

# Can political parties trust themselves? Partisan EMBs and protests in Latin America

Gabriela Tarouco  
Universidade Federal de Pernambuco, Brazil

FIRST DRAFT

## Abstract

Why do political parties choose to reject electoral results? Even decades after the democratic transition, post-electoral conflicts are still common in Latin American countries. This paper argues that the trust (or lack of) in electoral governance procedures can explain the choices of political competitors among two alternative strategies (defiance or compliance) and tests the following hypothesis: the lower the trust in the fairness of electoral governance, the higher the chance that losers will choose to refuse results. Among several features of electoral governance, partisan power sharing in electoral management has been targeted by the literature both as a problem and as a solution for electoral integrity issues. The paper uses a large-N research design and a multilevel model based on a dataset encompassing elections in 18 Latin American countries since redemocratization and finds support for the argument that, *ceteris paribus*, there is a causal chain linking (i) partisan models of electoral governance, (ii) trust on the fairness of elections, and (iii) the reactions of political competitors.

Keywords: protests; electoral governance, political parties

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## 1. Introduction

Why do political parties sometimes choose to reject elections and other times to accept them? Even decades after the democratic transition, post-electoral protests are still common in Latin America. This paper argues that the trust in the electoral governance procedures can explain the choices of political competitors among two alternative strategies: defiance or compliance.

According to Lehoucq (2002), parties cannot police themselves unless they manage elections from out of executive and legislative branches. Delegation of electoral governance to an autonomous body would avoid that election conflicts lead to political instability in new democracies. This paper tries to build on this argument by adding that the autonomy of EMBs (Electoral Management Bodies) should include not only independence from the executive office and legislature, but mainly from political parties themselves.

Can political parties, through power-sharing electoral governance, produce legitimacy and confidence to avoid protests and promote compliance with electoral results?

The relationship between lack of trust in electoral institutions and post-electoral challenges has already been pointed out by Norris, Frank et al. (2015), but to date this has not been tested in a comparative, empirical manner in Latin America.

This paper seeks to fill this gap by exploring how the partisan power-sharing in electoral governance is related to post-electoral conflicts. The next section focuses on protests as strategies chosen in contexts of low confidence and legitimacy of electoral procedures. The following section discusses distrust as the causal mechanism linking partisan EMBs and protests. I then describe partisan electoral governance and its variation in Latin America. Finally, the paper tests the effects of concerns about the fairness of elections on protests. Results of multilevel regressions support the hypothesis of a significant impact of distrust on defiance of electoral results. The last section includes some tentative conclusions and research agenda.

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<sup>1</sup> This paper reports partial results of a research in progress. I thank Ricardo Borges and Andrea Steiner for their helpful advice.

## 2. Defiance

In a consolidated democracy, we should not see refusals to accept electoral results. In new democracies, however, competitors are still getting used to alternation in power and the experience of the autocrat past is still more real than the belief in a democratic future.

A rejection of electoral results can sometimes be successful, especially if the denouncements are credible. The credibility of complaints works as an incentive for losers to try to reverse electoral defeat through a public outcry. In a young democracy, this strategy has smaller costs than in a consolidated democracy, where compliance is always expected.

In Latin America, violent uprisings followed more than 7% of all elections conducted since redemocratization. According to the Nelda dataset (Hyde and Marinov 2012), there were 25 post-electoral protests among Latin American countries after the transition, as can be seen in table 1.

Table 1: Post-electoral protests in Latin America since redemocratization<sup>2</sup>

Country	Year	Type of election
Colombia	1970	Executive
Colombia	1978	Executive
Dominican Republic	1978	Executive
Dominican Republic	1978	Legislative/Parliamentary
Dominican Republic	1986	Executive
Dominican Republic	1986	Legislative/Parliamentary
Dominican Republic	1990	Executive
Dominican Republic	1994	Executive
Dominican Republic	1994	Legislative/Parliamentary
Dominican Republic	2002	Legislative/Parliamentary
Dominican Republic	2010	Legislative/Parliamentary
Honduras	2005	Executive
Mexico	1988	Executive
Mexico	1988	Legislative/Parliamentary
Mexico	1991	Legislative/Parliamentary
Mexico	1994	Executive
Mexico	1994	Legislative/Parliamentary
Mexico	2006	Executive
Mexico	2012	Executive
Mexico	2012	Legislative/Parliamentary
Peru	2000	Executive
Peru	2000	Executive (second)
Peru	2000	Legislative/Parliamentary
Venezuela	2000	Executive
Venezuela	2000	Legislative/Parliamentary

According to Beaulieu (2014), electoral protests represent breakdowns in negotiation between incumbents and the opposition, and are caused by commitment problems or lack of information. This paper, in contrast, considers post-electoral protests as strategies chosen by political parties according to their evaluation of contextual conditions.

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<sup>2</sup> Excluding some elections conducted during authoritarian periods.

### 3. Distrust

Trust in electoral fairness – or the lack of it – has been mobilized either as a proxy for electoral integrity or as a measure of popular support for democracy and institutions, mainly as a dependent variable (Rosas 2010; Maldonado and Seligson 2014).

Literature focused on the individual level has approached distrust in electoral fairness either as perceptions of electoral integrity (Birch 2008; Bowler, Brunell et al. 2015) or as satisfaction with democracy (Fortin-Rittberger, Harfst et al. 2017)

Since it is difficult to measure fraud and manipulation directly, many researches use expert's evaluations or voters' evaluations as proxies. Both operational strategies are based on perceptions that can be biased by several factors<sup>3</sup>.

For the goals of this paper, it does not matter if popular perceptions reflect or not the actual level of electoral integrity as I am searching for the effects of the overall perceptions themselves. Electoral fraud and manipulation certainly increase citizens' support for protests (Norris 2014; Sedziaka and Rose 2015), but before people join a protest some of the competitors decided to call for it.<sup>4</sup>

From political parties' perspectives, overall distrust in electoral fairness is an indicator of the population's mood that signals their chances of being believed in a denouncement of electoral fraud or manipulation.

### 4. Partisan power-sharing in electoral governance in Latin America

Among several features of electoral governance (Mozaffar and Schedler 2002), partisan power sharing in electoral management has been targeted by the literature both as a problem and a solution for electoral integrity issues. Once sharing power in electoral management bodies, political parties may watch each other promoting horizontal control, transparency and confidence or may take advantage to favor themselves. Previous studies have shown that partisan electoral governance is a necessary condition for post-electoral protest from opposition parties (Tarouco forthcoming) and increases concerns about electoral fairness (Tarouco 2016). This paper follows that perspective, adding a new building block to understand the consequences of partisan power-sharing in electoral management.

Latin American countries have changed their electoral management rules during the transition process and even after redemocratization. The delegation of electoral governance to non-partisan actors, fully or partially, was adopted by many countries where political parties did not trust each other to conduct transitional elections. Among

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<sup>3</sup> This is a challenge for research on electoral integrity similar to that posed for corruption studies.

<sup>4</sup> This paper is based on the assumption that post-electoral protests are called for or supported by loser parties, despite this information is not available in Nelda dataset.

the elections analyzed here, almost half were conducted by nonpartisan EMBs. After transitional elections, there were some reforms regarding the participation of political parties in electoral management, as can be seen in table 2.

Table 2: Reforms in the participation of political parties in EMBs since redemocratization

			Reform		Last election
			Toward partisan power-sharing	Toward delegation	
First (transitional) election	Fully partisan EMBs	Colombia (1958) Dominican Republic (1978) Ecuador (1979) El Salvador (1984) Honduras (1985) Mexico (1988) Nicaragua (1984) Paraguay (1989) Uruguay (1989) Venezuela (1963)		Ecuador (2009) Paraguay (1998) Venezuela (1998)	Colombia (2010) Dominican Republic (2012) El Salvador (2012) Honduras (2005) Mexico (2012) Nicaragua (2006) Uruguay (2009)
	Partial delegation to nonpartisan actors	Bolivia (1979) Costa Rica (1949) Guatemala (1990) Panama 1991	Bolivia (1985)	Bolivia (1993) Costa Rica (1953)	Bolivia (2009) Guatemala (2011) Panama (2009) Venezuela (2006)
	Full delegation to nonpartisan actors	Argentina (1983) Brazil (1986) Chile (1993) Peru (1980)			Argentina (2011) Brazil (2010) Chile (2010) Costa Rica (2010) Ecuador (2009) Paraguay (2008) Peru (2011)

Table 2 shows three patterns: i) seven countries kept the same partisan model of electoral governance since redemocratization (Colombia, Dominican Republic, El Salvador, Honduras, Mexico, Nicaragua, and Uruguay); ii) five countries carried out reforms towards delegation (Bolivia, Costa Rica, Ecuador, Paraguay and Venezuela); iii) six countries kept delegated models either fully (such as Argentina, Brazil, Chile and Peru) or partially (as Guatemala and Panama) since redemocratization.

The only reform leading to partisanship (Bolivia, 1985) was reverted a few years later, with a new reform (1993) toward delegation. These paths seem to confirm the main trend in these new democracies to deny the electoral governance prerogatives to political parties, exactly as we argue in this paper.

## 5. The causal mechanism: from partisan electoral management to protests

This paper argues that: a) elections conducted by partisan EMBs can be more susceptible to distrust and b) that distrust encourages defiance.

The partisanship of EMBs increases vulnerability to electoral fraud and manipulations because political parties can manipulate electoral management based on their interests. Such vulnerability makes the complaints of political parties against the results potentially more plausible before public opinion. The general distrust in vulnerable models of electoral governance might increase the chances that complaints from a party get public support – without which it would be too risky to call for a post-electoral protest.

It is true that partisan influence can occur even in nonpartisan EMBs. There is a gap between formal and real autonomy. However, formal partisan power-sharing is potentially more vulnerable to manipulations and it is this vulnerability, even in potential, that serves as an incentive to complain about results.

This paper tests a hypothesis that loser parties choose to refuse electoral results when they know that the trust in the fairness of electoral governance is low, so their complaints will be believable. The paper argues that, *ceteris paribus*, there is a causal chain linking (i) partisan models of electoral governance, (ii) distrust in the fairness of elections, and (iii) the strategies of political actors.

As mentioned previously, tests have already shown the relationship between partisan EMBs and post-electoral protests: the lack of delegation of electoral management to non-partisan actors appears as a necessary condition for protests from opposition parties in Latin America (Tarouco forthcoming). Here I have submitted the causal argument to a large N, multivariate test, to identify sufficient conditions for that behavior from political parties. A set of bivariate tables below shows the association between partisanship of EMBs and distrust, between distrust and protests and between partisanship and protests.

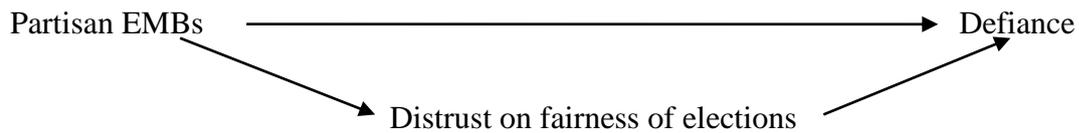


Figure 1. Causal chain argument

## 6. Data and method

Table 3 summarizes the data analyzed. The dataset combines variables from NELDA (Hyde and Marinov 2012)<sup>5</sup> and V-Dem (Coppedge, Gerring et al. 2017)<sup>6</sup>, with an ordinal measurement of the partisanship of EMBs coded from electoral laws and constitutions (Tarouco, 2016). The cases include elections for constituent assemblies, executive office, and legislatures, from redemocratization until 2012, excluding those conducted under authoritarian periods, according to Mainwaring and Pérez-Liñán's (2013; 2015) criteria.<sup>7</sup>

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<sup>5</sup> The National Elections Across Democracy and Autocracy (NELDA) dataset is maintained by a research team at the Department of Political Science, Yale University, and provides detailed information on elections around the world from 1945 to 2012. Each round of an election is coded separately, meaning that subsequent rounds of the same election are coded as separate units of observation. Data are collected from multiple sources, coded as a set of categorical variables related to the quality of those elections, and kindly made available by request through <http://www.nelda.co/>.

<sup>6</sup> Varieties of Democracy Project surveys experts worldwide to produce over 350 indicators on several aspects of democracy aggregated in the more complete dataset in the world. The research team has over 50 social scientists on six continents, working with more than 2,800 country experts. The data are available at <http://www.v-dem.net>.

<sup>7</sup> The authors' criteria include: 1) the head of government and the legislature must be chosen through open and fair competitive elections; 2) the franchise must include the great majority of the adult population; 3) political and civil rights must be protected; 4) elected authorities must exercise real governing power (not being overshadowed by nonelected actors).

**Table 3: Countries and Elections Analyzed**

Country	Number of elections conducted	Period
Argentina	23	1983 to 2011
Bolivia	18	1979 to 2009
Brazil	17	1986 to 2010
Chile	12	1993 to 2010
Colombia	35	1958 to 2010
Costa Rica	33	1949 to 2010
Dominican Republic	20	1978 to 2012
Ecuador	30	1979 to 2009
El Salvador	18	1984 to 2012
Guatemala	19	1990 to 2011
Honduras <sup>8</sup>	12	1985 to 2005
Mexico	14	1988 to 2012
Nicaragua	10	1984 to 2006
Panama	9	1991 to 2009
Paraguay	12	1989 to 2008
Peru <sup>9</sup>	22	1980 to 2011
Uruguay	12	1989 to 2009
Venezuela <sup>10</sup>	22	1963 to 2006
Total	338	1949 to 2012

### 6.1. Dependent Variables

The two dependent variables of this study are the answers in experts' surveys for the following questions:

- "Were there riots and protests after the election?" (Dummy variable from the Nelda dataset; 7.4% were affirmative answers);
- "Did losing parties and candidates accept the result of this national election within three months?" (Ordinal variable from the V-Dem dataset, where 0 = none and 4 = all, converted to an interval variable through IRT, with mean = 1.0303, standard deviation = 0.793, min. = -2.049 and max. = 2.010.)

### 6.2 Independent variables

The study's independent variables are described below.

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<sup>8</sup> Excluding the 2009 election, conducted during an authoritarian period.

<sup>9</sup> Excluding the authoritarian 1992–1994 period.

<sup>10</sup> Excluding the 2010 and 2012 elections, conducted during an authoritarian period.

6.2.1. Delegation: this is an ordinal variable coded from electoral laws and constitutions, as follows – 0 when EMBs are composed of representatives of political parties, 1 when parties delegate electoral governance to non-partisan actors and 0.5 when parties participate partially in EMBs, together with nonpartisan members.

Table 4: Elections according to the delegation of electoral governance to non-partisan actors

	N	Percent
No delegation (partisan EMBs)	172	50.89
Partial delegation	52	15.38
Full delegation (nonpartisan EMBs)	114	33.73
Total	338	100.00

6.2.2. Concerns: this is a dummy variable coded by the Nelda team – 0 when there are no previous concerns about election fairness and 1 when there are.

Table 5: Before elections, are there significant concerns that elections will not be free and fair? (nelda 11)

	Freq.	Percent
No	273	82.73
Yes	57	17.27
Total	330	100.00

6.3. Control variables:

The control variables of this study are summarized by tables 6 and 7.

Table 6: Types of elections

	N	Percent
Constituent Assembly	7	2.07
Executive	171	50.59
Legislative/Parliamentary	160	47.34
Total	338	100.00

**Table 7:** Is country said to be in an economic crisis? (nelda 18)

	Freq.	Percent
No	270	79.88
Yes	68	20.12
Total	338	100.00

## 7. Tests and Results

A first approach to assess the relationship between the partisanship of EMBs and protests is in the set of bivariate analysis shown in tables 8-10.

**Table 8:** Relationship between distrust and protests

Were there concerns about the fairness of election? (nelda11)	Post-electoral protests (nelda29)		Total
	No	Yes	
No	257 (94.8%)	14 (5.2%)	271 (100.0%)
Yes	46 (80.7%)	11 (19.3%)	57 (100.0%)
Total	303 (92.4%)	25 (7.6%)	328 (100.0%)

Pearson chi2 (2)=133.584; Pr = 0.000

**Table 9:** Relationship between partisanship and protests

Political parties in EMBs	Post-electoral protests (nelda29)		Total
	No	Yes	
No delegation (partisan EMBs)	151 (88.3%)	20 (11.7%)	171 (100.0%)
Partial	49 (96.1%)	2 (3.9%)	51 (100.0%)
Full Delegation (nonpartisan EMBs)	111 (97.4%)	3 (2.6%)	114 (100.0%)
Total	311 (92.6%)	25 (7.4%)	336 (100.0%)

Pearson chi2(2)=92.414 Pr = 0.010

**Table 10:** Relationship between partisanship and concerns

Political parties in EMBs	Concerns (nelda11)		Total
	No	Yes	
No delegation (partisan EMBs)	127 77.4%	37 22.6%	164 100.0%
Partial	43 82.7%	9 17.3%	52 100.0%
Full Delegation (nonpartisan EMBs)	103 90.3%	11 9.7%	114 100.0%
Total	273 82.7%	57 17.3%	330 100.0%

Pearson  $\chi^2(2)=78.465$  Pr = 0.020

As expected, partisanship is associated with concerns and concerns are associated with protests.

Some features of the data pose some challenges to analyses. First, the data has a cross-section-time-series format, but there is more than one election each year in each country (executive office, legislature, and runoff); thus, panel regression models do not fit. Second, there are few cases of post-electoral protests, so the dependent variable varies less than what would be desirable for a regression. Third, there are fewer groups in the higher level (18 countries) than usually recommended for a multilevel analysis. In the presence of these limitations, the methodological strategy was to perform a set of logit models for rare events and two sets of mixed multilevel regression analyses with individual-level dependent variables for each election, with countries as the higher-level variable.

The results of the logit models for rare events and the mixed multilevel regression analyses are displayed in Tables 11-13.

**Table 11: Mixed multilevel linear regression**

Dependent variable: Did losers accept the result of the election? (V-Dem v2elaccept)

	Model 1 Coef. (Std. Err.)	Model 2 Coef. (Std. Err.)	Model 3 Coef. (Std. Err.)
Economic crisis	-.0752652 (.1002882)	-.0740026 (.1002566)	.0030856 (.0998828)
Concerns about fairness	-.5166752*** (.105048)	-.5216623*** (.1046928)	
Delegation	.1248292 (.1748122)		.1887566 (.1776014)
Type	.0088895 (.0683198)	.0084945 (.0682672)	.0250174 (.069661)
_cons	1.06276*** (.1654886)	1.114056*** (.1510167)	.9214793*** (.1663002)
Random-effects Parameters	Estimate (Std. Err.)	Estimate (Std. Err.)	Estimate (Std. Err.)
country: Identity			
var (_cons)	.1568043 (.0621328)	.1672368 (.0646123)	.1605915 (.0641879)
var (Residual)	.4348024 (.0350073)	.4340886 (.0349177)	.4612999 (.0366801)
N	327	327	335
Wald chi2	25.51	24.92	1.25
Log likelihood	-345.52783	-345.76865	-363.33295
Prob > chi2	0.0000	0.0000	0.7400

Group variable: country      Number of groups: 18

Multilevel regression using MIXED in STATA

\* p<0.05, \*\* p<0.01, \*\*\* p<0.001

For the Nelda dependent variable, tables 12 and 13 show coefficients of two kinds of test: mixed multilevel logit regression and rare events logit regression.

**Table 12: Mixed multilevel logistic regression**

Dependent variable: Were there post-electoral protests? (Nelda 29)

	Model 1 Coef. (Std. Err.)	Model 2 Coef. (Std. Err.)	Model 3 Coef. (Std. Err.)
Economic crisis	-.3604571 (.7435216)	-.3605993 (.7442553)	-1.051342 (.7152028)
Concerns about fairness	1.919245** .6841446	1.927591** (.6831874)	
Delegation	-.2416275 (1.641464)		-.3388062 (1.669312)
Type	.4858548 (.5182268)	.4862388 (.5189991)	.3724453 (.4912992)
_cons	-5.632793** (1.756421)	-5.773696*** (1.473365)	-4.768599** (1.710509)
Random-effects Parameters	Estimate (Std. Err.)	Estimate (Std. Err.)	Estimate (Std. Err.)
country			
var (_cons)	7.525457 (6.477679)	7.944316 (6.108818)	7.185302 (6.451429)
N	328	328	336
Wald chi2	9.88	9.80	2.71
Log likelihood	-60.252263	-60.267586	-65.573638
Prob > chi2	0.0425	0.0204	0.4382

Group variable: country      Number of groups: 18

Multilevel regression using MELOGIT in STATA

\* p<0.05, \*\* p<0.01, \*\*\* p<0.001

**Table 13: Logistic regression for Rare Events**

Dependent variable: Were there post-electoral protests? (Nelda 29)

	Model 1 Coef. (Robust Std. Err.)	Model 2 Coef. (Robust Std. Err.)	Model 3 Coef. (Robust Std. Err.)
Economic crisis	.0807775 (.5781103)	-.3453231 (.5590967)	.1668231 (.5819449)
Concerns about fairness	1.274943** .4558042		1.480929 *** (.4242764)
Delegation	-1.456264* 9.65937390	-1.620541* (.639338)	
Type	.1016801 (.3641521)	.0269296 (.3545652)	.0870401 (.3651484)
_cons	-2.500715*** (.6739319)	-1.952858** (.6298587)	-3.002246*** (.6400389)
N	328	336	328
LR chi2	18.43	10.38	10.67
Prob > chi2	0.0010	0.0156	0.0137
Log likelihood	-79158109	-83.811198	-83.042999
Pseudo R2	0.1043	0.0583	0.0603

Logistic regression using RELOGIT in STATA

\* p<0.05, \*\* p<0.01, \*\*\* p<0.001

In all three sets of models, the signs of coefficients are in the expected directions:

- Concerns about fairness of elections decrease the acceptance of results, and increases the probability of post-electoral protests;
- Delegation to nonpartisan actors increases acceptance of results and reduces the probability of post-electoral protests.

Statistical significance is high for concerns but low for delegation (except in the rare events model). These results support the hypothesis of a direct effect of distrust on defiance and an indirect effect of partisan EMBs.

## 8. Provisional conclusions

Political parties defy electoral results mainly when there are party members in the electoral bodies. They do that because partisan EMBs come together with an environment of distrust that favors complaints about electoral fairness.

In young democracies, to win elections and get power is a more crucial goal than to share power with adversaries to build a long term fair process.

It seems that the presence of political parties in electoral management bodies cannot serve as a kind of mutual control and transparency device in contexts where there is no memory of fair

competition. Political parties, taken as unitary actors, cannot trust each other without a tradition of assured alternation in power. While this confidence is being built, it seems better to delegate electoral management for non-partisan actors.

By focusing on partisan power-sharing in EMBs, this paper offers an assessment of the relevance of electoral governance for compliance with electoral results. Using data from Nelda and V-Dem as data coded from laws and constitutions, this paper found that partisan EMBs increase distrust that reduces compliance.

However, despite the theoretical importance of compliance for democratic stability, post-electoral protests in new Latin American democracies have happened with no consequences for regime survival. The solution for this empirical puzzle remains as a task for a future research agenda, but it is already possible to say that theoretical predictions and normative standards on partisan power-sharing do not apply to electoral governance in new democracies.

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