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## The Pseudo-Democrat's Dilemma

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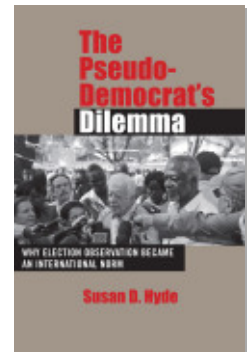
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## THE QUALITY OF MONITORING AND STRATEGIC MANIPULATION

The norm of election monitoring is that governments committed to democratic elections invite international monitors. The corresponding belief is that noninviting states must be electoral autocracies, unless the country has otherwise established a reputation as a consolidated democracy. Because of the belief that all true democrats invite observers, and because there are consequences to being caught manipulating the election by international observers, my theory implies that pseudo-democrats should devote effort to concealing election manipulation such that they are less likely to be caught. In addition, pro-democracy actors should push for increases in the quality of election observation, and international observers should attempt to detect and criticize an expanding range of tactics used to manipulate elections. This chapter continues evaluating the empirical implications of my argument and provides support for the final implication outlined in chapter 1: that the normalization of election monitoring, including improvement in the quality of monitoring and the growing number of pseudo-democrats who invite observers, should increase the use of strategic election manipulation. Chapters 3 and 4 provided evidence of two ways in which election monitoring can be costly to pseudo-democrats: negative reports from observers can lead to reduced international benefits and international observers can reduce election day fraud directly. These findings underscore my argument that inviting international observers is more costly for pseudo-democrats than for true democrats.

Adding to these findings, by documenting strategic action by incumbents in the face of election observers, this chapter illustrates that even well-entrenched autocratic leaders such as Vladimir Putin of Russia and Robert Mugabe of Zimbabwe are willing to devote significant effort to manipulating public perceptions of election-monitors' judgments. This is further evidence that the norm exists and reflects the pseudo-democratic

response to the norm. I also document how some incumbent leaders engage in strategic manipulation of elections and observers.

Generally, I document three methods used by incumbents to maintain their hold on power while complying with the norm. First, pseudo-democrats can attempt to use different forms of election manipulation that are less likely to be caught by observers. Second, they can invite low-quality or “friendly” observers in order to ensure that at least one observer group endorses the elections as democratic. Third, if they are caught manipulating the election (or if they choose to cheat blatantly), they can work to discredit the reports of observers after the election.

For example, Russia’s efforts to both invite and manipulate observers are perhaps the most baffling, with their efforts extending throughout the post-Soviet sphere. By 2004, Russian elections had been observed on five occasions by the Organization for Security and Cooperation in Europe’s Office for Democratic Institutions and Human Rights (OSCE/ODIHR). Since the mid-1990s, the OSCE/ODIHR has developed a reputation as a critical and professionalized observer group that applies relatively consistent standards to the elections it observes within its member states.<sup>1</sup>

In the late 1990s, the Russian government began a campaign arguing that observers from the OSCE/ODIHR are biased and apply inconsistent criteria to countries that are not Western allies. Russia took a position against so-called double standards in international election monitoring and began exerting significant effort to ensure that OSCE/ODIHR observers are shadowed by international observers who are loyal to the Kremlin and whose not-so-secret objective is to contradict the conclusions of OSCE/ODIHR reports.<sup>2</sup>

In response to OSCE/ODIHR monitoring, the Commonwealth of Independent States (CIS), began to monitor elections within its member countries, which are also OSCE members. The CIS is an intergovernmental organization composed of former Soviet states and is headquartered in Belarus. It has earned a reputation for praising blatantly fraudulent elections in former Soviet states and issuing reports that are in direct opposition to the conclusions of the OSCE/ODIHR missions. In what appears to be deliberate effort to create confusion, in 2003 a Russian-based nongovernmental organization (NGO) was founded with the same name as the intergovernmental organization’s election-monitoring arm (CIS-EMO), but claimed no connection. The CIS-Elections Monitoring Organization,

1. OSCE, *Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE*.

2. Kupchinsky, “CIS: Monitoring The Election Monitors.”

registered as an NGO in Nizhny Novgorod, Russia, deploys international observer delegations alongside CIS (the IO) and OSCE/ODIHR delegations. The NGO issues virtually identical election observation reports as the Minsk-based CIS reports, conceivably so that they can claim inter-governmental organization and NGO certification of elections criticized by the OSCE.<sup>3</sup>

Additionally, at meetings of the OSCE, Russia has advocated reduced funding for OSCE/ODIHR missions and otherwise attempted to undermine the organization's work as an independent but pro-democracy judge of election quality. Some pro-Western CIS member states have pushed back against Russian efforts to generate controversy about the quality of their elections. For example, the Moldovan government blocked a train carrying CIS observers at the border prior to their 2004 elections, and Georgia withdrew its membership in the CIS, in part to protest the organization's involvement in elections.

Attempts by incumbents to evade observer criticism have been well documented by other scholars. As Daniel Calingaert argues, "authoritarian regimes have become increasingly adept at keeping up the appearance of meeting democratic norms while subverting the integrity of the electoral process."<sup>4</sup> Similarly, in his widely cited 1997 article critiquing election observation, Thomas Carothers notes that, in part due to an "overemphasis on election day" by observers, "efforts by entrenched leaders to manipulate electoral processes to their advantage have become more subtle as such leaders have been socialized into the new world of global democracy and internationally observed elections."<sup>5</sup>

Building on this work, this chapter provides additional evidence that efforts by pseudo-democrats to conceal election manipulation triggered an evolving game of strategy between international observers, pseudo-democrats, and pro-democracy actors. Pseudo-democrats attempt to invite observers and guarantee their own victory without getting caught, and observers and democracy promoters attempt to catch them, prompting improvements in observation technology, stronger and more overt links between the reports of observers and international benefits, and continuing innovation in the forms of electoral manipulation used by rulers to stay in power. Strategic manipulation includes efforts by leaders to change their methods of manipulation, including the use of new methods,

3. Ibid.

4. Calingaert, "Election Rigging and How to Fight It," 138.

5. Carothers, "The Observers Observed," 22.

recycling of old methods on which observers may no longer be focused, and borrowing techniques from other countries.

Over time, this “arms race” of election monitoring should jointly increase the ability of observers to detect various forms of election fraud as well as the effort required for pseudo-democrats to evade international criticism, introducing further costs to pseudo-democrats. Leaders who do not devote sufficient resources to manipulating the election increase their risk of a negative report from observers, the consequences of which were explored in chapter 3. As in chapter 3, although anticipated costs of negative reports and strategic manipulation by pseudo-democrats are important elements of my theory, they do not lend themselves easily to quantitative hypothesis testing. Instead, I rely on a series of examples drawn from reading of hundreds of election observation reports and case studies of elections, detailed information about the tactics used by pseudo-democrats and observers, and descriptive statistics of election-monitoring missions.

### **Manipulators versus Monitors**

In the remainder of the chapter, I outline over-time interactions between international observers and leaders working to manipulate them, including observer response to strategic manipulation and improvements in the methods and quality of election observation. I then discuss in greater detail strategies used by leaders to invite observers and successfully manipulate elections in front of them, illustrating forms of strategic election manipulation, and then briefly discuss opposition party reactions to international observers.

I have already presented some indirect evidence that both pseudo-democrats and international observers are innovating in the game of strategic manipulation. If it were the case that international observers did not react to more strategic forms of manipulation among pseudo-democrats, the rate of negative reports should have gone to zero as election observation spread, a prediction that is contradicted by the empirical evidence (see introduction, figure I.1). An important effect of the normalization of election observation is that it increased the pressure for leaders to invite observers even as the stakes increased: election monitors improved their methods, negative reports became more likely, and pseudo-democrats became more constrained or more skilled at concealing election manipulation.

Counterintuitively, the fact that observers sometimes legitimate fraudulent elections played a large role in motivating pseudo-democrats to invite

international observers, but in the long run it caused the same types of leaders to face a difficult choice between consequences for refusing observers and the risk of a negative report from them. Neither of these options is desirable for pseudo-democrats, who can no longer simply refuse international observers without facing other, more certain, consequences.

Professionalized international monitors are well aware of pseudo-democrats' efforts to evade criticism. By the end of the 1990s, many organizations were actively cautioning their missions to be on alert for leaders attempting to gain international approval for rigged elections. As a European Commission document warned:

Sometimes politicians in power may be tempted to organise manipulated elections in order to obtain international legitimacy (Togo 1998, Kazakhstan 1999). Care should be taken if...an EU observation mission could contribute to legitimising an illegitimate process.<sup>6</sup>

Despite observers' awareness and the improvements in election-monitoring techniques, it remains difficult to detect all forms of manipulation, weigh their impact on the election quality, and judge the quality of all elections accurately. Most elections fall within the gray area between flawless democratic elections and outright election theft, such as in the Philippines in 1986, Panama in 1989, Georgia in 2003, or Zimbabwe in 2008. Even elections in consolidated democracies are imperfect by a number of objective standards, making the evaluation of elections in countries with new or fluctuating political institutions subjective and challenging.

Transitional elections are particularly difficult to judge. For postconflict countries, some newly independent states, and countries holding their first multiparty elections in decades, any sort of election is viewed as a major accomplishment, even if it is far from democratic. The necessary conditions for democratic elections were arguably not present for the 2006 elections in the Democratic Republic of Congo, yet because they were the first multiparty elections in more than forty years, observers gave the government and the election commission considerable leeway. Despite a number of reported problems, the missions organizing the roughly two thousand international observers issued generally positive evaluations. Even for the best-intentioned observers, evaluating election quality remains a serious challenge, particularly when pseudo-democrats work to manipulate elections subtly, without attracting observer criticism.

6. European Commission, "Communication from the Commission on EU Election Assistance," 5.

Despite frequent reference to universal standards for democratic elections, no such black-and-white standards exist.<sup>7</sup> Irregularities in elections can stem from low levels of economic and political development, poor infrastructure, little experience with democracy, or challenges typical in postconflict environments rather than government-sponsored election fraud. Nevertheless, observers have developed a variety of techniques that, although they do not generate automatic and objective judgments of whether elections are free and fair, allow them to document many forms of manipulation and to issue credible and sometimes forceful condemnations of elections. Democracy promoters continue to push for enforcement of existing commitments to democratic elections, as well as more systematic techniques of election observation.<sup>8</sup>

### Criticizing and Improving Election Evaluation

Observers' willingness to invest in improved election-monitoring techniques and their willingness to criticize elections increased as election monitoring became a widely shared international norm. Among benefit-seeking states, as election monitoring spread and it became clear that inviting observers was "the only way towards loosening the purse-strings of donors and creditors," criticism of observers increased, including from within election-monitoring organizations.<sup>9</sup> This criticism was followed by changes within many international monitoring groups, including increased professionalization, experience, and improved methodology. Increasingly sophisticated election fraud "has been matched by improvements in the skills and methods of election observers."<sup>10</sup>

Since international election observation was initiated in the 1960s, many observers have recognized their own limitations, and organizations have sought methods to improve their ability to evaluate election quality. Concerns about how accurately observers can judge election quality surfaced in some of the very first election observation missions and those concerns have continued to drive innovations in election observation. Common criticisms of observers include that they legitimize fraudulent elections, engage in electoral tourism, ignore fraud in the pre-election period, issue statements prematurely, distract from more qualified domestic observers,

7. For a recent effort to connect international law to minimal standards for democratic elections, see Davis-Roberts and Carroll, "Using International Law to Assess Elections."

8. Davis-Roberts and Carroll, "Using International Law to Assess Elections"; Donno, "Defending Democratic Norms"; Donno, "Who Is Punished?"

9. Geisler, "Fair?," 614.

10. Calingaert, "Election Rigging and How to Fight It," 138.

and practice “electoral fetishism” by overemphasizing election day with respect to the broader democratization process.<sup>11</sup>

In many cases in the early 1990s, particularly in Africa, reputable observer groups seemed unsure of how to evaluate elections that were clearly flawed.<sup>12</sup> Observers appeared to be aware that some elections were riddled with problems but were unable to determine if the problems affected the outcome of the election or if criticizing the election would generate more problems in the country than would giving the election qualified endorsement. Many reports from this time period in Africa evaluated faulty elections as “a step in the right direction.” Jon Abbink and Gerti Hessling refer to this as “one of the most worn-out metaphors in [election observation].”<sup>13</sup> Observers were widely criticized for their failure to highlight accurately the widespread problems in the 1992 elections in Kenya, Ghana, and Angola, among others, and complaints were made that “the presence of observers and their often hesitant reports can be easily misappropriated by African governments and bent in their favour.”<sup>14</sup> Although the possibility that observers will endorse flawed elections is a common criticism of observers, according to my theory this possibility is an important reason why election monitoring spread to pseudo-democratic countries in the late 1980s and early 1990s.

In response to criticism of election observation, many organizations began to undertake more systematic and comprehensive election-monitoring missions. For example, the Commonwealth, which once issued statements on the quality of elections before election day was over, significantly revised its election observation methodology and became more likely to criticize problematic elections.<sup>15</sup> The more professionalized observer groups continue to respond to criticism and work to improve election observation methods, but debates over the mandate of international observers, their appropriate role, and criteria for democratic elections are unlikely to disappear. In table 5.1, I summarize common tactics used to bias elections and the corresponding methods used by observers to mitigate them. In general, improvements in election monitoring should lead to less direct forms of election manipulation. Generally speaking, election fraud that takes place on election day is easiest for observers to

11. Abbink and Hessling, *Election Observation and Democratization in Africa*; Geisler, “Fair?”; Carothers, “The Observers Observed.”

12. Geisler, “Fair?”

13. Abbink and Hessling, *Election Observation and Democratization in Africa*, 12.

14. *Ibid.*, 8.

15. Sives, “A Review of Commonwealth Election Observation.”



detect and condemn. As manipulation moves away from the casting and counting of votes, it becomes more difficult for observers to detect, more difficult for them to demonstrate that significant election fraud took place, and less likely (although not impossible) that election manipulation will be condemned. Thus, the diffusion of the norm of election observation should be associated with a parallel change in the most likely types of election fraud used by political actors seeking to manipulate the election in their favor.

To illustrate, when the count and tabulation process is not observed, one of the easiest ways to steal elections in front of foreign observers is to hold entirely democratic elections and then falsify vote totals at the end of election day. This concern was recognized by international observers as early as 1966:

Our concern . . . is that the process of the final tally of votes is beyond the possibility of verification by foreign observers. If fraud took place, it would seem to be more likely at the point of reporting from the province and/or reporting from the [Central Election Commission].<sup>16</sup>

Election monitors have since developed methods of reliably detecting—and therefore deterring—this tactic. The expectation that Ferdinand Marcos would steal the 1985 elections by falsifying the vote totals led a domestic election-monitoring group, NAMFREL, to attempt a comprehensive independent tally of votes from all polling stations. They planned to station nonpartisan observers from their organization at all polling stations in the country for the counting of votes and produce their own tally. It quickly became clear that the large number of polling stations would make aggregation unwieldy and time consuming. Recognizing this challenge, National Democratic Institute (NDI) staff recommended that observers be stationed in a random sample of polling stations for the count, allowing observers to produce an independent estimate of the election results, within a specified margin of error, well before official results were released.<sup>17</sup> In the Philippines, this method was instrumental in demonstrating that Marcos lost the 1986 elections. In part because of advocacy of the method by international and domestic observers, these “quick counts” or parallel vote tabulations spread rapidly with election monitoring in the late 1980s and early 1990s and represent one of the first and most

16. Roe, “The Committee on Free Elections,” 63.

17. Bjornlund, *Beyond Free and Fair*; Estok, Nevitte, and Cowan, *The Quick Count and Election Observation*; Garber and Cowan, “The Virtues of Parallel Vote Tabulations.”

important innovations in election-monitoring technology. When quick counts are correctly administered, fraud in the vote tabulation process is very difficult to get away with.

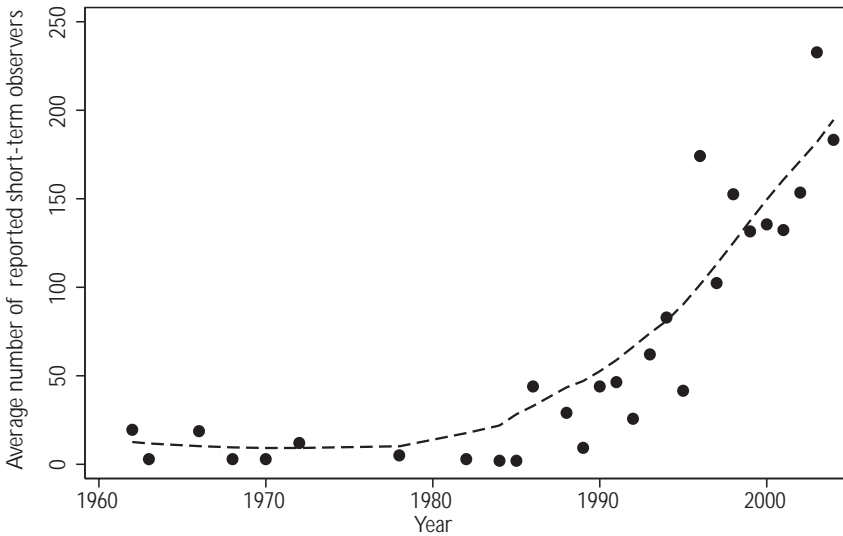
Another concern is that observers were focusing their attention on capital cities and other urban areas, clearing the way for widespread fraud in rural areas. Although international observer coverage is not comprehensive in most cases, the average number of short-term observers has increased dramatically, as illustrated in figure 5.1, at the same time that election-monitoring technology has improved, and since the early 1990s, long- and short-term observers spend significant time in rural and urban areas.

Responding to concerns about pre-election manipulation, international observers introduced a variety of improvements, including long-term observers, or LTOs. Beginning in the early 1990s and becoming widespread by 1995, LTOs are deployed throughout the country months in advance of an election and report on all aspects of the electoral process, including the registration of candidates and voters, campaigning, and the state of administrative preparations for elections countrywide. The qualitative evaluations provided by LTOs make the reports of international observers more credible.

Some organizations also conduct media monitoring. Media monitoring can be used to evaluate whether all candidates have sufficient access to media time, to judge imbalance in coverage, and to evaluate the veracity of content in campaign-related advertising. In each election observation mission, other tactics may be employed if they are deemed useful.

In part because of the example set by NAMFREL in the Philippines, nonpartisan domestic election monitoring has also spread rapidly since the mid-1980s, and many critics of international observation believed domestic election monitoring to be a superior alternative.<sup>18</sup> In the mid-1990s, many democracy promoters viewed international observers as temporary substitutes until domestic observers could become better established. It soon became clear, however, that in many countries domestic election-monitoring organizations are relatively easy for pseudo-democrats to discredit as biased, refuse to credential, or falsify by allowing only loyal government supporters to be credentialed as domestic observers. International monitors, because their reputations are established outside the monitored country, are harder to discredit. By the late 1990s it was widely recognized by election-monitoring experts that domestic and international

18. Bjornlund, *Beyond Free and Fair*; Carothers, "The Observers Observed"; Nevitte and Canton, "The Role of Domestic Observers."



**Figure 5.1.** Average number of reported short-term observers per observed election, 1960–2004

*Note:* The dashed line represents a locally weighted regression curve, known as a lowess smoother.

monitors were complementary, and coordination between reputable domestic and international observers became increasingly common.<sup>19</sup> For pseudo-democrats, coordination between international and domestic observers makes manipulating either group more difficult, and the complementary advantages of both types of observers further increase the forms of manipulation that are likely to be criticized.

The expanding mandate of election observation missions also increased attention to postelection dispute resolution and acceptance of the results. Whereas election monitors in the early 1990s were more likely to issue a postelection statement immediately after the election and close their in-country offices, international observer organizations in the late 1990s were more likely to stay in the country for weeks or months after an election, continuing to evaluate the government's conduct in handling election-related disputes. Countries with relatively frequent elections may invite constant observer presence, with monitoring of the upcoming election beginning while monitoring of the previous election is completed.

19. Bjornlund, *Beyond Free and Fair*.

**Table 5.1.** Election manipulation and observer response

Proximity to election day	Form of election manipulation	Response by international observers
<b>Vote count, tabulation, and acceptance of results</b>	<p>Changing vote totals and manipulating the count</p> <p>Refusal to accept the election results or adjudicate postelection disputes</p>	<p>Parallel vote tabulation or quick count</p> <p>Postelection monitoring until results are accepted by all parties and winner assumes office</p>
<b>Election day</b>	<p>Ballot box stuffing, vote buying, and election day intimidation</p> <p>Election day fraud in rural areas or in areas difficult to reach, clean elections in capital city</p> <p>Subtle forms of manipulation difficult for foreigners to pick up on, limitation on the number of international observers, and intimidation of or refusal to credential nonpartisan domestic observers</p>	<p>Increased numbers of short-term observers trained to look for such election day manipulation</p> <p>Increased numbers of short-term observers deployed throughout the country in rural and urban areas</p> <p>Coordination with nonpartisan domestic election observers</p>
<b>Election day and pre-election period</b>	<p>Government efforts to dictate observer access to aspects of the electoral process, numbers of international observers, composition of delegation, or ability to release their findings</p>	<p>Well-publicized and coordinated observer statements refusing to deploy a mission if restrictions were placed on international monitors</p>
<p>Pre-election fraud or manipulation, failure to distribute balloting materials to all parts of the country, pre-election violence</p>	<p>Monopolization and inappropriate use of media</p> <p>Misuse of state resources to campaign or bias the election</p>	<p>Long-term observers stationed throughout the country months in advance of the election</p>
<b>Pre-election period</b>	<p>Manipulation of the voter register</p> <p>Manipulation of the electoral system or election rules</p> <p>Efforts to weaken or divide opposition political parties</p> <p>Accusations of inconsistent standards, inviting low-quality observers</p>	<p>Media monitoring</p> <p>Long-term observation and willingness to criticize an election for misuse of state resources</p> <p>Voter registration audits</p> <p>Evaluation of the electoral system, including recommended changes given existing problems</p> <p>Meetings with representatives from all parties before elections, criticism of government efforts to weaken them</p> <p>Linking election monitoring to enforcement of international agreements already signed by individual countries, advocacy of consistent practices in election monitoring</p>

Observer organizations also sought to coordinate across organizations and countries. A common charge leveled against international observers, frequently by incumbent governments, is that they apply inconsistent criteria across elections, a problem Thomas Carothers highlights as the “elusive standards” of democratic elections.<sup>20</sup> In response to this criticism, individual observer organizations published their own criteria and methodology for election monitoring, and academics contributed recommendations for how elections could be more uniformly judged.<sup>21</sup>

International Human Rights Law Group’s 1984 publication of *Guidelines for International Election Observing* was perhaps the first effort to standardize election-monitoring practices across organizations, and it set out some very basic guidelines for election observation.<sup>22</sup> The Inter-Parliamentary Union published *Free and Fair Elections: International Law and Practice* in 1994, written by a prominent international human rights lawyer Guy Goodwin-Gill and updated in 2006.<sup>23</sup> The OSCE/ODIHR’s *Election Observation Handbook*, now in its fifth edition, was first published in 1996.<sup>24</sup> NDI contributed a number of guides and handbooks on election-monitoring techniques (also aimed at domestic observers), including the quick count, monitoring of voter registration, and media monitoring. The *Handbook for European Union Election Observation* was first published in 2002 and is now in its second edition.<sup>25</sup> Initiated by the Carter Center, NDI, and the UN, and commemorated in 2005 at the UN headquarters in New York, twenty-three organizations signed on to the *Declaration of Principles and Code of Conduct for International Election Observation*, a document that individual election observers are now expected to sign and to which they must adhere.<sup>26</sup>

However, despite the improvements in election-monitoring technology and the increased investment by international actors in improving election monitoring, observers remain far from perfect judges of election quality. For leaders engaging in blatant and premeditated forms of election manipulation, inviting low-quality election observers represented a reliable strategy. By 2000, the reputations of most observer organizations had become clear, and leaders planning blatant election fraud could either

20. Carothers, “The Observers Observed,” 23.

21. Elklit and Reynolds, “A Framework for the Systematic Study of Election Quality”; Elklit and Svensson, “What Makes Elections Free and Fair.”

22. Garber, *Guidelines for International Election Observing*.

23. Goodwin-Gill, *Free and Fair Elections*.

24. OSCE/ODIHR, *Election Observation Handbook*.

25. European Commission, *Handbook for European Union Election Observation*.

26. Carter Center, *Building Consensus on Principles for International Election Observation*.

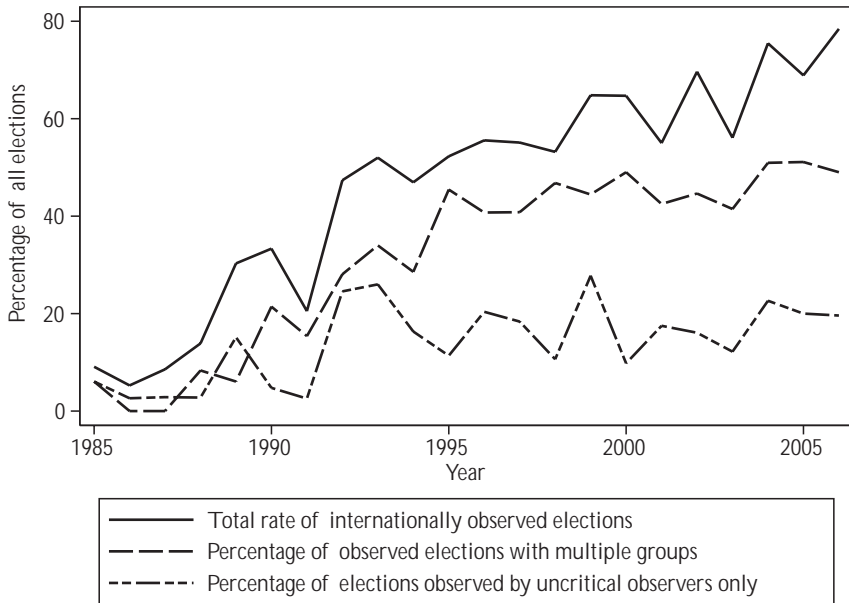
invite observers that were not reputed to be critical or invite organizations of varying quality so that conflicting reports between observers were more likely. Even following widespread improvement in election-monitoring techniques, low-quality observers remained and, in some regions, proliferated. For a number of African states, such as Zimbabwe, the Organization for African Unity (now the African Union) represented a friendly organization that was highly unlikely to criticize, although their reputation has improved in recent years. The Arab League has sent delegations to elections in Northern Africa and is also unlikely to criticize election fraud. Although La Francophonie has issued several critical reports, their observers can more often be relied upon to validate questionable elections. The Russian controlled Commonwealth of Independent States is one of the most blatantly artificial observer groups. The Shanghai Cooperation Organization, which is composed of China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan, has also deployed election-monitoring delegations in recent years, but the organization has no stated objective of promoting democracy.

In figure 5.2, I show the trends in multiple monitors and in the use of “friendly” organizations.<sup>27</sup> I use a conservative definition of critical observers, including only those groups that have reputations for regularly criticizing election manipulation: the OSCE/ODIHR (including observers representing the Parliamentary Assembly Council of Europe), the Organization of American States (OAS), the EU, the Carter Center, the Commonwealth, and the NDI or International Republican Institute (IRI). Each of these groups has also been criticized for failing to condemn elections that others believed were fraudulent.<sup>28</sup> However, relative to other organizations, their reputations are much more professional, and they condemn elections more frequently than do any other organizations. If I instead code each organization as “critical” after it has condemned at least one election, more organizations qualify as critical after 1995 and substantially fewer elections are observed by only uncritical observers.

As in the Russian case described in the introduction to this chapter, governments frequently accuse observers of bias, applying double standards, or of not understanding elections or democracy in the region. Although these criticisms are sometimes well deserved, such government-sponsored criticism is more likely to be leveled by leaders seeking to distract media attention from their own behavior. Some leaders actively

27. See also Kelley, “The More the Merrier?”

28. Kelley, “D-Minus Elections: The Politics and Norms of International Election Observation.”



**Figure 5.2.** Trends in international observation missions

court professionalized observer organizations, convince them to monitor the election, and then try to discredit them after they arrive in the country. For example, the Zambian government sought European Union observers for the 2001 presidential elections, welcomed them into the country, and then almost immediately accused them of favoring the opposition candidate before they had made any statements.<sup>29</sup>

The reputed master manipulator of elections and international observers is Robert Mugabe of Zimbabwe.<sup>30</sup> Over the course of elections in 2000, 2002, 2005, and 2008 the Mugabe government attempted to control, manipulate, and discredit international observers using a variety of tactics. Despite his efforts, Mugabe did not succeed at eliminating criticism of the elections, but on several occasions these efforts appear to have muddied the waters sufficiently to lessen the effects of international condemnation.

Mugabe's tactics against observers vary. By the late 1990s, some observer groups were in the habit of deploying pre-election missions to

29. "Zambia: EU Denies Supporting Opposition Candidate," *Africa News*, January 7, 2002.

30. This section relies heavily on information from Bjornlund, *Beyond Free and Fair*, chapter 9.

evaluate whether they should send an observer mission should they receive an invitation from the host government. This practice of sending pre-election missions before government invitations were issued was in many cases welcome and noncontroversial, yet it was not strictly compliant with the norm that observers should be invited by the host government. U.S.-based NGOs NDI and IRI deployed a pre-election mission for the planned 2000 Zimbabwean elections, but they chose to announce that the conditions for credible democratic elections did not exist, provoking a forceful reaction from the Zimbabwe government. The government revoked NDI and IRI staff visas before the election and launched a comprehensive campaign to manipulate foreign observers. It is noteworthy that Zimbabwe did not simply ban all foreign observers from the country, which would have been a violation of the norm. By 2000, refusing observers would have been an unambiguous sign that the election would not be democratic and likely would have led to immediate sanctions.

Instead of banning observers outright, Mugabe issued a blanket invitation to observers and then changed the requirements continuously until election day, attempting to dictate their nationality and their numbers and decreasing the likelihood they would criticize the election. Ultimately, the government banned all NGOs from monitoring the election, refused to credential any observer from the United Kingdom, and mandated that the EU delegation contain members from EU member countries only, effectively banning observers from Kenya and Nigeria who had planned to serve on the EU delegation.<sup>31</sup> The election was eventually observed by the EU, the Commonwealth, the Organization of African Unity (OAU), and the Southern African Development Community (SADC).

After giving up their pursuit of credentials, IRI condemned the election based on their pre-election observation: "The process is so flawed that it cannot adequately reflect the will of the people. Those responsible for elections in Zimbabwe have failed their country."<sup>32</sup> In contrast, the OAU and SADC missions praised the elections as free and fair, and the Commonwealth mission issued what the EU later called a "wishy-washy" report.<sup>33</sup> Citing pre-election violence, the Commonwealth report said that there were "impediments placed in the way of enabling the electorate to freely choose their representatives,"<sup>34</sup> but did not argue the election was

31. Bjornlund, *Beyond Free and Fair*.

32. *Ibid.*, 199.

33. Bjornlund, *Beyond Free and Fair*, 201.

34. Commonwealth Observer Group, *Parliamentary Elections in Zimbabwe: 24–25 June 2000*, 34.



fundamentally flawed. Of the groups permitted in the country, the EU issued the most critical report, citing “serious flaws and irregularities in the electoral process,”<sup>35</sup> but they were subsequently criticized on all sides: by African observer groups for “not allowing Africans to express themselves,” from Mugabe himself for applying biased standards, and by the banned observer groups for implicitly condoning the manipulation of observers by failing to withdraw their mission.<sup>36</sup>

For the 2002 presidential elections, tensions increased, as did the Mugabe government’s sometimes impressive and confusing tactics. Mugabe reportedly met with the EU team about potential deployment of an EU mission but stormed out of the meeting, telling them to “keep out,” that “Zimbabwe would not allow other countries to run our elections,” and protesting after the meeting that “some of them were our former colonizers.”<sup>37</sup> The government later backpedaled on Mugabe’s statements and the EU observer ban, announcing they were only opposed to “monitors” but would accept “observers.”<sup>38</sup> Zimbabwe later prohibited observers from Denmark, Finland, Germany, the Netherlands, Sweden, and the United Kingdom, causing the EU to withdraw its efforts to deploy a mission, instead imposing economic sanctions.

The quality of the 2002 elections was again quite poor, with widespread government-sponsored violence and election fraud. Unsurprisingly, the Organization for African Unity found it to be “transparent, credible, free and fair.” In contrast to the 2000 elections, however, the Commonwealth and SADC Parliamentary Forum condemned the elections, along with the EU and other groups that had refused to deploy observers. The Commonwealth suspended Zimbabwe from the organization for twelve months. Within a month of the elections, economic sanctions or aid suspensions were instituted by Germany, Norway, Japan, Canada, Switzerland, the United States, and Denmark, and it was estimated that Zimbabwe lost \$4 billion in development aid in the year after the 2002 elections.

Mugabe’s efforts to manipulate observers succeeded on some fronts, because he was able to gain a positive report from international observers

35. European Union, “Elections in Zimbabwe on 24–25 June 2000.”

36. Bjornlund, *Beyond Free and Fair*, 201.

37. “Zimbabwe; Foreigners ‘Welcome’ to Observe Poll,” *Africa News*, November 26, 2001.

38. This is a common rhetorical distinction in diplomatic circles and is sometimes emphasized by governments attempting to avoid high-quality election observation. Some organizations use monitoring and observing interchangeably. Other organizations use only the word *observation*, which is meant to imply a less interventionist method of poll watching. However, because no international observer groups adopt an interventionist approach to international election monitoring, the rhetorical distinction loses practical value for researchers.

from the OAU and generated voluminous media attention to the question of whether Westerners could fairly judge African elections. It is impossible to know for certain whether Mugabe would have faced the same forms of international condemnation if international observation had not become an international norm, yet it is clear that international condemnation of the elections from foreign observers caused the government to forgo a variety of international benefits, including severe reductions in foreign aid, suspension from international organizations, travel bans on Mugabe and other prominent government officials, freezing of their assets, and the labeling of Zimbabwe as a pariah state. Zimbabwe presents a clear example of government efforts to manipulate observers as well as the international response when leaders fail to evade international criticism.

### Strategies of Election Manipulation

Willful manipulation of elections and electoral processes is widespread, diverse, sometimes obvious, and frequently innovative. As Andreas Schedler emphasizes, “rulers may choose any number of tactics to help them carve the heart out of electoral contests.”<sup>39</sup> Within electoral authoritarian regimes, case-based research and recent theoretical work documents the use of a variety of tactics used by governments to maintain their hold on power.<sup>40</sup> Observers do not cause election manipulation to exist. Rather, observers influence the form of manipulation employed by governments and parties to bias elections in their favor. In my theory, pseudo-democratic governments that invite observers should attempt to manipulate elections without getting caught or criticized, an effort I refer to as “strategic manipulation.”<sup>41</sup>

As American politics literature has documented, strategic manipulation is not confined to the developing world.<sup>42</sup> For example, in urban political

39. Schedler, “The Menu of Manipulation,” 41.

40. Schedler, “The Menu of Manipulation”; Magaloni, *Voting for Autocracy*; Brownlee, *Authoritarianism in an Age of Democratization*; Schedler, “The Nested Game of Democratization by Elections”; Schedler, *Electoral Authoritarianism*; Simpser, “Making Votes Not Count”; Schaffer, *Elections for Sale*; Taylor, “Patterns of Electoral Corruption in Peru”; Alvarez, Hall, and Hyde, *Election Fraud: Detecting and Deterring Electoral Manipulation*; Calingaert, “Election Rigging and How to Fight It.”

41. Schedler, *Electoral Authoritarianism*; Beaulieu and Hyde, “In the Shadow of Democracy Promotion.”

42. Alvarez, Hall, and Hyde, *Election Fraud: Detecting and Deterring Electoral Manipulation*; Campbell, *Deliver the Vote*; Cox and Kousser, “Turnout and Rural Corruption.”

machines, Jessica Trounstine cites various biasing strategies in voter access to information, voting, and the ways in which votes are translated into seats, many of which are difficult to prove or are not perceived as illegal. Trounstine lists media control, suppression of civic groups, vote bribery, obscure polling sites, misuse of government resources, violence aimed at voter suppression, ghost voting and the discarding of ballots, candidate disqualification, gerrymandering, and malapportionment.<sup>43</sup> Similarly, but illustrated in the comparative politics literature on electoral authoritarianism, Schedler describes the “menu of manipulation” used by leaders, which includes overt election fraud, political repression, manipulating the ability of politicians to participate, manipulating the forum for debating policies or access to the relevant means of communicating with voters, manipulating the rules of competition, and making competition unfair.

As Michael Bratton points out with respect to elections in Africa, incumbents use executive power not simply to break electoral rules, but to bend the rules in their favor, including, for example “the disqualification of leading candidates, the spotty coverage of voter registration, the lack of internal democracy in ruling parties, [and] the abuse of government resources during the campaign.”<sup>44</sup> Leaders possess an array of tactics and rely on diverse strategies in order to maintain a “semblance of democratic legitimacy” in the presence of international observers.<sup>45</sup>

As election monitoring has evolved, so have the strategies used by pseudo-democrats to evade international condemnation of their elections. For example, as election monitoring began to spread rapidly throughout Africa in the early 1990s, Gisela Geisler criticized the disproportionate focus by observers on election day and the fact that elections in Kenya and Ghana were “already ‘rigged’ before the votes were cast and counted.”<sup>46</sup> This and related criticism lead observers to increase emphasis on observation of the pre-election period.<sup>47</sup>

It would be impossible to define and measure all strategies of manipulation, because strategic manipulation should, by definition, include unobservable forms. Strategic manipulation may also be obvious and observable, but it is distinguishable from outright election theft because it is intended

43. Trounstine, “Challenging the Machine-Dichotomy”; Cox and Kousser, “Turnout and Rural Corruption”; Campbell, *Deliver the Vote*; Alvarez, Hall, and Hyde, *Election Fraud; Detecting and Deterring Electoral Manipulation*.

44. Bratton, “Second Elections in Africa,” 60–65.

45. Schedler, “The Menu of Manipulation,” 36.

46. Geisler, “Fair?,” 615.

47. Bjornlund, *Beyond Free and Fair*.

to evade detection and criticism. Strategic election manipulation may include tactics that are legal, such as electorally targeted manipulation of fiscal policy, changing the electoral system, or gerrymandering. For example, following three previously unsuccessful attempts at running for president, Daniel Ortega was elected as president of Nicaragua only after he spearheaded a change in the electoral rules so that a president could be elected with 35% rather than the previously necessary 45% of votes cast. In 2006 he won with 38% of the vote in an election that was endorsed by reputable international monitoring missions despite the blatant manipulation of the electoral rules to engineer his own victory.<sup>48</sup>

Cleverly, some governments change election-related laws in order to make their intended manipulation strategies legal, such as passing obscure candidate citizenship requirements, modifying voter registration laws, or requiring opposition candidates to pay enormous registration fees. Of course, some leaders manipulate elections blatantly in order to demonstrate their strength or dominance or for other domestic reasons.<sup>49</sup> President Alexander Lukashenko of Belarus has boasted that he is so popular that he had to commit election fraud by artificially lowering his own vote share so as to be credible to international observers.<sup>50</sup> Lukashenko has also engaged in more traditional forms of election fraud, banned any criticism of his regime in public discourse, employed a widespread campaign of violence and intimidation against suspected regime opponents, branded opposition party members as traitors, and kept tight control of state-run media.<sup>51</sup> Lukashenko, and leaders like him, make little effort to conceal such manipulation. They employ a different form of strategic manipulation by instead waging a war of public opinion and arguing, for example, that their popularity makes political repression irrelevant because they would win even in free and fair elections, or by attempting to discredit international observers.

In order to bias elections in their favor while avoiding the most extreme and obvious forms of election theft, governments have intimidated journalists and shut down independent media outlets; monopolized or misused state-run television; falsely accused their opponents of crimes; threatened and intimidated opposition candidates, their families, and their

48. Birch, "Electoral Systems and Electoral Misconduct."

49. Lust-Okar, *Structuring Conflict in the Arab World*; Magaloni, *Voting for Autocracy*; Simpson, "Making Votes Not Count."

50. Jan Maksymiuk, "Belarus: Lukashenka—Father of the Nation, Or Loudmouthed Autocrat?," *Radio Free Europe*, Prague, November 24, 2006.

51. OSCE/ODIHR, *Republic of Belarus Presidential Election 19 March 2006, OSCE/ODIHR Election Observation Mission Report*.

supporters; and taken other actions aimed at increasing their own chances at winning the election without being condemned for election fraud. I discuss how these tools are used strategically below.

Candidate exclusion and dividing the opposition represent very effective forms of biasing election outcomes because they are not on their own likely to provoke severe international criticism, as their use is often hard to prove. At its most extreme, candidate exclusion includes indefinite disappearance of candidates, jailing, actual or attempted murder, intimidation, or “voluntary” exile. These extreme forms of candidate exclusion provoke international condemnation if the government is clearly responsible, but perpetrators frequently remain unknown. The suicide bombing and assassination of leading Pakistani opposition candidate Benazir Bhutto at a campaign rally led international observers to condemn violence leading up to the 2008 elections, but the overall evaluation of the election was ultimately positive, in part because the ruling party was defeated.

If leading opposition candidates do not “choose” to compete, it is much easier for the incumbent party to win without using other forms of manipulation. Screening candidates through intimidation, political imprisonment, or even murder is a highly effective tactic. In countries with extreme levels of political violence, such as Afghanistan, prospective politicians face an increased risk of assassination. Less violently but just as effectively, candidates in the 1995 Haitian elections could be barred from competing if they were members of the ruling party during the Duvalier dictatorship; however, the determination about which candidates fit this description was subjective, and some argue that the criterion was applied unfairly. In Côte d’Ivoire, the leading opposition candidate and former prime minister (1990–1993), Alassane Dramane Ouattara, was disqualified as a candidate from the 1995 and 2000 presidential elections because of a newly introduced nationality clause in the electoral law that required candidates to prove that they and their parents were Ivorian. Eligible opposition parties boycotted the Indonesian election of 1997 because, they claimed, one popular opposition candidate had been barred from competing in the election, ostensibly due to his health, even though the government argued these exclusions were within the scope of the law.

Underscoring the success of these strategies, recent research on electoral authoritarian regimes has shown that unless opposition parties are able to form a coalition to challenge the incumbent regime with a united front, “liberalizing electoral outcomes” are unlikely.<sup>52</sup> Although the methods vary,

52. Howard and Roessler, “Liberalizing Electoral Outcomes.”

it is frequently the case that “incumbents find ways to engineer the failure of opposition parties.”<sup>53</sup> Because electoral autocrats are rarely beaten by divided or weak opposition parties, engineering a weak or divided opposition remains one of the most powerful strategies for incumbent governments to stay in power.

Another form of indirect manipulation of elections reflects the importance of information in campaigns and elections. Governments can monopolize state-run media to campaign for government candidates, and they are frequently criticized for such actions by international observers. Drawing less attention is the more subtle, but potentially just as effective, method of exploiting state-run media in a manner that harms the opposition but is not technically campaign related. For example, in Cambodia in 1993, the government played the movie *The Killing Fields* on state television just days before the election, which was arguably intended to discredit Communist Party candidates.<sup>54</sup> Playing a movie on state-run television sounds relatively innocuous, but this type of strategy can bias the election using resources available only to the state, while avoiding overt or illegal forms of election manipulation. Alberto Simpser and Daniela Donno argue that international election observation can actually harm governance by leading incumbents to resort to the rigging of courts, media repression, and control of other administrative bodies.<sup>55</sup>

Violence and political repression can be used to display dominance of the regime, but it can also be employed in manner intended to avoid international condemnation. As Schedler writes, “irregular episodes of harassment and intimidation make fewer international headlines than systematic human rights violations, and they may be equally effective in dissuading dissidence and imposing self-censorship.”<sup>56</sup> This method of manipulation is clearly not part of a democratic political process and is likely to be condemned by observers if it is blatantly or systematically undertaken by the government. Prior to the 2006 election in Belarus, President Lukashenko preemptively threatened any supporters of a postelection attempt to overthrow the government, saying that “we will break the neck [of protesters] immediately—like a duckling’s.”<sup>57</sup> Although the statement

53. Schedler, “The Menu of Manipulation,” 41.

54. Roberts, “The Cambodian Elections of 1993.”

55. Simpser, “Unintended Consequences of Election Monitoring”; Simpser and Donno, “Can International Election Monitoring Harm Governance?”

56. Schedler, “The Nested Game of Democratization by Elections,” 106.

57. “Belarus Leader to ‘Break Neck’ of Election Demonstrators,” Agence Free Press, March 17, 2006.

obviously threatened protestors, its actual effect on the behavior of voters, journalists, and opposition political parties is hard to gauge, and observers have difficulty distinguishing between opposition supporters who are intimidated and those who are simply indifferent. Threats of violence have a chilling effect on competition that may be impossible to prove because successful intimidation leaves little observable evidence.<sup>58</sup> Similarly, in an effort to justify the use of violence toward opposition party supporters, governments have been discovered planting armed agitators at otherwise peaceful rallies, a charge levied at the Ethiopian government following the 2005 elections. Subsequent government crackdowns on “violent protestors” are then less likely to be criticized by international observers.

State bureaucracies sometimes enact discriminatory policies aimed at biasing the election without giving the appearance of impropriety. Because many bureaucracies in developing countries already have existing reputations as being incompetent (or they can quickly earn them), claims that opposition candidates did not properly file candidate registration papers, cumbersome voter registration processes, lost election materials, supposedly broken computers (famously following the 1988 Mexican elections), duplicate voter registrations for government supporters, and similarly ambiguous election irregularities are potential forms of intended election fraud that are difficult to prove as such. If an outdated voter register favors the incumbent, it can be an effective form of strategic manipulation simply to underemphasize the importance of voter registration or divert bureaucratic energies elsewhere and blame the out-of-date rolls on a lack of time and money. Politically captured election administration bodies can falsify vote counts or adjudicate electoral disputes in favor of the incumbent. Intent matters, particularly in countries with little electoral experience. When intentional manipulation and administrative incompetence are observationally equivalent, it becomes difficult for observers to condemn an election without additional evidence that administrative problems were in fact intentional manipulation of the electoral process.

Similarly, partisan control of the election administration body may be gained through legal measures, although it can be used to confer an unfair advantage and manipulate electoral outcomes. For example, in Azerbaijan in 1998, President Aliiev’s control of the central election commission was cited as the central opposition party complaint. Although OSCE/ODIHR observers criticized the administration of the election, Aliiev retained control of the election commission, which disqualified several

58. Kuran, *Private Truths, Public Lies*.



opposition parties from participating in the 2000 election, including the most popular party.

Vote or abstention buying are also relatively common strategies used both by government and opposition parties, some of which can be well concealed from international observers.<sup>59</sup> Although these techniques are not new, when campaigns pay voters to stay home in an effort to suppress turnout for supporters of their opponent, international observers may note that turnout is unexpectedly low; however, a well-orchestrated effort could realistically be concealed from international observers. For example, a widespread vote-buying strategy with a diverse pedigree goes by many locally known names, including the “Tasmanian dodge,” the “caterpillar” in Russia, the “shuttle” in the Philippines, and chain voting or carousel voting in other countries.<sup>60</sup> The goal of this vote-buying scheme is to allow vote buyers to evade the secret ballot and decrease uncertainty that vote sellers followed through on their side of the transaction. The scheme begins with a ballot that has been stolen or smuggled out of a polling station. The vote buyer marks the ballot and gives it to a vote seller, who then smuggles the premarked ballot into the polling station, casts it as his or her own, and then must smuggle out the voter’s own ballot, still unmarked, in order to be paid by the vote buyer. The newly obtained blank ballot is then marked and cast by the next vote seller. Although this tactic has been documented and criticized by international observers on a number of occasions, it is possible to conceal it from international monitors. It serves as an example of election manipulation that can evade the protections of the secret ballot, take place in otherwise functioning polling stations, and not be observable by anyone but the participants in the vote-buying scheme.

Efforts to engage in strategic manipulation are not foolproof, and sometimes they fail spectacularly. In the 2000 elections in Côte d’Ivoire, coup leader and presidential candidate General Robert Guei attempted to win his election through fraud and gain international certification, but he managed to fail at both. To limit competition without eliminating it entirely, the Guei regime ensured that fourteen of the nineteen prospective presidential candidates, including those from the two largest political parties, were barred from running by the Supreme Court. These actions led the UN-coordinated observer mission to withdraw from the country

59. Schaffer, *Elections for Sale*.

60. Schedler and Schaffer, “What Is Vote Buying?,” 23.



and issue a strong condemnation. However, Guei apparently did not cheat enough to win the election, and in a surprise outcome, one of the four remaining opposition candidates won the elections with 59% of the vote.

Although some forms of election manipulation are uniquely available to the incumbent because they require government complicity or the exploitation of state resources, opposition political parties or other civic groups are capable of election fraud, and some governments diffuse criticism of their own fraud by accusing the opposition of cheating as well. International observers at the 1999 Nigerian elections witnessed widespread election fraud, including ballot box stuffing, voter intimidation, and inflation of the voter register. In part because both sides were cheating, however, they had difficulty determining whether the observed irregularities influenced the winner of the election. Despite the poor quality of the elections, the Carter Center's postelection statement reflected their uncertainty about the overall effect of widespread election fraud committed by multiple parties and did not condemn the election as strongly as it might have had only the government had been caught cheating:

While we witnessed a number of abuses, the delegation has no systematic evidence indicating that these abuses would have affected the overall outcome of the election. Nevertheless these abuses may have substantially compromised the integrity of the process in the areas where they occurred.<sup>61</sup>

Incumbents who are caught and criticized by international observers frequently attempt to diffuse criticism. Incumbent governments may argue that observers are biased and imperialist, that they are too few in number to accurately judge elections, and that they act only for their host country's interests.

In addition to these examples, many forms of strategic manipulation may be unobservable. Like a perfect crime, perfectly orchestrated strategic manipulation leaves no evidence but guarantees victory for the government and defeat for the opposition. Because of the potential for this dynamic to exist, and because of the possibility that opposition parties are better equipped to document such covert manipulation, I briefly explore the reaction of opposition parties to international observers and strategic manipulation.

61. Carter Center and National Democratic Institute, *Observing the 1998-99 Nigeria Elections, Final Report*, 59.

## Opposition Parties, Observers, and Election Fraud

Across all observed elections, the reaction of opposition parties to international observers is diverse. Opposition parties may actively pressure their government to invite international election monitors, as in Jamaica in 1997. If they think that observers will legitimize what they anticipate will be a seriously flawed process, they lobby against them. Writing on opposition parties in Africa, Oda van Cranenburgh notes that initially “opposition parties were the primary actors urging for international observation to ensure a free and fair process...” but that “many opposition groups have become disenchanted with election observation.”<sup>62</sup>

Opposition parties also engage in election fraud, although the dynamics between observers and opposition parties are distinct from those between pseudo-democratic leaders and the observers they invite. When the government holds democratic elections, it is rare for opposition parties to engage in nationally orchestrated election fraud and even less likely that an election will be internationally condemned for opposition-only election fraud. Nevertheless, documented forms of opposition party manipulation include local schemes in areas of opposition party control, clientelism and vote buying, or intimidation and violence perpetuated by nonstate groups.

The strategy of opposition parties hinges on whether they anticipate that observers will judge election fraud accurately. For opposition political parties, the worst possible outcome is that the government rigs the election and international observers nevertheless praise it. Observer praise of an election makes postelection complaints by opposition parties less credible, and successful strategic manipulation by the government reduces their ability to win political representation. Indeed, this is precisely the outcome that pseudo-democrats are trying to achieve.

Thus when governments are engaging in strategic manipulation, the opposition has an increased incentive to signal their complaints to observers and to demonstrate that their complaints are valid. This dynamic, as recent research shows, led to increases in opposition party election boycotts during the 1990s when observers were present and their ability to judge election fraud was still in question.<sup>63</sup> More so than postelection protest, successful pre-election boycotts are costly for opposition parties. Not only do successful boycotts involve significant organization, they require that the parties forgo any possibility of representation. Threatening or

62. Abbink and Hesseling, *Election Observation and Democratization in Africa*, 31.

63. Beaulieu and Hyde, “In the Shadow of Democracy Promotion.”

carrying out an election boycott has been used in many countries to draw attention to unfairness in the electoral process, to pressure governments to rectify problems in the administration of elections, and to draw international and domestic attention to election manipulation.<sup>64</sup>

False accusations of government-sponsored election fraud may also be triggered by the presence of international observers because the possibility of causing negative international media attention increases the incentive for opposition groups to invent claims of election fraud, particularly if their chances of winning are otherwise low. Pre-election complaints of fraud inoculate the opposition against the possibility that they will perform poorly in the election. If the opposition party wins, the complaints become irrelevant, and if they lose, their performance can be blamed on unfair competition. This strategy is not foolproof, and it backfires if opposition complaints of fraud are believed to be exaggerated. Opposition parties suspected of such falsified complaints themselves become targets of observer criticism.

Nevertheless, some complaints made by opposition parties cannot be proven or disproven. Some involve complicated conspiracies or point to types of manipulation that are legal, such as targeted increases in government spending. Other opposition complaints are hard to believe. In the Dominican Republic in 1966, one observer faithfully reported opposition party claims that “they had been warned to expect white phosphorous to be placed in the ballot envelopes causing them to burst into flames when opened.”<sup>65</sup> No burning ballots were documented in the Dominican election, but similarly creative accusations have continued along with government innovation in the use of strategic manipulation.

In short, opposition response to observers is not uniform, but rather it reveals that opposition parties have an interest in exposing government-sponsored manipulation when it exists, sometimes accuse the government of fraud that it did not commit, and are generally wary of participating in a process that could be manipulated but not criticized by the international community. If they believe that foreign observers will improve the quality of the process in either the short or the long term, and thereby improve their chances of winning, opposition parties are also likely to pressure governments to invite high-quality election observers.

64. Lindberg, “Tragic Protest”; Beaulieu, “Protesting the Contest: Election Boycotts Around the World, 1990–2002.”

65. Keys, “Observing the Elections,” 77.

### **Strategic Interaction under the Norm of International Observation**

Many forms of strategic manipulation follow the letter of the law, but they bend the laws governing democracy such that the playing field is steeply tilted. Other forms of strategic manipulation that may be encouraged by election monitoring are clearly illegal and violate the letter and the spirit of rules governing democratic elections, such as bringing about the mysterious disappearance of opposition candidates, engaging in well-concealed vote buying, and manipulating the voter registration lists in opposition strongholds. As I have shown in this chapter, observers have responded to this diversity in tactics and have become more likely to criticize many forms of election manipulation that take place before and after election day.

The evolving game of strategy between international observers and pseudo-democrats suggests continuing innovation on the part of leaders, observers, and democracy-promoting international actors. As election monitoring became more widespread, international actors invested in improving election observation, thus increasing the scope and quality of election monitoring and giving leaders the incentive to modify their methods of strategic manipulation. After the norm became established, few leaders chose not to invite observers, and many leaders who were not otherwise inclined to signal their democratizing intentions invited reputable international observers. The fact that monitoring is costly to pseudo-democrats makes it an effective signal, and it is a central reason that international actors accepted the practice. Overall, for pseudo-democrats, the norm of election monitoring—and the widespread international support for democratic regimes—increases pressure on all governments to hold elections and increases the uncertainty over the outcome of those elections. To comply with international expectations, leaders must now hold elections, invite observers, and receive a positive report. For leaders who do not wish to give up power but who cannot afford to shun pro-democracy international actors or become a pariah state, the norm of election monitoring means they must devote increased effort to conceal election manipulation, risk the consequences of a negative report, overcome any direct deterrent effect that observers have on election fraud, and still guarantee their hold on power. This calculation is increasingly complicated as observers and pseudo-democrats interact under the norm of election monitoring.