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# Electoral Systems and Electoral Misconduct

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This article is a cross-national study of the impact of electoral system design on electoral misconduct. It argues that elections held in single-member districts (SMD) under plurality and majority rule are more likely to be the object of malpractice than those run under proportional representation (PR). Two reasons are advanced in support of this argument: Candidates in SMD systems have more to gain from individual efforts to manipulate elections than is the case for candidates in PR contests; and malfeasance is more efficient under SMD rules, in that the number of votes that must be altered to change the outcome is typically smaller than it is under PR. This hypothesis is tested and confirmed on a new data set of electoral manipulation in 24 postcommunist countries between 1995 and 2004. The proportion of seats elected in SMDs is found to be positively associated with levels of electoral misconduct, controlling for a variety of contextual factors.

**Keywords:** *electoral systems; electoral manipulation; corruption; democratization*

The literature on democratization is increasingly focusing on countries that are somehow “problematic” in political terms (e.g., Carothers, 2002; Collier & Levitsky, 1997; Levitsky & Way, 2002; Ottoway, 2003; Schedler, 2004; Zakaria, 2003). Although these countries have made transitions from authoritarianism to some form of government in which leaders are selected by means of competitive elections, such countries in many ways fall short of common standards of democracy. Political manipulation

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**Author's Note:** I am grateful to the staff at the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe for their assistance in providing the election observation reports on which this study is based. I would like in particular to thank Nicolas Kaczorowski, Nikolai Vulchanov, and Branimir Radev for their help in clarifying ODIHR methodology. I am also indebted to Chin Huat Wong, Evangelos Elias Kyzirakos, and Nigel White for their research assistance and to the University of Essex for providing material support for this study. I thank Franklin Steves, Chris Anderson, and three anonymous reviewers for comments on earlier versions of this article.

is coming to be recognized as being among their most important problems, and although states of this sort are often called “electoral democracies” on the grounds that they have reasonably “free and fair” elections, observation mission reports frequently indicate that their electoral processes are flawed in important ways (Bjornlund, 2004; Elklit & Reynolds, 2005; Elklit & Svensson, 1997; Hartlyn & McCoy, 2004; Schedler, 2002).

Violation of electoral integrity is one of the most significant forms of political manipulation, given the centrality of elections in grounding democratic processes and selecting key actors in the political system. Yet there has been virtually no systematic cross-national research on the factors that facilitate manipulation of the electoral process (described in this article as “electoral misconduct,” “electoral malpractice” or “electoral malfeasance,” terms that are used interchangeably). One may speculate that this is in large part to a lack of comparable data across cases, as previous analyses of electoral misconduct have largely been case studies.<sup>1</sup> In practical terms, understanding the factors that influence electoral integrity is central to discovering how political practices can be strengthened in new, emerging, and stalled democracies and in semiauthoritarian regimes. Political manipulation is typically embedded in complex social practices, many of which are exceedingly difficult to alter; in this context, the **institutions that govern electoral processes are often the easiest aspect of a country’s political system to change.** If it can be demonstrated that **some forms of institutional design are less conducive to electoral malpractice than others, this will be useful information for both electoral engineers and those who advise them.**

The international legal community has to date declared its agnosticism on the question of the overall design of the electoral system. The United Nations General Assembly has resolved the following:

There is no single political system or electoral method that is equally suited to all nations and their people and that the efforts of the international community to enhance the effectiveness of the principle of periodic and genuine elections should not call into question each State’s sovereign right, in accordance with the will of its people, freely to choose and develop its political, social, economic and cultural systems, whether or not they conform to the preferences of other States. (cited in Goodwin-Gill, 1994, p. 27)

As Goodwin-Gill (1994) argues, the general principle behind international commitments to hold free and fair elections is one of “obligation of result” (p. 7); states are judged by the result of the electoral processes they implement, but they have a degree of choice in the means chosen to affect that

result. Academic research has a role to play in shedding light on the link between institutional design and the resulting quality of electoral conduct, and this article is conceived as a first step in that direction. The article focuses on the role of electoral systems in shaping incentives to engage in electoral misconduct, and specifically, on the propensity of different electoral system design options to create or enhance opportunities for violations of electoral integrity in the postcommunist countries of Eastern Europe and the former Soviet Union.

## Theoretical Expectations

Democracy has been characterized as a system of institutionalized uncertainty (Przeworski, 1988) in which the electoral mechanism functions as a means of maintaining the chance element in political outcomes. Yet politicians want to win power, and as such, they have an interest in minimizing the uncertainty inherent in democratic elections. In many political contexts, manipulation of the electoral process is one of the most tempting means of achieving this end. At the same time, politicians who engage in manipulative practices run the risk of losing legitimacy, which can hamper their ability to maintain the consent of the population if elected, can harm their electoral chances in subsequent elections and undermine the international position of their state. Politicians in the electoral arena therefore face a difficult trade-off between the desire to remain and to be seen to remain on the democratic straight-and-narrow, while at the same time retaining power (Persson & Tabellini, 2003; Schedler, 2002). Other things being equal, we can predict that actors will be more likely to risk losing legitimacy by engaging in electoral misconduct when they can be surer that their efforts at manipulation will pay off.

As understood in this study, electoral misconduct refers to all activities that lead to a violation of the "level playing field" that is the ideal of electoral processes. This includes activities during the campaign such as the abuse of administrative resources to which actors have access (as in Russia in the 1999 Duma elections when Yuriy Luzhkov, mayor of Moscow and head of the Fatherland and All Russia party, competed with members of the Kremlin-backed Unity party to use the resources attached to their respective administrative power bases to support their electoral campaigns [OSCE, 2000]), and slanderous or dishonest campaign tactics (as in Russia in 2003, when falsified versions of local newspapers defaming candidates were reported to have been produced in Yekaterinburg, Rostov-na-Donu,

and Novosibirsk [OSCE, 2004a, p. 13]). It also includes actions on election day such as the **obstruction of voting** (as in Georgia in 2003, when a ballot box was removed from a polling station at gunpoint [OSCE, 2004b]), organizing **or encouraging personation** (as in Macedonia in 1998, when people were observed collecting the voting cards of those who had not yet voted and voting on their behalf [OSCE, n.d. b]), **and putting pressure on polling station staff to engage in or turn a blind eye to fraud** (as in District 44 in the Kyrgyz elections of 2000, where the chairwoman of the local election commission was unable to prevent vote tabulation fraud orchestrated by the regional government administration and was ultimately forced to resign from her post [OSCE, 2000]).

The beneficiaries of electoral malpractice are candidates who win office through violations, as well as all those in the public and private sectors who gain in some way from these candidates' success. The losers include candidates whose seats are stolen through malfeasance, as well as the electorate, which can be assumed for the most part to be opposed to practices that work to short-circuit links of democratic accountability. **But not all candidates have an equal opportunity to engage in electoral misconduct. Incumbent parties and politicians will be in a better position to tilt the electoral playing field than will those who do not hold power (though activities such as slander can be carried out by nonincumbents as well).** Electoral malpractice can therefore be understood mainly as an activity that is likely to be engaged in by incumbent political actors (though not necessarily or exclusively those who hold the offices up for election in the contest in question), either directly or through pressure put on electoral and other administrators at various levels.

Using the **Transparency International and World Bank indices of corruption (which do not cover electoral misconduct)**, a number of recent studies have examined the relationship between electoral systems and political corruption, including rent seeking and the misuse of public office. Some research has found that proportional representation (PR) **electoral systems are associated with higher levels of corruption than single-member districts (SMD) systems, because of the greater ease with which leaders can be held to account in the latter (Kunicova & Rose-Ackerman, 2005)**, though it has also been argued that corruption should be higher under SMD rules because **of the extent to which high effective barriers to entry in single-member races inhibit competition (Myerson, 1993).** Other studies have found ambiguous or conditional relationships (Chang, 2005; Chang & Golden, in press; Persson & Tabellini, 2003; Persson, Tabellini, & Trebbi, 2003). The question that concerns us here is how electoral institutions will affect specifically electoral forms of political manipulation.

In focusing on the incentives and rewards that attach to electoral manipulation per se, I am not discounting the impact of electoral systems on other, more frequently studied forms of corruption, which may be linked in complex ways with electoral practices (principally through the use of illicitly got funds to finance electoral campaigns). But because of the specific opportunities inherent in electoral institutions, the **influence of electoral systems on electoral forms of manipulation operates according to temporal and logistic dynamics largely distinct from their impact on other forms of corruption and therefore deserves separate treatment.** This analysis should therefore be seen as a complement, rather than a challenge, to the literature on the impact of electoral systems on the types of corruption measured in the Transparency International and World Bank data sets.<sup>2</sup>

The principal hypothesis presented here is that electoral misconduct will be associated more closely with SMD than with proportional representation electoral systems. This is because **if electoral manipulation is a means of reducing electoral uncertainty, not all forms of malpractice are equally reliable. All else being equal, politicians will be more likely to engage in electoral misconduct when they have at their disposal a reliable means of manipulating elections.** I propose that certain aspects of SMD electoral systems make the manipulation of elections more reliable than is the case under proportional representation. There are two main strands to this argument; **one related to the incentives faced by individual candidates and party leaders to engage in electoral misconduct, and another linked to the mechanical effects of electoral systems in turning votes into seats.**

**The incentives faced by individual candidates clearly differ under SMD and PR electoral systems, and this difference has long been recognized as an important determinant of campaign tactics. In PR systems, voters typically vote for parties (though they may also have the option of selecting one or more candidates if the system is an open-list one), whereas in SMD systems, voters select individuals.** This basic fact has important implications for the incentives faced by political actors. In as much as legislative seats are won by individual politicians, electoral competition presents party leaders with a collective action problem. **In Carey and Shugart's (1995) words, "if electoral prospects depend on winning votes cast for the individual politician instead of, or in addition to, votes cast for the party, then politicians need to evaluate the trade-off between the value of personal and party reputations" (p. 419; cf. G. W. Cox & McCubbins, 1993).** The logic of this **trade-off is generally seen in terms of the policy positions adopted by individual candidates and parties, respectively, or in terms of incentives to engage in particularistic reward in exchange for votes (Cain, Ferejohn,**

& Fiorina, 1986; Carey & Shugart, 1995). Yet this logic can also be extended to the incentives faced by parties either to maintain their reputation for electoral probity or to engage in misconduct as a means of winning elections.

In both SMD and list PR systems, some candidates will be in marginal positions, whereas others will either be relatively sure of winning seats or will realize that they have little hope of success. In SMD systems, marginality is a matter of the safeness of individual districts, whereas in list systems, it is mainly a matter of list position (except for small parties whose chances of getting any seats at all may be marginal). Candidates in marginal positions are most likely to benefit from electoral malpractice, for their expected gain is highest in relation to their expected loss in terms of potential damage to reputation.

Under PR, party leaders have both a greater incentive and a greater ability to enforce compliance with the electoral law to protect party reputation. This is due to the fact that in PR systems, legitimacy attaches primarily to the party and winning accrues directly to the party list. Because both electoral success and reputational protection are pooled in PR systems, parties as organizations have a strong incentive to maximize these aims through the messages they send to voters and the internal strategies of sanction and reward that are deployed within the party. Although some voters may have differential evaluations of the integrity of list members and may cast their votes in open-list systems for the candidates whom they perceive to be "clean," the party as a whole must win the confidence of the voter before such finer distinctions come to play. Parties in PR systems stand together or fall together, both in terms of reputation and overall levels of electoral support. Under these circumstances, party leaders can be expected to make strenuous efforts to prevent electoral malpractice to protect the party's image. They may do this by imposing sanctions on individual party members who engage in malpractice (through postelection patronage or the threat of deselection in subsequent electoral contests) or by rewarding those who promote electoral integrity with prominent places in government or on their list. For example, following the dramatic events of the Orange Revolution in Ukraine in 2004, when supporters of presidential candidate Viktor Yushchenko succeeded in bringing about a rerun of the fraudulent second round of the election and ultimately propelling Yushchenko to office, principal backers of the protests (Yurii Yekhanurov, Boris Tarasyuk) were allocated high places on Yushchenko's party's list in the 2006 parliamentary election.

In open-list systems, there is more of an incentive to gain personal votes through illicit practices (Chang, 2005),<sup>3</sup> but candidates will still be under pressure from the central party organization to stay on the right side of the

law or at least to employ less visible forms of manipulation that are not likely to arouse the wrath of voters—e.g., pork barrel politics and the provision of particularistic rewards in exchange for votes—rather than violation of electoral conduct per se. Thus, in open-list systems, electoral malpractice should be moderate, though intraparty competition and the consequent personalization of electoral incentives lead us to expect that open-list PR systems will be associated with higher levels of misconduct than their closed-list counterparts.<sup>4</sup>

In SMD systems, reputations are separable and sanctions are more difficult for the central party organizations to apply because of the greater autonomy afforded candidates in many political contexts by their local electoral bases. Thus, trade-offs should be made more often on an individual than on a collective basis, as the benefits of misconduct accrue directly to the candidate who undertakes it rather than being distributed across a party list. When candidates in SMD races abuse their positions in the administration to further their campaigns (as in Ukraine in 1998, when “heads of Oblast [regional authority] administrations standing for Verkhovna Rada [national assembly] seats were reported to use their positions to promote themselves and to use their access to state premises to display their campaign materials,” OSCE, n.d. a, p. 17) or seek to manipulate the polling process (as when local authority staff closely allied to individual candidates in the Kyrgyz election of 2000 took over the running of some polling station activity and “assumed a [ . . . ] partisan role” (OSCE, 2000, p. 14), this activity contributes directly to the success of the individuals in question. Such candidates are therefore more likely to risk the fall in legitimacy entailed in engaging in violations of electoral law than would be the case where the risk affected all party members but the benefit fell only to some. This may be particularly the case in the personalized party systems often found in the postcommunist world.<sup>5</sup>

The second consideration is that manipulation under SMD is more efficient than it is under PR, because of the well-known tendency of SMD systems to magnify the success of large parties. In a close contest, only a limited number of marginal seats in an SMD system will need to be won to swing the election, and often, only a small number of votes will need to be shifted in any individual district to alter the outcome in that district. In a PR system, by contrast, relatively large proportions of the national vote will have to be switched to change the overall balance of power in the legislature. The risks of loss of legitimacy are thus relatively smaller under SMD rules than under PR, as fewer votes need to be changed to achieve the same result in terms of seat allocation.



An additional consequence of vote-to-seat magnification under SMD is that resources can be far more effectively targeted in SMD than is the case with PR. Lehoucq and Molina (2002) show this to have historically been the case in Costa Rica, where rural races conducted under SMD were found to be more corrupt than urban contests conducted under PR, "since the difference in votes between winners and losers was typically less in plurality than in proportional representation provinces, it was rational for parties to denounce fraud more often in the periphery than in the centre" (p. 61; cf. pp. 94-95; Lehoucq, 2003).

There are therefore two reasons to believe that elections governed by SMD are more likely to be the object of manipulation than those run under PR: Candidates in SMD systems have more to gain from individual efforts to manipulate elections, relative to their expected losses, than is the case for candidates in PR systems, and the number of votes that must be altered to change the outcome of the election is typically smaller under SMD than under PR, reducing the cost of engaging in malfeasance in the former. SMD systems thus make misconduct more attractive both to individual candidates and to central incumbent leaderships.

In addition to electoral system design, there are a number of other factors that can be expected to covary with levels of electoral misconduct. It is worth noting, however, that theory building in this area is still in its infancy. For this reason, it makes most sense to include a general control variable that captures the various contextual factors that can be expected to be associated with electoral malpractice. The level of nonelectoral or background corruption serves this purpose well, as it can be thought of as reflecting many of the features of a polity that make it prone to corruption in general while being analytically distinct from manipulation of the conduct of elections. Moreover, we can expect electoral systems to have an impact on general corruption for the reasons noted above; using this variable as a filter thus enables us, among others things, to isolate the distinct impact of electoral system design on specifically electoral forms of illicit behavior.

In addition to background corruption, it can also be hypothesized that the level of background democracy will have an impact on the quality of elections, as different aspects of a political system can be expected to be closely intertwined. It can also be conjectured that the fact of holding presidential elections concurrently with the parliamentary contests will lead to an increase in levels of misconduct, as it will mean that the political stakes in the outcome are higher.

Another variable that one might expect would be relevant in the post-communist context is previous political experience—including historical

experience with elections and variations in communism among countries—factors that have been found in previous research to be linked to the development of democratic political and party systems (Kitschelt, Mansfeldova, Markowski, & Toka, 1999; Linz & Stepan, 1996). One relevant category is the former Soviet subregion, which had for the most part very limited **experience with democratic elections** prior to the advent of communism and a highly restricted form of communist rule (Birch, Millard, Williams, & Popescu, 2002; Furtak, 1990). Another relevant category is that of the former Yugoslav states, which had somewhat more experience with electoral competition both before and during the communist period (Furtak, 1990) but had in most cases fraught **transitions that were marred by violence**. We might expect both sets of countries to exhibit higher levels of electoral malpractice than those of Central Europe, which held competitive elections during the interwar period and had relatively peaceful transitions from communism.

A final factor that we might posit would affect levels of electoral misconduct is the general level of economic development in a country. In relatively poor countries, public sector jobs such as that of elected politician tend to be perceived as being relatively more attractive than alternative career paths, especially those in the private sector. This may be because the private sector is underdeveloped or because elected posts provide lucrative opportunities for rent seeking and other forms of nonelectoral corruption.

## Cases and Data

The universe for this study is the set of postcommunist countries that have held competitive multiparty elections since the collapse of communism. The Soviet-style communist systems were ones in which elections served primarily as mechanisms whereby the state controlled its citizens rather than the other way around. Participation was in theory universal, but the lack of genuine contestation meant that voting in elections served a socializing and manipulative function rather than a democratic one (Friedgut, 1979; Pravda, 1978; Zaslavsky & Brym, 1978). The collapse of communism brought about a radical change in the role and meaning of elections (Pammett & DeBardeleben, 1996). In all the postcommunist countries except Turkmenistan, elections became competitive, with increased opportunities for voluntary contestation and participation.

Data to test the hypotheses elaborated above were drawn from a variety of sources (see Appendix C for full details). Most of the data are unproblematic,

but the construction of the dependent variable requires comment. To measure electoral misconduct, we would ideally gather data on elections in all 27 competitive postcommunist countries. In practice, of course, electoral misconduct being a covert activity, it is not possible to collect data that measure it directly, and it is necessary to rely on the information available. Fortunately for our purposes, all of these states but one (Mongolia) were, during the period under consideration, members of the Organization for Security and Co-operation in Europe (OSCE), which has been observing elections in this region since the early 1990s. The OSCE election observation reports, compiled by the Office for Democratic Institutions and Human Rights (ODIHR), provide rich and detailed information on electoral practices in the region. They also have the advantage that they were all conducted by the same organization on the basis of a common set of criteria laid down in the Copenhagen Document of 1990 (see Appendix B). This lends a degree of both methodological and conceptual coherence to the information contained in these reports. The OSCE's election observation methodology has nevertheless evolved considerably since ODIHR began observing elections in 1992. The 1994 OSCE Budapest summit represented a step change in ODIHR observation practices; from this point on, election observation became considerably more professional and systematic (OSCE, 1999, section 1). The resulting reports are far more fully elaborated and follow a common structure, making them highly suitable for quantitative coding. For this reason, the present investigation is confined to parliamentary elections held during the decade between 1995 and 2004.<sup>6</sup>

The dependent variable for this analysis is the level of misconduct in a given election, as evaluated by OSCE missions according to the criteria of the Copenhagen Document. This variable was operationalized as an Electoral Misconduct Index (EMI) constructed by coding the overall conclusions of each ODIHR observation report on a 5-point scale, where 1 indicates the least misconduct and 5 indicates the most. A country scored 1 if the report stated that the elections fully complied with the Copenhagen commitments (though even such reports invariably included minor suggestions for reform). An election was awarded a score of 5 if it was judged fundamentally flawed (see Appendix C for details of coding methods).<sup>7</sup> The result is a data set covering 55 elections in 24 countries; there is considerable variability among the cases, with the EMI mean falling at 3.073, almost exactly at the midpoint of the 1 to 5 scale; see Table 1. There is no clear evidence of systematic change with time; the means for first, second, and third elections held during the period all hover around the overall mean for the data set.

**Table 1**  
**Electoral Misconduct Scores in 24 Postcommunist**  
**Countries, 1995 to 2004**

Country	1st Election	EMI Score	2nd Election	EMI Score	3rd Election	EMI Score
Albania	1996	5	1997	4	2001	3
Armenia	1995	4	1999	4	2003	3
Azerbaijan	1995	5	2000	5		
Belarus	1995	4	2000	5	2004	5
Bosnia and Herzegovina	1996	4	1998	4	2002	2
Bulgaria	1997	1	2001	1		
Croatia	1995	5	2000	3	2003	2
Czech Republic	1998	1	2002	1		
Estonia	1995	1	1999	1		
Georgia	1995	3	1999	3	2003	5
Hungary	1998	1	2002	2		
Kazakhstan	1995	5	1999	4	2004	5
Kyrgyzstan	1995	3	2000	5		
Latvia	1995	2	1998	2	2002	2
Lithuania	1996	2				
Macedonia	1998	3	2002	3		
Moldova	1998	1	2001	1		
Romania	1996	2	2000	2	2004	2
Russia	1995	2	1999	3	2003	4
Slovakia	1998	2	2002	1		
Tadjikistan	2000	5				
Ukraine	1998	3	2002	3		
Uzbekistan	1999	5	2004	5		
Yugoslavia	2000	5				
Mean		3.08		2.95		3.30

Note: EMI = Electoral Misconduct Index.

Despite the detail and clarity of virtually all the ODIHR reports, the manner of their compilation nevertheless poses a problem from the point of view of this study, stemming from the fact that they are “process-produced” data. Even a relatively large mission of election observers is able to observe only a fraction of the electoral process in a state. Furthermore, it is the nature of illegitimate activities that those who perpetrate them should seek to cover their tracks. Observed malfeasance may therefore be only the tip of the iceberg, generating concern as to the validity and reliability of the reports. An additional source of potential unreliability is political bias in

reports, whose drafting may reflect the goals of the organization that produced it (see Bjornlund, 2004; Carothers, 1997). These problems are real ones and should not be treated lightly. When examining electoral conduct in individual countries, it may be possible to use other types of measure based on the statistical analysis of patterns in election results (see Berezkin, Kolosov, Pavlovskaya, Petrov, & Smirnyagin, 1989, 1990; Christensen, 2005; Herron, n.d.), but this is more difficult to do systematically on a large number of cases. In this context, election observation reports are certainly not ideal data sources, but they may well be the best data available. It is of some comfort to know that deficiencies of the data are unlikely to lead to wrong inferences; rather, they are likely to reduce the statistical significance of the associations under investigation. This suggests that we can be relatively confident in any associations we do find to be significant but that we should be wary of accepting the lack of significance of a relationship on the basis of null findings.

The construction of the remaining variables is more straightforward. Electoral systems in the postcommunist world take three types: pure SMD systems (of which there are seven in this data set); mixed systems (25), which, with the exception of Hungary, are of the mixed parallel variety; and pure proportional representation systems (23). The mixed systems vary considerably in the relative proportion of the two types of seat, from the 33% SMD seats in Georgia in 1995 to 87% in Kazakhstan in 1999 and 2004. I have therefore operationalized electoral system design as the proportion of SMD seats in the system.<sup>8</sup>

Background corruption was measured using the Transparency International Corruption Perceptions Index (CPI), a "poll of polls" in which respondents are in the main business elites (foreign and domestic) in each state. Most of the surveys that contribute to the CPI focus on relations between business elites and state officials, though some of the questions are general enough that they could be understood to include electoral misconduct. There are no questions in any of the surveys explicitly relating to electoral practice (see Transparency International, 2004). It is therefore safe to assume that the CPI is an indicator conceptually distinct from electoral misconduct.

The level of democracy in a country was operationalized in terms of the Freedom House Civil Liberties score. This measure has the advantage over other democracy scores that it does not reflect the quality of elections, making it exogenous. Civil liberties are nevertheless strongly correlated with other measures of democracy; in the data set employed here, there is a correlation of .922 between the Freedom House Political Rights and Civil Liberties scores. Dummy variables were used to code concurrent presidential elections

and location in the former Soviet Union and the former Yugoslavia. Level of development was operationalized as per capita GDP in U.S. dollars (logged). Country codings for the EMI variable and descriptive statistics for the principal independent variables are presented in Appendix A.

## Results

It was predicted above that the proportion of single-member electoral district seats would be positively associated with electoral misconduct for reasons having to do with the incentives faced by parties and candidates to maximize their electoral success while minimizing threats to their legitimacy, as well as the higher efficiency of malpractice under SMD. This hypothesis was tested on the data set described in the last section by means of an ordered probit model, because of the fact that the dependent variable—electoral misconduct—was coded on a 5-point scale. Pooled data such as these are particularly susceptible to heteroskedasticity; for this reason, the analysis presented here uses robust standard errors within country clusters. A lagged dependent variable used in one of the models presented below serves, among other things, to allay fears about serial autocorrelation.

As can be seen from Model 1 (Table 2), the proportion of SMD seats has a highly significant impact on levels of electoral misconduct, providing strong support for the main hypothesis. Even controlling for a variety of contextual factors, the proportion of SMD seats in an electoral system appears to influence the integrity of the elections held in the postcommunist countries considered here; states with more SMD seats hold worse quality elections.

The Transparency International CPI index used as a proxy for background corruption exhibits an equally significant positive impact on electoral misconduct, suggesting that different forms of political manipulation vary together. Once background corruption is controlled for, there does not appear to be any significant link between electoral misconduct and either background democracy or levels of economic development. Parliamentary elections that are held concurrently with presidential contests are likely to have somewhat higher levels of electoral malpractice, as expected, but this relationship is weak (significant only at the .10 level).

As far as subregional variation is concerned, a bivariate analysis suggests that location in the former Soviet Union and the former Yugoslavia are both associated with higher levels of electoral misconduct than location in Central Europe. The mean EMI score for former Soviet states is 3.438, as

**Table 2**  
**Ordered Probit Models of Electoral Misconduct**

Variable	Model 1	SE	Model 2	SE	Model 3	SE
Proportion of single-member district seats	4.749**	0.997			7.456*	2.409
Single-member district electoral system			6.386**	1.122		
Mixed electoral system			2.811**	0.641		
Corruption Perceptions Index score (inverted)	1.342**	0.345	1.879**	0.391	1.373*	0.516
Civil Liberties score (inverted)	-0.355	0.315	-0.313	0.295	0.242	0.374
Concurrent presidential election	1.068†	0.622	0.672	0.646	0.767	0.854
Location in the former Soviet Union	0.482	0.487	-0.211	0.550	1.967*	0.769
Location in former Yugoslavia	1.821*	0.666	1.818*	0.595	3.134**	1.137
Per capita GDP (logged)	0.476	0.404	0.472	0.413	0.469	0.369
Lagged Electoral Misconduct Index					0.244	0.376
Cut point 1	11.014	5.329	14.485	5.472	15.406	7.343
Cut point 2	13.483	5.293	17.198	5.579	18.456	7.956
Cut point 3	15.218	5.398	18.917	5.725	21.045	8.182
Cut point 4	16.071	5.300	19.725	5.714	22.338	8.108
Log likelihood	-34.470		-34.295		-17.580	
Wald chi <sup>2</sup>	73.67		123.45		36.41	
df	7		8		8	
Pseudo R <sup>2</sup>	.525		.527		.631	
N	46		46		30	

† $p < .10$ . \* $p < .01$ . \*\* $p < .001$ .

against an overall mean of 3.073. The former Yugoslav states have a mean score of 3.444. The multivariate analysis demonstrates, however, that location of a state in the former Soviet Union is not associated with significantly higher levels of electoral misconduct, once the electoral system and other factors are taken into consideration. Yet states located in the former Yugoslavia are shown in the multivariate model to be significantly more likely to hold worse quality elections. One may speculate that this is due to the experience of violent conflict in many of these countries and resultant declines in levels of trust among elites.

An alternative specification was tested to examine whether the results might be reflecting particular electoral system types (SMD, PR, and mixed),

rather than the number of SMD seats in the system per se. The literature on mixed electoral systems has found that they are in certain respects “different from the sum of their parts” (K. E. Cox & Schoppa, 2002; Herron & Nishikawa, 2001; Nishikawa & Herron, 2004; Shugart & Wattenberg, 2001). A model was therefore run with dummy variables for SMD and mixed systems rather than the proportion of single-member seats (Model 2). This model shows that both pure SMD and mixed systems have significantly higher levels of electoral misconduct than their pure PR counterparts, and the larger coefficient for pure SMD systems indicates that the expected rank order (SMD, mixed, PR) holds. Mixed systems may in some respects be different from the sum of their parts, but in terms of electoral integrity, they fall somewhere in between full SMD and full PR.

Finally, to test the possibility that the impact of SMD seats on electoral misconduct can be extended to open-list PR seats, a model was run using the pooled proportion of SMD seats and seats for which the voter has a choice of individual candidate in open-list PR seats and a separate model in which there was a choice of individual candidate on the ballot (either in the form of SMD or open-list PR choice). These equations (not reported) have much smaller and less significant coefficients for the variables in question. To explore the impact of open-list PR seats more fully, I therefore ran an additional model with open-list PR systems as a dummy variable. Contrary to expectations, this variable is non-significant (though correctly signed), suggesting that the impact of SMD on electoral misconduct has mainly to do with the specific features of this type of electoral system rather than exclusively with the fact of including the option of voting for an individual.

A word is in order about the causal structure of these models. Electoral systems are by definition designed prior to their implementation. Logically, therefore, they cannot be endogenous to the conduct of elections held on their basis. It may, however, be that leaders who are elected through illicit means at election  $t$  seek to ensure re-election by favoring electoral systems for election  $t + 1$  that will maximize their chances of being successful (this may entail the maintenance of the current system or the introduction of a new system that would make electoral misconduct more viable, such as an increase in the number of SMD seats). The models presented control for this possibility to some extent in that they control for background corruption and background democracy, but a more precise control is the introduction of a lagged dependent variable. Model 3 includes such a variable, but as can be seen from the results, the coefficient for the lagged EMI is not significant, whereas that for electoral system design remains so. An interesting finding is that the location in the former Soviet Union has a significant



**Table 3**  
**Predicted Electoral Misconduct Index Scores**  
**for Different Types of Election<sup>a</sup>**

Election Type	Central Europe	Former Soviet Union	Former Yugoslavia
Single-member districts	5	5	5
50% single-member districts	3	3	4
Proportional representation	1	2	2

a. Cell entries represent the Electoral Misconduct Index category with the greatest predicted probability.

positive impact on electoral misconduct in this model, as found in the bivariate analysis.

To better appreciate the substantive impact of electoral system design on electoral integrity, Table 3 reports the predicted EMI scores for different types of election, when values for the CPI, the Civil Liberties score, per capita GDP, and lagged EMI score are set at their means and concurrent presidential elections are set at 0.<sup>9</sup> Cell entries represent the category on the 1 to 5 EMI scale with the highest probability for each type of election. A very clear pattern emerges from these data; **elections held under full SMD have high probabilities of receiving electoral misconduct scores at the top of the scale, wherever they are held, whereas those conducted under full or semi-PR are far more likely to receive scores in the middle or lower end of the scale, depending on the region.** The exception is the former Yugoslav states, which are predicted to have an EMI score of 4 in elections held under a mixed system with 50% SMD seats.

## Conclusion

Most previous analyses have considered the choice between SMD and PR systems in terms of the models of representation underpinning each system or the effect of electoral system design on broader political outcomes. The present analysis has uncovered new evidence that this choice also has potential implications for the conduct of elections. There is a strong relationship among the postcommunist countries considered here between the number of SMD seats up for grabs in parliamentary elections and the level of manipulation in the electoral process. If this result is substantiated by further research on other parts of the world, it might encourage

those engaging in electoral system evaluation and assistance to rethink their position on “best practice.”

We should nevertheless be cautious in generalizing the findings of this study beyond the postcommunist context. It may be that SMDs have the effects observed in postcommunist countries because of the specific dynamics of patronage that evolved during the communist and immediate postcommunist periods but that they would not generate higher levels of manipulation elsewhere in the world. It may also be that in parts of the world where political parties are stronger than they are in postcommunist countries, the incentives faced by individual politicians in SMDs would be outweighed by the importance of following the dictates of the central party “machine.”<sup>10</sup> Yet there are reasons to believe that the same relationship may be found in other parts of the world, as the underlying logic of electoral competition outlined here is not specific to the postcommunist context.

It would be useful to extend this analysis to forms of electoral manipulation that observation reports are ill-suited to tapping, such as vote-buying and subtler forms of undue influence. Future research could also profitably explore the undoubtedly complex dynamics between electoral misconduct and other forms of corruption. Finally, large *N* analysis such as that carried out in this article is not ideally suited to testing causal mechanisms, and further exploration of the “black box” of electoral misconduct could be usefully carried out in detailed case studies. The study of electoral manipulation is just beginning to be seriously engaged in by comparative political scientists, and the present article has hopefully gone some way toward developing this research program.

## Appendix A

### Descriptive Statistics for Key Variables

Variable	Minimum	Maximum	Mean	Standard Deviation
Electoral Misconduct Index	1	5	3.073	1.464
Proportion single-member districts seats	0	1	0.398	0.382
Transparency International Corruption Perceptions Index score (inverted)	4.30	8.70	6.915	1.030
Freedom House Civil Liberties score (inverted)	2	6	4.236	1.347
Per capita GDP (logged)	5.03	8.88	7.244	0.913

## Appendix B

### Text of the Relevant Passages of the Organization for Security and Co-operation in Europe Copenhagen Document

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The Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE [Conference on Security and Co-operation in Europe, the previous name of the Organization for Security and Co-operation in Europe] (June 29, 1990), commonly known as the "Copenhagen Document," states the following:

6. The participating States declare that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government. The participating States will accordingly respect the right of their citizens to take part in the governing of their country, either directly or through representatives freely chosen by them through fair electoral processes. They recognize their responsibility to defend and protect in accordance with their laws, their international human rights obligations and international commitments, the democratic order freely established through the will of the people against the activities of persons, groups or organizations that engage in or refuse to renounce terrorism or violence aimed at the overthrow of that order or of that of another participating State.
7. To ensure that the will of the people serves as the basis of the authority of government, that participating States will
  - 7.1 hold free elections at reasonable intervals, as established by law;
  - 7.2 permit all seats in at least one chamber of the national legislature to be freely contested in a popular vote;
  - 7.3 guarantee universal and equal suffrage to adult citizens;
  - 7.4 ensure that votes are cast by secret ballot or by equivalent free voting procedure, and that they are counted and reported honestly with the official results made public;
  - 7.5 respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination;
  - 7.6 respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities;
  - 7.7 ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents

- the voters from learning and discussing them or from casting their vote free of fear of retribution;
- 7.8 provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process;  
ensure that candidates who obtain the necessary number of votes required by law are duly installed in office and are permitted to remain in office until their term expires or is otherwise brought to an end in a manner that is regulated by law in conformity with democratic parliamentary and constitutional procedures.
  8. The participating States consider that the presence of observers both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavour to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings.

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Source: This document may be accessed at [www.osce.org/item/13992.html](http://www.osce.org/item/13992.html).

## Appendix C

### Data Sources and Variable Construction

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#### *Organization for Security and Co-operation in Europe (OSCE) Election Observation Reports*

Most of the post-1996 reports are available on-line at [www.osce.org/odihr](http://www.osce.org/odihr). A number of additional reports are collected on the CD-ROM titled "OSCE Documents 1973-1997" and distributed by the OSCE. The remainder of the reports cited here were obtained directly from the archives of the Office for Democratic Institutions and Human Rights headquarters in Warsaw. The election misconduct variable was compiled on the basis of an assessment of the overall conclusions of each report (in most cases, these are stated in the executive summary). The assessments were ranked on a scale of 1 to 5. Each report was coded independently by three coders. The coders assessed each election assessment according to the following schema: a score of 1 was awarded if the election in question was "substantially in compliance with the OSCE Copenhagen obligations"; a score of 5 was given if the election "was severely compromised, such that the validity of the result was in doubt"; an election was scored 3 if "there were some violations, but not enough to alter the outcome,"

and intermediate scores of 2 and 4 were used to indicate that an election fell somewhere between the annotated categories.

## **Electoral System Indicators**

These indicators were determined on the basis of electoral legislation held at [www.essex.ac.uk/elections](http://www.essex.ac.uk/elections) and [www.legislationline.org](http://www.legislationline.org) as well as from information contained in Nohlen, Grotz, and Hartmann (2001), and the OSCE reports described above.

## **Transparency International Corruption Perceptions Index Data**

These data are taken from [www.transparency.org](http://www.transparency.org). This index ranges from 0 (*most corrupt*) to 10 (*least corrupt*); see the Transparency International Web site for methodological details. Not all countries are included in all years, so data have in some cases been drawn from years before or after the election in question. Data for the Albanian election of 1997 were from 1999. Data for the Albanian election of 2001 were from 2002. Data for the Belarusian election of 1995 were from 1998. Data for the Belarusian election of 2001 were from 2002. Data for the Bosnian election of 2002 were from 2003. Data for the Bulgarian election of 1997 were from 1998. Data for the Croatian election of 1997 were from 1999. Data for the Estonian election of 1999 were from 1998. Data for the Georgian election of 1999 were from 2000. Data for the Kyrgyz election of 2000 were from 1999. Data for the Lithuanian election of 1996 were from 1999. Data for the Macedonian election of 1998 were from 1999. Data for the Macedonian election of 2002 were from 2003. Data for the Moldovan election of 1998 were from 1999. Data for the Romanian election of 1996 were from 1997. Data for the Russian election of 1995 were from 1996. Data for the Tadjik election of 2000 were from 2003. Data were missing for the following elections: Armenia, 1995; Azerbaijan, 1995; Bosnia, 1996 and 1998; Croatia, 1995; Georgia, 1995; Kazakhstan, 1995; Kyrgyzstan, 1995; Latvia, 1995.

## **Per Capita GDP**

Data are from the United Nations Monthly Bulletin of Statistics online database at <http://unstats.un.org/unsd>. Data for Bosnia and Herzegovina exclude the Republica Srpska. Data for Yugoslavia exclude Kosovo.

## **Freedom House Scores**

Data are from the Freedom in the World Country Ratings database, held at the Freedom House Web site at [www.freedomhouse.org](http://www.freedomhouse.org).

## Notes

1. See Lehoucq and Molina, 2002, chap. 1; Mozaffar & Schedler, 2002; and Lehoucq, 2003, for overviews of the literature on this topic.

2. The complex relationship between electoral misconduct and other forms of political corruption and manipulation is, though deserving of analysis, outside the scope of this article.

3. Barry Ames (1995) provides detailed analysis of the incentives faced by candidates to give pay-offs to local bosses to secure election under Brazil's open-list proportional representation (PR) system.

4. Chang and Golden (in press) have shown that incentives to engage in corrupt practices increase with district magnitude in open-list PR systems but decrease in closed-list systems, because following Carey and Shugart (1995), intraparty competition increases with district magnitude in open-list systems (cf. Shugart, Valdini, & Suominen, 2005). The analysis carried out here is primarily concerned with the distinction between PR and single-member districts (SMD) electoral systems, but the finer distinctions between open-list and closed-list systems of varying district magnitude could usefully be explored in future research.

5. In SMD systems, sanctions are applicable only with strongly institutionalized parties. In many of the postcommunist states with SMD elections, party systems suffer from considerable weakness precisely because SMD elections encourage localized electoral contests (Birch, 2003). Parties are only weakly able to discipline their members, and real power resides in individuals at local and national levels rather than with parties as institutions, resulting in highly personalized party systems. Under these conditions, it may be more a matter of politicians choosing party labels to run under rather than parties choosing candidates to represent them. Furthermore, other factors that bind party members to the common cause, such as ideology and ethnicity, have been somewhat underdeveloped in most postcommunist European electoral contexts. Although there are notable exceptions when it comes to ethnicity (Bosnia and Herzegovina, Romania, Slovakia), ethnic block voting can only have a major impact on the strategic behavior of large numbers of political actors in the minority of states in this region with substantial and electorally cohesive ethnic communities.

6. Organization for Security and Co-operation in Europe observation missions were not sent if the previous elections of a given state (and any follow-up technical assessment mission that might have taken place) suggested that the electoral process in that state was sufficiently sound that no mission was needed. During the period under elections in Poland and Slovenia were not observed for this reason. Data for Tadjik and Yugoslav elections held prior to 2000 are unavailable because Office for Democratic Institutions and Human Rights did not observe these elections for the opposite reason: They were not sufficiently competitive.

7. The codings for Belarus, Uzbekistan, and Yugoslavia are based on the reports of technical assessment missions, not on full observation missions.

8. The average district magnitude (or "effective magnitude"; Taagepera & Shugart, 1989) might be thought to be a better measure of particularism than the proportion of SMDs. Yet in mixed systems, there are significant difficulties associated with estimating such averages. Given the large number of mixed systems in postcommunist Europe, and given that the SMD versus PR distinction corresponds also to the person-centered versus party-centered divide, it seemed preferable to use the proportion of SMD seats as the primary electoral system measure.

9. These results were estimated using *Clarify* (King, Tomz, & Wittenberg, 2000). The predicted results calculated on the basis of Model 1 (available from the author on request) are very similar.

10. I am grateful to an anonymous reviewer for pointing to this possibility.

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