compliance and cooperation authoritarian leaders can – and generally do – provide rents to outside groups. When the benefits of these rents are insufficient, however, authoritarian leaders can also provide additional benefits to these groups through policy concessions made through “nominally democratic institutions” or political institutions that closely resemble those found in democratic regimes (Gandhi 2008; Gandhi and Przeworski 2007). Nominally democratic institutions, then, provide a formal mechanism for ensuring compliance and cooperation among outside groups in authoritarian regimes. As such, these institutions can influence political behavior in authoritarian regimes. The expectation, then, is that autocratic leaders will establish independent electoral authorities in their regimes in order to gain domestic and, indirectly, regional and international support. Domestic support is important since it can provide justification for the continuation of authoritarian rule and minimize dissension within society. Regional and international approval is also important because it can provide justification for international donors to provide financial assistance to the regime. Hence, the introduction of new, formally independent EMBs would occur when authoritarian rulers want to provide for the appearance of electoral competition and create a semblance of democracy at a time when real democratic competition is nowhere in sight.

If the *strategic motivations hypothesis* is correct, we should observe the regime actively soliciting the international community for economic aid as well as trying to improve its international image in an effort to build legitimacy for the regime. One of the ways the regime achieves this is through the introduction of a new (independent) electoral management body. Following the introduction of the new EMB as well as other institutions

that satisfy the international community, it is expected that the regime will receive either some form of economic aid or international legitimacy (recognition), or both (see Figure 2.3).

Figure 2.3 – Depiction of the Strategic Motivations Hypothesis.



In sum, this chapter presents three competing positions regarding the introduction of new, formally independent electoral management bodies. The first concerns the role of political transitions within the region. According to this explanation, the leaders of each Central American nation established new, formally independent electoral authorities as part of the broader political transitions taking place across the region. The second explanation concerns the impact of significant electoral fraud and manipulation on the political process within each regime. The expectation is that authoritarian leaders made concessions to the

opposition by establishing formally independent EMBs following instances of significant electoral fraud. The third position – that favored by the author – presents a different perspective on the introduction of these EMBs. According to this explanation, authoritarian leaders established independent electoral authorities in an effort to secure domestic and international support for their regime. Evidence for each of these positions will be presented below, followed by a critique of each.

Analysis

The Role of Political Transition

According to this explanation, the political changes that took place during the 1970s, '80s, and '90s in Central America – e.g. the establishment of constituent assemblies and legislatures, the call for elections and formation of new political parties, etc. – provided the impetus for the introduction of the respective EMBs across the region. According to some, these changes amounted to a genuine process of democratization within each country. This, of course, is a contentious issue. While domestic and international leaders of the time – most notably the Reagan administration – argued that the presence of elections ushered in a democratic era in Central America (LeoGrande et al. 1986), this is a disputed point among scholars (Jonas 1989; Karl 1986; Herman and Brodhead 1984; Torres Rivas 1992; Stahler-Stolk 2000, 139).⁵⁵ Notwithstanding this dispute it is clear that there were concrete political

⁵⁵ For one, the violence taking place across the region was a strong deterrent from full-fledged democratization. In fact, the insurgent conflicts in Nicaragua, El Salvador, and Guatemala along with the death squad activity and political assassinations that afflicted all four countries prevented many citizens from participating politically. Another issue of concern was the role of the military. Throughout the 1980s, the armed forces of El Salvador, Guatemala, and Honduras were the guardians of political activity and thus played an important role in any movement towards (or away) from democracy (Blachman and

changes that transpired, which subsequently led to a political opening across the region during the 1980s.

How, though, did this process transpire? The comparative history of these cases suggests a general pattern of political development across the region. The first phase of this pattern involved the call for elections to a constituent assembly and the establishment of an electoral authority (i.e. an EMB) to oversee the electoral proceedings. During the second phase of this process, the newly-elected constituent assembly would then work on drafting a new constitution and establishing new political institutions. Finally, during the third phase, the government would then set forth a date for general elections which usually included contests for presidential and parliamentary offices (Sieder 1996a, 3). As part of this process, the regime would introduce or re-authorize preexisting political institutions such as courts and government bureaucracies.⁵⁶

In all four cases the process of political change began during the late 1970s. In Honduras, following the removal of Col. López Arellano in 1975, the government of General Juan Alberto Melgar Castro announced that Honduras would return to civilian rule (Boussard 2003, 154). In 1977 the Melgar Castro regime decreed a new electoral law (*La Ley Electoral y de las Organizaciones Políticas de 1977*) which established the *Tribunal Nacional de Elecciones* (TNE) (Boussard 2003, 154-155). The following year, though, Melgar Castro was

Sharpe 1992, 38-41). Finally, the United States, especially during the Reagan administration, played an important role in inhibiting the development of democracy by funding Central American militaries to wage their policy of containment throughout the region (Booth et al. 2010, 211-241).

⁵⁶ We should note, however, that El Salvador did not introduce the *Tribunal Supremo Electoral* until the early '90s during the peace negotiations between the government and FMLN. Thus, El Salvador does not neatly fit this pattern.

replaced by a military junta led by General Policarpo Paz García. While these developments presented some uncertainty in the transition, the Paz García regime insisted that Honduras would return to civilian rule and that elections for the constituent assembly would be held on schedule (Merrill 1995). Elections for the assembly were held in April 1980 and the contest, to the surprise of many, featured high turnout and was relatively free and fair (Anderson 1988, 146-147). Following the election, the constituent assembly convened to draft a new constitution and a new electoral law for the presidential and legislative elections scheduled for 1981. During this process the TNE played a significant role by registering political parties such as the Christian Democrats (*Partido Demócrata Cristiano de Honduras* – PDCH), who were previously outlawed, and registering voters for the coming election (Merrill 1995). Roberto Suazo Córdova and the Liberal Party of Honduras (*Partido Liberal de Honduras* – PLH) emerged victorious in the 1981 elections. In the end, Honduras would hold presidential and parliamentary elections in 1985 and 1989, institutionalizing the political gains it had made earlier in the decade (Sieder 1996a, 3).

Guatemala followed a similar pattern. Following the coup that installed General Efraín Ríos Montt in 1982, Guatemala made significant progress toward establishing a more democratic regime.⁵⁷ In 1983, the Ríos Montt regime announced a process of political opening which included the establishment of a new Fundamental Statute of Government. As part of this process, the government promulgated the Law of the Supreme Electoral Tribunal (TSE), the Law of the Registration of Citizens and the Registration of Population,

⁵⁷ It should be noted that although significant progress was being made to “democratize” Guatemala in the early 1980s, this was a period of highly exclusionary politics. Indeed, the period 1982-1984 marked the bloodiest of the counterinsurgency campaign in Guatemala.

and the Law of Political Organizations (Rosada Granados 1992, 100). Ríos Montt also announced elections for a constituent assembly in 1984 but was unable to carry out this process as he was deposed in a bloodless coup by his Defense Minister, General Oscar Humberto Mejía Victores (Anderson 1988, 57-58). Mejía Victores sought to maintain the timeline for the constituent assembly and allowed the TSE to prepare election procedures in preparation for the constituent assembly elections. The election, although restricted to centrist and right-of-center parties, was held in July 1984. Following the election, the constituent assembly worked for the better part of the year drafting a constitution, a law of habeas corpus, and new electoral laws, all of which took effect in 1985 (Gramajo Morales 1997, 122-123; Booth et al. 2010, 143). That same year, presidential, congressional, and municipal elections were held; the contests, while free from fraud and manipulation, were held in the context of a counterinsurgency campaign which restricted political participation to centrist and right-of-center parties (Booth et al. 2010, 143; Jonas and Walker 2000, 11). Vinicio Cerezo and the Guatemalan Christian Democratic Party (*Partido Democracia Cristiana Guatemalteca* – DCG) emerged victorious in the election, winning the presidency and a majority of the seats in Congress (Booth et al. 2010, 143).

In Nicaragua, the democratization project unfolded following the Revolution of 1979. After the Sandinista-led forces toppled the Somoza regime in July of 1979, they quickly set out to form a new government. By August of that year, the country's new leaders proclaimed the Fundamental Statute of the Republic of Nicaragua, which abolished the constitution and existing political institutions (Merrill 1993). At this time, the Joint National Directorate (Dirección Nacional Conjunto – DNC) – essentially the ruling body of the

FSLN led by Daniel Ortega which was responsible for issuing government policy – sought to liberalize the political arena by proclaiming the Statute of Rights and Guarantees which allowed for freedom of political association without discrimination for the first time in decades (Godoy Reyes 1992, 182; Wheelock Román 1997, 72). In 1980, the Council of State – comprised of the leaders of the various political groups that took part in the revolution – authorized the preparation of a new Political Parties Law and a new Electoral Law in preparation for the general elections scheduled for 1985. As part of this process the government sent delegations around the world to study the electoral laws of other democratic regimes and, after negotiations with opposition parties, produced the Law of Political Parties in 1983 (Jonas 1989, 141-142; Lobel 1987, 8; Envio 1985, 56). The following year the government produced the new Electoral Law which, among other things, established the *Consejo Supremo Electoral* (CSE) as the fourth branch of government and laid out the specifics for the general election (Merrill 1993; Walker 2000, 75).⁵⁸ At the same time, the government announced that the elections would be held a year early – on November 4, 1984 (Godoy Reyes 1992, 184; Booth et al. 2010, 93). The 1984 elections, although boycotted by key opposition parties, were judged as free and fair (LASA 1985; Jonas 1989, 143) and resulted in victories for the FSLN in the presidency and National Assembly (Godoy Reyes 1992, 184).

El Salvador differed in that it did not neatly follow the three phases of political development outlined above. Political change, however, was initiated following a military

⁵⁸ Both the Political Parties Law and the new Electoral Law were modeled on those of other Western democratic regimes; in fact, the Swedish Electoral Commission provided consultation in the drafting of these laws.

coup as in Guatemala and Honduras. The coup of 1979, which ousted General Carlos Humberto Romero, marked the end of the succession of military regimes in El Salvador. Although the military was still firmly in control of the political regime, civil unrest and violence raged throughout the country. As such, political leaders understood that changes were necessary to prevent a full-scale revolution as had occurred in Nicaragua (García 1989, 61; Haggarty 1988). While the power struggles in the military hierarchy prevented any real effort at reform, the military junta appointed José Napoleón Duarte – a member of the *Partido Demócrata Cristiano* (PDC) – as provisional president in December 1980. As provisional president, Duarte announced that elections for a constituent assembly would be held in March 1982; the assembly would be charged with drafting a new constitution and establishing the procedures for a general election (Haggarty 1988). The PDC, PCN (*Partido de Conciliación Nacional*), and ARENA (*Alianza Republicana Nacionalista*) were the main contenders in the election for the constituent assembly, which was relatively free of any major allegations of fraud or technical irregularities.⁵⁹ Ultimately, the ideologically conservative parties (ARENA and the PCN) won a majority in the assembly and thus had the most influence in drafting the new constitution. El Salvador would hold presidential elections in 1984 and 1989 and legislative elections in 1985 and 1990 (Sieder 1996a, 3); however, these elections were all held in the context of the Salvadoran Civil War.

⁵⁹ We should note that the context of the election was a polarized one. All but one of the six parties that participated in the election (i.e. the PDC) were center-of-right or rightist parties. Moreover, the election was held in a context of civil strife and outright violence against both sides of the ideological spectrum. As such, parties like the FDR (*Frente Democrático Revolucionario*), a leftist party aligned with the FMLN, were simply unable to participate for fear of repression (Diskin and Sharpe 1986).

A significant difference between El Salvador and the cases mentioned above is that the *Tribunal Supremo Electoral* (TSE) – El Salvador’s current EMB – was not established until 1993. This took place as part of the reforms to the electoral system put forth in the National Commission for the Consolidation of Peace (United Nations 1995; IDESES/CRIES 1992, 46-78). Notwithstanding this difference, El Salvador did seem to follow a similar trajectory of political development. As noted above, there were elections held for a constituent assembly, the drafting of a new constitution and political institutions, and then elections for those newly established offices. As such, the comparative history of each of these cases indicates a concrete move towards a political opening throughout the region that began during the 1970s and lasted well through the 1990s.

Critique

The empirical evidence suggests that political leaders did make preparations for transitions to a more open political system and how one of the key preparations was the introduction of formally (i.e. legally) independent electoral management bodies. One concern with this position is that it does not adequately explain why the leaders of these countries would choose to introduce these new political institutions. More specifically, it does not address the motivations of the political leaders in each country at the time that each EMB was introduced. This begs the question, then, of what these authoritarian leaders would gain from establishing these new, formally independent electoral management bodies? On the one hand, each of these cases already possessed existing electoral authorities, which (theoretically) could have managed the elections for the constituent assemblies and

subsequent general elections. On the other, it is not clear why these new electoral institutions would have functioned more effectively than their predecessors.

Furthermore, even if these electoral authorities were designed with the utmost care and planning, the context in which they were established placed significant restrictions on their ability to ensure a credible electoral process. As mentioned above, the armed forces had significant influence throughout the 1980s in Honduras, Guatemala, and El Salvador. In Guatemala and El Salvador, for instance, the military was actively involved in domestic conflicts against insurgents which consequently restricted political participation on a number of fronts. Perhaps only in Nicaragua, where the Sandinista-led regime was facing intense scrutiny from the international community, could the Supreme Electoral Council – Nicaragua’s electoral authority – have functioned effectively or at least without excessive interference from outside forces. The next section considers the role of electoral fraud in the timing of the introduction of new, formally independent EMBs.

The Role of Electoral Fraud

The second explanation of this study maintains that the introduction of new, formally independent EMBs occurred due to significant electoral fraud in each country. According to this perspective, the authoritarian and semi-authoritarian leaders of the Central American republics made concessions to the opposition by establishing formally independent EMBs following instances of significant electoral fraud – or fraud that has significant implications for the outcome of an election. As in most parts of Latin America, electoral fraud has been a common feature in the political development of Central America (the exception, of course, is Costa Rica post-1949).

In Guatemala, Honduras, El Salvador, and Nicaragua, electoral fraud and manipulation occurred on numerous occasions in the modern political era. In the period between the 1930s up to the early 1980s – or the beginning of transitional period in each country – there were at least 20 instances of significant electoral fraud, and this is only considering presidential contests in the region (Jonas and Walker 2000, 5; Bird and Williams 2000, 28; Ruhl 2000, 49; Merrill 1995; Walker 2000, 68; Merrill 1993). Electoral fraud was most severe in Nicaragua, Guatemala, and El Salvador, but Honduras was by no means free from fraud. What is more, electoral fraud would have been even more prevalent across the region had the military not stepped in to take power with the frequency that it did.

Electoral fraud was perhaps most prevalent in El Salvador. In elections for the Salvadoran presidency from 1930 to 1979, there were eight instances of significant electoral fraud (Bird and Williams 2000, 28). During this period, El Salvador featured an alternation of power between mostly military leaders and a few civilians closely associated with the military. For instance, General Maximiliano Hernández Martínez, who took power in a coup in 1931 and assumed the presidency in 1932 after confirmation by the legislature, was elected to a four-year term in 1935 and a six-year term in 1939; in both of these elections Hernández Martínez ran virtually unopposed (Bird and Williams 2000, 28). Moreover, prior to both of these elections Hernández Martínez had the electoral rules changed to allow him to stay in office, which he did until 1944 (Haggarty 1988; Garcia 1989, 62). At the end of his term in 1944, Hernández Martínez tried to extend his time in office but was forced to resign by opposing political forces. From 1945 until 1962, El Salvador experienced a series of coups and fraudulent, noncompetitive elections until a brief interlude when a civilian – Eusebio

Rodolfo Cordón – was appointed to lead a new constituent assembly in 1962 (Bird and Williams 2000, 28). The new constitution did little to change the balance of power in El Salvador though, as members of the armed forces assumed the presidency in elections that were noncompetitive or overtly fraudulent in 1962 [Col. Julio Adalberto Rivera], 1967 [Col. Fidel Sánchez Hernández], 1972 [Col. Arturo Armando Molina], and 1977 [Gen. Carlos Humberto Romero] (Bird and Williams 2000, 28; García 1989, 66-67; Haggarty 1988). In addition to some type of fraud or electoral manipulation, many of these contests featured repression and outright violence against the opposition; indeed, it was during the 1970s that right-wing death squads emerged as an instrument to quell left-leaning opposition (Haggarty 1988; García 1989, 66). Ultimately, successive electoral fraud and the ineffectiveness of the military government of Gen. Romero helped bring about the coup of 1979 which greatly transformed the political landscape of the country.

Guatemala had a similar experience. In Guatemala there were numerous instances of significant electoral fraud in presidential contests following the U.S.-backed coup against Jacobo Arbenz in 1954 (Jonas and Walker 2000, 5). In September 1954, Colonel Carlos Castillo Armas, the principal leader of the coup, “was ‘elected’ in an Ubico-style plebiscite, in which he received 99 percent of the vote” (Jonas 1989, 135). Following the assassination of Castillo Armas in 1957, elections were held. The candidate of the National Democratic Movement (*Movimiento Democrático Nacional* – MDN), Miguel Ortiz Passarelli, emerged victorious in the election, however the results were nullified due to significant and overt electoral fraud (Inforpress Centroamericana 1985, 4). In elections held the following year, General Miguel Ydígoras Fuentes was elected president; the contest, however, was also

considered fraudulent since his opponent was allegedly bribed by the CIA to concede (Jonas 1989, 135).⁶⁰ Elections were scheduled for early 1963, but Col. Enrique Peralta Azurdía led a “preemptive” military coup to prevent the election of reformist candidate, Juan José Arevalo (Inforpress Centroamericana 1985, 5; Jonas 1989, 135-136). While a civilian was elected to the presidency in 1966 – Julio César Méndez Montenegro⁶¹ – there were four successive fraudulent elections in 1970 [Col. Carlos Arana Osorio], 1974 [Gen. Eugenio Kjell Laugerud García], 1978 [Gen. Romeo Lucas García], and 1982 [Gen. Angel Aníbal Guevara] which subsequently led to the coup of 1982 (Jonas and Walker 2000, 5; Inforpress Centroamericana 1985, 7-11; Trudeau 1989, 94-98).

In Nicaragua, opposition parties sought to unseat the Somoza family (Anastasio Somoza García, Luís Somoza Debayle, and Anastasio Somoza Debayle) and associates through electoral means in the regularly staged elections held from 1936 to 1979 (Jonas 1989, 141; Walker 2000, 68-69). Unfortunately, the elections held during this period were overtly fraudulent and rigged to ensure the continuity of the Somoza dynasty (Bowdler and Cotter 1982, 57-70; Walter 1993, 59-63 & 149-163; Marengo Tercero 2003, 46-55; Everingham 1996, 44-46). The Somoza regime also employed other techniques to ensure that they stayed in power. In both 1938 and 1955, Anastasio Somoza García amended the constitution and electoral rules to allow him to be re-elected to the presidency and to extend

⁶⁰ According to Jonas, the 1958 and subsequent elections “were characterized by intimidation, bribery, and numerous irregularities” (1989, 135). In addition, these electoral contests took place in a context of violence against leftist insurgents and their supporters by the military (Inforpress Centroamericana 1985, 6-11).

⁶¹ Méndez Montenegro was not allowed to take office until he signed a pact with the military. This pact gave the military the freedom to wage its war with the insurgent groups throughout the country.

his tenure in office (Walter 1993, 91-94; Marengo Tercero 2003, 46-55); Anastasio Somoza Debayle did the same in 1972 (Merrill 1993). The elder Somoza and his sons also used state resources and the National Guard to subvert the electoral process during various elections such as the presidential contests of 1947, 1967, and 1974 (Merrill 1993). Furthermore, any sort of mass movement or opposition party that sought to pressure the regime into holding free and fair elections was harshly repressed (Jonas 1989, 141). Thus, any efforts to replace the dictators consistently fell short until the Revolution of 1979.

Electoral fraud was also a reality of the Honduran political system from the early 1930s up to the late 1970s, when the military initiated the transition to civilian rule. What differentiates Honduras from El Salvador, Guatemala, and Nicaragua is that the military ruled the country almost exclusively from the mid-1950s up until 1981 (Ruhl 2000, 49). Hence, the frequency of electoral fraud was not as prevalent in Honduras as in neighboring states. Nonetheless, electoral fraud and manipulation did occur in Honduras (Paz Aguilar 1992, 166). For instance, in 1936 Tiburcio Carías Andino (*Partido Nacional de Honduras – PNH*) convened a constituent assembly to draft a new constitution which eliminated the prohibition on immediate reelection of president and extended presidential terms from four to six years. The assembly also made provisions to allow Carías Andino to remain in office until 1943, something the legislature did again in 1939 (allowing him to remain in office until 1949) (Merrill 1995). Facing domestic and international pressure, Carías Andino agreed to step down at the end of his term and call for elections. The elections of 1948 were boycotted by the Liberal Party of Honduras (*Partido Liberal de Honduras – PLH*) on suspicion of fraud which gave Juan Manuel Gálvez Durón (PNH) an unopposed victory (Merrill 1995).

Following the coup of 1963, General Oswaldo López Arellano called elections in 1965 to give legitimacy to his regime; the elections were considered fraudulent as the PNH, López Arellano's party, easily won a majority of the seats in the legislature and elected López Arellano as president (Merrill 1995; Bowdler and Cotter 1982, 182-183). Besides a brief period of civilian rule from 1971-1972, the armed forces ruled Honduras from 1963 to 1982 (Ruhl 2000, 49).

With the exception of Honduras, the evidence suggests a pattern of systematic electoral fraud and manipulation whereby the dominant political power in each country – typically the military – altered the political process in an effort to ensure that the 'right' candidate would assume office. In Honduras, this process was limited by the frequency with which the military stepped in to take power. In Nicaragua, Guatemala, and El Salvador, however, the de facto political powers worked hard to ensure the stability of the existing political system. This was accomplished through electoral fraud, manipulation of the political process, and outright violence against the opposition.

Critique

Electoral fraud was clearly a feature of the political regimes of Guatemala, Honduras, Nicaragua, and El Salvador throughout the better part of the twentieth century. Indeed, in some of the regimes (e.g. El Salvador and Guatemala) there was a succession of electoral fraud that served to replace unacceptable candidates with those deemed acceptable by the de facto political powers – usually the military – of those countries. The question, though, is whether electoral fraud played a determining role in the timing of the introduction of new, formally independent electoral management bodies. The evidence suggests that electoral

fraud was not a determining factor in the timing of the introduction of EMBs in these regimes.

While the evidence suggests that the legacy of electoral fraud along with other structural factors helped bring about regime change in Nicaragua and a political opening in Honduras, Guatemala, and El Salvador, it is unclear how one or more instances of fraud in either case propelled political leaders to address this malfeasance by establishing formally independent EMBs. More specifically, this concern speaks to the temporal connection between the time when the last electoral fraud took place and the introduction of each EMB. In Honduras, for instance, the last major fraud occurred in 1963 but the TNE was not introduced until 1977. In El Salvador, there was fraud in 1972 and 1977 followed by a coup in 1979 and a return to civilian rule in 1982. Nonetheless, El Salvador's TSE was not established until 1993. The last major fraud in Nicaragua took place in 1974 when Somoza Debayle was "reelected" to the presidency, but the CSE was not established until 1984 – five years after the Sandinista Revolution. Even in Guatemala, where there were four successive electoral frauds (1970, 1974, 1978, and 1982), the Ríos Montt regime resisted change until it was pressured by domestic and international sources. Hence the evidence does not support the link between electoral fraud and the timing of the introduction of new, formally independent electoral management bodies. The next section considers the ulterior motives of the political leaders with respect to the timing of the introduction of new, formally independent EMBs.

The Ulterior Motives of Autocratic Leaders

The final explanation considered in this chapter maintains that the introduction of new, formally independent EMBs was a strategic decision made by the respective political leaders of each country under scrutiny. According to this explanation, the introduction of the respective electoral tribunals and council (in the case of Nicaragua) were established as part of the state apparatus to ensure compliance and cooperation among outside groups in the authoritarian and semi-authoritarian regimes. More specifically, the political leaders of each nation established independent electoral authorities in their regimes in order to gain domestic, regional, and international support. At the time that most of these electoral authorities were established, the military or, in the case of Nicaragua, the Sandinistas were firmly in control of the political process in each nation. In spite of this, each regime faced intense pressure from a number sources, especially following the Nicaraguan Revolution in 1979. In Honduras, Guatemala, and El Salvador, the events in Nicaragua forced the military regimes to create strategies to address the guerilla insurgencies (in El Salvador and Guatemala) and introduce reforms in the hope of stabilizing the political uncertainty facing each country (Millett 1992, 63-66).

In Honduras, for instance, charges of corruption, links to narco-trafficking – especially the Ferrari case⁶² – and opposition by the landed elite resulted in opposition to military rule and a general decline in the popularity of the military during the 1970s (Ruhl

⁶² The Ferrari case refers to murders of Mario and Mary Ferrari. The Honduran couple was involved in narco-trafficking and their deaths implicated and brought to light the involvement of the military in the narcotics industry (Mejia 1997).

2000, 51; Merrill 1995). This was exacerbated by mounting pressure from peasant and labor groups for increased social and agrarian reform, demands made by the private sector (Ruhl 2000, 51), and concerns whether a transition to civilian rule would ever take place⁶³ (Anderson 1988, 141-144; Paz Aguilar 2008, 623). Nonetheless, U.S. support for the Honduran military – support which dates back to the 1950s – helped sustain the military’s hold on power throughout the decade. U.S. military assistance to Honduras during the 1970s, for example, was approximately US\$19 million. However, U.S. aid for development and food assistance, critical to a poverty stricken country like Honduras, was approximately US\$193 million during this same period (Merrill 1995). This assistance, which was contingent on Honduras’ allegiance to the U.S., proved to be very influential in encouraging the dictatorship to promulgate democratic laws such as the Electoral and Political Organizations Law of 1977, which subsequently established the *Tribunal Nacional de Elecciones* (TNE). The promise of U.S. aid after holding elections also played a decisive role in the transition to civilian rule (Anderson 1988, 145; Ruhl 2000, 51-52).⁶⁴ Thus, in the late 1970s, in an effort to continue receiving U.S. aid and to prevent another ‘Nicaragua’, the military began making preparations for a ‘managed’ transition to civilian rule.

Guatemala was also facing pressure from different segments of society, but the tension was more extreme than in Honduras. By many accounts Guatemala was considered a

⁶³ According to Boussard, the government of Gen. Melgar Castro had announced in 1975 that the military would initiate a transition to civilian rule in the near future (2003, 154; also see Posas 1980, 52-53).

⁶⁴ Anderson states: “The United States, working through Ambassador Mari-Luci Jaramillo, was very anxious for the [1980 Constituent Assembly] elections to be held, and for them to be honest. To encourage these desirable results, the North Americans began to lavish aid upon Honduras, giving the military alone \$500,000 and promising ten times that amount after the elections” (1988, 145).

pariah state by the late 1970s (Jonas 2006, 275-276; Jonas and Walker 2000, 11). The country was in the midst of a severe economic crisis and faced significant political instability from a growing insurgency, a series of fraudulent elections, and deterioration in the cohesion of the military chain of command. During this period Guatemala also experienced increased social tensions due to the military's political repression and gross human rights abuses against dissidents of the regime (Trudeau 1993, 47; Jonas and Walker 2000, 10-11). The combination of these factors culminated in widespread domestic and international opposition to military rule in Guatemala (Trudeau 1993, 47-48). Thus, with the specter of the Nicaraguan Revolution in 1979 and the need to establish some form of legitimacy, which would then provide Guatemala access to international financial assistance, the government of Gen. Ríos Montt⁶⁵ initiated a political opening in 1982 (Trudeau 1989, 99); this was formalized in March 1983 with the promulgation of new electoral laws (including the establishment of the TSE).⁶⁶ In effect, the military regime “recognized that a façade of constitutional democracy was needed to overcome the contradictions of direct military dictatorship” (Jonas and Walker 2000, 11; Jonas 2006, 276). In response to the changes by the military dictatorship, the U.S. resumed and increased military assistance to Guatemala in 1982 and 1983 (Anderson 1988, 57; Trudeau and Schoultz 1986, 45-46).

⁶⁵ Approximately one month after the coup of 1982, which installed Ríos Montt as president of Guatemala, the new government sent a delegation to the U.S. in an effort to secure credit for the country (Anderson 1988: 54). A month later the Reagan administration unilaterally ended the ban on the sale of weapons to Guatemala (Trudeau and Shoultz 1986, 44).

⁶⁶ In March of 1983 (on the anniversary of the 1982 coup), Ríos Montt announced the promulgation of new election laws – e.g. the Law of Political Parties and the Organic Law of the Supreme Electoral Tribunal – and his intention to convene a Constituent Assembly in 1984 (Anderson 1988, 57; Trudeau 1993, 60-61).

The situation in El Salvador during the late 1970s was just as tenuous as the situation in Guatemala. In addition to extreme social and political polarization and the dismal performance of the economy, El Salvador was experiencing a wave of violence from both leftist guerilla groups and right-wing death squads (Haggarty 1988; García 1989, 66-67). The situation proved to be too much for the system – which had experienced yet another major electoral fraud⁶⁷ – as a group of reform-minded officers overthrew Gen. Humberto Romero in 1979 and established a military junta (Eguizabal 1992, 136-137; García 1989, 66-67). By 1981, the Salvadoran military realized the necessity of U.S. financial assistance in combating the FMLN insurgents.⁶⁸ Thus, as part of its counterinsurgency strategy against the FMLN⁶⁹, the armed forces introduced free elections as a method of legitimizing the government and securing U.S. military and economic assistance (García 1989, 66-69; Haggarty 1988). This strategy suited the United States, which increased assistance to the regime under the Reagan administration (Eguizabal 1992, 138) and allowed the Salvadoran military to pursue its

⁶⁷ In 1977, Gen. Humberto Romero assumed the presidency in an overtly fraudulent election (Bird and Williams 2000, 28).

⁶⁸ In 1977, the government of Gen. Humberto Romero had rejected U.S. assistance since the Carter administration had made the availability of aid contingent upon an improvement in El Salvador's human rights record (Haggarty 1988). In the wake of the Nicaraguan Revolution in 1979 and the political changes taking place across the region though, the military regime in El Salvador considered the insurgency a significant threat to the short-term survival and the overall stability of the regime (García 1989, 66-69).

⁶⁹ According to García, "The fateful decision taken in early 1980 to constitute a new, centrist, more legitimate government involved a strategy consisting of the following elements: (1) the creation of an alliance between the Christian Democratic party, the armed forces, and the United States to create an emergency government capable of short-term survival against an increasingly serious guerilla threat; (2) the adoption of policies designed to reduce the power of the extreme right, quickly legitimize the government with the middle sectors through substantive policy reforms, defeat the guerillas in combat, and maintain the government's long-run legitimacy through free elections; and (3) the restitution of significant amounts of U.S. assistance devoted both to political and military objectives" (1989, 68).

counterinsurgency strategy. Unfortunately, this strategy did not produce a genuine democracy in El Salvador (Karl 1986, 34-36) nor did it result in the introduction of the Supreme Electoral Tribunal (TSE). In the case of El Salvador, the domestic and regional pressures for peace, the intervention of the U.N., and the ideological and policy-oriented changes made by the FMLN and ARENA from 1988 to 1992 were more significant factors in facilitating an end to the civil war and thus a genuine process of democracy (Montgomery 1995, 208-234). Indeed, the FMLN and ARENA – the major political actors in El Salvador at the time – came to the realization by the late 1980s that the civil war was no longer tenable. As such, they sought a peaceful resolution to the conflict in order to secure international support⁷⁰ and produce a viable democratic environment and political institutions such as the TSE (García 1989, 82-84; Montgomery 1995, 212-216).

Nicaragua differed from its neighbors in that it represented a case of successful revolution against the Somoza dynasty. And, while the Sandinista regime was clear in its intention to establish a political and economic system inspired by Marxist-Socialism, the regime, at least at the outset, sought to accomplish this in a pragmatic way. In fact, as part of the effort to reconstruct the economy, the regime agreed to service its massive debt (left-over from the Somozas) and incorporate the country's private sector interests in economic planning (Walker 2000, 72-73; Merrill 1993)⁷¹. The regime also set out to eliminate the brutal

⁷⁰ In fact, in 1989 the U.S. Congress voted to “cut 50 percent of the military aid to El Salvador and conditioned the remainder on progress in the Jesuit murder investigation and the peace talks” (Montgomery 1995, 221).

⁷¹ According to Walker, this was done to prevent isolation by the international community. Walker states that during the period of national reconstruction (1979-1985), “Sandinista policy makers also attempted to avoid international economic isolation. Accordingly, the new government immediately announced its

repression of the opposition featured in the Somoza regime through a new statute of Rights and Guarantees, which provided all citizens with the “unrestricted right to organize political parties or groups or to be part of them” (Godoy Reyes 1992, 182; Wheelock Román 1997, 72).⁷² Initially, the Carter administration responded positively to these developments, providing approximately US\$100 million in aid for relief and reconstruction (Gilbert 1986, 98).⁷³ Unfortunately, U.S.-Nicaraguan relations became strained with the advent of the Reagan administration (Booth 1989, 32-33; Merrill 1993; Gilbert 1986, 99-100). In the face of economic, political, and military hostility from the U.S., Nicaragua sought to negotiate with the U.S. with the help of regional allies⁷⁴ but these attempts ultimately failed to produce any sort of resolution⁷⁵ (Gilbert 1986, 103-120). Thus, in an attempt to placate the growing domestic pressures for change and assuage international pressures (especially the U.S.), the

willingness to service the huge and onerous foreign debt left behind by the Somozas. It also sought to maintain or establish trade and aid relations with all countries regardless of regime type” (2000, 73).

⁷² In fact, Jonas states that “The triumph of the revolution in 1979 brought to power for the first time in Nicaragua a political coalition committed to the principles of political pluralism (as opposed to a one-party state) and popular participation. During its first year in office the revolutionary government promised to hold elections by 1985” (1989, 141).

⁷³ The Carter administration provided aid to Nicaragua until mid-1980. The aid was subsequently cut due to the Carter administration’s displeasure with the hegemony of the Sandinistas in the new government and Nicaragua’s support for insurgents in El Salvador (Gilbert 1986, 98-99).

⁷⁴ Gilbert (1986) states that “As the conflict between Nicaragua and the United States deepened, the search for a peaceful resolution to their differences quickened. In 1982 and 1983, Nicaragua made repeated private and public attempts to open negotiations with the United States” (109).

⁷⁵ U.S. policies did result in some negative outcomes in Nicaragua. Writing at the time, Booth states that “Nicaragua has turned increasingly to the Soviet bloc for military and economic assistance and has massively built up its armed forces for a counterinsurgency war and a feared U.S. invasion. It has curtailed civil liberties and restricted press and opposition party freedoms, deferred many social programs, and accelerated agrarian reform to build up its political base” (1989, 33).

Council of State promulgated the Political Parties Law in 1983 and the Electoral Law in 1984,⁷⁶ which established the Supreme Electoral Council, and held elections in 1984 (Godoy Reyes 1992, 183; Jonas 1989, 141-142; Booth et al. 2010, 93).

The foregoing evidence highlights three important points. First, the evidence indicates that there was an asymmetrical balance of power in each of these four countries. Second, in spite of the asymmetric balance of power, the evidence suggests that the political leaders of each country were facing significant pressures for change, including domestic, regional, and international. Third, the evidence suggests that these leaders needed and in most cases sought out the compliance and cooperation of outside groups to ensure the stability of the regime or at least direct the regime in a way that they sought fit. Clearly, the military regimes in Honduras, Guatemala, and El Salvador and the Sandinistas in Nicaragua were the dominant or de facto political powers in their respective countries. In spite of this, the evidence indicates that the leaders of each state *were* responsive to the political, economic, and social pressures present in each country.

Critique

Recall, this explanation maintains that the introduction of new, formally independent EMBs was a strategic decision made by the respective political leaders of each of these countries. That is, the leaders of these countries chose to establish new institutions such as electoral management bodies as part of a strategy to control the political process, especially

⁷⁶ Both the Political Parties Law and the Electoral Law were drafted with input from opposition parties and delegations that had been sent abroad to study the electoral systems of other states (Jonas 1989, 141-142; Walker 2000, 74-75).

the introduction of elections. Accordingly, the introduction of the three respective electoral tribunals (Honduras, Guatemala, and El Salvador) and electoral council (Nicaragua) were introduced to facilitate a process of political development directed by the leaders of each country to gain domestic, regional, and international support for the regime. The question, though, is whether the introduction of the EMBs was based on strategic motivations or something else. More specifically, did they introduce democratic political institutions like EMBs for political gain or out of a sincere concern for a democratic transition? The evidence suggests that the leaders of these countries were acting out of strategic interest and that this motivation was a determining factor in the timing of the introduction of EMBs in these regimes. As such, this explanation seems to be most consistent with the evidence presented for each of the cases.

The one concern with this explanation is with the case of El Salvador. El Salvador, as noted above, did not begin deliberating the introduction of a new EMB until the early 1990s when ARENA and the FMLN were taking part in significant negotiations to end the civil war and after the U.S. had begun to cut assistance to the Salvadoran government (Montgomery 1995, 221). Thus, given that the Salvadoran TSE was officially established in 1993, this raises questions regarding the link between domestic and international pressure and the ulterior motives of the Salvadoran government. In short, why would state leaders opt to establish the electoral tribunal in 1993 and not in, say, 1980 when the military junta convened a constituent assembly? This seemed to be the trend in Honduras, Guatemala, and Nicaragua, but not so in El Salvador.

The next section addresses this concern and provides an assessment of how this explanation fits in the overall process of the introduction of legally independent EMBs in Central America.

Critical Assessment

The preceding section presented three different explanations for the introduction of the electoral management bodies of El Salvador, Guatemala, Honduras, and Nicaragua. The first explanation examined the introduction of each EMB in light of the overall political transitions taking place during the late 1970s and 1980s. According to this explanation, the EMBs of each country were introduced as part of the process of transition in each case. The second explanation examined the introduction of each EMB with respect to the history of electoral fraud and manipulation in the four Central American states. According to this explanation, the leaders of each country established a new EMB in response to the history of electoral fraud in each country and pressures to reform the electoral system. The final explanation considers the ulterior motives of the leaders of each country. According to this explanation, the EMBs of each country were introduced as a strategic response by the leaders of each country in order to maintain cooperation and compliance in the regime and address the socio-political pressures in the domestic, regional, and international contexts. While there is evidence for each of these positions, the most persuasive explanation is that the electoral tribunals of El Salvador, Guatemala, and Honduras and the electoral council of Nicaragua were introduced by the leaders of each country for strategic reasons. This is clearly exemplified in the actions of the military leadership in Honduras and Guatemala and

the Sandinista leadership in Nicaragua. While the Salvadoran case does not neatly cohere with this explanation, the ulterior motives explanation still applies to this case as well.

As noted above, all four countries featured a process of political change that took place during the late 1970s and lasted well through the 1990s. While some claimed that the advent of multiparty elections constituted a genuine move towards democracy, the histories of each country suggest that this is not an accurate assessment. In fact, most scholars would agree that while elections were an important development across the region, elections alone did not constitute a democratic opening (Sieder 1996; Azpuru 2006; Karl 1986). For instance, Rachel Sieder (1996) argues that in spite of the political changes brought forth through electoral contests, “the introduction of electoral mechanisms did not signify a definite rupture with the authoritarian past” (4). Given the divisions between party elites and the military in Honduras, Guatemala, and El Salvador, Sieder argues that the process of political change in each country was tenuous. In particular, Sieder notes that in these countries civilian leaders were tolerated but never whole-heartedly accepted by the military. As such, “[politics] was still seen essentially as an exclusive, zero-sum game – a form of war by other means” (Sieder 1996, 4). There were, of course, political parties and groups who sought full democracy in each case. In reality though, those actors lacked the power to force such change (Blachman and Sharpe 1992, 38). As a result, most of the changes that occurred did so because the de facto political powers in each country permitted them or initiated the changes themselves.

On the contrary, there is ample evidence to suggest that the changes that occurred in the military regimes of Central America (e.g. the introduction of multiparty elections, new

EMBs, etc.) transpired because the military regimes of Honduras and Guatemala, and to a certain extent of El Salvador, came to the realization that the “traditional model of military rule in Central America” was no longer tenable – that it had failed (Millett 1992, 63). In Honduras the process of political liberalization took place as a means of preventing unrest featured in neighboring countries as well as a way to secure financial assistance from the United States, which had actively been pursuing Honduran cooperation in its Cold War strategy in Latin America (Merrill 1995). Moreover in Guatemala and El Salvador, the process of political liberalization was part of the counter-insurgency strategy established by the armed forces and forced upon civilian leaders after the transition to civilian rule (Azpuru 2006, 136). What was needed, then, was a new trajectory; one that required, at least on the surface, that the leaders of each country make an effort at democratization.

According to Blachman and Sharpe (1992), the military leadership allowed for a political opening in order to address the increasing pressure from domestic groups and social movements pushing for change. The purpose of the political opening was not just about subduing the increasing social pressures in each country, though. Instead, the military regimes allowed a political liberalization in order to legitimize their rule domestically, regionally⁷⁷, and internationally.⁷⁸ This legitimacy, especially international legitimacy, is

⁷⁷ The regional pressures that resulted from the Nicaraguan Revolution had significant implications for politics within Honduras, Guatemala, and El Salvador. As Millett (1992) states, the Nicaraguan Revolution “shook the military-dominated regimes in Guatemala, El Salvador, and Honduras” (54). In fact, Azpuru argues that the Sandinista victory in Nicaragua made real “the possibility that the guerilla movements in Guatemala and especially in El Salvador would receive support from Cuba and Nicaragua...”, which would strengthen their prospects in both countries. Ultimately, “[the] victory of the Sandinistas also hastened the exhaustion of military governments as a political model, and made the possibility of establishing the so-called popular democracies more real” (Azpuru 2006, 134).

important for symbolic and material reasons. From a material perspective, international legitimacy provided opportunities for external sources of support, namely financial support for the economy and the armed forces. From a symbolic standpoint, the Central American military dictatorships were facing a changing international context that, albeit slowly, emphasized democracy and human rights. While the Honduran military government had already made some effort at promoting democratization, failure to make at least symbolic gestures towards democracy in El Salvador and Guatemala could result in international isolation and a loss of legitimacy for these regimes (Azpuru 2006, 133). Thus, to continue with the old system of authoritarianism, a system that featured repression and electoral fraud and manipulation, was simply not an option for Honduras, Guatemala, and El Salvador.

In Nicaragua a different scenario transpired – the case of a successful revolution. In spite of this, the Nicaraguan Council of State still introduced a new electoral management body. After the Sandinistas came to power in 1979, the FSLN established a new political regime that sought to create a grass-roots democracy within a Marxist-Socialist oriented political economy. This approach almost immediately led to conflict with the Reagan administration. In fact, any attempts by the Sandinista leadership to improve diplomatic relations with the United States were met with suspicion and even hostility. Of course, the situation was exacerbated by Nicaragua's diplomatic ties with Cuba and the Soviet Union. Ultimately, the Sandinista regime understood the importance of and acceptance by the

⁷⁸ This is important since, as Blachman and Sharpe (1992) note, "If the military's lack of international legitimacy threatens its ability to sustain its political and economic model or if its ability to control emerging social movements seems to be weakening, the it is likely to turn toward some form of electoral politics so as to avoid greater pressure, which might threaten it as an institution" (39).

international community and the legitimacy that this entailed. More importantly, the Sandinistas sought to address these concerns by establishing a democratic political framework for Nicaragua. As part of this process, the Sandinistas established the Supreme Electoral Council as the fourth branch of government. Hence the argument that the Sandinista leadership acted out of strategic motivations holds here too since the regime wanted to gain acceptance the acceptance of the international community and build up its legitimacy as a new state.

In the cases of Honduras, Guatemala, and Nicaragua, then, there is ample evidence to suggest that the introduction of new EMBs was a strategic response by the leaders of each country to address domestic, regional, and international pressures for change as well as to gain economic and military resources (or opportunities for these benefits) in order to help to sustain the respective regimes. It is important to note, however, that the process of political liberalization including the introduction of new EMBs and multiparty elections was one in which the armed forces (in the case of Honduras and Guatemala) and the Sandinistas (in the case of Nicaragua) sought to control and limit in a way to serve their particular interests (see Blachman and Sharpe 1992).⁷⁹ For example, the military leadership in Honduras and

⁷⁹ This is particularly true of the military. For example, Blachman and Sharpe note that “The military will seek to exclude from the range of opposition parties any organizations that seek broad or rapid socioeconomic change or that are perceived as wanting to challenge the power and prerogatives of the military. The military will seek to work with those who seek legal-political changes, not structural ones. It will favor partial, interim changes – elections for a constituent assembly, elections for an interim president, and a vote on the constitution – rather than sweeping reforms that include the election of a president or parliament. It will seek to limit the control of elected civilian regimes over the military, such as the power to punish military officers for past human rights abuses, to tame corruption, to end military sinecures, to control military budgets, or to determine military policy. They may do this by making pacts or agreements with those parties they will allow to take office. In short, there is a pattern in the electoral strategies of the military. The military will define as ‘democratic’ and ‘legitimate’ those parties that do not

Guatemala (and also El Salvador) restricted the range of political competition to center and right-of-center political parties in the elections for the respective constituent assemblies and general elections. In Honduras and Guatemala, the process of introducing the National Electoral Tribunal (Honduras) and the Supreme Electoral Tribunal (Guatemala) was initiated and directed by military leaders. Even in Nicaragua, which initially sought to incorporate groups from different political orientations into the process of political development in the early 1980s, the process of introducing the Supreme Electoral Council was directed by the Sandinista leadership.

All of this is done, then, to ensure or at least try to establish cooperation and compliance with the regime. Thus, the political opening that transpired in each country certainly played a role in creating the context for these political changes, but it was the strategic interests of leaders that was more important. This perspective does not disregard the historical legacy of electoral fraud and manipulation in the region. That is, this perspective does not claim that electoral fraud played no role in bringing about new electoral management bodies or, more broadly, democracy across the region. On the contrary, the history of electoral fraud and electoral manipulation that took place in the authoritarian regimes of Central America played an important role in the political development of each regime. Indeed, the debilitating features of each regime – a history of authoritarianism and

threaten mass demobilization, demand structural transformation, or change military prerogatives. This excludes parties that would want to incorporate or organize the popular sectors and mass organizations and may even exclude democratic socialists. The military may use techniques to exclude these other groups such as refusal to grant them protection, repression (death squads, arrests, harassment, intimidation, disappearance, torture), and limited access to the media. The military will try to control electoral calendar and slow, delay, or reverse the process if things seem to be getting out of control. The military might also try to control the balloting” (Blachman and Sharpe 1992, 40).

rigged elections – formed part of the context of electoral politics in the region. Yet, it is this same legacy that impressed upon policymakers the importance of constructing an institution that is capable and impartial in order to manage the electoral process in a way that engenders confidence in the populace (Cerdas Cruz 1996, 43) (see Table 2.1).

Table 2.1 – Comparison of Competing Explanations

<i>Cases</i>	<i>Political Transitions Explanation</i>	<i>Electoral Fraud Explanation</i>	<i>Strategic Motivations Explanation</i>
Honduras	No	No	Yes
Guatemala	No	Yes (partial support)	Yes
Nicaragua	Yes (partial support)	No	Yes
El Salvador	No	No	Yes (partial support)

Now, with respect to the fact El Salvador does not neatly cohere with this explanation, there are a number of factors to consider. For one, the situation in El Salvador was extremely volatile, with the civil war taking place throughout the period in which the political transition was taking place (1979-1992). In response to the risk of a successful guerilla war, the U.S. was willing to provide financial assistance to the Salvadoran

government and armed forces as long as it made an attempt to democratize and curb exorbitant levels of repression (i.e. death squad activity, forced disappearances, torture, etc.). Yet, even though El Salvador received aid from the U.S. throughout the 1980s, this did not result in full compliance with the desires of the U.S. (Diskin and Sharpe 1986, 84-86). Moreover, while the political reforms agreed on in the Pact of Apaneca in 1982⁸⁰ and enacted by the constituent assembly in 1983 did bring about modest changes to the political and electoral system in El Salvador, it did not result in the introduction of a new electoral management body or democracy, for that matter.

There are several reasons for this. For one, the agreed-upon principles of the Pact of Apaneca were primarily cosmetic. In fact, Eguizabal (1992) states that the “objective [of the Pact] was to diminish the struggle among competing parties and establish a minimum agreement among them. This was to be based, first, on representative democracy as the form of government, and, second, on the need to maintain the reforms, at least for their cosmetic value” (139). Second, the Salvadoran case was one in which the military delegated most of

⁸⁰ According to Haggarty, “In August 1982, in an effort to bring the *areneros* under control and to prevent them from sabotaging not only the reforms but perhaps the entire fledgling democratic system, [Alvaro] Magano [Borja], apparently at the strong urging of the military chiefs and the United States, brought together the representatives of Arena, the PDC, and the PCN to negotiate a ‘basic platform of government’. In what became known as the Pact of Apaneca, the parties agreed on certain broad principles in the areas of democratization, the protection of human rights, the promotion of economic development, the preservation of economic and social reforms, and the protection of the country’s security in the face of violent conflict with leftist insurgent forces. Organizationally, the pact established three commissions: the Political Commission to work out a timetable and guidelines for future elections, the Human Rights Commission to oversee and promote improvements in that area, and the Peace Commission to explore possible resolutions of the civil conflict. The guidelines established by the pact eased the chaotic governmental situation to some degree; they were also significant in that they brought Arena into a formal governmental association with more moderate actors, such as the PDC, and committed the *areneros*, at least in principle, to the preservation of some degree of reform” (1988).

the process of creating a representative government to civilian authorities. Clearly, ARENA, with its support from economic elite and the armed forces, and the PDC, with its support from the United States (García 1989, 75), were the dominant political parties, however, neither would have been considered the de facto political power in El Salvador during the 1980s. Given that the military had not introduced a new electoral management body before or during the transition to civilian rule (as was the case in Honduras and Guatemala) and the fact that there was no dominant political party to dictate the process of creating a new regime, the leading political parties – ARENA, the PDC, and to a certain extent the PCN – each sought to influence this process in a way that suited their interest.

The process of establishing a new EMB, however, required that the major parties cooperate and reach an agreement on the specifics of a new institution of election management. As several scholars note (Haggarty 1988; Eguizabal 1992; Diskin and Sharpe 1986), these parties were not interested in sincere cooperation. Instead party leaders sought to undercut the efforts of competing parties by highlighting the flaws of their opponents (Haggarty 1988; Montgomery 1995, 208).⁸¹ This was the environment that persisted

⁸¹ For example, Haggarty reports that “The style of Salvadoran political campaigning bore little resemblance to that of the United States and other institutionalized democracies. Personal verbal attacks between competing candidates and parties predominated in the media, campaign literature, and at public rallies. Debate on specific issues was largely eschewed in favor of emotional appeals to the electorate. It was therefore not uncommon to hear candidates and leaders of the PDC refer to Arena as a “Nazi-fascist party,” whereas *areneros* openly denounced Christian Democrats as “communists.” One of Arena leader D'Aubuisson's favorite campaign embellishments was to slash open a watermelon with a machete; the watermelon, he told the crowds, was like the PDC--green (the party color) on the outside but red on the inside. This dramatic, personalistic type of appeal highlighted the lack of institutionalization of the Salvadoran democratic system, the intensity of emotion elicited by the political process, and the polarizing effect of the ongoing struggle between the government and leftist insurgent forces” (Haggarty 1988).

throughout the 1980s and inhibited democratic development all the way up until the peace negotiations in the early 1990s. Hence, due to the fact that the Salvadoran military leadership did not introduce a new electoral management prior to the transition to civilian rule⁸² and that the powerful political parties – ARENA, the PDC, and the PCN – did not have much interest or incentives to cooperate, the likelihood of establishing a new institution of election management was quite low. Evidently, the parties did not come to an agreement to establish a new EMB but only made modest changes to the political and electoral system. It appears, then, that the costs of collective action were too high during the 1980s.

Ultimately, the Salvadoran government did not introduce a new EMB until the U.N. sponsored peace negotiations (COPAZ) in the early 1990s. It was at this point that competing political interests in El Salvador, with their renewed interest in genuine democratic political competition, designed and introduced a new EMB – the Supreme Electoral Tribunal. By the early 1990s, the competing political interests in El Salvador came to the realization that the civil war was no longer tenable and that democratic political competition would be the only way to address the political, economic, and social issues facing the country. Therefore, in order to move beyond the context of civil war, construct a functioning democracy, and begin rebuilding the country's international legitimacy, the leaders of El Salvador agreed to significant changes – including the introduction the Supreme Electoral Tribunal – during the COPAZ agreements.

⁸² Recall that in Honduras and Guatemala, the military took it upon itself to establish a new EMB. Even in Nicaragua, where the Sandinistas took input from opposition party leadership on the creation of new electoral rules and the Supreme Electoral Council, it was the FSLN (one party) that took the lead in establishing the new EMB.

Conclusion

This chapter has sought to explain why the leaders of authoritarian and semi-authoritarian regimes would choose to give up their power to manipulate electoral contests through fraud by introducing legally independent electoral management bodies. In particular, why did the armed forces in Honduras and Guatemala, the Sandinista leadership in Nicaragua, and the civilian leadership in El Salvador introduce new, formally independent EMBs during a 16 year period lasting from 1977 to 1993?

Conventional wisdom would lead us to believe that the political transitions or openings that preceded Third Wave of Democratization (Huntington 1991) were *the* major force in bringing about significant political changes in the region. According to this line of reasoning, the new Central American EMBs were introduced as part of a broader process of transition in the region. While the international and regional influences that accompanied the Third Wave certainly had an important impact on the politics of the region, one cannot assume that these influence resulted in an automatic process of change or that these influences would have the same effect across countries. In addition, one cannot disregard the underlying distribution of power within each country. More specifically, we should note that in each case there were powerful political forces that controlled the process of political change. Hence, this chapter has argued that most of the political changes that occurred during this process of change were permitted by or initiated by the de facto political power in each country – the military leadership in Honduras, Guatemala, and El Salvador, and the Sandinista leadership in Nicaragua.

Another perspective considered in this chapter was the role that electoral fraud played in the introduction of EMBs; in particular, whether an instance of significant electoral fraud could serve as a catalyst for the introduction of a legally independent EMB. The legacy of electoral fraud and manipulation did play a role with respect to the emphasis on independent and credible EMBs exhibited by policymakers in these countries. That is, given the history of electoral authoritarianism imposed by the military regimes and the Somoza dictatorship it is not surprising that we see EMBs introduced with legal or formal independence. While there is ample evidence of electoral fraud and manipulation in each of the countries under scrutiny, the legacy of electoral fraud, as noted in the previous sections, does not seem to be a contributing factor in the timing of the introduction of any of these EMBs.

This chapter, on the contrary, has argued that the establishment of each EMB was a strategic response by the leaders of these countries in order to address the domestic, regional, and international pressure for change and as a way to control or direct the process of political liberalization in a way that they sought fit. This perspective does not discount the possible impact of the other factors (e.g. democratization and electoral fraud) in bringing about change in Central America. Nonetheless, given the deliberation and logistics involved in the establishment of a new EMB, the evidence coheres most closely with the explanation that emphasizes the ulterior motives of political leaders.

The next chapter considers the fact that the formal independence of electoral management bodies is often superseded by what occurs in practice (i.e. legal independence versus actual autonomy). In addition, it highlights the importance of impartial electoral

management in facilitating a free and fair electoral process. Taking these two features of election management in mind, the following chapter describes and explains the development of autonomy and impartiality exhibited by each EMB.

Chapter 3: Explaining the Autonomy and Impartiality of Electoral Management

Bodies in Central America

In August 1999, the two major parties in Nicaragua, the FSLN (*Frente Sandinista de Liberación Nacional*) and the PLC (*Partido Liberal Constitucionalista*), announced that they had reached an inter-party agreement to modify the electoral system in Nicaragua. On the surface, the agreement between the Sandinistas and Liberals, known as *El Pacto*, was intended to improve democracy in Nicaragua by consolidating the two-party system. In reality, the agreement served to consolidate the power of the two dominant parties (the FSLN and PLC) by giving them more power over several features of the Nicaraguan political system.⁸³ Among other things, the agreement gave the PLC and FSLN the informal power to select and appoint magistrates to the Supreme Court and Supreme Electoral Council (CSE) both of which had been expanded in size from 12 to 16 and 5 to 7, respectively. The agreement also gave these two parties the formal authority to appoint the

⁸³ According to Katherine Hoyt (2004), the Pact included the following features: “A) The Office of the Comptroller General of the Republic was expanded from one to five officials of equal rank. Agustin Jarquin became one among five and his Vice-Comptroller, Claudia Frixione, became a mere alternate. B) Automatic life-time seats in the National Assembly were granted to out-going Presidents and Vice-Presidents. C) The number of Supreme Court Justices was increased from 12 to 16. d) It now requires a two-thirds vote of the National Assembly to strip a President of his or her immunity. E) The number of magistrates on the Supreme Electoral Council was increased from five to seven. F) Municipal Electoral Councils will be established. Their presidents and vice-presidents will alternate between the PLC and FSLN. G) Parties that decide to create an electoral alliance will lose their own legal status if the alliance does not win a certain percentage of votes. H) Legal standing will only be granted to a party that presents a list of signatures equivalent to at least 3% of the last electoral roll. I) The proportion of votes needed to win the presidency on the first round is reduced from 45% to 40%. A candidate can win on the first round with as little as 35% if the second place candidate has five percentage points less than that. A second round is necessary if these percentages are not met. J) Popular subscription associations – or petition candidates – will no longer be allowed in local city government elections. The first five measures were achieved by amending the Constitution, the second five by changes in the electoral law” (31).

presidents and vice-presidents of the Municipal Electoral Councils throughout the country (Hoyt 2004, 30-31). Through *El Pacto*, the two parties consolidated their power over the political system and effectively politicized election management in Nicaragua. Since 2000, Nicaragua has struggled to hold free and fair elections. Moreover, following the election of Daniel Ortega (FSLN) to the presidency in 2006, the FSLN has demonstrated its ability and willingness to dominate the Nicaragua electoral system, through legitimate and illegitimate means, including the Supreme Electoral Council. What is more, these events exemplify the dangers of politicization for the performance of an electoral management body (i.e. institutional autonomy and impartiality) and a free and fair electoral process.

While the specific features of this example are exclusive to Nicaragua, the overall dynamics of electoral manipulation exemplified in this case are ubiquitous throughout Central America (with the exception of Costa Rica). Indeed, the Nicaraguan case exemplifies the threats facing electoral management bodies across the region and the difficulties for positive EMB performance. This example, moreover, gives rise to an important set of questions: What impact does politicization have on EMB performance? Can politicized EMBs function autonomously⁸⁴? Can they function in an impartial⁸⁵ manner?

⁸⁴ Autonomy is operationalized as the ability to operate free of interference from any outside pressure, including government officials, political parties, etc. EMB autonomy can be assessed in the following areas: 1) the appointment of EMB members, 2) the operation of EMB members, 3) the term of office of EMB members (and ease at which they can be removed from their posts), and 4) the control of the EMB budget.

⁸⁵ Impartiality is operationalized as the ability to operate without any political favoritism or bias, including preferential treatment towards government officials, political parties, etc. EMB impartiality can be assessed in the following areas: 1) the registration of parties and candidates, 2) the financing of parties and candidates, 3) the reporting of election results, and 4) electoral rulings (made by the EMB).

This chapter seeks to analyze these questions by examining the performance of four Central American electoral management bodies from the point at which each country allowed full-fledged multi-party competition through the cessation of armed conflict following the signing and implementation of peace accords (Nicaragua, El Salvador, and Guatemala) or the end of the dominant influence of the military establishment (Honduras). Specifically, this chapter tracks the levels of autonomy⁸⁶ and impartiality exhibited by each EMB in El Salvador, Guatemala, Honduras, and Nicaragua. This work finds that the performance of the Central American EMBs – both institutional autonomy and impartiality – largely depends on the degree of institutional politicization affecting each institution. This work finds that while election assistance organizations can enhance election management and thus increase the likelihood of a credible electoral process, the presence of these organizations does not constitute a sufficient condition for these outcomes. What really matters, then, is the degree to which the activities of these institutions are influenced by political forces, either formally or informally, and their impact on the performance of the respective EMBs.

The rest of this work is organized as follows. The first section delineates the scope of this study; in particular, it discusses the rationale for the time period selected for study, the importance of election management in post-conflict societies, and the measurement of EMB

⁸⁶ It is important to note the difference between formal (legal) independence and autonomy. Formal independence refers to the *de jure* independence of the EMB; that is, whether the institution is legally independent from other branches of government such as the executive or legislature. Autonomy, on the other hand, refers to the *de facto* independence of each EMB; in other words, whether the institution has the ability to function independently and not just the legal right to do so. This distinction is similar to that made in the literature on central bank independence (see Cuckierman et al., 1992; Grilli et al., 1991; Debelle and Fischer, 1994).

performance. The second section provides a descriptive analysis of EMB performance. The third section discusses the theoretical framework used to show how the degree of politicization of each EMB best explains the performance of the electoral management bodies of El Salvador, Guatemala, Honduras, and Nicaragua. The fourth section presents a comparative analysis of competing explanatory frameworks, providing an analysis of each argument. The fifth section employs the use of an in-depth case study to buttress the main argument. This work concludes by summarizing the findings of these analyses and discussing the implications of these findings for the scholarship on democratic politics in Latin America more broadly.

Scope of this Study

Case Selection and Time Frame

Throughout the 1980s and 1990s the regimes of El Salvador, Guatemala, Honduras, and Nicaragua underwent significant political changes. During this period, each country experienced the transition to civilian rule as well as the introduction of new political institutions and processes. One important element in this process of change was the introduction of multiparty elections and electoral institutions. Indeed, the introduction of elections and institutions such as electoral management bodies (EMBs) evinced the regional shift towards electoral democracy, where the struggle for power shifted from armed violence to competition at the ballot box.

This chapter examines the electoral processes and electoral management bodies in the Central American cases from the point at which each country allowed full-fledged multi-

party competition – including the incorporation of leftist and center-of-left parties that had previously been outlawed – through the cessation of armed conflict, the signing and implementation of peace accords, or the end of excessive military influence in the political arena. Although each of these cases held elections throughout the 1980s, these elections were not inclusive of certain segments of the political spectrum. For instance, in El Salvador, Guatemala, and Honduras, it was very common for leftist and center-of-left parties to be excluded from electoral contests. Moreover in Nicaragua, various political groups chose not to participate in the 1984 elections, for instance, due to their opposition to the Sandinista regime (and external pressure from the U.S.). Hence, this chapter examines El Salvador from 1994 to 2009,⁸⁷ Guatemala from 1995 to 2007,⁸⁸ Honduras from 1993 to 2009,⁸⁹ and Nicaragua from 1990 to 2006.⁹⁰ This work reviews the performance of the respective Central American EMBs in national elections (executive and legislative) for a period of approximately 15 years (on average).

⁸⁷ The Salvadoran Civil War ended in 1992 with the signing of the Chapultepec Peace Accords in Mexico. The “elections of the century” were held in 1994, the year following the implementation of the peace agreement (Montgomery 1995).

⁸⁸ Throughout the late 1980s and early 1990s, Guatemalan leaders debated the details of a peace agreement to end the 36-year long civil war. By 1995, the peace agreement was in its final stages and was signed in 1996, officially ending the conflict (NACLA 1997).

⁸⁹ While the situation in Honduras during the 1980s was not classified as an active conflict, the armed forces held a considerable amount of influence over the political system. During the presidency of Jose Azcona del Hoyo (1986-1990), the government implemented specific aspects of the Esquipulas II agreement (specifically, the Commission for National Reconciliation), which sought to curb the influence of the military and grant amnesty to groups that had previously been considered a threat to the state (Boussard 2003, 168).

⁹⁰ In Nicaragua the cessation of armed conflict began in the late 1980s through negotiations facilitated through the Esquipulas II agreement. By 1989, the contras and government forces had agreed to a cease-fire in preparation for the 1990 general election (Booth et al., 2010).

Importance of EMBs in Post-Conflict Societies

In each of the four countries under scrutiny, holding elections was viewed as a critical step in facilitating peace and stability throughout the region. That is not to say that holding elections was akin to a democratic process in Central America; indeed, scholars of Central America are correct to point out the fallacy of “electoralism” in the region (see Karl 1986; Jonas 1989). Nonetheless, electoral management bodies played an integral role in organizing the elections that took place during and after the respective transitions to democracy in Central America.

Notwithstanding these positive developments, the electoral processes in these countries have been marred by allegations of fraud, technical irregularities, and the politicization of the respective electoral authorities. As noted in previous chapters, the respective electoral authorities (EMBs) have the potential to play a particularly important role in establishing a credible electoral process in each of these countries. EMBs can accomplish this through the independent and impartial management of the electoral process, which increases the likelihood of free and fair elections. While the introduction of these institutions has established the framework to facilitate the coordination and planning of democratic elections and enhance the ability to detect and eliminate electoral fraud, the empirical record of the Central American EMBs is mixed.

For those cases where the electoral management body applied the electoral rules and procedures of the system in a fair and consistent manner, the outcome was an EMB that engendered confidence in the electoral process. On the contrary, in those cases where the electoral management body evinced institutional weakness or bowed out to partisan

interests, the outcome was an EMB that contributed to an environment of mistrust and skepticism. In this regard, electoral management bodies are extremely important in post-conflict and transitional societies because they have the potential to introduce credibility to the electoral process in systems undergoing political transition (Pastor 1999a; Pastor 1999b; Mozaffar 2002, 6; Lyons 2005, 110; International IDEA 2012).

Measuring EMB Performance

As stated above, this work addresses the performance of each electoral management body. Performance, in this respect, is measured as institutional autonomy and impartiality. Electoral management body autonomy is defined as the ability to operate free from the interference of any outside pressure, including government officials, political parties, the military, or other groups with an interest in influencing the electoral process. EMB autonomy is assessed in the following areas: 1) *the appointment of EMB members*, 2) *the operation of EMB members*, 3) *the term of office of EMB members* (and ease at which they can be removed from their posts), and 4) *the EMB budget* (e.g. control of the budget and its size).⁹¹ Violations (or discrepancies) of the formal procedures in any of these four areas shall be noted. EMB autonomy is coded by election-year for each country.

Electoral management body impartiality is defined as the ability to operate without any political favoritism or bias, including preferential treatment towards government officials, political parties, or other groups with an interest in influencing the electoral process. EMB impartiality can be assessed in the following areas: 1) *the registration of parties and*

⁹¹ See Appendix 3.1 for the coding scheme for EMB autonomy.

*candidates, 2) the financing of parties and candidates, 3) the reporting of election results, and 4) electoral rulings (made by the EMB).*⁹² As with EMB autonomy, violations (or discrepancies) of the formal procedures in any of these four areas shall be noted and coded by election-year for each country.⁹³

Overall, these features of election management provide the author with a systematic and objective manner in which to gauge electoral management body performance within these four cases and across time. Moreover, these items are considered to be some of the most important duties for electoral management bodies (see Wall et al. 2006; International IDEA 2002; Mozaffar and Schedler 2002; and Pastor 1999). Finally, these items are typically reported in the data sources used in this study and thus can be easily observed and recorded.

⁹² See Appendix 3.2 for the coding scheme for EMB impartiality.

⁹³ There are two important items to discuss with respect to coding. The first point concerns the actual observation of the items listed in this section. Scholars have indicated that observing electoral manipulation or malfeasance is often difficult to observe much less measure (Schedler 2006; Hartlyn and McCoy 2006; Levitsky and Way 2002; Schedler 2002; Diamond 2002). Ultimately, I agree with these concerns; however, I posit that the coding rubric employed in this study, while not perfect, allows them to effectively produce accurate measures of autonomy and impartiality since these criteria comprise the major duties and responsibilities of each EMB and their accuracy can be verified through multiple data sources. The second point has to do with the operationalization of EMB autonomy and impartiality and the fact that these operationalizations are very similar to the negative conceptualizations of democratic consolidation (see O'Donnell 1996 and Schedler 1998). The crux of the issue is the institutionalization of formal rules in a democracy and the extent to which political behavior or expectations conform to or deviate from the existing formal rules. While I agree that negative conceptualizations of democratic behavior should also consider the actual (and perhaps informal) rules that are being followed, I argue that this does not diminish the importance of the gap between formal rules and actual behavior. Hence, I argue that the approach taken in this work can provide valuable insight into the development of EMB autonomy and impartiality.

EMB Performance Across Time

Based on the coding scheme discussed above, this section presents a descriptive analysis of electoral management body autonomy and impartiality. Specifically, this section identifies violation of EMB autonomy and impartiality during the period under scrutiny. Data for this section were collected by the author. The data utilized in this portion of the study included primary sources such as election results, government documents (i.e. statements by the respective EMBs), and relevant legal documents (i.e. Guatemalan Electoral Constitution and Electoral Law, the Salvadoran Constitution and Electoral Code, and the Nicaraguan Constitution and Electoral Code). Data sources also include secondary sources such as election observation reports, and archived news articles and reports (e.g. *Latin American Newsletters*, *Latin American Weekly Report*, *INFOPRESS CENTROAMERICANO*, the *Central American Report*, etc.). Also, given the significant amount of research on elections and election observation in Central America, this section has drawn on the existing scholarly research in these areas.

Table 3.1 presents violations of EMB autonomy for Nicaragua (1990-2006), Honduras (1993-2009), El Salvador (1994-2009), and Guatemala (1995/1996-2007). The most common violation of EMB autonomy had to do with the *operation of EMB members*.⁹⁴ Indeed, there were 47 violations in this regard. This trend is ubiquitous across all four cases with nearly 70 percent (69.11%) of the violations taking this form. The second most

⁹⁴ The coding for this indicator stipulates that EMB members should strictly follow the codified procedures for managing the conduct of national, regional, and local elections and elections to the Central American Parliament. See Appendix 3.1 for a fuller description.

common violation had to do with the *EMB budget*,⁹⁵ with 11 violations (16.2%). Finally, the *appointment of EMB members*⁹⁶ and the *term of office of EMB members*⁹⁷ both had five (5) violations each (7.4%, respectively).

Overall, the Salvadoran Supreme Electoral Tribunal had the highest total number of violations with 27 (9 major, 18 minor), followed by the Honduran Supreme Electoral Tribunal with 22 total violations (19 major, 3 minor) during the period of study. The Nicaraguan Supreme Electoral Council had 12 total violations of EMB autonomy (11 major, 1 minor), while the Guatemalan Supreme Electoral Tribunal had 6 total violations (6 major, no minor). To provide a more general assessment of the overall performance of these institutions we turn to the average performance of each EMB.

On average, the Honduran TSE had the highest number of total (major and minor) violations of EMB autonomy per election with 4.4, followed by the Salvadoran TSE with 3.375, the Nicaraguan CSE with 3.0, and the Guatemalan TSE with an average of 1.5 violations per election (see Table 3.1). These data suggest that, in regards to EMB autonomy, the Guatemalan TSE seems to have had the most effective performance whereas the Honduran TSE has had the least effective performance.

⁹⁵ The coding for this indicator stipulates that the EMB budget should strictly follow the codified procedures for the proposal, presentation, approval, and allocation of the EMB budget. See Appendix 3.1 for a fuller description.

⁹⁶ The coding of this indicator stipulates that EMB member appointment should strictly follow the codified procedures for the nomination and appointment of these individuals. See Appendix 3.1 for a fuller description.

⁹⁷ The coding of this indicator stipulates that the term of office of EMB members should strictly follow the codified procedures for this process. See Appendix 3.1 for a fuller description.

Table 3.1 – Violations of EMB autonomy in Central America

Autonomy			
Election Year/Type	Major Violation	Minor Violation	Total Violations
<i>Nicaragua</i>			
1990, PE & LE	0	0	0
1996, PE & LE	6	0	6
2001, PE & LE	4	2	6
2006, PE & LE	1	0	1
Averages	2.75	0.5	3.25
<i>Honduras</i>			
1993, PE & LE	4	1	5
1997, PE & LE	3	0	3
2001, PE & LE	5	0	5
2005, PE & LE	2	0	2
2009, PE & LE	5	2	7
Averages	3.8	0.6	4.4
<i>El Salvador</i>			
1994, PE & LE	1	1	2
1997, LE	2	2	4
1999, PE	0	2	2
2000, LE	1	4	5
2003, LE	2	4	6
2004, PE	2	3	5
2006, LE	0	0	0
2009, PE & LE	1	2	3
Averages	1.125	2.25	3.375
<i>Guatemala</i>			
1995/1996, PE & LE	1	0	1
1999, PE & LE	1	0	1
2003, PE & LE	3	0	3
2007, PE & LE	1	0	1
Averages	1.5	0.0	1.5

Note: PE is presidential election. LE is legislative election.

Table 3.2 presents violations of EMB impartiality for Nicaragua (1990-2006), Honduras (1993-2009), El Salvador (1994-2009), and Guatemala (1995/1996-2007). The

most common violation of EMB impartiality had to do with the *electoral rulings*⁹⁸ made by the respective EMBs; there were 15 violations in this regard (18.6% of all violations). The *reporting of election results*⁹⁹ by each EMB had the second most violations with 14 (32.6%). The third most common violation had to do with the *registration of political parties and candidates*,¹⁰⁰ with 8 (18.6%). The least common violation had to do with the *financing of political parties and candidates*,¹⁰¹ with 6 (13.95%).

Overall, the Salvadoran Supreme Electoral Tribunal had, by far, the highest total number of violations with 20 (15 major, 5 minor). Both Honduras and Nicaragua had 9 total violations of EMB impartiality during the period under scrutiny (8 major violations and 1 minor violation for Honduras and 7 major violations and 2 minor violations for Nicaragua). Lastly, the Guatemalan Supreme Electoral Tribunal had a total of 5 violations of EMB impartiality (4 major, 1 minor). As with EMB autonomy, we turn to the average performance of each EMB to provide a more general assessment of the overall performance of these institutions with respect to impartiality.

⁹⁸ The coding of this indicator stipulates that the electoral rulings made by each EMB should strictly follow the codified procedures for electoral rulings. See Appendix 3.2 for a fuller description.

⁹⁹ The coding of this indicator stipulates that the reporting of election results by each EMB should strictly follow the codified procedures for the reporting of election results. See Appendix 3.2 for a fuller description.

¹⁰⁰ The coding of this indicator stipulates that the registration of political parties and candidates by each EMB should strictly follow the codified procedures for the registration of parties and candidates. See Appendix 3.2 for a fuller description.

¹⁰¹ The coding of this indicator stipulates that the oversight of public financing for political parties and candidates by each should strictly follow the codified procedures for the financing of parties and candidates. See Appendix 3.2 for a fuller description.

Table 3.2 – Violations of EMB impartiality in Central America

Election Year/Type	Impartiality		
	Major Violation	Minor Violation	Total Violations
<i>Nicaragua</i>			
1990, PE & LE	0	1	1
1996, PE & LE	3	0	3
2001, PE & LE	4	0	4
2006, PE & LE	0	1	1
Averages	1.75	0.5	2.25
<i>Honduras</i>			
1993, PE & LE	1	1	2
1997, PE & LE	0	0	0
2001, PE & LE	1	0	1
2005, PE & LE	5	0	5
2009, PE & LE	1	0	1
Averages	1.6	0.2	1.8
<i>El Salvador</i>			
1994, PE & LE	2	2	4
1997, LE	1	0	1
1999, PE	0	0	0
2000, LE	1	1	1
2003, LE	2	0	2
2004, PE	2	0	2
2006, LE	3	2	5
2009, PE & LE	4	0	4
Averages	1.875	0.625	2.375
<i>Guatemala</i>			
1995/1996, PE & LE	0	0	0
1999, PE & LE	1	0	1
2003, PE & LE	1	1	2
2007, PE & LE	2	0	2
Averages	1	0.25	1.25

Note: PE is presidential election. LE is legislative election.

On average, the Salvadoran TSE had the highest number of total (major and minor) violations of EMB impartiality per election with 2.5, followed by the Nicaraguan CSE with

2.25, the Honduran TSE with 1.8, and the Guatemalan TSE with an average of 1.25 violations per election (see Table 3.2). These data suggest that, in regards to EMB impartiality, the Guatemalan TSE seems to have had the most effective performance whereas the Salvadoran TSE has had the least effective performance.

The next section discusses three possible explanations for EMB performance. Specifically, it explains why some of the Central American EMBs have managed to exhibit positive performance (with respect to their autonomy and impartiality), while others have varied over time, and still others have consistently exhibited poor performance.

Competing Explanations for EMB Performance

To explain the performance of the respective Central American EMBs, this work proposes three competing arguments. One explanation highlights the way in which each body was introduced and the legacy this process has had on the performance of the EMB. Another explanation analyzes the impact that electoral assistance organizations have on the performance of the respective bodies. A third explanation, one that this author will argue in favor of, focuses on the degree of politicization of each EMB.

The first explanation proposed in this work concerns the nature of the introduction of each EMB. According to this perspective, the way in which each new, formally independent EMB was established should have an important effect on the operations of each EMB. The logic underlying this explanation is that political institutions help solve collective action problems, but, more importantly, are typically created to serve the interests of those who established them (Moe 2005; 1990; Knight 1992). As Moe (1990) argues, political institutions “are the structural means by which political winners pursue their own

interests, often at the great expense of political losers” (213). Hence, it is expected that the nature of this process (i.e. *imposition* or *negotiation*) should have a significant impact on the development of EMB autonomy and impartiality since this process is significantly shaped by the “political winners” in each case.

Electoral management bodies introduced as a result of a process of negotiation are more likely to function autonomously and impartially because the political debate regarding the design and subsequent establishment of the EMB involved multiple parties that were roughly equal in terms of political power and influence. As such, neither of these groups possessed the power to impose their interests on this process.¹⁰² In contrast, electoral management bodies established through a process of imposition are more likely to be hindered, at least initially, in their ability to function autonomously and impartially since they would be established with the intent of restricting or managing the degree of competition in future elections.¹⁰³ Ultimately though, the main expectation is that EMBs designed and

¹⁰² There is the possibility, of course, that political negotiations between, say two parties, could still result in biased decisions which favor those parties involved in the negotiations. On the one hand, this process could result in a situation where negotiations between two or more parties results in an EMB giving equal advantages to all those in the discussions; this is a situation where there is EMB impartiality, but no autonomy. On the other hand, you could have negotiations that result in an EMB that autonomously decides to favor one party at the expense of all other parties; this is a situation where there is EMB autonomy, but no impartiality. These theoretical possibilities suggest that the political negotiations involved in this process depend upon the dynamics of negotiations. In this respect, negotiations between three or four political parties would be optimal since this would allow more parties to voice their opinions and interests. Ultimately though, I expect that negotiations involving at least two political parties are far better than the specter of no negotiation in the design and introduction of a new EMB since the design and introduction of the institution in this case is undertaken with the intent of facilitating a credible electoral system.

¹⁰³ That being said, we must note that there can also be variation in the process of imposing an EMB based on the nature of the political regime from which it emerges – for example, the regime dynamics of an authoritarian regime ruled by the military versus one ruled by a revolutionary movement or some

introduced through a process of imposition, as opposed to negotiation, will be less likely to perform with autonomy and impartiality since the design and introduction of these institutions are undertaken with the intent of restricting or at least controlling electoral system.

If the *nature of introduction hypothesis* is correct, we should expect to observe those EMBs that were introduced through a process of negotiation (e.g. Nicaragua and El Salvador) to have a higher level of institutional autonomy and impartiality during one particular electoral cycle and over time as well. On the contrary, we should expect those EMBs introduced through a process of imposition (e.g. Honduras and Guatemala) to have lower levels of institutional autonomy and impartiality during these same periods.

A second explanation considers the role of electoral assistance organizations. In many developing democracies, electoral assistance organizations have increasingly become involved in election observation and technical assistance – for example the United Nations Election Observation Missions, the United States Agency for International Development (USAID), the International Foundation for Election Systems (IFES), the International Institute for Democracy and Electoral Assistance (IDEA), and many others. Electoral assistance organizations are defined as those organizations, both domestic and international,

other political regime. While the main argument is that EMBs established through a process of imposition are less likely to function autonomously and impartially, it may also be worth considering the composition of those involved in the design and subsequent implementation of each EMB. Thus, EMBs designed and introduced in regimes with technocratic expertise in institutional design would be more likely to design and establish autonomous and impartial electoral authorities, whereas the opposite may be true of regimes with little or no expertise in these matters.

that seek to “improve the fairness and credibility of the electoral process” within the country that they operate (Middlebrook 1998, 5).

The importance of electoral assistance organizations has been noted by various scholars due to the significant contribution they have made with respect to the conduct of free and fair elections (van Aaken 2009; Pastor 1999c; Scranton 1995; International IDEA; ACE Electoral Knowledge Network). These types of organizations have had a positive impact in electoral processes around the world because they have, among other things, provided financial assistance to EMBs, assisted with core EMB tasks, and have shed light on irregularities that may be overlooked or even committed by the EMBs (Scranton 1995; Richard and Booth 1995; Middlebrook 1998). What is more, these types of organizations have had a significant presence throughout Latin America, in general, and Central America, more specifically, during the “third wave of democratization” in an attempt to facilitate free and fair electoral processes through professional election observation and technical assistance (Booth et al. 2010; Middlebrook 1998; Montgomery 1998; McCoy 1998). The main expectation, then, is that the assistance provided by electoral assistance organizations should have a positive and significant effect on whether an EMB functions autonomously and impartially.¹⁰⁴

¹⁰⁴ In theory it is expected that electoral assistance organizations should have a positive impact on autonomy and impartiality and that the presence and activities of electoral assistance organizations positively impact these two features of election management equally; however, it is quite possible that the presence and activities of these institutions can have a differential impact on autonomy or impartiality. For example, the presence and activities of these organizations can bring attention to electoral malfeasance and thus contribute to EMB autonomy; however, it may be unclear how these organizations impact EMB impartiality. Alternatively, these organizations may highlight the undue influence of one set of political actors thus contributing to EMB impartiality, but have very little effect on

If the *electoral assistance organization hypothesis* is correct, we should observe those EMBs with extensive electoral assistance – financial assistance, technical assistance, assistance with logistics, etc. – to exhibit a higher level of institutional autonomy and impartiality during one particular electoral cycle and over time as well. On the contrary, we should expect those EMBs lacking extensive electoral assistance from domestic and international electoral assistance organizations to exhibit lower levels of institutional autonomy and impartiality during these same periods. In a similar way, we should observe the levels of institutional autonomy and impartiality to vary with the level of electoral assistance.

A final explanation focuses on the politicization of each electoral management body. Specifically, this explanation looks at the manner in which EMB magistrates – those with the most influence within each institution – are appointed to their posts.¹⁰⁵ In some cases, EMB magistrates are appointed to their posts because of their experience in and knowledge of election administration, public management, or law. These appointments are based on expertise (Wall et al. 2006; International IDEA 2002) and typically result in low levels of politicization. In other cases though, EMB magistrates are selected based on their partisan affiliations, party activism, or previous positions in the government. These appointments are political or partisan-based (see Wall et al. 2006, Chapter 4 for a discussion

autonomy. Hence, it is important to at least consider the theoretical alternatives to the presentation in this chapter.

¹⁰⁵ The politicization explanation is different from the first measure of EMB autonomy, since the latter simply emphasizes the formal process for appointing members (and whether this process is carried out according to this process) while the former emphasizes the nature and degree of politicization in each institution based on the process for selecting EMB magistrates (and changed therein).

on this issue) and typically result in high levels of politicization.¹⁰⁶ Finally, there are also cases in which the formal appointment process is based on expertise but, informally, the process is based on partisan affiliations. These instances typically result in higher levels of politicization as well.¹⁰⁷

The literature on electoral management bodies, according to the academic and policy-oriented literature, suggest that the “ideal model” of election management is one that is legally independent from other branches of government and features members that are “politically” independent (Wall et al. 2006; International IDEA 2012). While the selection and presence of politically independent EMB members has been shown to be strongly correlated with the free and fair elections in Latin America (Hartlyn et al. 2008), it is not entirely clear whether these types of members would contribute to their respective institution’s autonomy and impartiality. Scholars have suggested, however, that the selection and appointment of politically independent EMB members is more likely to contribute to better EMB performance because this structure of election management removes many of the opportunities for political manipulation (see Lehoucq 2002). On the contrary, EMB members that are selected based on their political affiliations or via political appointments will, I argue, leave open the possibility for the manipulation of the administration of elections.

If the *politicization hypothesis* is correct, we should observe electoral management bodies with formal or informal politicization, to exhibit lower levels of institutional

¹⁰⁶ This is considered “formal” politicization.

¹⁰⁷ This is considered “informal” politicization.

autonomy and impartiality during one particular electoral cycle and over time as well. On the contrary, we should expect those EMBs that select their magistrates based on expertise to exhibit higher levels of institutional autonomy and impartiality during these same periods. In short, the expectation is that EMB politicization will have a negative effect on EMB performance.

In sum, this work presents three competing positions to explain the performance of the respective Central American EMBs. The first concerns the nature of the introduction of each EMB. According to this explanation, EMBs introduced through multi-party negotiations are more likely to have better performance than those introduced through the imposition of one party or group. The second explanation concerns the impact of election assistance organizations on the performance of each EMB. The expectation is that EMBs with extensive assistance from electoral assistance organizations are more likely to have better performance than those lacking this assistance. The third position – that favored by the author – presents a different perspective on EMB performance. According to this explanation, the politicization of each EMB has a negative impact on the performance of the institution. In short, EMBs that are highly politicized – formally or informally – are less likely to exhibit better performance as opposed to those institutions with low levels of politicization. Evidence for each of these positions will be presented below.

Analysis

The nature of EMB introduction

According to this explanation, the nature in which each new Central American electoral management body was introduced – i.e. through the imposition by one group or

party or through multi-party negotiations – should, at least initially, significantly impact the performance of each institution. This explanation assumes that those persons and groups involved in the creation of each EMB have had a lasting impact on the performance of each institution because the design and creation of each institution reflects the underlying distribution of power within each country. Hence, in regards to the autonomy and impartiality of each institution the expectation is quite simple. Those EMBs introduced with the input of multiple parties and interests should perform better, at least initially, than those introduced under military-authoritarian regimes. The four cases of this study provide an excellent opportunity to assess this proposition, since two of these cases were introduced through a process of negotiation – Nicaragua and El Salvador – and the other two were introduced through a process of imposition – Guatemala and Honduras.

In Nicaragua, the Sandinistas, although they had firm control of the political apparatus within the country, negotiated the Law of Political Parties and the new Electoral Law with opposition parties after they had sought advice regarding the design of new political institutions from the international community (Jonas 1989, 141-142; Lobel 1987, 8; Envio 1985, 56).¹⁰⁸ The empirical evidence suggests that these negotiations among multiple political interests and the resulting introduction of the body had a positive impact, at least initially, on the performance of the *Consejo Supremo Electoral* (CSE) in regards to both

¹⁰⁸ This fact is often overlooked, especially given the context of hostile U.S.–Nicaraguan relations during the 1980s. But, in fact, as part of this process the government sent delegations around the world to study the electoral laws of other democratic regimes and, after negotiations with opposition parties (Jonas 1989, 141-142; Lobel 1987, 8; Envio 1985, 56) established the *Consejo Supremo Electoral* (Merrill 1993; Walker 2000, 75). Both the Political Parties Law and the new Electoral Law were modeled on those of other Western democratic regimes; in fact, the Swedish Electoral Commission provided consultation in the drafting of these laws.

autonomy and impartiality. In fact, during the 1990 general election cycle there were no major violations of EMB autonomy or impartiality, and only one minor violation of EMB impartiality. The evidence suggests that the cooperation and professionalism exhibited by members of the CSE, which represented the major political interests at the time, contributed to a transparent and credible electoral process (LASA 1990; Carter Center 1990). This positive performance, however, was not repeated. During the 1996 general election cycle, there were six (6) violations of EMB autonomy and three (3) violations of EMB impartiality (all of these were major violations). Moreover, during the 2001 general election cycle there were six (6) violations of EMB autonomy (4 major, 2 minor) and four (4) violations of EMB impartiality (all major violations).¹⁰⁹ The lackluster performance of the Supreme Electoral Council evinced the declining importance of the principles enshrined in the 1984 Electoral Law¹¹⁰ due to the increasing politicization of the body.

In El Salvador, the *Tribunal Supremo Electoral* was introduced following the reforms to the electoral system put forth in the National Commission for the Consolidation of Peace (COPAZ) with the signing of the Chapultepec Peace Accords between the Salvadoran government and the FMLN in 1992 (United Nations 1995).¹¹¹ Based on the empirical

¹⁰⁹ See Tables 3.1 and 3.2.

¹¹⁰ As a collegial and pluralistic organization, the Supreme Electoral Council is supposed to function on the principles of “legality, equality, respect, and ethics” (CSE 1984).

¹¹¹ See <http://www.elsalvador.com/noticias/especiales/acuerdosdepaz2002/index.html>, accessed on 30 March 2010. The signing and subsequent implementation of the peace agreement serves as an important referent for Salvadoran politics because the Accords provided a framework to address several important political, social, economic, and security issues. Most importantly, the Peace Accords provided a comprehensive plan for peace between government forces and the FMLN in a way that sought to incorporate the latter into the political process (Bird and Williams 2000, 34).

evidence it is difficult to identify a clear impact of the nature of the introduction of the Supreme Electoral Tribunal on its performance, in regards to either autonomy or impartiality. For example, during the 1994 general election cycle there were two (2) violations of EMB autonomy (1 major and 1 minor) and four (4) violations of EMB impartiality (2 major and 2 minor). In short, El Salvador's "Elections of the Century" were fraught with several difficulties, especially with the electoral registry and other administrative elements the Tribunal was responsible for (Spence and Vickers 1994; Lehoucq 1995), which is contrary to the expectations of the *nature of introduction hypothesis*. While there was an improvement in the Tribunal's performance with respect to impartiality during the 1997 legislative elections (1 major violation of impartiality) and the 1999 presidential elections (no violations), there were four violations of EMB autonomy (2 major and 2 minor violations) during the 1997 legislative election cycle and two violations during the 1999 presidential election cycle (2 minor violations).¹¹² The inconsistent performance of the Supreme Electoral Tribunal following the introduction of the body suggests that other factors may be at work in this process.

In contrast to Nicaragua and El Salvador, both Honduras and Guatemala introduced their respective EMBs through a process of imposition. In Honduras, the government of General Juan Alberto Melgar Castro introduced the *Tribunal Nacional de Elecciones* (TNE) following the decree of the electoral law of 1977 (*La Ley Electoral y de las Organizaciones Política de 1977*) (Sieder 1996b, 22; Boussard 2003, 154-155). As expected, according to the *nature of introduction hypothesis*, the Tribunal generally demonstrated inconsistent performance especially

¹¹² See Tables 3.1 and 3.2.

with respect to autonomy during the period under scrutiny. For instance, during the 1993 general election cycle there were five violations of EMB autonomy (4 major and 1 minor violation) and two violations of EMB impartiality (1 major and 1 minor violation). Moreover, during the 1997 general election cycle there were three violations of EMB autonomy (3 major violations). However, contrary to the expectation of the hypothesis, there were no violations of EMB impartiality during this election cycle.¹¹³ This trend continues during the 2001 election cycle suggesting the importance of other causal factors.

Guatemala provides the strongest counter evidence to the *nature of introduction hypothesis*. The Guatemalan *Tribunal Supremo Electoral* was introduced under the leadership of Efraín Ríos Montt through the execution of decree law 30-83, the Organic Law of the Supreme Electoral Tribunal (Azpuru 2006, 20-22).¹¹⁴ However, contrary to the *nature of introduction hypothesis*, the Tribunal has consistently outperformed its counterparts in the region. For example, during the 1995/1996 general election cycle there was only one violation of EMB autonomy (1 major violation) and no violations of EMB impartiality. Similarly, in the 1999 general election cycle there was only one violation of EMB autonomy (1 major violation) and one violation of EMB impartiality (1 major violation). Moreover, compared to its counterparts, the Tribunal has had the lowest average number of violations of EMB autonomy (1.5 violations/election cycle) and impartiality (1.25 violations/election cycle) throughout the period under scrutiny, respectively.¹¹⁵

¹¹³ See Tables 3.1 and 3.2.

¹¹⁴ See <http://www.cidh.oas.org/countryrep/Guatemala83eng/TOC.htm>, accessed on 28 March 2011.

¹¹⁵ See Tables 3.1 and 3.2.

The forgoing analysis suggests that there is some support for the *nature of introduction hypothesis* in Nicaragua and Honduras. The evidence suggests that the nature of the introduction of the respective electoral management bodies in these cases had an important impact in the initial electoral contests – in Nicaragua during the 1990 elections¹¹⁶ and in Honduras during the 1993 elections.¹¹⁷ However, this impact is modest and does not last beyond these initial contests. In El Salvador¹¹⁸ and Guatemala,¹¹⁹ the analyses suggest that there is no identifiable impact for the nature of EMB introduction.

The Impact of Electoral Assistance Organizations

A second explanation considers the role that electoral assistance organizations have on the performance of each EMB. Given the fact that throughout the period under scrutiny electoral assistance organizations have been active in Central America, in areas such as election observation and technical assistance, it is expected that these organizations would have a positive impact on whether an EMB functions autonomously and impartially. According to this explanation, then, EMBs with extensive assistance from electoral

¹¹⁶ The positive performance of the EMB in this specific case coheres with the *nature of introduction hypothesis*, since the Nicaraguan Supreme Electoral Council was introduced through a process of negotiation.

¹¹⁷ The poor performance of the EMB in this specific case coheres with the *nature of introduction hypothesis*, since the Honduran National Elections Tribunal was introduced through a process of imposition.

¹¹⁸ Contrary to the *nature of introduction hypothesis*, the Salvadoran Supreme Electoral Tribunal, an institution introduced through a process of multi-party negotiations, has evinced poor and erratic performance for much of its existence, especially in regards to EMB impartiality.

¹¹⁹ Contrary to the *nature of introduction hypothesis*, the Guatemalan Supreme Electoral Tribunal, an institution introduced through a process of imposition, has evinced positive and consistent performance for much of its existence.

assistance organizations should perform better than those without these types of assistance because of the financial and technical assistance provided by these organizations. In each of the four countries electoral assistance organizations have operated with different intensities and scope.

For instance, in Nicaragua, electoral assistance organizations had a significant presence and impact in 1990; in this contest there were more than half a dozen major international organizations¹²⁰ present in addition to the myriad of domestic and grassroots organizations associated with the FSLN, UNO (*Union Nacional Opositora*), and other political parties (Richard and Booth 1995, 205-207; Booth et al., 2010, 96-98). The presence of so many highly organized and well-financed electoral assistance organizations complemented the professional work of the CSE and contributed positively to the transparency and cleanliness of this contest.¹²¹ However, in the 1996 general election cycle, in spite of the presence of several major electoral assistance organizations,¹²² there were six violations of EMB autonomy (6 major violations) and three violations of EMB autonomy (3 major violations).¹²³ The 2001 general election cycle featured a similar trend – the active presence

¹²⁰ Some of these include the United Nation's Observation Mission for the Verification of the Elections in Nicaragua (ONUVEN), the Organization of American States' Election Observation Mission to Nicaragua, the Council of Freely Elected Heads of Government (the Carter Commission), and the Latin American Studies Association's Commission to observe the 1990 Nicaraguan Elections.

¹²¹ As noted above, there was only one violation of EMB impartiality in this contest.

¹²² For example, the mission sent by the Council of Freely Elected Heads of Government (the Carter Commission), the mission sent by International Foundation for Electoral Systems (IFES), and the mission sent by the Inter-American Institute of Human Rights (IIDH-CAPEL) among others.

¹²³ See Tables 3.1 and 3.2.

of electoral assistance organizations¹²⁴ but a relatively high number of violations (4 major and 2 minor violations of EMB autonomy and 4 major violations of EMB impartiality).¹²⁵

In El Salvador, another country with a high level of activity by electoral assistance organizations, the presence and activity of electoral assistance organizations seems to have produced mixed results. For example, in the 1994 elections, a contest with a high level of international and domestic scrutiny,¹²⁶ there were numerous irregularities attributed to the poor performance of the newly-formed Supreme Electoral Tribunal (Bird and Williams 2000, 34-35; Lehoucq 1995, 181-182). In this contest, there were two violations of EMB autonomy (1 major and 1 minor) and four violations of EMB impartiality (2 major and 2 minor), the evidence suggests that the respective electoral assistance organizations were successful at promoting transparency and highlighting the shortcomings of the Tribunal but limited in its ability to assist in overcoming these issues. The successive electoral contests demonstrated a similar trend, especially with regards to EMB impartiality.¹²⁷

In Honduras and Guatemala, the presence and level of activity of electoral assistance organizations has been slightly lower than in Nicaragua and El Salvador. This variance has

¹²⁴ For example, the mission sent by the Organization of American States, the mission sent by the Council of Freely Elected Heads of Government (the Carter Commission), and the mission sent by the Inter-American Institute of Human Rights (IIDH-CAPEL) were all present in Nicaragua during this election.

¹²⁵ See Tables 3.1 and 3.2.

¹²⁶ Among others, the United Nations Observer Mission in El Salvador (ONUSAL), the mission sent by the Inter-American Institute of Human Rights (IIDH-CAPEL), the mission sent by International Foundation for Electoral Systems (IFES), and the mission sent by the *Centro de Intercambio y Solidaridad* (CIS) were all present during this contest.

¹²⁷ See Tables 3.1 and 3.2.

had a differential impact on the respective electoral management bodies. In Honduras, for example, the presence of electoral assistance organizations such as the various missions sent by the International Foundations for Electoral Systems (IFES) and the Inter-American Institute of Human Rights (IIDH-CAPEL) have, as in El Salvador, helped shed light on the various shortcomings of election management, both technical as well as political. This was the case during the 1993 electoral contests when various observer groups made known the deficiencies in the national electoral registry (Merrill 1995).¹²⁸ Moreover in some instances, such as the 2009 electoral contest, some of the major electoral assistance organizations that had previously operated in Honduras¹²⁹ refused to send observation missions because of the political uncertainty following the 2009 coup (Taylor 2011). Contrary to the *electoral assistance organization hypothesis*, however, the empirical evidence suggests that the assistance provided by these organizations has not contributed to positive performance in relation to EMB autonomy and impartiality.¹³⁰ Based on the evidence, it seems that in Honduras, other factors may better explain the performance of the Supreme Electoral Tribunal.

Finally, the evidence suggests that electoral assistance organizations have had a positive impact in Guatemala. For instance, following the signing and implementation of the Peace Accords in Guatemala, the Human Rights Verification Mission of the United Nations Verification Mission in Guatemala (MINUGUA) along with the help of electoral assistance

¹²⁸ Indeed, during this election cycle there were five violations of EMB autonomy (4 major and 1 minor) and two violations of EMB impartiality (1 major and 1 minor).

¹²⁹ Some of these included the observation missions by the Organization of American States (OAS) and the Carter Center, respectively.

¹³⁰ See Tables 3.1 and 3.2.

organizations¹³¹ have aided the conduct of elections during the 1990s and 2000s by complementing the efforts of the Tribunal in voter education, reporting instances of electoral violence, and the infiltration of organized crime in the electoral process (European Union Election Observation Report 2007, 5). In spite of the high frequency of violence associated with electoral contests in Guatemala, the presence of electoral assistance organizations, as expected according to the *electoral assistance organization hypothesis*, have served to enhance the transparency of the electoral process in Guatemala.¹³²

The forgoing analyses lend support to the *electoral assistance organization hypothesis* in Guatemala and, to a lesser extent, in Nicaragua. In both Guatemala and Nicaragua, electoral assistance organizations provided critical assistance to the respective electoral authorities during important transitional elections – Guatemala during the 1995/1996 elections¹³³ and Nicaragua during the 1990 elections. Electoral assistance organizations also played an important role in facilitating political participation in Guatemala, in spite of the crime and violence afflicting the electoral process. Electoral assistance organizations were also present and active in El Salvador and Honduras, but in these cases these organizations were much more adept at publicizing the technical and political shortcomings of the respective tribunals rather than providing significant assistance in the administration of elections in those cases.

¹³¹ For instance, the various missions sent by Inter-American Institute of Human Rights (IIDH-CAPEL), *Mirador Electoral*, a domestic observer group, and the various missions sent by the Organization for American States (OAS), and the European Union Election Observation Mission (EU EOM).

¹³² Indeed, the Guatemala Supreme Electoral Tribunal has the lowest average number of violations of EMB autonomy and impartiality of the four cases under scrutiny (see Tables 3.1 and 3.2).

¹³³ While Guatemala had held elections since the mid-1980s, these contests were the first in which there was true multi-party competition.

Electoral Management Body Politicization

According to this perspective it is important to examine how EMB magistrates – those with the most influence within each institution – are appointed to their posts. In effect, the issue is whether EMB magistrates are selected because of their partisan affiliations (formally or informally) or whether they are selected because of their expertise in the administration of elections (see Wall et al., 2006, Chapter 4 for a discussion on this issue). The expectation is that those EMBs that provide for the selection and appointment of politically independent EMB members are more likely to perform better with respect to EMB autonomy and impartiality than those that select EMB members based on their political affiliations. The four cases of this study provide an excellent opportunity to assess this proposition, given that two of these cases provide for the selection of EMB magistrates based on a combination of partisanship and expertise – Honduras¹³⁴ and El Salvador – while the other two cases provide for the selection of EMB magistrates based solely on expertise – Nicaragua and Guatemala.

In El Salvador, the five magistrates of the Supreme Electoral Tribunal are nominated based on a combination of partisanship and expertise.¹³⁵ According to most scholars, selecting magistrates based on partisanship is one of the most serious issues facing the Tribunal, since this nomination process has resulted in a high level of politicization within

¹³⁴ From 1977 to 2004, four of the five magistrates of the Honduran National Elections Tribunal (TNE) and later the Supreme Electoral Tribunal (TSE) were nominated by the four major political parties and the fifth was nominated by Supreme Court (Merrill 1995; Fernandez 2010).

¹³⁵ Three of the magistrates are nominated by the political parties or coalitions that garnered the most votes in the most recent presidential election and the other two are nominated by the Salvadoran Supreme Court (El Salvador Electoral Code, Article 59).

the institution. A common theme that has emerged in El Salvador is the tendency of the members of the Tribunal to deadlock on matters such as the electoral registry, the system of identification cards, and routine questions of personnel, among other issues, because of political infighting (EU Election Observation Report 2009; Bird and Williams 2000, 34-35; Lehoucq 1995, 180-182; Montgomery 1998; ONUSAL 1995). The performance of the Supreme Electoral Tribunal¹³⁶ has, thus, been adversely affected by the politicization stemming from the nomination and appointment of magistrates based on partisanship.

A similar trend has emerged in Honduras. In Honduras, from 1977 to 2004, four of the five magistrates of the Honduras' electoral management body were nominated by the four major political parties and the fifth was nominated by the Supreme Court (Merrill 1995; Fernandez 2010). Following the 2005 electoral reforms, the three magistrates (and substitute magistrate) of the Honduran Supreme Electoral Tribunal are nominated based on expertise and confirmed by a two-thirds vote of the National Congress (Constitución de la República de Honduras (2005), Article 52). From its foundation, one of the fundamental problems of the Tribunal has been its politicization (Taylor-Robinson 2011; Merrill 1995; Sieder 1996). This feature of the Tribunal has adversely affected areas such as the registration of voters (Merrill 1995; Taylor-Robinson 2009), the production and distribution of voter identification cards (IFES 2001), the registration of candidates for office (Taylor-Robinson 2003), and the announcement of election results (Taylor-Robinson 2007; Taylor-Robinson 2006). In spite of the reforms in 2005, in which magistrates are now nominated and appointed based on

¹³⁶ Indeed, the Salvadoran Supreme Electoral Tribunal has the highest average number of violations of EMB impartiality and the second highest average number of violations of EMB autonomy for the region (see Tables 3.1 and 3.2).

expertise rather than partisanship, the Tribunal has continued to experience a number of violations of EMB autonomy and impartiality due to the persistent influence of politics within the institution.¹³⁷

In Nicaragua and Guatemala, the magistrates of the respective electoral management bodies are selected based on their expertise in electoral matters. The seven members of the Nicaraguan Supreme Electoral Council (and three substitutes) are nominated by the president of the republic and members of the National Assembly, in consultation with civil society organizations, and elected by at least 60 percent of the deputies of the National Assembly (Nicaragua Electoral Law No. 331). Unfortunately, the Council, which performed exceptionally well during the 1990 general elections (LASA 1990), has become highly politicized through various formal and informal measures undertaken by the prevailing political powers in Nicaragua. For instance, in 1996, in an attempt to provide more oversight over the electoral process, large portions of the Council's staff, budget, and administrative procedures were revamped by parties opposed to the FSLN. These actions, however, resulted in the removal of experienced members of the Council and introduced staff sympathetic to opposition parties such as the PLC¹³⁸ (Hoyt 2004, 30-31; Booth and Richard 1997, 388). Additionally, in 1999, due to the formal changes resulting from "el pacto,"¹³⁹

¹³⁷ Indeed, after the 2005 reforms, the Tribunal experienced 2 violations of EMB autonomy in 2005 (both major violations) and 7 violations in 2009 (5 major and 2 minor). Likewise, the Tribunal experienced 5 violations of EMB impartiality (5 major violations) and 1 violation in 2009 (1 major violation) (See Tables 3.1 and 3.2).

¹³⁸ Constitutionalist Liberal Party of Nicaragua.

¹³⁹ This agreement was a power-sharing pact negotiated between Daniel Ortega of the FSLN and Arnoldo Alemán of the PLC. On the surface, the pact was intended to ease the political gridlock between the president and the National Assembly by, among other things, trying to balance the appointments of

between the FSLN and the PLC, the Council has become highly politicized¹⁴⁰ thus limiting the overall effectiveness of the institution (Lean 2007, 829; Ordoñez 2010, 60).

In contrast to Nicaragua, the case of the Guatemalan Supreme Electoral Tribunal represents an example of an electoral authority that has exhibited a positive record of electoral management. One of the principal reasons for this is the low level of politicization within the institution, especially among the magistrates of the Tribunal. The five magistrates (and substitutes) of the Guatemalan Supreme Electoral Tribunal are nominated by a special nominating commission¹⁴¹ and confirmed by the national legislature with a two-thirds vote (Guatemalan Electoral Law, Article 123).¹⁴² The non-partisan nature of the Tribunal has, unlike its counterpart institutions in Nicaragua, Honduras, and El Salvador, significantly contributed to a positive record of electoral management in Guatemala (Azpuru 2005; Azpuru 2008).¹⁴³ Indeed, the Tribunal has demonstrated its autonomy and impartiality on several occasions, most notably in its refusal to register Efraín Ríos Montt as a presidential

members of the Supreme Electoral Council as well as the Supreme Court. In reality, the pact has served to solidify the political power of the FSLN and the PLC at the expense of other parties in Nicaragua and politicize institutions such as the Supreme Electoral Council (Hoyt 2004; Ordoñez 2010).

¹⁴⁰ This is evinced in the performance of the Supreme Electoral Council during the 1996 and 2001 elections (see Tables 3.1 and 3.2).

¹⁴¹ This commission is known as the *Comisión de Postulación*.

¹⁴² The magistrates (and substitutes) of the Guatemalan TSE consist of the director of the University of San Carlos (who serves as the president of the Tribunal), a representative of the rectors of the private universities in Guatemala, a representative of the College of Attorneys of Guatemala (elected in a General Assembly), the dean of the Faculty of Legal and Social Sciences of the University of San Carlos, and a representative of all the deans of faculties of Legal and Social Sciences of the private universities (see <http://www.tse.org.gt/magistrados.php>, accessed on September 9, 2012).

¹⁴³ The Guatemalan TSE has the lowest average number of EMB violations of autonomy and impartiality (see Tables 3.1 and 3.2).

candidate on multiple occasions (Azpuru 2005, 144; Lehoucq 2002, 110).¹⁴⁴ Overall, the Tribunal has consistently demonstrated a positive record of electoral management, which has led to it being considered one of the most prestigious public institutions in Guatemala (European Union 2003, 9-11) and Central America (Montalvo 2009)

The empirical evidence and forgoing analyses lend strong support to the *politicization hypothesis* across all four cases. In Guatemala, the selection of magistrates based on expertise and from academic and legal backgrounds seems to have strengthened the Supreme Electoral Tribunal by providing a safeguard against extreme politicization. The Nicaraguan case, in contrast, suggests that the influence of political parties and other important political interests can have a demonstrable impact on the performance of an electoral management body in spite of formal safeguards against politicization; hence, this case demonstrates the impact of informal politicization on the performance of the Supreme Electoral Council. The Honduran and Salvadoran cases also cohere with the *politicization hypothesis* in that each case has experienced a relatively high number of violations of EMB autonomy and impartiality largely due to the high level of politicization that has resulted from the formal representation of political parties within each institution.¹⁴⁵ In sum, the evidence suggests that higher levels

¹⁴⁴ The Guatemalan Constitution bars anyone who has participated in a coup against the state from running for the Guatemalan presidency. Given that Ríos Montt participated in the 1982 coup, he was precluded from running for the Guatemalan presidency. Unfortunately, due to a ruling by the Constitutional Court that overturned the Supreme Electoral Tribunal's decision, Ríos Montt was allowed to run in the 2003 presidential contest. The Supreme Electoral Tribunal, along with civil society organizations, human rights organizations, and the international community opposed this decision (Azpuru 2003, 10).

¹⁴⁵ Indeed, the Honduran Supreme Electoral Tribunal has the highest average number of violations of EMB autonomy, while the Salvadoran Supreme Electoral Tribunal has the highest average number of violations of EMB impartiality (see Tables 3.1 and 3.2).

of politicization, both formal and informal, has had adverse effects on the performance of the respective electoral authorities of Central America, whereas lower levels of politicization has tended to result in more positive outcomes.

Assessing Causal Mechanisms: A Case Study of EMB Politicization

So far, this work has presented brief analyses to assess the explanatory power of the three arguments presented above. In order to trace the causal mechanisms at work in these cases and further substantiate the main argument of this chapter, this section presents a “pathway” case study (Gerring 2007). The in-depth analysis of a pathway case allows the researcher to explore the presumed relationship between a specific causal factor and outcome of interest, while holding other explanatory factors constant. This process, thus, allows the researcher to accurately identify or “elucidate” the causal mechanisms at work (Gerring 2007, 238). While the analyses presented above have helped parse out which explanatory framework the empirical evidence on EMB performance most coheres with, the pathway case provides a way to understand exactly how the nomination and appointment process of magistrates affects the level of politicization within each EMB and, in turn, affects the performance of these institutions.

The 1996 Nicaraguan election, in fact, provides the opportunity to conduct a “pathway” case study analysis. This case suggests that politicization within the Supreme Electoral Council (both formal and informal) best explains the performance of the Council during this electoral contest. In particular, the changes to the electoral law, which affected the composition of the Council’s personnel, and the pressure placed on the Council’s

magistrates, especially CSE president Mariano Fiallos, served to politicize Nicaragua's electoral authority and adversely affect the electoral process as a whole.

The Nicaraguan General Election of 1996

The 1996 election was the first multi-party election since the FSLN had lost power in 1990. The major contenders for the presidential contest included Arnoldo Alemán Lacayo (*Alianza Liberal*)¹⁴⁶ and Daniel Ortega Saavedra (*Frente Sandinista de Liberación Nacional*).¹⁴⁷ Alemán defeated Ortega in the presidential contest, winning 51.03 percent of the votes cast.¹⁴⁸ Aleman's Liberal Alliance also won a majority of the seats in the National Assembly with 42 seats, while the Sandinistas took 36 seats and minor parties received the remaining 16 seats. Additionally, the Alliance made significant strides in elections for the Central American Parliament and municipal elections (Booth and Richard 1997, 390).

Overall, the much-anticipated elections were disappointing to many. For one, the atmosphere, like that of the 1990 elections, was highly politicized. Unlike 1990, however, the 1996 pre-election period witnessed the attempts of political parties trying to modify electoral rules to their benefit. In the end, right-wing parties were successful at pushing through a series of reforms in the National Assembly that modified the electoral law and resulted in

¹⁴⁶ The Liberal Alliance consisted of the PLC (Partido Liberal Constitucionalista), PALI (Partido Neoliberal), PLIUN (Partido Liberal Independiente de Unidad Nacional), and PLN (Partido Liberal Nacionalista).

¹⁴⁷ In addition to these candidates, over 40 parties put forth candidates for the presidential contests including candidates from the *Movimiento de Renovación Sandinista* (MRS), the *Partido Liberal Independiente* (PLI), the *Partido Conservador de Nicaragua* (PCN), the *Proyecto Nacional*, and the *Camino Cristiano* (Butler et al. 1996; Booth and Richard 1997).

¹⁴⁸ Ortega received nearly 38 percent of the vote (37.75 %).

significant changes to the personnel of the Supreme Electoral Council (Booth et al. 2010, 99).¹⁴⁹ While trying to implement an updated and permanent voter identification system, the Council faced the additional task of implementing a new administrative system that required the appointment of political nominees for departmental and municipal positions (Butler et al. 1996).¹⁵⁰ This process resulted in the introduction of personnel that were often inexperienced and highly political (Butler et al. 1996; Walker 2000, 80-81). Ultimately, these changes “effectively transformed the CSE from a predominantly technical bureaucracy into a party penetrated one” (Booth and Richard 1997, 388).

In addition, the inadequate appropriation of funds to the Supreme Electoral Council for the implementation of these reforms adversely affected the electoral process as well. In spite of the scope of the changes introduced in 1996 (e.g. a more complex ballot, additional training for new personnel, etc.), the National Assembly provided the Council with a budget equal to the same level of funds used in the 1990 election; this served to hamper, among other things, the registration of voters and additional training for new CSE staff (Booth 1998, 193; Booth and Richard 1997, 388). In response, Mariano Fiallos, president of the

¹⁴⁹ According to Booth and Richard (1997), the 1996 electoral reforms “added elections for twenty national list seats to the [National] Assembly, the Central American Parliament, and municipal mayors to the preexisting presidential, Assembly, and municipal council elections. This doubled the number of ballots needed. Moreover, seventy Assembly seats were distributed among fifteen Departments and two Autonomous Regions (rather than the former nine administrative regions), vastly multiplying the complexity of ballot preparation and materials delivery. The National Assembly also redesigned the appointment process for departmental and local electoral council staff. Political party nominees replaced selection by the CSE. This reorganization effectively transformed the CSE from a predominantly technical bureaucracy into a party-penetrated one, staffed by thousands of new and inexperienced personnel” (388).

¹⁵⁰ These reforms were put forth over concerns of political influence in the Supreme Electoral Council, since a majority of the personnel in the Council were affiliated with the FSLN.

CSE, resigned in protest to the changes to the electoral law and the inadequate funding allocated to the Council (Butler et al. 1996; Booth 1998, 193; Booth and Richard 1997, 388).¹⁵¹

The election itself featured numerous irregularities (Booth and Richard 1997; Booth 1998; Walker 2000; Booth et al., 2010). Reports indicate that anomalies took place in nearly every phase of the election (Walker 2000, 81), including “voter registration, the campaign, preparation and delivery of materials, operation of polling places, voting, vote reporting, and vote tabulation (Booth et al. 2010, 101). The most notable irregularities occurred during the counting, tabulating, and reporting of election results from the *juntas receptoras de votos* (JRVs or polling stations) to the CSE headquarters in Managua, where, for example, discrepancies of vote tallies significantly delayed the announcement of election results.¹⁵²

Many of the problems in this regard occurred in urban areas like Managua and Matagalpa but also in the Jinotega department, where a majority of the presidents of the JRVs (polling stations) were affiliated with the Liberal Alliance. According to Booth and Richard (1997), “[so] many Liberal Alliance JRV presidents in these three departments appear to have engaged in over-reporting of votes for Alemán in their initial telephone reports that it aroused suspicions of a coordinated effort” (389-390). Moreover, there were many instances in which entire precincts failed to report ballot tallies altogether. In fact, the

¹⁵¹ In fact, Fiallos “threatened to resign unless the Assembly changed the law and [increase] the budget.” The National Assembly “refused to change the law and suggested [Fiallos] go to foreigners for the money” (Butler et al. 1996).

¹⁵² The Supreme Electoral Council did not announce official election results until about a month after the election (Spence 1997).

“missing tallies came from 233 JRVs in the department of Managua, plus many more in Matagalpa and Jinotega” (Booth and Richard 1997, 390).¹⁵³ There were various causes for this irregular process, including outright fraud, a lack of expertise and technical competence among JRV members, logistical problems, and ineffective planning by the CSE itself (Booth and Richard 1997, 390-391; Carter Center 1996, 32). The fact that a majority of the lost or annulled ballot counts came from Managua, where the Liberal Alliance was very successful in the election, raised further suspicions of electoral manipulation and undue political influence in the administration of the electoral process as well.

In spite of these irregularities, the Supreme Electoral Council certified the election results and reported that most of the “irregularities stemmed from poor training, the inadequate mathematical skills of the workers, and administrative sloppiness” rather than some type of malfeasance in the electoral process (Booth 1998, 195; Spence 1997).

Analysis of Causal Mechanisms

This case is an important referent for the argument that politicization has a significant impact on the performance of electoral management bodies. Indeed, the parameters in which this election takes place suggest an alternative outcome to what actually transpired. However, the Supreme Electoral Council, which had performed exceptionally well during the 1990 election, failed to meet the expectations made of it during the 1996 election. As the evidence above indicates, the Council’s performance was sorely lacking with respect to its autonomy and impartiality as well as the general conduct of the election. Of

¹⁵³ According to the Carter Center, “Fourteen percent of the JRVs in Managua and 11 percent in Matagalpa were annulled” (1996, 31).

course, this poor performance did not fall squarely on the shoulders of the Council. In fact, there were significant administrative and fiscal burdens that the Council faced throughout the electoral cycle. Indeed, as Booth and Richard argue, the “CSE is not solely responsible for the damage to its capacity and reputation. Rather, the National Assembly and the political parties – driven by mutual mistrust and widespread suspicion of the FSLN's potential influence on staff within the CSE – under funded the election and made disruptive last minute changes in the CSE's organization. These conditions badly undermined the CSE's institutional capacity and technical competence" (1997, 392). This case suggests, then, that the electoral process was significantly impacted by the disruptive nature of the changes introduced to the electoral system in 1996 and not the legacy of the foundation of the Supreme Electoral Council or the presence of electoral assistance organizations. Why?

For one, in spite of the nature of the foundation of the Council¹⁵⁴ and a significant presence of electoral assistance organizations, the performance of the Nicaraguan electoral authority was severely lacking. Unlike in 1990, when the ideals of the 1984 electoral law enshrined in the Supreme Electoral Council manifested themselves in 1990 (LASA 1990), the legacy of the foundation of the Council seemed not to matter for its performance in 1996.¹⁵⁵ Part of this has to do with the post-transition (and post-conflict) nature of the 1996 election, which emphasized competition at the ballot box instead of violence as a means to resolve conflict (Carter Center 1996). A more importance consideration is the emergence of

¹⁵⁴ The Supreme Electoral Council was designed and introduced through a process of multi-party negotiations in the mid-1980s.

¹⁵⁵ See Tables 1 and 2.

a formidable opposition to the FSLN in the early 1990s. By 1996, moderate to conservative political parties such as the PLC had gained enough political power and support to tilt the balance of power in their favor. An example of this is the reforms to the electoral law in 1996 (Butler et al. 1996). As such, the nature of the introduction of the institution does not seem to be an important factor in explaining the performance of the Council in the 1996 electoral cycle.

Similarly, the presence and activity of electoral assistance organizations, both domestic and international, did not significantly contribute to the positive performance by the Supreme Electoral Council. While the number of electoral assistance organizations had decreased from the 1990 election, there was still a significant presence from international and domestic groups (Booth 1998).¹⁵⁶ International electoral assistance organizations such as those sent by Organization of American States (OAS), the Carter Center, and the Arias Foundation (Costa Rica), and domestic organizations such as *Ética y Transparencia* (Ethics and Transparency) provided much needed observation and technical advice to CSE. These organizations, along with other NGOs participating in electoral observation, helped identify and publicize the numerous irregularities that occurred during the election (Booth 1998, 194-195). Unfortunately, and as in many cases across Central America, these organizations were

¹⁵⁶ In fact, Booth argues that “[although] the electoral climate and party conduct were generally good, and despite the presence of many external and domestic election monitors, serious technical flaws marred the 1996 vote. This flawed outcome contrasted notably with Nicaragua’s heavily monitored 1984 and 1990 elections, in which the electoral climate suffered but the technical conduct of the elections was excellent” (1998, 187).

unable to prevent or stop instances of electoral improprieties from taking place in the first place.¹⁵⁷

Ultimately, this case suggests that the politicization of electoral authorities matters a great deal. The formal changes and political pressure exerted on the CSE from 1995-1996 resulted in formal and informal changes to the Council that adversely affected its performance in the 1996 electoral cycle. The introduction of the reforms to the electoral law in 1996 served to disrupt the composition of personnel at various levels of the CSE and replacing them with individuals selected from lists proposed by political parties. These reforms also added to the institution's administrative responsibilities in areas such as the preparation of election materials, training for new and inexperienced staff, and the preparation of a significant amount of new polling stations (*juntas receptoras de votos*). Moreover, the budget "issues" facing the Council resulted in additional strains to provide quality election management with limited resources. This limited support reflects an attitude of negligence even hostility by some parties (anti-Sandinista parties) toward the CSE from 1990 to 1996 (Butler et al. 1996).¹⁵⁸

Indeed, the pressure and hostility exerted on the Supreme Electoral Council, especially the magistrates of the Council, demonstrated the increasing importance of partisan

¹⁵⁷ This is a common theme that has emerged in the literature on international election monitoring (see Hyde and Kelley (2011), Simpser and Donno (2012), Vigna (2010)).

¹⁵⁸ Butler et al. (1996) expected, before the 1996 election, that it would "be a small miracle, and perhaps an impossibility, for the electoral process this time to gain ... high praise, particularly from Nicaraguans. The principal reason for this change ... is that the CSE has not received the needed and deserved 'support of all the political parties'. Moreover, in the estimation of one seasoned international official with years of experience in Nicaragua, it has also not received full support from the executive branch it did in 1990. President Chamorro had to call a meeting to urge relevant ministries to cooperate with the CSE."

affiliations (and influence) rather than technical capacity within the institution. These factors also affected the tenure of then-CSE president, Marian Fiallos. Fiallos, of course, resigned due to the (unreasonable) changes to the electoral law and over the budget appropriations designated by the National Assembly. In effect, these political pressures and formal changes informally transformed the CSE, an institution in which magistrates were supposed to be selected based on expertise and their technical capacity in the conduct of elections, into an institution in which magistrates and other personnel were selected based on their partisan affiliations or approval by the prevailing political interests in the national legislature. Hence, the actions of the National Assembly in 1996 set a precedent of political interference within the CSE (and other branches of government) that would resurface in the future.

Finally, it is worth noting that the politicization of the Supreme Electoral Council at this time was ubiquitous across Nicaraguan politics. Throughout the inter-election period (1990-1996), there were a series of conflicts and agreements that served to stabilize the political system. For instance, Butler et al. (1996) state that this period was “filled with crises over the very basics of government: over control of the military, the Legislative powers, the balance between the executive and legislature, control of the courts, control of the productive assets of the country and, in particular, ownership and control of land.” While the agreements between parties and political factions during this period helped mitigate some of the conflicts that had materialized, they did not provide a long-term solution to them nor did they truly assist in the deepening of democratic institutions in Nicaragua. Hence, the political environment within which electoral authorities operate is also an

important consideration for the performance of electoral management bodies like Nicaragua's Supreme Electoral Council (Hartlyn et al. 2008, 93).¹⁵⁹

Conclusion

Drawing on the democratization and electoral management literatures, this study has sought to explain the performance of four Central American EMBs from the point at which each country allowed full-fledged, multi-party competition at the ballot box. This work measures performance as the institutional autonomy and institutional impartiality of each electoral management body. In so doing, this work considers the fact that the formal independence of EMBs is often superseded by what takes place in practice. As such, this work considers the differentiation between formal (legal) institutional independence and institutional autonomy. Moreover, this work has also highlighted the importance of impartial election management in these cases as well. This study utilizes these two features – prominent in the literature on election management – as a way to gauge the performance of these institutions.

This work has tracked the performance of these institutions – over a period of about 15 years per country – by identifying violations of EMB autonomy or impartiality. Overall, the findings of this study indicate that the Salvadoran Supreme Electoral Tribunal and the

¹⁵⁹ Hartlyn et al. (2008) argue that changes to ensure the formal independence of EMBs is critical, but not sufficient for effective electoral management. As such, these authors state that the “[consolidation] of electoral institutions, not surprisingly, tends to parallel that of other key democratic institutions. Pressure from below (civil society), pulls from above (leadership), and international observation and mediation are all important in this development. Improving the quality of elections in emerging democracies thus requires generating a virtuous circle across state institutions, civil society actors, rule of law, and acceptance of the rules of the game by political parties” (93).

Honduran National Election Tribunal/Supreme Electoral Tribunal had the most violations of EMB autonomy and impartiality¹⁶⁰ while the Guatemalan Supreme Electoral Tribunal had the fewest violations. These data indicate that there are significant differences in the performance of the Central American EMBs. The question is why?

One potential explanation examined in this study concerned the nature of introduction of each institution. According to this explanation, the nature of this process (i.e. *imposition* by one group or *negotiation* among more than one group) was expected to have a significant impact on EMB performance. Specifically, EMBs introduced as a result of a process of negotiation should perform better than those introduced through a process of imposition. While there is some limited support for this explanation, especially in Nicaragua in 1990 and Honduras in 1993, the foregoing analyses suggest that the impact of this factor is modest and does not seem to last beyond the initial electoral contests. This pattern is most clearly evinced in El Salvador and Guatemala.

Another potential explanation focused on factors exogenous to these institutions. Specifically, this explanation considered the impact of electoral assistance organizations on EMB performance. According to this explanation, electoral assistance organizations play an important role in elections and election management because of the numerous ways in which they can help EMBs and the overall electoral process. Based on the analyses above, it seems that electoral assistance organizations do have a positive impact in some cases, such as Guatemala throughout the 1990s or in Nicaragua in 1990, but this impact does not seem to

¹⁶⁰ The Honduran EMB had the highest average number of violations of autonomy, while the Salvadoran EMB had the highest average number of violations of impartiality.

be ubiquitous across the region. Overall, the foregoing evidence suggests that electoral assistance organizations, while limited in their ability to actually facilitate positive EMB performance, do seem to play a significant role in encouraging voter turnout as well as publicizing the technical and political shortcomings of the respective EMBs.

Ultimately, this work has argued that the performance of the Central American EMBs – both institutional autonomy and impartiality – largely depends on the degree of politicization affecting each institution. According to this explanation, the nomination, appointment, and tenure of EMB magistrates and their staff matters a great deal to the performance of each institution. The foregoing analyses provide strong support for this perspective across all four cases. In short, the empirical evidence suggests that higher levels of (formal or informal) politicization has had adverse effects on the performance of the respective Central American EMBs, while lower levels of politicization have tended to result in better performance (i.e. less violations of autonomy and impartiality).

Of course, this is not the final word on this matter. For one, the findings of this chapter do not assume that all is well in Guatemala and that the electoral process in Honduras or El Salvador is doomed. Instead, this study has proposed an objective way to study the performance of these institutions which can be used to compare EMBs across time and over several cases. Further research should examine this relationship, applying the insights of this study to cases outside of Central America. Future research should also note that institutions like EMBs operate within a larger political environment that can affect the conduct of elections in numerous, sometimes unintended, ways; this is true as well in cases that have exhibited positive performance such as the Guatemalan Supreme Electoral

Tribunal. Thus, further research into the additional factors that affect EMB performance is warranted. Indeed, understanding how EMBs develop into autonomous and impartial institutions is important from a scholarly perspective, since this aids our understanding of the process of democratization and the development of democratic institutions. This is also important from a policy perspective because it helps policymakers, intergovernmental organizations, and non-governmental organizations identify concrete areas in which to strengthen democracy.

The next chapter considers citizens' attitudes on these electoral authorities. In particular, the following chapter examines what impact EMB performance has on the attitudes of citizens regarding these electoral institutions and electoral processes within each country. The expectation is that positive EMB performance should engender more positive opinions of the respective electoral authorities and processes, whereas poor performance should engender more negative opinions. Hence, the following chapter describes and explains citizens' attitudes of their respective EMB.

Chapter 4: Explaining Citizens' Trust in Electoral Management Bodies in Central America

Electoral management bodies (EMBs) are now considered a key variable in facilitating credible elections and the deepening of democracy, especially in new democracies (Pastor 1999; Lopez-Pintor 2000; Mozaffar and Schedler 2002; Hartlyn et al. 2008; Gazibo 2006; Elkit and Reynolds 2002). While most research on election management focuses on the institutional features of EMBs and their effects on public confidence (Rosas 2010; Ugues 2010; Kerevel 2009; Birch 2008) and the quality of elections (Hartlyn et al. 2008), few studies have considered the relationship between the performance of these institutions and public confidence in them.¹⁶¹ The relationship between EMB performance and public confidence in these institutions, however, is an area that is certainly important for understanding the role of EMBs in the democratic process.

Indeed, examples abound in regards to how the performance of EMBs has been a positive or inhibiting force in the credibility of electoral processes. In Costa Rica, for instance, the Supreme Elections Tribunal (TSE) has successfully overseen credible electoral processes (i.e. free and fair elections) for several decades now. This performance has contributed to a credible electoral institution, a credible electoral process (Picado 2009; Lehoucq and Molina 20002), and high public confidence in the Costa Rican TSE (Montalvo 2009). In other cases, however, strong institutions may not always produce positive evaluations of the respective EMB. In Mexico, for instance, citizens' perception of irregularities (and even fraud) contributed to negative evaluations of the Federal Electoral

¹⁶¹ Of course there are some exceptions (see Barrientos del Monte 2011).

Institute (IFE) – one of the world’s most respected EMBs – in the 2006 presidential contest (Eisenstadt 2007; Eisenstadt and Poiré 2006). Hence, while the IFE has largely been regarded as a positive force in Mexico’s transition to democracy, its lackluster performance (or at the least the perception of this) contributed to less glowing assessments of the institution in 2006. In contrast, the overt partiality exhibited by the Venezuelan National Electoral Council (CNE) during the electoral contests of the Chavez era has led to numerous difficulties in securing a credible electoral process in the country. Ultimately, the CNE’s inability to provide impartial electoral management has jeopardized the credibility of the electoral process itself (Kornblith 2003; Kornblith 2007) as well as the institution’s credibility in the eyes of its citizens (Montalvo 2009).¹⁶²

Hence, actual or perceived EMB performance should be considered an important factor in explaining public confidence in these institutions. This study, then, examines the relationship between the performance of these institutions and citizens’ evaluations of their respective EMB. In so doing, this study explores how public opinion of these institutions is shaped within a particular country and context. An underlying theme of this work, then, is that citizens’ attitudes about government are important for the health of democracy. These attitudes are important because they relate to an individual’s political behavior, but also because “they have some grounding in objective reality” (Donovan and Bowler 2004, 31). In effect, citizens’ attitudes of democracy and democratic political institutions are critical

¹⁶² In 2008, for instance, trust in the CNE averaged about 51 percent, suggesting that just over half of the population trusted the institution (LAPOP 2008; Montalvo 2009).

because they can provide scholars with a glimpse of the level of legitimacy of a democratic regime.

That being said, this study puts forth the argument that “better” EMB performance is likely to result in “better” evaluations of these institutions. In this work, performance is measured via institutional autonomy¹⁶³ and impartiality,¹⁶⁴ both of which are critical features of EMBs. Electoral management bodies with fewer violations of their autonomy and impartiality are considered to have “better” performance and, it is expected, this will contribute to “better” evaluations of these institutions.

This work explores whether these relationships hold in the context of Central America. In particular, this study examines the recent performance of four Central American electoral management bodies – El Salvador, Guatemala, Honduras, and Nicaragua – in relation to the evaluations of their respective citizens. This work finds that one aspect of performance for these Central American EMBs – institutional autonomy – does have a significant impact on citizens’ attitudes. However, the results suggest that additional factors such as personal evaluations of the level of democracy in each country, political ideology, interest in politics, and whether a person’s preferred party is currently in power are also important determinants in understanding how citizens view their respective EMB. These findings lend support to previous research that suggests that the quality of the electoral

¹⁶³EMB autonomy is defined as the ability to operate free from interference of any outside pressure, including government officials, political parties, the military, or other groups with an interest in influencing the electoral process.

¹⁶⁴ EMB impartiality is defined as the ability to operate without any political favoritism or bias, including preferential treatment towards government officials, political parties, or other groups with an interest in influencing the electoral process.

process and electoral institutions (like EMBs) depends on a number of interrelated factors that are important for democracy in general (Hartlyn et al. 2008; Mozaffar and Schedler 2002; Ugues 2010; Pottie 2001).

The rest of this work is organized as follows. The first section provides a discussion of election management in Central America – specifically, El Salvador, Guatemala, Honduras, and Nicaragua – in relation to other countries in the region. The second section reviews the relevant literature on understanding public confidence in democratic political institutions like EMBs. The third section discusses specific expectations for confidence in EMBs. The fourth section describes the data and methods used in this work. The fifth section presents the results of the analysis. The sixth section discusses the substantive significance of the results. This work concludes by summarizing the findings of these analyses and discussing the implications of these findings for the scholarship on democratic politics in Latin America more broadly.

Election Management in Central America

This work examines four electoral management bodies in Central America. These include the Salvadoran Supreme Electoral Tribunal (*Tribunal Supremo Electoral*), the Guatemalan Supreme Electoral Tribunal (*Tribunal Supremo Electoral*), the Honduran Supreme Electoral Tribunal (*Tribunal Supremo Electoral*), and the Nicaraguan Supreme Electoral Council (*Consejo Supremo Electoral*). Each of these institutions were introduced as legally independent institutions during the most recent wave of political liberalization – Honduras in 1977, Guatemala in 1983, Nicaragua in 1984, and El Salvador in 1993. Since their introduction,

each institution has been responsible for managing all aspects of the electoral process in their respective countries (see Chapter 2).

Unlike their Costa Rican counterpart (the *Tribunal Supremo de Elecciones*), which is considered one of the most credible electoral authorities in the world (Picado 2009; Montalvo 2009; Booth 2000), the performance of these four EMBs has fluctuated over time. In some cases, the EMBs of these regions have performed exceptionally well as was the case in Nicaragua during the 1990 general elections (LASA 1990; The Carter Center 1990) or in Guatemala following the attempted self-coup (known in Spanish as *el Serranazo*) in 1993 by former President Jorge Serrano Elías (Levitt 2006).

Nonetheless, there are several instances in which negative performance by these EMBs has adversely affected the credibility of these institutions and the electoral process as well. For instance, restrictive budgets, sudden changes in the nomination and tenure of the EMB magistrates, and the overall politicization of Nicaragua's Supreme Electoral Council in 1996 had a negative impact on the performance of the institution and the credibility of the electoral process (see Chapter 3). More recently, partisan conflict amongst the magistrates of the Salvadoran Supreme Electoral Tribunal regarding the implementation of open-list party ballots and the decentralization of elections resulted in a number of logistical problems for the 2011 legislative elections (*El Diario de Hoy* 2012). In addition, the EMBs of the region have also been subject to intense (and extensive) political influence by the major parties and political leaders in some countries. For example, following the 2006 elections in Nicaragua the influence of Daniel Ortega and the FSLN on the Supreme Electoral Council resulted in a reshuffling of the members of the Council with individuals that favored Ortega and his party

(see Chapter 3). Ultimately, these factors have contributed to inconsistent performance for these institutions. These fluctuations are also seen in public opinion of these institutions.

For instance, Table 4.1 reports the average levels of trust in the electoral management bodies of these respective countries from 2004 to 2012.¹⁶⁵ On average, the Salvadoran TSE has the highest levels of trust (59.25 percent) followed by the Guatemalan TSE (57.77 percent) and the Nicaraguan CSE (52.94 percent), while the Honduran TSE (52.11 percent) has the lowest levels of trust during this period.¹⁶⁶ During this period, the average level of trust for these countries is 55.52 percent, meaning that a majority of citizens in these four countries expressed confidence in their respective electoral authority. Not surprisingly, however, this level of trust is still below the average level of trust in EMBs for regional neighbors such as Costa Rica (69.51 percent), Panama (62.54 percent), and Mexico (65.51 percent). Moreover, the average level of trust for these four countries is also below the average level of trust for Latin America as a whole as well (57.17 percent).

¹⁶⁵ These data are taken from the Latin American Public Opinion Project (LAPOP) of Vanderbilt University (http://lapop.ccp.ucr.ac.cr/Lapop_English.html).

¹⁶⁶ The Honduran TSE also had the most variability in the level of trust indicated by respondents per year.

Table 4.1 – Average EMB Trust Across Central America by Year.

Country	2004	2006	2008	2010	2012	Average
El Salvador (TSE)	65.57	57.00	52.57	61.29	59.86	59.26
Guatemala (TSE)	61.29	56.86	56.43	57.86	56.43	57.77
Honduras (TSE)	54.57	49.86	49.86	62.71	43.57	52.11
Nicaragua (CSE)	54.86	52.57	51.86	48.86	56.57	52.94
Costa Rica (TSE)	75.00	71.86	67.57	70.14	63.00	69.51
Panama (TE)	71.00	56.29	58.29	68.00	59.14	62.54
Mexico (IFE)	61.14	72.00	68.00	63.43	63.00	65.51
Americas	57.00	56.29	56.43	58.71	57.43	57.17

Note: Figures in cells are percentages.

Source: Latin American Public Opinion Project, 2004-2012.

Overall, these data indicate that citizens' trust in the respective EMBs of El Salvador, Guatemala, Honduras, and Nicaragua is generally lower in comparison to its neighbors (Costa Rica, Panama, and Mexico) as well as with the region (Latin America) as a whole. While these data provide some insight into the trends in public opinion of electoral management bodies in Central America, they do not provide an explanation of the current levels of trust in these institutions or the variation in the levels of trust over time. This work seeks to address these concerns by identifying which factors explain the variation in these attitudes.

Literature

Scholarship on electoral management bodies point to a number of important factors for the successful administration of elections. Foremost among these factors are EMB

independence and EMB impartiality (International IDEA 2002; Wall et al. 2006); indeed, these factors are particularly important for new democracies (Pastor 1999; Mozaffar and Schedler 2002; International IDEA 2012). Not surprisingly, these factors are also important in explaining the quality of elections in democratic regimes around the world (Hartlyn et al. 2008) and public confidence in elections (Rosas 2010; Kerevel 2009; Birch 2008).

EMB independence is important for several reasons. For one, independent EMBs are, by and large, more likely, to function free from the interference of any person, government authority, or political party during the preparation, conduct, and aftermath of elections (International IDEA 2002). What is more, elections administered by EMBs that are not associated with other branches of government, such as the executive branch, are less likely to result in post-electoral conflicts and thus political instability (Lehoucq 2002). Hence, the separation between EMBs and other institutions or individuals not associated with the EMB is important in providing safeguards over the integrity and credibility of the electoral process. In addition, independent EMBs are also seen as important institutions of governance (Lopez-Pintor 2000) that can help facilitate democratic transitions (Pastor 1999; Elkit and Reynolds 2002). EMBs are important in this regard because they help provide a stable form of organizing the uncertainty produced by electoral processes and outcomes (Lehoucq 2000), especially during periods of transition.

Independent electoral management, then, is clearly an important feature of democratic elections. There are, however, additional factors to consider with respect to independence. While there is an increasing trend to create or reform existing EMBs into legally independent institutions, there are many instances where these institutions are

independent on paper but not in practice (Mozaffar and Schedler 2002, 15). It is important to note, then, the difference between formal (legal) independence and autonomy. Formal independence refers to the de jure independence of the EMB; that is, whether the institution is legally independent from other branches of government such as the executive or legislature. Autonomy, on the other hand, refers to the de facto independence of each EMB; in other words, whether the institution has the ability to function independently and not just the legal right to do so.

Like independence (or autonomy), EMB impartiality is also seen as a critical factor in the administration of elections. Most scholars and practitioners would agree that EMBs should function in a way that does not favor a particular individual, political party, or other entity (such as the military) with an interest in the outcome of an election. In short, EMBs should “function without political favouritism or bias” (International IDEA 2002, 42) because allegations of political interference or manipulation will call into question the impartiality of the institution as well as the credibility of the entire electoral process (Pastor 1999; Mozaffar and Schedler 2002; Kerevel 2009, 3). Indeed, current scholarship on this topic suggests that EMBs with formal requirements of impartiality (that is, those EMBs with members not appointed to represent a political party or coalition) are less likely to administer elections in a way that favors individuals within the government or with a vested interest in influencing the electoral process and more likely to manage elections in a transparent and impartial manner (Lehoucq, 2002; Massicotte, Blais, and Yoshinaka, 2004: 5; Mozaffar and Schedler, 2002). However, the empirical evidence also suggests that there is often a divergence between formal impartiality and how the EMB functions in practice (Hartlyn et

al. 2008; Lehoucq and Molina 2002; Lehoucq 2002; Mozaffar and Schedler 2002; Pottie 2001). This suggests, as with EMB independence, that there is a need to differentiate between formal requirements of EMB impartiality and what takes place in practice.

A third factor to consider with the performance of EMBs is the context within which they operate. The literature on democratization and election management suggests that “effective” EMBs are a product of the institutional framework within which they function (that is, whether they are legally independent, formally impartial, etc.) and the interaction of different actors, institutions, and opinions of democracy within a particular society. As Hartlyn and coauthors argue, in order to improve the quality of elections it is necessary to generate “a virtuous circle across state institutions, civil society, rule of law, and acceptance of the rules of the game by political parties” (2008, 93). In more advanced (or mature) democracies citizens’ attitudes are generally supportive of the democratic system.¹⁶⁷ However, in developing democracies attitudes about democracy are not as stable and sometimes fluctuate based on an individual’s economic situation, previous political crises like fraudulent elections, or through basic clientelistic relationships (see Moreno [2007], Medina et al. [2010], and Ugues [2010] for a discussion of these dynamics in Mexico). Moreover, across Latin America, scholars have noted that levels of democracy are also correlated with higher levels of trust in electoral management bodies (Montalvo 2009). As such, the functioning of EMBs and citizens’ evaluations of their respective electoral authority are also affected by the prevailing contexts within they operate in.

¹⁶⁷ While there may be variation in the support of specific political institutions on a year-to-year basis, overall support for democracy remains fairly constant (Seligson et al. 2012)

Explaining Trust in EMBs

The foregoing literature allows us to develop some specific expectations of how the activities of electoral management bodies and other factors might be associated with attitudes supportive of these institutions.

One general expectation is that EMBs with “better” performance are more likely to be associated with “better” evaluations of these institutions. Specifically, electoral management bodies with better performance with respect to their autonomy (i.e. the ability to operate free from interference of any outside pressure) are more likely to be correlated with higher levels of trust in these institutions. In this work, performance is measured in terms of the number of violations of EMB autonomy in the preceding national election.¹⁶⁸ The underlying logic is that EMBs with fewer violations of their autonomy are more likely to be viewed as credible institutions in the eyes of their respective citizens because they are not subject to the undue influence of political parties, political leaders, or other entities with an interest in manipulating the electoral process. In other words, as these institutions exhibit higher levels of autonomy, it is expected that citizens will place more trust in their ability to oversee a credible electoral process. Hence, it is expected that

H₁: Citizens are more likely to trust electoral management bodies with higher levels of autonomy.

Similarly, electoral management bodies with better performance with respect to their impartiality (i.e. the ability to operate without any political favoritism or bias) are more likely to be correlated with higher levels of trust in these institutions. As with autonomy,

¹⁶⁸ See the “Data and Methods” section for a description of the coding of this variable.

performance is measured in terms of the number of violations of EMB impartiality in the preceding national election.¹⁶⁹ The underlying logic is that EMBs with fewer violations of their impartiality are more likely to be viewed as credible institutions in the eyes of their respective citizens because they do not favor a particular individual, political party, or other entity (such as the military) with an interest in altering the outcome of an election. As these institutions exhibit higher levels of impartiality, then, it is expected that citizens will place more trust in their ability to oversee a credible electoral process. In other words,

H₂: Citizens are more likely to trust electoral management bodies with higher levels of impartiality.

An alternative expectation considers the role that context and attitudes about democracy play in explaining trust in electoral authorities. In this regard, it is expected that citizens' attitudes about the quality of democracy is an important factor in explaining other features of democracy such as attitudes of EMBs. Specifically, this explanation suggests that more positive opinions of democracy in one country are more likely to be correlated with higher levels of trust in the EMB of that country. The logic here is that the context within which people operate has an important impact on an individual's behavior and opinions. In this case, the level of democracy is the important context while trust in EMBs is the important opinion. Stated formally,

H₃: Citizens with a more positive attitude of democracy in their country are more likely to trust their respective electoral management body.

¹⁶⁹ See the "Data and Methods" section for a description of the coding of this variable.

Ultimately, these expectations highlight the role of EMB performance (i.e. autonomy and impartiality) for citizens' views of democratic political institutions in Central America. In particular, they can shed light on whether the main expectation, that there exists a positive relationship between relationship between EMB performance and citizens' trust in their respective electoral authority, is borne out.

Data & Methods

To evaluate these expectations this work utilizes data from the Latinobarometro public opinion surveys as well as data collected by the author. The former consist of annual public opinion surveys of respondents in 18 countries across Latin America. The Latinobarometro surveys cover an array of issues related to political, economic, and social development, political behavior, and attitudes in Latin America. The current work utilizes data pooled from the 2006 and 2007 annual surveys¹⁷⁰ (see Appendix 4.1 for a description of these data).

This work also utilizes data collected by the author. In particular, this study incorporates data measuring the performance of the electoral management bodies of El Salvador, Guatemala, Honduras, and Nicaragua. EMB performance, as mentioned above, is measured via institutional autonomy and impartiality in the preceding national election. EMB autonomy refers to the ability of the institution to operate free from the interference of any

¹⁷⁰ <http://www.latinobarometro.org/latino/LATDatos.jsp>

outside pressure with an interest in influencing the electoral process.¹⁷¹ EMB impartiality refers to the ability of the institution to operate without any political favoritism or bias towards one party or another.¹⁷² Both EMB autonomy and impartiality are measured in terms of the number of violations of each factor.¹⁷³ The current work utilizes data from the activities of Central American EMBs from 2004 through 2006 (see Appendix 4.1 for a description of these data).

To evaluate the relationship between EMB autonomy and citizens' trust in their respective electoral authority in Central America, this work models respondents' level of trust as a function of EMB autonomy in the preceding national election, level of democracy, and other relevant control variables (Model 1). Specifically, the dependent variable is a survey item in the Latinobarometro public opinion survey for 2006 and 2007. For both years, the survey item asked respondents to indicate their level of trust in the electoral authority for their respective country. Responses ranged from "none" (coded as 1), "a little" (coded as 2), "some" (coded as 3), and "a lot" (coded as 4). In this study, "trust" in EMBs is recoded as a dichotomous variable where "none" and "a little" are recoded as 0 and "some"

¹⁷¹ EMB autonomy is assessed in the following areas: 1) the appointment of EMB members, 2) the operation of EMB members, 3) the term of office of EMB members (and ease at which they can be removed from their posts), and 4) the EMB budget (e.g. the control of the budget and its size).

¹⁷² EMB impartiality can be assessed in the following areas: 1) the registration of parties and candidates, 2) the financing of parties and candidates, 3) the reporting of election results, and 4) electoral rulings (made by the EMB).

¹⁷³ See Chapter 3 for a full description of the coding scheme, data sources, and data on EMB autonomy and impartiality for each of the four Central American cases.

and “a lot” are recoded as 1.¹⁷⁴ As mentioned, key explanatory variables include EMB autonomy and citizens’ opinion of democracy in their country. Autonomy is a categorical variable that measures EMB performance based on the number of violations of EMB autonomy. EMB autonomy is coded as 1 (“poor”) if there are more than three (3) violations, 2 (“moderate”) if there are two (2) to three (3) violations, and 3 (“good”) if there is no more than one (1) violation. Level of democracy is a survey item in the Latinobarometro, which asks respondents how democratic their country is. This is a discrete variable ranging from 1 (“not democratic”) to 10 (“very democratic”). Additional control variables are also drawn from the Latinobarometro surveys. These include respondents’ opinion of the quality of elections (whether the respondent believes elections are free and fair, where “yes” = 1 and “no” = 0), ideology (a left-right self-placement scale, ranging from 0 for “left” to 10 for “right”), economic status (a discrete variable, ranging from 1 for “very poor” to 10 for “very rich”), education (a categorical variable for years of education, ranging from 1 for “illiterate” to 7 for “completed high school or above”), their willingness to discuss politics (a categorical variable that asks how often respondents discuss politics; “never” = 1, “almost never” = 2, “frequently” = 3, and “very frequently” = 4), and whether their preferred party is in power (whether the respondents’ preferred party is in the presidency, where “yes” = 1 and “no” = 0), as well as the respondents’ sex (“male” = 1 and “female” = 0) and age (a continuous variable, ranging from 16 to 90 years). This model also includes indicator variables for “country” and “year.” Logistic regression is employed in this model to predict respondents’ trust in their respective EMB.

¹⁷⁴ This variable is recoded to accommodate a statistical specification used with panel data. Panel data refers to multi-dimensional data that often incorporates variables measured over time.

To the evaluate the relationship between EMB impartiality and citizens' trust in their respective electoral authority in Central America, this work models respondents' level of trust as a function of EMB impartiality in the preceding national election, level of democracy, and other relevant control variables (Model 2). In this model the dependent variable, EMB trust, is the same as the previous model. This model, however, utilizes EMB impartiality as a key explanatory variable along with citizens' opinion of democracy. Impartiality is a categorical variable that measures EMB performance based on the number of violations of EMB impartiality. EMB impartiality is coded as 1 ("poor") if there are more than three (3) violations, 2 ("moderate") if there are two (2) to three (3) violations, and 3 ("good") if there is no more than one (1) violation. All other independent variables are consistent with the previous model (Model 1), except for EMB autonomy which is excluded. This model also employs logistic regression to predict respondents' trust in their respective EMB.

A final model (Model 3) includes all explanatory variables to predict respondents' trust in their respective electoral management body. This model also employs logistic regression (see Appendix 4.2 for a correlation matrix of each of the variables used in these models).

Results

Table 4.2 reports the logit coefficients for Models 1, 2, and 3. The coefficient for EMB autonomy in Models 1 and 3 are both positive and statistically significant. As expected, EMB autonomy in the preceding national election seems to be an important factor in explaining citizens' trust in their respective electoral management body in the following

election. These findings provide strong support for Hypothesis 1. To put these findings in perspective, we can look to the marginal effects¹⁷⁵ of the full model (Model 3). Based on these results, the model predicts that a change in the level of EMB autonomy from “poor” (where EMB autonomy = 1) to “moderate” (where EMB autonomy = 2) increases the likelihood of trusting the electoral authority by approximately 8 percent. In addition, a change in the level of EMB autonomy from “moderate” (where EMB autonomy = 2) to “good” (where EMB autonomy = 3) increases the likelihood of trusting the electoral authority by approximately 8 percent. By extension, then, a change in the level of EMB autonomy from “poor” to “good” is likely to increase trust in the electoral authority by approximately 16 percent (see Table 4.3).

The coefficient for EMB impartiality in Model 2 is statistically significant but not signed in the expected direction. In Model 3, the coefficient for EMB impartiality is signed in the expected direction but not statistically significant (see Table 4.2). These results suggest that EMB impartiality in the preceding national election is not a significant predictor of citizens’ trust in their respective electoral management body in the following election. Based on these findings, Hypothesis 2 is rejected.

In contrast, the coefficients for the self-reported level of democracy in Models 1, 2, and 3 are positive and statistically significant across all models. As expected, the level of democracy (citizens’ opinion of democracy in their country) seems to be an important factor

¹⁷⁵ Marginal effects predict the effect of a change in one of the regressors (independent variables) on the regressand (dependent variable). Marginal effects allow the researcher to determine the probability of observing a change in the regressand given a change in one or more of the regressors.

in explaining citizens' trust in their respective electoral management body (see Table 4.2). These findings provide strong support for Hypothesis 3. Based on these results, the model predicts that a change in the self-reported level of democracy from "not democratic" (where Level of Democracy = 1) to the midpoint on the scale (where Level of Democracy = 5) increases the likelihood of trusting the EMB by approximately 8 percent. In the event that an individual's opinion of democracy changed from "not democratic" to "totally democratic" (where Level of Democracy = 10) the likelihood of trusting the EMB increases by approximately 20 percent (see Table 4.3).

Table 4.2 – Explaining Trust in Electoral Management Bodies in Central America

	Model 1	Model 2	Model 3
EMB Autonomy	0.339** (0.0564)		0.346** (0.0615)
EMB Impartiality		-0.0786* (0.0361)	0.0104 (0.0394)
Level of Democracy	0.0915** (0.0100)	0.0942** (0.0100)	0.0915** (0.0100)
Free and Fair Elections	0.0477 (0.0504)	0.0632 (0.0506)	0.0460 (0.0508)
Ideology (Left-to-right scale)	0.0397** (0.00942)	0.0396** (0.00940)	0.0396** (0.00942)
Economic Status (Poor-to-rich scale)	0.00543 (0.0128)	0.00708 (0.0128)	0.00544 (0.0128)
Education	-0.105** (0.0168)	-0.108** (0.0168)	-0.105** (0.0168)
Discuss Politics	0.0940** (0.0265)	0.0912** (0.0264)	0.0940** (0.0265)
Party in Power	0.349** (0.0553)	0.342** (0.0552)	0.349** (0.0553)
Sex	-0.0272 (0.0469)	-0.0259 (0.0468)	-0.0272 (0.0469)
Age	-0.00203 (0.00152)	-0.00207 (0.00152)	-0.00204 (0.00152)
El Salvador (Omitted)	0 (.)	0 (.)	0 (.)
Guatemala (Fixed Effects)	0.0599 (0.0735)	0.265** (0.0705)	0.0514 (0.0802)
Honduras (Fixed Effects)	0.0713 (0.0675)	0.112 (0.0691)	0.0664 (0.0699)
Nicaragua (Fixed Effects)	0.0307 (0.0675)	0.0671 (0.0695)	0.0256 (0.0702)
2006 (Omitted)	0 (.)	0 (.)	0 (.)
2007 (Fixed Effects)	-0.685** (0.0864)	-0.198** (0.0576)	-0.701** (0.106)
Constant	-1.408** (0.157)	-0.867** (0.140)	-1.427** (0.172)
Observations	8020	8020	8020
Pseudo R ²	0.030	0.027	0.030
Log likelihood	-5268.1	-5283.9	-5268.0
Degrees of freedom	14	14	15

Standard errors in parentheses, + p<.10, * p<.05, ** p<.01

Note: Results obtained using *logit* in STATA 11.

Other variables in these models are statistically significant as well. For instance, the coefficients for ideological self-placement (positive), a respondents' willingness to discuss politics (positive), whether a respondents' preferred party is in power (positive), and education (negative) are all statistically significant (see Table 4.2). For ideology, the findings suggest that as respondents become more ideologically conservative they are more likely to trust their respective electoral authority. Likewise, respondents that discuss politics with a higher frequency are more likely to trust their EMB. In addition, respondents who indicate their preferred party is in power are more likely to trust their respective EMB. In contrast, the results suggest a negative relationship between education and EMB trust. Thus, as educational attainment increases citizens are less likely to trust their respect EMB (see Table 4.3; Appendix 4.3 displays the odd ratios for Model 1, 2, and 3).

Table 4.3 – Marginal Effects for Model 3 (full model)

Variable	Marginal Effect	Standard Error	z	P> z	[95% Confidence Interval]	
<i>EMB Autonomy</i>						
1 (Poor)	0.327	0.014	22.55	0.000	0.299	0.355
2 (Moderate)	0.402	0.005	74.03	0.000	0.392	0.413
3 (Good)	0.483	0.014	34.89	0.000	0.456	0.510
<i>Level of Democracy</i>						
1 (Not democratic)	0.322	0.011	30.49	0.000	0.301	0.342
2	0.342	0.009	38.07	0.000	0.324	0.359
3	0.362	0.007	48.60	0.000	0.347	0.377
4	0.383	0.006	61.97	0.000	0.371	0.395
5	0.404	0.005	73.52	0.000	0.393	0.415
6	0.426	0.006	74.13	0.000	0.414	0.437
7	0.448	0.007	65.01	0.000	0.434	0.461
8	0.470	0.009	54.61	0.000	0.453	0.487
9	0.492	0.011	46.37	0.000	0.471	0.513
10 (Totally democratic)	0.514	0.013	40.33	0.000	0.489	0.539
<i>Ideology</i>						
0 (Left)	0.363	0.012	29.70	0.000	0.339	0.387
1	0.372	0.010	35.56	0.000	0.352	0.393
2	0.381	0.009	43.48	0.000	0.364	0.398
3	0.390	0.007	53.97	0.000	0.376	0.404
4	0.399	0.006	66.28	0.000	0.387	0.411
5	0.408	0.005	75.28	0.000	0.398	0.419
6	0.418	0.006	73.68	0.000	0.407	0.429
7	0.427	0.007	63.83	0.000	0.414	0.440
8	0.436	0.008	53.08	0.000	0.420	0.452
9	0.446	0.010	44.39	0.000	0.426	0.465
10 (Right)	0.455	0.012	37.85	0.000	0.432	0.479
<i>Party in Power</i>						
0 (No)	0.392	0.006	63.76	0.000	0.380	0.404
1 (Yes)	0.474	0.012	41.02	0.000	0.451	0.497

Note: Results obtained using *margins* in STATA 11.

Discussion

The findings in the preceding section indicate that citizens' trust in EMBs is significantly correlated with EMB performance (measured as autonomy) in the preceding national election, level of democracy, ideology, willingness to discuss politics, preferred party, and education. The findings suggest that these variables are important factors in

explaining citizens' trust in their respective EMB. Given the importance of election management in developing democracies and the importance of citizens' views of democratic political institutions, these findings have important implications for democratic development in Central America.

For one, these findings provide robust evidence of a significant impact for positive EMB performance. Specifically, the foregoing analysis suggests that confidence (i.e. trust) in EMBs increases as EMB autonomy increases (i.e. as the number of violations decreases). In other words, citizens living in a country with an EMB with a higher level of autonomy are more likely to trust their respective institution, whereas citizens living in a country with an EMB that exhibits low levels of autonomy are less likely to trust their respective electoral authority. In addition, these findings are consistent with previous research that finds a positive relationship between the institutional configuration of EMBs on public confidence in elections (Rosas 2010; Kerevel 2009; Birch 2009), the quality of elections (Hartlyn et al. 2008), and citizens' trust in their respective electoral authority (Barrientos del Monte 2011; Ugues 2010). Hence, this work contributes to the literature on election management by providing further insight into the relationship between EMB performance and attitudes regarding these institutions. Moreover from a policy-oriented perspective, these findings lend support to scholars, analysts, and practitioners who have suggested a positive role for factors like EMB independence (or autonomy) in public confidence in the electoral process.

Counter to the theoretical expectations, EMB impartiality does not seem to be an important factor in explaining citizens' trust in their respective EMB. Interpretation of the evidence in this regard is fairly straightforward; impartiality is not positively correlated with

citizens' trust in their EMB (and in one instance it is negatively correlated). This null finding raises a number of interesting questions. Is it that EMB impartiality does not matter much for citizens' evaluations of their respective EMB? If so, why does autonomy seem to explain these attitudes (i.e. trust in EMBs) and not impartiality? It is also possible that these relationships are region-specific. That is, these relationships could possibly be a function of the peculiarities of electoral politics in El Salvador, Guatemala, Honduras, and Nicaragua. It is also possible that, due to a lack of trust in democratic political institutions in the region, citizens are more inclined to trust an EMB that exhibits higher levels of autonomy from political actors wishing to manipulate the electoral process but at the same time care less for an institution that is willing to give their preferred party or leaders a break. This speaks to the positive and significant coefficient for "party in power," which suggests that the dynamics of winning and losing elections is important for understanding how citizens view their electoral authority (see below). Ultimately, this finding suggests the need to separate autonomy and impartiality in our understanding of the relationship between EMB performance and citizens' trust.

In contrast to EMB impartiality, these findings provide robust evidence of a positive and significant impact for citizens' perception of the level of democracy in their country on EMB trust. In particular, the statistical analysis suggests that confidence (i.e. trust) in EMBs increases as the reported level of democracy increases. In other words, citizens with a positive opinion of democracy in their country are much more likely to trust their respective EMB than are citizens with a low opinion of democracy. This finding seems intuitive – that is, as the overall context within which attitudes are formed improves, one might expect

individuals to have a more positive outlook on other factors related to democracy. By the same token, we should note that lower assessments of democracy are correlated with lower opinions of EMB trust. This implies that while an increase in the self-reported level of democracy will have a positive impact on an individual's assessment of EMB trust, a decrease in the self-reported level of democracy will have a negative impact on attitudes toward EMB trust. In general, though, this is a positive sign for proponents of democracy in Central America and Latin America more broadly.

Additionally, the statistical results provide robust evidence of a “winner effect” in Central America. This finding, while not necessarily positive from a substantive standpoint, suggests an important role for politics in citizens' opinion of electoral politics. In effect, the findings suggest a positive and significant impact for the variable “party in power” (Holmberg 1999; Ugues 2010).¹⁷⁶ In other words, if an individual's preferred party is not in power they are less likely to trust their respective EMB, whereas if their preferred party is currently in power they are more likely to trust their respective EMB. Indeed, post-estimation analyses predict that respondents are about 8 percent more likely to trust their respective electoral authority if their preferred party is in power (see Table 4.3). These findings therefore support the notion that “winning” and “losing” elections (and, perhaps, access to political power) seems to be a key aspect for understanding how citizens view democratic political institutions like the EMBs of these four countries.

¹⁷⁶ Recall, “party in power” is a dichotomous variable indicating whether a respondent's preferred party is in the presidency (where yes = 1 and no = 0).

Two additional results are worth noting as well. First, the results indicate that higher levels of education are correlated with lower levels of trust in electoral management bodies; this finding is negative and statistically significant, and robust across all three specifications. These results suggest that individuals with higher level of education are less likely to trust their respective electoral authority. The most logical interpretation of this finding is that citizens with higher levels of education possess higher levels of skepticism (and perhaps cynicism) regarding the efficacy of their political system due to a multitude of factors such as government corruption.

Second, the results indicate that an individual's propensity to discuss politics is correlated with higher levels of trust in electoral management bodies; this finding is positive and statistically significant, and robust across all three specifications. These results suggest that individuals who discuss politics often are more likely to trust their respective electoral authority. These findings are interesting because it is usually the case that people with higher levels of education are more likely to discuss politics; however, in these data "education" and "discuss politics" are only slightly correlated (see Appendix 4.2). These findings suggest that an individual's interest in politics is important for understanding their attitudes of the democratic political institutions in their country and that this relationship holds irrespective of a respondent's level of education.

Overall, these findings raise an important point. That is, what role do individual perceptions actually have on the credibility of democratic political institutions like EMBs? For those who tend to discount the importance of public opinion, citizens' attitudes of institutions like the Salvadoran Supreme Electoral Tribunal or Nicaraguan Supreme

Electoral Council (or other EMBs of Central America) may not matter much. However given the high stakes of national elections across Central America (and throughout the region), it is unwise to simply disregard these relationships. These findings suggest a significant role for citizens' attitudes and previous EMB performance in determining confidence in these electoral institutions. For one, there seems to be an important role for context – that is, whether an individual believes their country is democratic (or not) and how this relates to EMB trust. As the (self-perceived) context improves or become more conducive for democratic politics, it seems that there is a positive effect on citizens' confidence in their electoral institutions. Similarly, these findings suggest that there are other feedback effects as well – that is, previous EMB performance and how this relates to EMB trust. As previous EMB performance improves (that is, when there are fewer violations of the institution's autonomy), there is a positive effect on citizens' confidence as well. In both respects, both of these areas provide opportunities for an improvement in citizens' views of election management. As such, scholars and policy makers alike should continue to direct their attention to attitudes concerning these democratic political institutions.

Conclusion

Drawing on the literature on elections and electoral management bodies as well as work in the preceding chapter of this study, this work has sought to explain citizens' views of their respective electoral management body in El Salvador, Guatemala, Honduras, and Nicaragua, an area largely neglected in the literature on election management. Given the important role ascribed to electoral management bodies in facilitating free and fair elections as well as the deepening of democracy (Pastor 1999; Lopez-Pintor 2000; Mozaffar and

Schedler 2002; Hartlyn et al. 2008; Gazibo 2006; Elkit and Reynolds 2002), this work has built upon previous research examining the relationship between these institutions and specific features of the democratic process (Barrientos del Monte 2011; Rosas 2010; Ugues 2010; Kerevel 2009; Birch 2008). Specifically, this chapter has examined the relationship between the performance of these institutions – measured as EMB autonomy and impartiality¹⁷⁷ – and citizens’ evaluations of their respective EMB. In so doing, this study has explored how public attitudes of these institutions are shaped within a particular country and context.

The principal argument advanced in this study is that “better” EMB performance in Central America is likely to result in “better” evaluations of these institutions among the citizens of these countries. Through the use of quantitative analyses this study finds that EMB autonomy in the previous national election is significantly correlated with citizens’ trust in these institutions; however, EMB impartiality is not significantly correlated with citizens’ trust in EMBs. The positive and significant correlation between EMB autonomy and citizens’ trust provides strong support for the notion that “better” EMB performance is associated with “better” evaluations of these institutions.

Additionally, the results of the statistical analyses indicate that personal evaluations of the level of democracy in each country, political ideology, interest in politics, and whether a person’s preferred party is currently in power are positively correlated with EMB trust

¹⁷⁷ Given the fact that formal independence is often superseded by what takes place in practice, this work differentiates between formal or legal independence and de facto independence or what the author refers to as autonomy. This work has also highlights the importance of impartial election management in these cases as well. As such, this study utilizes these two features – prominent in the literature on election management – as a way to gauge the performance of these institutions.

while education is negatively correlated with trust. Hence, these factors are also important determinants in understanding an individual's trust in his or her respective EMB.

Of these findings, two results are noteworthy. First, the self-reported level of democracy is important because it suggests that the context within which ideas, values, beliefs, and, of course, attitudes are formed are important in relation to an individual's opinion of the electoral process. In short, this work finds that as the self-perceived level of democracy increases, so too does EMB trust. This finding is consistent with previous work that cites the importance of a number of interrelated factors regarding attitudes and quality of the electoral process (Hartlyn et al. 2008; Mozaffar and Schedler 2002; Ugues 2010; Pottie 2001). Second, the results of the analyses indicate that whether a person's preferred political party is currently in power is important for understanding the dynamics of this relationship as well. These findings suggest that there is a "winner's effect" in this relationship, which is not uncommon in places like Mexico (Ugues 2010), but is concerning if we accept the argument that citizens should have confidence in public institutions irrespective of who is (or who is not) in office. Understanding how citizens can overcome these (un)democratic attitudes is clearly important for democratic deepening in Central America and across Latin America.

Ultimately, this work has sought to understand how electoral management bodies, whether they take the form of councils, courts, tribunals, or commissions, acquire institutional credibility in the eyes of their respective citizens. While this work is limited in the fact that it only examines these four cases over a two year period (2006-2007), this study provides important preliminary answers to the question of how EMBs acquire institutional

credibility. Given the significant impact that previous EMB performance has on EMB trust in this study, future research should explore this relationship further to determine whether this relationship holds over multiple years and in multiple cases (i.e. countries). Further research in this regard would provide more insight as to whether these feedback effects do indeed hold across time.

Chapter 5: Conclusion

As one of the principal institutions responsible for the administration of elections, electoral management bodies have the potential to play a significant role in the democratic process. This work has examined these institutions through a comparative analysis of electoral management bodies in the Central American states that democratized during the third wave of democratization, including El Salvador, Guatemala, Honduras, and Nicaragua. In so doing, this dissertation has investigated the introduction of formally independent EMBs in each of these cases (Chapter 2), the development of institutional autonomy and impartiality exhibited by each EMB (Chapter 3), and, finally, citizens' trust in their respective electoral authority (Chapter 4).

Key Findings

In Chapter 2, I describe and explain the introduction of electoral management bodies in El Salvador, Guatemala, Honduras, and Nicaragua. This chapter explains why the authoritarian and semi-authoritarian leaders of these countries chose to introduce new, formally independent EMBs when they did – for instance, the Salvadoran EMB was established in 1993, Nicaragua in 1984, Guatemala in 1983, and Honduras in 1977. Through the use of “structured, focused comparisons” and in-depth case studies, this section of the dissertation presents evidence of a rather counterintuitive process of electoral reform.

In this chapter I find that rather than preserve their ability to commit electoral fraud by maintaining corrupt and ineffective electoral authorities, the authoritarian and semi-authoritarian leaders of these countries chose, rather decisively, to introduce formally independent electoral authorities. While these institutions had very little power to prevent

electoral fraud or provide for a completely free and fair electoral process at the time of their introduction, these institutions would later help provide the structure for democratic elections.

Why did these leaders make these decisions though? In this chapter I argue that the leaders of Honduras, Guatemala, and Nicaragua had ulterior motives for introducing these institutions.¹⁷⁸ In particular, I argue that the introduction of these institutions was a strategic response by the leaders of these countries to assuage international political pressures (and, to a lesser extent, domestic pressures) and gain resources (such as military or economic aid or both) that would help to sustain the regime. Hence, this chapter emphasizes the strategic interest of authoritarian leaders to provide for the appearance of democracy by establishing nominally democratic institutions in order to achieve some political goal.

Moving beyond the foundations of formally independent EMBs in this region, Chapter 3 investigates how these institutions have performed over time. In particular, this chapter tracks the performance of these four electoral management bodies for a period of about 15 years each. As noted in this chapter, this section of the dissertation considers the fact that the formal independence of electoral management bodies is often superseded by what occurs in practice. In addition, it highlights the importance of impartial electoral management in facilitating a free and fair electoral process. Taking these two features of election management in mind as well as the distinction between the *de jure* and *de facto*

¹⁷⁸ While El Salvador does not neatly cohere with this process of electoral reform, this chapter provides a thorough analysis of why and how the Salvadoran Supreme Electoral Tribunal was introduced. As Chapter 2 indicates, the Salvadoran leaders faced a significant collective action problem due to the repressive nature of the regime during the 1980s as well as the context of civil war.

operation of political institutions, this chapter describes and explains the performance of each of these Central American EMBs. In this chapter, EMB performance is measured via institutional autonomy and institutional impartiality.¹⁷⁹

Through the use of “structured, focused comparisons” and of a “pathway” case study of the Nicaraguan Supreme Electoral Council, I find that the performance of these Central American EMBs largely depends on the degree of politicization affecting each institution. Indeed, the analyses in Chapter 3 provide strong support for this perspective across all four cases. The empirical evidence suggests that higher levels of (formal or informal) politicization is correlated with poorer performance in the respective Central American EMBs, whereas lower levels of politicization tends to be correlated with better performance of these institutions. While these analyses do not completely rule out the impact of the nature of the introduction of each EMB or the presence and influence of electoral assistance organizations operating within each country, this particular section of the dissertation maintains that EMBs with lower levels of politicization, formal or informal, are more likely to have a greater degree of EMB autonomy and impartiality than those with higher levels of politicization.

Chapter 4, the final section of my dissertation, describes and explains citizens’ opinions of their respective electoral management body. In particular, this chapter investigates the relationship between EMB performance and public opinion by modeling citizen trust in their respective EMB as a function of that institution’s autonomy and impartiality in the preceding election. My initial expectations were that citizens in each of

¹⁷⁹ See Chapter 3 for a thorough discussion of measurement of these concepts.

these countries would be more likely to trust their respective EMBs when these institutions exhibit higher levels of autonomy and impartiality in previous elections. In contrast, citizens would be less likely to trust their respective EMB when these institutions exhibit low levels of autonomy and impartiality in previous elections. In short, I argue that “better” EMB performance will lead to “better” evaluations of these institutions in the eyes of their respective citizens.

Through the use of quantitative analyses of public opinion data this chapter finds that institutional autonomy is positively and significantly correlated with citizens’ attitudes of their respective EMB. However, the analyses do not provide evidence of a strong correlation between institutional impartiality and citizens’ attitudes of their electoral authorities. In spite of the latter results, these findings lend support to the idea that “better” performance does indeed contribute to “better” evaluations of these institutions (at least in the case of autonomy). Moreover, while institutional autonomy seems to be an important predictor of EMB trust, other factors emerged as important predictors of citizen trust as well. For one the analyses indicate a positive and significant relationship between a citizen’s opinion of the level of democracy in their respective country and trust in their electoral authority. Hence, the level of democracy in a particular country is an important consideration in this relationship. In addition, the results of the statistical analyses provide evidence of a “winner’s effect” in this relationship. In short, the findings suggest that if your party is in office you are more likely to trust your respective EMB.

Implications

In this section I highlight three important implications gleaned from the findings of this dissertation. First, this study has found evidence of strategic behavior amongst the leaders of non-democratic leaders in Central America with respect to the introduction of democratic political institutions such as electoral management bodies. The analysis in Chapter 2 suggests that leaders are responsive to pressures (social, economic, and political) outside of their regime and country. In Honduras and Guatemala, leaders of the military-led regimes were responsive to the political pressures emanating from the region, especially from the United States. In these cases, the (non-democratic) leadership pursued a strategy of signaling to outside political forces like the United States in exchange for tangible benefits such as military assistance and economic aid. Following the revolution in 1979 leadership in Nicaragua sought world-wide recognition of the newly established political regime. In this case, the Sandinista leadership initiated a process of political change, which like the Guatemalan and Honduran regimes, included the introduction of democratic political institutions.

In effect, independent EMBs are introduced to provide for the illusion of democratic competition in order to secure material and symbolic benefits. In doing this though, the leaders of these countries generated audience costs at the international level which prompted domestic political changes. Against expectations, then, non-democratic leaders introduced institutions that could ultimately limit their ability to commit electoral fraud. This process of change, specifically electoral reform, in the midst of non-democratic rule is surprising. However, these findings provide valuable insight into how these types of reforms may

facilitate larger processes of political liberalization in non-democratic contexts. Specifically, these analyses suggest that even if electoral reform is largely symbolic in nature – that is, if it is meant to satisfy some regional or international audience – these types of changes can contribute to a larger process of political liberalization and even democratization.

Second, the findings of this dissertation emphasize the importance between the possibility of divergence between how political institutions are supposed to function on paper and how they function in practice. Indeed, the findings of Chapter 3 indicate that formal requirements for EMB independence and impartiality often fall short of their intended objectives. Independent EMBs are designed to function free from the interference of outside political forces such as political leaders, parties, or other entities with an interest in influencing electoral processes. Likewise, impartial EMBs are designed to function without any bias or preference for political leaders, parties, or other actors with an interest in influencing the activities of the institution. In the context of Central America, each of the electoral authorities is legally independent and all, except the Salvadoran TSE and its requirements for party representatives, are designed and intended to function as impartial institutions; hence, each of the region's electoral authorities follow the prescriptions of the policy oriented literature regarding the effectiveness of election management.

Unfortunately, the findings of this dissertation indicate that the legally independent EMBs of El Salvador, Guatemala, Honduras, and Nicaragua are often not functionally independent or autonomous in their activities. Likewise, these non-partisan institutions often feature partisan attributes or inclinations in their activities, especially in El Salvador and Honduras. While there is substantial variation in the lack of autonomy or impartiality by

country and across time, there is a clear divergence in the performance of these institutions with respect to their specified duties and responsibilities and what is actually carried out. In this chapter I argue that politicization has significant effects on EMB performance and, thus, is the driving force behind this variation. Hence, the findings of this chapter emphasize the importance of autonomous and non-partisan electoral management bodies. Moreover, these findings suggest that formal requirements for independence and impartiality are simply not enough to ensure effective election management or a free and fair electoral process. Clearly, additional measures must be put in place to help bolster the institutional autonomy and impartiality of these institutions as well as to prevent EMB politicization in these countries.

Third, the findings of this dissertation indicate that there is an important positive relationship between prior EMB performance and citizens' attitudes of their respective electoral authority. Indeed, Chapter 4 argues that EMB autonomy in the previous election is an important predictor of citizens' trust in their respective EMB. The findings also indicate, however, that prior EMB impartiality is not an important predictor of citizens' trust. Hence, there is support for the notion that "better" EMB performance contributes to "better" evaluations of these institutions, but these findings also suggest that citizens may have conflicting demands for their respective electoral authority. On the one hand, individuals may want an independent and autonomous institution. That is, one that can stand up to outside pressures and perform in an efficacious manner. On the other hand though, individuals may want an institution that will treat their respective party favorably. These conflicting attitudes are evinced in the evidence of a "winner's effect," where citizens' trust in their respective EMB is higher when their preferred political party is power.

The findings of Chapter 4, as with those of Chapter 3 and Chapter 2, suggest an important role for politics in understanding the dynamics of election management in Central America. The impact of politics is manifested in the introduction of independent electoral authorities (Chapter 2), the performance of these institutions (Chapter 3), and in public attitudes of their respective EMB (Chapter 4). While I do not suggest that political forces are a positive factor in election management, my research makes clear that the literature on election management must take these factors into account.

Future Research

Future research will seek to accomplish two important and complementary goals. The first goal is to extend the insights gleaned from my dissertation in each of the three primary research areas related to election management to other cases in the developing world (including Latin America).

For example, while each Latin American country currently has its own EMB, there are countries around the globe that are transitioning from non-democratic political regimes to semi-democratic ones. In cases like Tunisia, Egypt, Iraq, and others, it is important to understand the process of political change, especially the electoral process. In particular, it is important to understand the why the political leaders of countries undergoing transitions would introduce new electoral authorities or maintain existing ones. The findings of this dissertation suggest that there are clear benefits to introducing new democratic political institutions like EMBs. However, transitioning countries often opt to maintain existing institutions rather than introduce new political institutions. Understanding this process is particularly important for scholars of democracy.

Additionally, future research should examine the performance of EMBs across Latin America and possibly other regions of the developing world to determine their generalizability outside of the Central American context. In any event, the insights from this analysis can provide valuable insight to scholars of election management but also practitioners of election management. Indeed, the findings of these analyses suggest a need to move beyond the initial understandings of EMB performance and the emphasis on formal requirements of independence and impartiality because, on the one hand, there is a clear divergence between the formal rules of EMB activities and the actual practice of election management and, on the other, there are significant informal pressures that influence the activities of these institutions in Central America. In this respect, I plan to conduct further research on other Latin American cases such as Ecuador and Peru with similar covariates to determine the external validity of these findings.

Finally, future research must also consider the opinion's of individual citizens. How citizens view their respective democratic political institution, especially their electoral authority, has important implications for the functioning of democracy. As such, scholars must seek to broaden our knowledge of the feedback effects between EMB performance and public opinion. The findings of this dissertation suggest that EMB performance plays an important role in citizens' attitudes of their respective electoral authorities; however, this research also indicates that there are differences in the relationship between EMB autonomy and EMB impartiality with citizens' trust. While EMB autonomy is a positive factor in this relationship, impartiality is not. In this regard, I plan to conduct a region-wide analysis of the population of Latin American cases (with the exception of Cuba) in order to explore the

dynamics of citizens' trust in their respective electoral authority and further identify the causal mechanisms driving the formation of attitudes of these democratic political institutions.

The second goal is to develop a unified theory of electoral management body performance. At present, this theoretical framework is in its initial stages of development. However, the findings of this dissertation provide valuable insight into the performance of EMBs and their relationship vis-à-vis their respective citizens. The first and most important objective here is to understand what makes for an "effective" EMB. I agree with many scholars and practitioners of election management that formal independence and impartiality are critical to the performance of these institutions. However, based on the findings of this study, it is clear that certain factors matter more for EMB performance (i.e. institutional autonomy and impartiality) while others are more important for people's trust in their respective EMB.

In regards to the former, both formal independence and impartiality are important necessary conditions for "effective" election management. These factors, of course, are not sufficient conditions for this outcome. Instead, the findings of this study indicate that the impact of political influences on these institutions is one of the primary determinants of EMB performance. This, I argue, highlights the importance of the informal norms and interactions that take place on a daily basis in Latin American politics. Hence, EMBs of a non-partisan nature, on paper and in practice, are very important, perhaps more important, in providing for "effective" election management at one level.

In regards to the latter, one would think that “better” EMB performance in autonomy and impartiality would result in higher levels of trust in these institutions. The findings of this study indicate that EMB autonomy, but not impartiality, is an important predictor of citizens’ trust. This, I argue, highlights my assertion that the citizens of these countries prefer an electoral authority that is independent enough to stand up to challenges by outside entities (e.g. presidents, legislators, or political party representatives), but, by the same token, will look favorably upon their own political party during electoral activities. While this is only a preliminary assertion, this study provides evidence of this conflicting relationship at another level.

Overall, conceptualizations of EMB “effectiveness” in this theoretical framework would vary based on the target outcome; that is, whether one is referring to the performance of the institution or the perception of performance, and thus effectiveness, in the eyes of citizens to whom it is responsible to. Notwithstanding this differentiation, I propose a two-stage theory of EMB performance. At the first stage, where the actual performance of the institution is considered, I argue that EMBs are more likely to enjoy “better” performance and thus provide more “effective” election management when the political influences acting upon the institution are diminished. At the second stage, where EMB autonomy matters much more than EMB impartiality, I argue that EMBs are more likely to engender higher levels of trust when they exhibit higher levels of functional independence or autonomy. This approach, I contend, will allow me to explore the electoral management bodies of additional cases within Latin America, an area of particular interest to me, but also cases around the world with concerns over electoral integrity.

Ultimately, this work has sought to add to the burgeoning literature on election management by examining the electoral management bodies of four Central American republics. In so doing, this dissertation has sought to enhance our understanding of elections and electoral processes in these cases specifically but in developing democracies more broadly.

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Appendix 3.1 – Coding Scheme for EMB Autonomy

Autonomy

- I. **Appointment.** EMB member appointment should strictly follow the codified procedures for the nomination and appointment of these individuals. A violation of EMB member appointment occurs if:
- a. EMB members are appointed in a way that is contrary to the codified procedures for the nomination and appointment of these individuals, or
 - b. The legislature (the appointment body for EMB members) is (concerning the nomination and appointment of new EMB members) subject to
 - i. Legal action
 - ii. Physical coercion, or
 - c. EMB appointees who have been appointed following codified procedures are prevented from assuming their posts due to
 - i. Legal action
 - ii. Physical coercion

A *major violation* of EMB autonomy occurs if EMB members fail to be nominated or appointed according to the codified procedures for the nomination and appointment of EMB members, or this process is disrupted indefinitely through items (b) or (c).

A *minor violation* of EMB autonomy occurs if the nomination and appointment of EMB members is disrupted or delayed temporarily (either through item (b) and (c)), but the member is eventually appointed according to the codified procedures for the nomination and appointment of these individuals.

- II. **Operation.** EMB members should strictly follow the codified procedures for managing the conduct of national, regional, and local elections and elections to the Central American Parliament. A violation of EMB member operations occurs if:
- a. EMB members are prevented from
 - i. Registering voters,
 - ii. Counting ballots,
 - iii. Tabulating and aggregating votes¹⁸⁰

A *major violation* of EMB autonomy occurs if EMB members are prevented from managing elections (within the jurisdiction of each EMB) according to the codified procedures for the operation of EMB members, or this process is disrupted indefinitely through item (a).¹⁸¹

A *minor violation* of EMB autonomy occurs if the process of managing elections (within the jurisdiction of each EMB) is disrupted or delayed temporarily through item (a), but EMB

¹⁸⁰ These items, I would argue, are the most important duties for electoral management bodies during elections (see Wall et al. (2006, chapter 1), International IDEA (2002, chapter 6), Mozaffar and Schedler (2002), and Pastor (1999). In addition, these items are always reported in the data sources that I have been using and thus can be observed/recorded.

¹⁸¹ By 'disrupted indefinitely' I mean that this process will not transpire without notice of when it may transpire. If an EMB task is disrupted indefinitely it will simply not have occurred.

members are eventually able to manage the conduct of elections according to the codified procedures for the operation of EMB members.¹⁸²

- III. **Tenure.** The term of office of EMB members should strictly follow codified procedures. A violation of EMB member tenure occurs if:
- a. The tenure of members is altered contrary to the codified procedures for the term of office and removal of EMB members.

A *major violation* of EMB autonomy occurs if the tenure of EMB members is altered contrary to the codified procedures for the operation of EMB members.

A *minor violation* of EMB autonomy occurs if there is an attempt to alter (either temporarily or permanently) the tenure of EMB members, but the tenure of EMB members remains unchanged and follows the codified procedures for the tenure of EMB members.

- IV. **Budget.** The EMB budget should strictly follow the codified procedures for the proposal, presentation, approval, and allocation of the EMB budget. A violation of EMB autonomy with respect to the budget occurs if:
- a. The budget proposal, presentation, approval, or allocation is altered contrary to the codified procedures for the EMB budget or

A *major violation* of EMB autonomy occurs if the EMB budget proposal, presentation, approval, or allocation is altered contrary to the codified procedures for the operation of EMB members.

A *minor violation* of EMB autonomy occurs if there is an attempt to alter the EMB budget proposal, presentation, approval, or allocation but this process remains unchanged and follows the codified procedures for the EMB budget.

¹⁸² By 'eventually able' I mean that eventually the process will transpire (that is, after some time).

Appendix 3.2 – Coding Scheme for EMB Impartiality

Impartiality

- I. **Registration of political parties and candidates.** The registration of political parties and candidates by each EMB should strictly follow the codified procedures for the registration of political parties and candidates. A violation of EMB impartiality with respect to the registration of political parties and candidates occurs if:
- The EMB registers a political party or political candidate in a way that is contrary to the codified procedures for the registration of political parties and political candidates or
 - If the EMB rejects the registration of political parties or political candidates without communicating a rationale for doing so (that accords with codified procedure).¹⁸³

A *major violation* of EMB impartiality occurs if the registration of political parties and candidates does not comply with the codified procedures for the registration of political parties and candidates, or item (b) occurs.

A *minor violation* of EMB impartiality occurs if the EMB attempts to delay the announcement of the rationale for rejecting the registration of political parties and candidates but eventually conducts the registration of political parties and candidates in a way that follows the codified procedures for this process.

- II. **Financing of political parties and candidates.** The oversight of public financing for political parties and candidates by each EMB should strictly follow the codified procedures for the financing of parties and candidates. A violation of EMB impartiality with respect to the financing of political parties and candidates occurs if:
- The financing of political parties and candidates is conducted in a manner that is contrary to the codified procedures for the distribution of public finance or
 - The EMB incorrectly reports certified election results to the government body responsible for determining the distribution of public finance for parties/candidates).

A *major violation* of EMB impartiality occurs if the financing of political parties and candidates does not comply with the codified procedures for the distribution of public finance or item (b) occurs.

A *minor violation* of EMB impartiality occurs if the financing of political parties and candidates does not comply with the codified procedures but eventually conducts this process in a way that follows the codified procedures for the distribution of public finance for political parties and candidates.

- III. **Reporting of election results.** The reporting of election results by each EMB should strictly follow the codified procedures for the reporting of election results. A violation of EMB impartiality with respect to the reporting of election results occurs if:
- The EMB reports election results in a manner that is contrary to the codified procedures for the reporting of election results or¹⁸⁴

¹⁸³ Since the purpose of this measure is to determine whether the EMB is impartial in registering parties/candidates, Item (b), I argue, will allow me to objectively determine whether the EMB has been partial/impartial in this respect. That is, did the EMB register the party/candidate and if not what was the justification.

- b. The EMB reports election results to a particular party or candidate before it does so for other parties or candidates or¹⁸⁵
- c. The EMB prematurely announces the victory of an election in favor of one party or candidate.

A *major violation* of EMB impartiality occurs if the reporting of election results does not comply with the codified procedures for the reporting of election results, or items (b) or (c) occur.

A *minor violation* of EMB impartiality occurs if the EMB attempts items (b) and (c) but eventually reports election results in a way that follows the codified procedures for this process.

- IV. **Electoral rulings.** Electoral rulings made by each EMB should strictly follow the codified procedures for electoral rulings. A violation of EMB impartiality with respect to the EMB's electoral rulings occurs if:
- a. The EMB makes an electoral ruling in a manner that is contrary to the codified procedures or
 - b. The EMB makes an electoral ruling without disclosing the justification for a particular ruling.¹⁸⁶

A *major violation* of EMB impartiality occurs if the EMB makes an electoral ruling in a manner contrary to the codified procedures for the reporting of election results, or item (b) occurs.

A *minor violation* of EMB impartiality occurs if the EMB attempts to do item (b) but eventually makes its ruling in a way that follows the codified procedures for this process.

¹⁸⁴ In Impartiality II (b) I am referring to the reporting of certified election results to the government body or agency that is responsible for the distribution of public funds, but in Impartiality III (a) I am referring to announcement of election results after an election. There is a subtle difference here, but I believe that it is one worth making.

¹⁸⁵ It is very possible that this process could transpire in secret, but the evidence suggests that when election results (even unofficial ones) are announced it is information that is disseminated very quickly.

¹⁸⁶ Since the purpose of this measure is to determine whether the EMB is impartial with respect to its rulings, Item (b), I argue, will allow me to objectively determine whether the EMB has been partial/impartial in this respect. That is, did the EMB publicly justify its ruling/decision and if not what was the justification.

Appendix 4.1 – Descriptive Statistics of Key Variables for Models 1, 2, and 3

Variable	Minimum	Maximum	Mean	Standard Deviation
EMB Trust	0	1	0.411	0.492
EMB Autonomy	1	3	2.122	0.782
EMB Impartiality	1	3	1.875	0.780
Level of Democracy	1	10	5.258	2.383
Free and Fair Elections	0	1	0.609	0.488
Ideology	0	10	5.214	2.512
Economic Status	1	10	3.901	1.930
Education	1	7	2.726	1.541
Discuss Politics	1	4	1.809	0.907
Party in Power	0	1	0.231	0.421
Sex	0	1	0.494	0.500
Age	16	96	36.916	15.886

Source: Latinobarometro 2006, Latinobarometro 2007, and author's own data collection.

Appendix 4.2 – Odds ratios for Models 1, 2, and 3

	Model 1	Model 2	Model 3
EMB Autonomy	1.4041 (0.0792)		1.4132 (0.08687)
EMB Impartiality		0.9243 (0.0333)	1.0105 (0.03979)
Level of Democracy	1.0959 (0.0110)	1.0988 (0.0110)	1.0958 (0.01100)
Free and Fair Elections	1.0489 (0.0528)	1.0652 (0.05387)	1.0470 (0.05314)
Ideology (Left-to-right scale)	1.0405 (0.0129)	1.0403 (0.00978)	1.0403 (0.00980)
Economic Status (Poor-to-rich scale)	1.0054 (0.0097)	1.0071 (0.01289)	1.0054 (0.01290)
Education	0.9002 (0.0151)	0.89749 (0.01506)	0.90010 (0.01513)
Discuss Politics	1.0985 (0.0291)	1.0954 (0.02897)	1.0986 (0.02911)
Party in Power	1.4175 (.07839)	1.4079 (0.07767)	1.4177 (0.07841)
Sex	0.9732 (0.0456)	0.97440 (0.04560)	0.9731 (0.0456)
Age	0.9979 (0.0015)	0.99793 (0.00151)	0.99796 (0.00151)
El Salvador (Omitted)			
Guatemala (Fixed Effects)	1.0617 (0.0781)	1.3036 (0.09186)	1.0527 (0.08442)
Honduras (Fixed Effects)	1.074 (0.0725)	1.1189 (0.07733)	1.0686 (0.07470)
Nicaragua (Fixed Effects)	1.0312 (0.0696)	1.0694 (0.07437)	1.0259 (0.07202)
2006 (Omitted)			
2007 (Fixed Effects)	0.5043 (0.0435)	0.82036 (0.04721)	0.49600 (0.05281)
Observations	8020	8020	8020
Pseudo R ²	0.030	0.027	0.030

Standard errors in parentheses, + p<.10, * p<.05, ** p<.01
 Note: Results obtained using *logistic* in STATA 11.

Appendix 4.3 – Correlation Matrix of Key Variables for Models 1, 2, and 3

	EMB Trust	EMB Autonomy	EMB Impartiality	Level of Democracy	Free and Fair Elections	Ideology	Economic Status	Education	Discuss Politics	Party in Power	Sex	Age
EMB Trust	1.0000											
EMB Autonomy	0.0050	1.0000										
EMB Impartiality	-0.0358	0.2296	1.0000									
Level of Democracy	0.1250	0.0113	0.0102	1.0000								
Free and Fair Elections	0.0326	-0.2499	-0.0397	0.0055	1.0000							
Ideology	0.0668	-0.0363	0.0054	0.1614	0.0288	1.0000						
Economic Status	0.0043	0.1744	0.0658	0.0680	-0.0568	0.0431	1.0000					
Education	-0.0811	-0.0809	-0.0208	-0.0300	-0.0134	-0.0139	0.1776	1.0000				
Discuss Politics	0.0247	0.0583	0.0571	-0.0031	-0.0283	-0.0139	0.0816	0.1653	1.0000			
Party in Power	0.0774	0.0397	0.0402	0.0921	-0.0102	0.0172	0.0048	-0.0186	0.0964	1.0000		
Sex	-0.0053	0.0014	0.0052	-0.0325	-0.0034	-0.0355	-0.0099	0.0109	0.1405	0.0230	1.0000	
Age	0.0011	0.0008	-0.0170	-0.0186	-0.0145	0.0400	-0.1083	-0.2534	-0.0365	-0.0211	0.0267	1.0000

Source: Latinobarometro 2006, Latinobarometro 2007, and author's own data collection.