Stuffing the Ballot Box

Stuffing the Ballot Box is a pioneering study of electoral fraud and reform. It focuses on Costa Rica, a country where parties gradually transformed a fraud-ridden political system into one renowned for its stability and fair elections by the mid-twentieth century. Lehoucq and Molina draw upon a unique database of more than thirteen hundred accusations of ballot-rigging to show that, independently of social structural constraints, parties denounced fraud where electoral laws made the struggle for power more competitive. They also explain how institutional arrangements generated opportunities for several executives to assemble legislative coalitions to enact far-reaching reforms. This book argues that nonpartisan commissions should run elections; it explains why splitting responsibility over election affairs between the executive and the legislature, as classical constitutional theory suggests, is a recipe for partisan rancor and political conflict.

Stuffing the Ballot Box will interest a broad array of political and social scientists, constitutional scholars, historians, election specialists, and policy makers interested in electoral fraud and institutional reform.

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For Mariana
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After a decade in power, Peruvian President Alberto Fujimori (1990–2000) fell amid charges of fraud, voting irregularities, and the abuse of power. In Southern Europe, Slobodan Milosevic (1990–2000) finally lost an election in 1999; his efforts to reverse the results of the ballot box led to a popular revolt that finished his nationalist regime. At the dawn of the new millennium, an extremely close election generates a storm of protest in Florida. Indeed, the entire world looks upon the U.S. 2000 presidential race in disbelief as confused procedures, faulty and antiquated equipment, and racial bias fail to produce an obvious victor.

These are only three examples of how electoral fraud is very much a part of the contemporary world. Few would deny that ballot-rigging has taken place in most systems and that it remains a problem in many democracies. Yet, for a phenomenon that was and remains central to democratic politics, we really know very little about how parties go about fabricating votes. Sure, there are lots of anecdotes; former U.S. President Jimmy Carter's memoirs of personally observing his opponents stuffing the ballot box and depriving him of an electoral victory in rural Georgia is a noteworthy case in point.1 Aside from colorful (and valuable) accounts like these, we can draw upon only a handful of studies of fraud to make sense of an illegal but ubiquitous electoral activity.

This book aims to fill the gap in our comprehension of electoral fraud and reform. It focuses on a fifty-year period in Costa Rica, when politicians used fraud, violence, and ballots to obtain public office. Over the next five decades, parties gradually (and reluctantly) gave up their right to

fabricate fraudulent votes. One of the important puzzles therefore animating *Stuffing the Ballot Box* is why presidents and legislators passed a series of laws that eliminated their ability to rig the ballot box. To understand why they did the unimaginable, this book evaluates office-seeking, sociological, and institutionalist theories of electoral reform. *Stuffing the Ballot Box* also assesses the usefulness of sociological and institutional explanations of the nature, spatial basis, and magnitude of electoral fraud. By explaining why parties change electoral laws and assessing the impact of these changes on political behavior, our study hopes to contribute to debates about the origins and consequences of political corruption, institutional change, and democratization.

Why did we write this book? While doing research in Costa Rica during the late 1980s, Fabrice E. Lehoucq stumbled across a rather peculiar collection of documents known as the petitions to nullify electoral results (*demandas de nulidad*). Commonly published in *La Gaceta* – the official record of laws and government announcements – the petitions were the legal vehicle for aggrieved parties to file complaints about the electoral behavior of their opponents. Though couched in the dry, technical language of litigation, the petitions contain a wealth of material about the nature and amount of fraud and its geographical location. Thanks to the classical theory of electoral governance – an institutional blueprint we evaluate in this book – parties had no choice but to file complaints with Congress, the constitutionally sanctioned body responsible for reviewing all complaints of electoral misconduct. Five years later, we decided to collaborate to analyze the petitions and to explain why parties gradually relinquished their ability to manufacture electoral fraud. *Stuffing the Ballot Box* is the fruit of our efforts.

This was not an easy book to write. Much to our surprise, no more than a handful of studies of fraud were available to guide our project. Neither Costa Ricans nor foreign specialists produced more than a few articles and books about institutional dynamics and political behavior in this country. When we began this study, we had little more than educated guesses about, for example, the size of the electorate, party platforms, the rules and by-laws of electoral governance, and the nature of public opinion. To fill these gaps, we had to read thousands of newspapers, U.S. State Department files, census and registry records, and legal and government documents. So, in studying fraud and reform, we ended up studying myriad topics. We cite the results of these studies throughout this book.
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Iván Molina took the lead in the study of fraud and electoral behavior. He examined all 123 petitions and developed the methods for quantitatively and qualitatively analyzing more than 1,300 accusations of ballot-rigging. He produced the estimates of the size of the electorate, assembled voting returns, and identified electoral tendencies. He also analyzed the behavior of the Credentials Committee. Molina also wrote (in Spanish) the initial versions of Chapters 1, 3, and 5, of the section on fraud in the 1948 elections, and of key portions of the discussion of electoral fraud for the introduction and the conclusion.

Lehoucq analyzed Congressional and public debates about electoral reform. He assembled the roll-call data on deputy behavior and led the effort to identify the partisan affiliation of congressmen. Lehoucq took the lead in putting Stuffing the Ballot Box together. He wrote the introduction, Chapters 2, 4, and 6, and the conclusion. He translated Molina’s initial versions of the remaining chapters of this book. Throughout this arduous process, Lehoucq and Molina met on several occasions in Costa Rica, Mexico, and the United States. They exchanged literally hundreds of e-mail messages about this manuscript.

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