

A Framework for the Systematic Study of Election Quality

JØRGEN ELKLIT and ANDREW REYNOLDS

This article offers the beginnings of a methodology for assessing the quality of a national election, its freeness, fairness and administrative efficacy. The historical lack of a comprehensive framework of analysis has compelled election observers to make pronouncements on the basis of incomplete evidence, usually gathered on the day of the vote and count. It has allowed international observation missions to 'call' the results of elections on the basis of political expediency rather than the facts of the case. The intent in this article is not to offer a fool-proof method for categorizing election quality but rather to lay out a framework which we believe is more comprehensive and meaningful than anything that has come before. To illustrate its workings the article scores six multi-party elections: two in established democracies – Australia and Denmark 2001 – and four in fledgling democracies – South Africa 1994 and 2004, East Timor 2001 and Zimbabwe 2002. The framework outlined here will make it possible to identify patterns of success and failure in the fairness of elections. It should enable all kinds of observers from academics and election administrators to election observers to spotlight the weak areas of election administration, where a government might then choose to focus its efforts to improve the quality of subsequent elections.

Key words: election management; governance; election quality assessment; democratization; conflict management; democratic consolidation; legitimacy

Assessing and Observing Elections

This article offers the beginnings of a methodology for assessing the quality of a national election: its freeness, fairness and administrative efficacy. There is a large empty space within academia and policy analysis that we feel is ripe to be filled, namely the lack of a systematic method for assessing election quality which can be applied in both developed and developing world cases, first elections and subsequent ones.

The article goes beyond previous published work in the field of election and electoral administration assessment by suggesting a much more operational and empirically oriented approach. It introduces and describes the elements and the scoring methodology of an assessment framework, explains its rationale and offers the model to election practitioners as well as to researchers and election observers. To illustrate its workings the research scored six multi-party elections: two in established democracies – Australia and Denmark 2001 – and four in

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Democratization, Vol.12, No.2, April 2005, pp.147–162

ISSN 1351-0347 print/1743-890X online

DOI: 10.1080/13510340500069204 © 2005 Taylor & Francis Group Ltd

fledgling democracies – South Africa 1994 and 2004, East Timor 2001 and Zimbabwe 2002 – which means that two of the cases are in the same country over time. This degree of specificity is indicative of the route this field of study in our opinion must take, if it is to contribute substantially to the empirically-based analysis of elections and electoral management.

It is strongly hoped that the presentation of this framework and this approach will engender more debate and further analysis, that will in turn facilitate the model's use as a practical tool for both non-governmental and governmental election observation missions and as a research tool to better understand the issues determining election quality and legitimacy. The model will also allow election managers and administrators to assess the quality of their own work on a comparative basis.

The work has its seeds in the authors' previous work,¹ which was further developed during a workshop held with senior members of the Australian Electoral Commission in Canberra in June 2004.² It is only quite recently that the academic literature on democratization has begun to acknowledge that governance issues must encompass issues related to the conduct of elections, in both consolidated and emerging democracies. Those analyses generally agree on conceptualizing electoral governance as a set of closely linked activities, sometimes categorized under the headings rule making, rule application and rule adjudication.³

Mozaffar and Schedler claim that because elections in established democracies tend to be routine events, usually producing results within a narrow, but fully acceptable margin of error, systematic analysis of electoral governance has not attracted much scholarly interest.⁴ There will always be some margin of error as it is difficult to envisage any large-scale operation such as a national election not being occasionally infected by defective ballots, incomplete voter registers, inaccuracies in counting, impersonation and other blemishes. Human error happens sometimes, but if these errors are random and do not accumulate to determining the outcome of the election, then electoral credibility survives, which is exactly why these credible routines themselves tend to obscure how important electoral governance is. It is a general rule that electoral governance issues only attract critical attention when something goes seriously wrong, or when an electoral issue is taken up as part of a more general election-related controversy.⁵

It seems self-apparent that good electoral governance contributes to the democratic legitimacy of competitive elections, but it is not an easy task to determine exactly how electoral governance in itself affects political democratization and the development of democratic legitimacy. The claim that electoral quality has a bearing on political legitimacy matters is intuitive, but it is more difficult to offer convincing theoretical arguments and empirical evidence. Indeed, previous attempts at conceptualizing electoral manipulation have aimed at measuring violations of democratic norms during the electoral process and thus have focused on electoral manipulation as an indicator of illegitimacy, not a cause.⁶

Obviously, attempts to hypothesise about the causes of political legitimacy (or illegitimacy) require the inclusion of a number of variables (including different forms of electoral manipulation or fraud), that are difficult to operationalize and to measure empirically in such a way that clear causal connections can be established.

In spite of these difficulties, one might still be able to use empirical observations as indicators of high or low levels of political legitimacy (which in the analyses of causation will have been the dependent variable).⁷

This article emphasizes the intimate linkage between the entire electoral process and democratization, but one can go beyond an analysis that is focused on that traditional context. Post-conflict elections must also be judged on their contribution to bringing conflict to closure. Post-conflict elections in cases such as Bosnia and Herzegovina, Mozambique, Angola, Afghanistan and Iraq provide good examples. The framework presented below does not include a special category 'post-conflict war-torn societies' alongside the fledgling and established democracies, because the focus is trained on the main objective, that is the presentation and discussion of the basic framework. However, one could envision an analytical value to adding such a category, akin to Lyons' analysis of the role of electoral administrations in some of the more complicated post-conflict elections, previously reported in this journal.⁸

Why the Need for Such a Measurement Tool?

The lack of a robust and comprehensive framework of analysis left a space which has been filled by two equally unsatisfactory outcomes. Either election observers make judgments on the basis of largely impressionistic and incomplete evidence centred on the conduct of the vote and count on election day, or observation missions (often from abroad and with their own government's lead) 'call' the result an election in a politicized way, detached from the reality of the process itself. An example of the latter is the pronouncement by the official South African observation mission that the Zimbabwe elections of 2002 were 'free and fair'.

The greatest failing of election assessment to date has been the tendency to see election quality in bimodal terms. The election is either good or it is bad; or, when a fudge is required, it is 'substantially free and fair'. But there is no doubt that the quality of elections across cases and across time can be seen as existing on a continuum, even though it also makes sense to approach this fuzzy concept as one of multi-dimensionality.⁹ Election management within a country can be strong in some areas and weak in others. The playing field which regulates the campaign can vary subtly in both *de jure* and *de facto* ways, and elections clearly can improve as well as decline qualitatively speaking on a number of dimensions over time. In essence, one needs to look at both process and outcome to gauge the full picture of election quality.

It would be too simplistic to apply a rigid methodology which gave, for example, Sweden a 92, the United States a 78, and the Congo a 59 and see such scores as perfect indicators of the nuances of all that goes into allowing for good elections. At the same time, however, there are clear clusters of election elements that can be assessed and one is able to offer an overall assessment of election quality which is more rooted in the evidence than previous impressionistic offerings.

There is also the important question of whether the election failings are so considerable as to affect the final result. Is an election where only one per cent of the votes are lost or manipulated and the winner wins by half a per cent any worse than an election

where 30 per cent of the votes were irregularly cast or treated but the winner wins by 35 per cent? This raises the question if election quality should be assessed primarily on the basis of the electoral process or the electoral outcome (or both)?

Our intent is not to offer a foolproof method for categorizing election quality but rather to lay out a framework which we believe is more comprehensive and meaningful than anything which has come before. Using a consistent and over-arching assessment model allows not only for cross-country comparisons but also for internal comparisons of elections within a single country over time. We believe our framework will identify patterns of success and failure in the fairness of elections and be able to spotlight the weak areas of election administration that a government might reasonably focus its subsequent quality improvement efforts on.

The aim is to reach a logically sound and easy-to-apply method, which is easy to understand and able to map, and quantify, elections and electoral management systems. The use of the framework in very different environments is in itself a strong argument for not applying complex statistical methods, which may not be appropriate in all cases. This form of modesty is also warranted when the phenomenon under scrutiny is characterized by a considerable number of constantly changing variables, many of them difficult to measure in a very precise, valid and reliable way. So although the model offered here is ready to use, it may well be capable of further refinement by the expertise of academics and practitioners, in respect of both its scope and scoring methodology. Readers might usefully apply the methodology to an election they are most familiar with, and compare the results with the examples offered here, to test the overall strength of the framework.

A reasonable expectation is that established democracies might tend to lose points in some areas of election management such as transparency, voter education, campaign regulation and appeals processes. Our guess is that effective provisions covering these areas have atrophied as public trust in the system has grown over time. The framework therefore identifies a potential Achilles heel in elections even within stable democracies. A thorough assessment of voter registration procedures and complaint procedures in Florida prior to the 2000 US presidential election would most likely have identified the issues, which during the count marred the electoral process. Voter registration in the 2004 US presidential elections could also merit closer scrutiny.

In contrast in fledgling democracies the niceties of electoral law may be quite robust, at least in the first competitive election after moving to political pluralism, but the playing field of electoral competition is often deeply skewed in favour of the dominant parties and elites. This is something which can easily become ever more problematic over time. The proposed framework attempts to capture both sides of the equation, the *de jure* and *de facto* rules which shape elections, the written laws and the practical realities, the freeness of the vote and the fairness of the campaign, as well as the chance to win and the ability to lose.

Introducing the Framework

One of the chief questions when trying to gauge the freeness and fairness of an election is where to draw the boundary when it comes to deciding what issues are relevant

to the question? The boundaries are murky. While it is important to go beyond polling day and the vote count, the analysis here excludes the very broad determinants of political competition which speak only more indirectly to elections and voting. For example, it includes questions of access to public media and boundary delimitation while excluding more general issues of party funding and candidate selection.

When it comes to the election indicators, our rule of thumb is not to pronounce upon the inherent fairness of an electoral system or regulation (if it is generally perceived to be a legitimate democratic option) but rather to assess whether the rules, as written, are applied fairly and without partisan bias. Kenya for example would not lose points because it uses a majoritarian rather than a proportional election system but because its majoritarian single member districts are so massively malapportioned – in a manner that gives rise to partisan bias. Obviously this methodological position may not be easy to defend in all cases, because some rules may be quite undemocratic or are not very reasonable from a balanced viewpoint.

It is to be expected that the framework will attract some criticisms – there are valid criticisms of any assessment method that combines elements of objective and subjective assessments and weightings of various elements. But the pilot studies carried out by the AEC workshop provided results that are *prima facie* intuitive and reasonable. The expert panels that might deploy the framework in the future should be knowledgeable, detached and diverse; the data indicators will give the best purchase on the questions we seek to answer. Of course country experts may assign different scores within each of the 50 or more survey questions and the writers encourage them to do so; this merely indicates the framework's sensitivity to a continuum of indicators.

After settling on relevant areas of election regulation and administration the issue becomes one about which questions should be asked in order to gain a clear view of the workings of the given area, and what data will serve as good indicators of election performance? The model incorporates 11 steps ranging from the initial legal framework to the closing post-election procedures. It incorporates a number of areas an Electoral Management Body (EMB) usually has responsibility for: districting; voter education; registration; the regulation and design of the ballot; polling and counting, along with some broader areas such as campaign regulation, complaints procedures and the implementation of election results.

Each step includes 3–10 questions, the answers to which will gauge the quality of election administration and conduct for that step. In sum there are 54 questions which act as indicators. Some of them may be faulted for not providing sufficient discrimination between cases and one may argue that on those grounds they should be excluded. Still, at least some of them help make clear that there are areas where most electoral administration systems actually perform more or less in identical ways, which is also important. Some steps are analyzed primarily through reference to such data as specific voter education efforts. Others are by necessity scored more on the basis of expert judgements (for example, the perceived legitimacy of the election management body, even though this variable can also, at least in some cases, be gauged from survey data). These answers will be based to some degree on data, but more likely on expert readings and assessments of events and the domestic political climate.

TABLE I
ELECTION ASSESSMENT STEPS AND PERFORMANCE INDICATORS

Step	Performance indicators	How to measure
1. Legal framework	1.1. Is a consolidated legal foundation easily available? 1.2. Is a comprehensive electoral timetable available? 1.3. Were the elections held without extra-legislative delay? 1.4. Can the electoral legislation be implemented? 1.5. Is the electoral framework broadly perceived to be legitimate?	Expert panel assessments
2. Electoral management	2.1. What is the perceived degree of legitimacy/acceptance of the EMB by parties and voters? 2.2. What is the perceived degree of the EMB's impartiality? 2.3. What is the perceived quality of the EMB's delivery of service in these elections? 2.4. What is the perceived degree of the EMB's transparency?	Polling evidence for perceptions Expert panel for <i>de jure</i> and <i>de facto</i> analysis of EMB impartiality Survey of stakeholders for EMB quality and transparency
3. Constituency and polling district demarcation	3.1. Is the constituency structure reasonable and broadly accepted? 3.2. Is information about constituencies and lower level districts (demarcation, sizes, seats) easily available? 3.3. Are fair and effective systems for boundary limitation and seat allocation in place used according to the rules?	Expert panel Stakeholder surveys
4. Voter education	4.1. What percentage of voters in need of voter education is exposed to voter education which facilitates their effective participation? 4.2. Have 'at risk' groups been recognized and their identified needs addressed? 4.3. What percentage of ballots cast is valid? 4.4. In terms of voting age population, what percentage of those eligible to vote for the first time in this election actually voted?	'In need' is here operationalized as first time voters 'At risk' are historically marginalized groups Voter education outreach assessed through surveys Other data from register, polling, and election results
5. Voter registration	5.1. What proportion of the voting age population is registered to vote? 5.2. Is the register free from serious bias based on gender, age, ethnic or religious affiliation, or region? 5.3. Are qualified people able to be registered with a minimum of inconvenience? 5.4. Are there appropriate mechanisms for ensuring that the information in the register is accurate? 5.5. Are there appropriate mechanisms for ensuring that the public can have confidence in the register? 5.6. Are the criteria for registration fair and reasonable and compliant with accepted international standards?	Data from register Expert panel analysis

(continued)

TABLE 1 *CONTINUED*

Step	Performance indicators	How to measure
6. Access to and design of ballot paper. Party and candidate nomination and registration	6.1. Are parties allowed, and can parties and candidates who fulfil the requirements of registration be registered without bias?	Expert panel assessments
	6.2. Are independent candidates allowed and registered if they fulfil legal requirements?	
	6.3. Is the method of voting or the design of the ballot paper non-discriminatory?	
7. Campaign regulation	7.1. If there is a system to provide access to state-owned media, is it implemented equitably?	Expert panel assessments
	7.2. If a system for allocation of public funds to political parties is in place, it is implemented?	
	7.3. Is there an independent mechanism for identifying bias in the state media and is identified bias subject to swift correction?	
	7.4. Are state resources by and large used properly by the political parties and candidates?	
8. Polling	8.1. What is turnout as a percentage of total registration?	Data from election results and observer reports
	8.2. What is turnout as a percentage of the voting age population?	
	8.3. Is there a low level of serious election related violence?	Expert panel assessments based on data
	8.4. In how many polling stations did polling happen according to rules and regulations?	
	8.5. Are there systems in place to preclude and/or rectify fraudulent voting?	
	8.6. Is polling accessible, secure, and secret?	
	8.7. If there is substantial desire for election observation, is the desire satisfied?	
	8.8. If there is substantial desire for political party election observation, is the desire satisfied?	
	8.9. Are there systems in place to preclude vote buying?	
	8.10. Is the level of intimidation so that voters can express their free will?	
9. Counting and tabulating the vote	9.1. Is the count conducted with integrity and accuracy?	Expert panel assessments based on data from observer reports
	9.2. Is the tabulation transparent and an accurate reflection of the polling booth count?	
	9.3. Are results easily available to interested members of the general public?	
	9.4. Does counting take place with no undue delay?	
	9.5. Are parties and candidates allowed to observe the count?	

(continued)

TABLE 1 CONTINUED

Step	Performance indicators	How to measure
10. Resolving election related complaints. Verification of final result and certification	10.1. Are serious complaints accepted for adjudication?	Expert panel assessments
	10.2. Is there an appropriate dispute resolution mechanism which operates in an impartial and non partisan manner?	Reports Legislation
	10.3. Are court disputes settled without undue delay?	Expert panel assessments
	10.4. Do election observation organizations confirm that the elections were without serious problems?	
	10.5. If legislation prescribes a timeframe for the constitution of parliament, is this timeframe met?	
	10.6. Is a person with a reasonable case able to pursue their case without unreasonable personal or financial risk?	
	10.7. Are seats taken only by those persons properly elected?	
11. Post-election procedures	11.1. Are properly documented election statistics easily available without serious delay?	Expert panel assessments
	11.2. Are EMBs audited and the results made publicly available?	
	11.3. Is there capacity for election review?	

For consistency each question is answered with reference to a four point scale (3: very good, 2: good, 1: not satisfactory, 0: very poor). Assigning a score from this scale is, of course, ultimately a subjective call but it is possible to indicate guidelines in some areas when it comes to the use of indicative data. For example, when scoring questions of turnout (Questions 8.1 and 8.2) one might make the score dependent on the cases' deviation from the peer group average. A turnout of 80 per cent in the Congo might be considered to be wonderful when compared to other peer group cases, while a turnout of 80 per cent might be considered not quite as stellar in Australia.

This model is akin to methodologies used for comparative democracy, human rights and corruption measures such as by Polity, Freedom House and Transparency International, and it shares the various qualities of these indices as well as their problems, which are not elaborated on here.¹⁰ Each involve scoring systems that depend on both objective data indicators and subjective expert assessments; they are all, as David Beetham categorizes them, democracy assessment comparisons based on 'league tables of human rights and democracy'.¹¹

In the pilot cases, an original and relatively simple scoring system soon proved inadequate to capture the differing pressures pertaining to established versus fledgling democracies. The writers therefore developed weightings to reflect step importance relative to each of the two types of polity. Our rule of thumb was: *If this element fails will that cause the catastrophic breakdown of the election process?*

This assessment enabled us to assign 'essential', 'important' or 'desirable' status to each step, as indicated in Table 2. Note that the assignments there are only partially identical for the two types of polities. To take an example: the standard of election management *per se* is in the writers' opinion essential in fledgling democracies, because of the nature of the problems surrounding the entire electoral process, whereas election management in established democracies has become more *business as usual*. It is still important (as the case of Florida 2000 made so abundantly clear)

TABLE 2
WEIGHTING SYSTEMS FOR ESTABLISHED AND FLEDGLING DEMOCRACIES

	Essential (weight factor: 3)	Important (weight factor: 2)	Desirable (weight factor: 1)
Established democracies	1. Legal framework 6. Access to ballot 8. Polling 9. Counting the vote	2. Election management 3. Constituency demarcation 5. Voter registration 10. Resolving disputes	4. Voter education 7. Campaign regulation 11. Post-election procedures
Fledgling democracies	1. Legal framework 2. Election management 6. Access to ballot 8. Polling 9. Counting the vote 10. Resolving disputes	4. Voter education 5. Voter registration	3. Constituency demarcation 7. Campaign regulation 11. Post-election procedures

but failure does not have the same implications for stability as within democratizing post-conflict polities. Voter education is another example of an element where different importance should probably be attached in established and fledgling democracies.

Pilot Cases

The inclusion of a variety of pilot cases allows assessment of how the instrument performs in systems with high quality election management traditions, in transitional systems with elections run by the international community, in transitional systems where it is possible to compare two or more elections, and a polity generally believed to have a dismal electoral management system. Unless otherwise indicated, the cases deal with parliamentary elections to the lower (or only) house.

The cases included to represent established democracies with well functioning EMBs are Australia and Denmark; both held ordinary parliamentary elections in the second half of 2001. East Timor was chosen as an example of a parliamentary election in a fledgling democracy conducted by the international community (in this case the United Nations), again in the second half of 2001. South Africa is another fledgling democracy, but with its own strong electoral administration.¹² South Africa provides an opportunity to assess performance over a decade and at three different occasions; here the focus is on the elections in 1994 and 2004, which enables comparison over time. At the other end of the scale there is Zimbabwe. The presidential election of early 2002 was chosen, rather than the parliamentary elections of 2000. However, there were so many similarities between the 2000 and 2002 elections in Zimbabwe that the scoring of the 2002 presidential election is probably representative of the preceding election too. Other pilot cases from sub-Saharan Africa were considered for inclusion, such as Zambia 2001,¹³ Ghana 2000,¹⁴ and Lesotho 2002,¹⁵ so as to allow more regional comparisons, but in the end they were left for later; the main aim of this article is to present the instrument and invite comments on the method and framework.

Scoring – by a selection of experts and experienced observers well versed in election matters in relation to the specific cases – and computation of the index values for the six pilot cases was done in the following way:

1. The first step was to allocate a score (0: very poor; 1: not satisfactory; 2 good; 3: very good) to each indicator for the election in question. In binary situations, 0 and 3 were used. The tentative scores can all be found in Table 3. At this point in time they are all subject to correction, but they have been provided by evaluators with good factual knowledge and understanding of the various systems. Each score is supposed to strike a fine balance between expectations in a given polity and internationally recognized norms and standards.¹⁶
2. The sum of scores for each of the eleven sets of indicators (for example, 7.1–7.4) is then standardized relative to the value 10; this is done to make the index insensitive to the number of indicators used for each step and for ease of comparison across steps. This procedure also has the advantage of softening the importance of decisions about scoring of border-line cases (that is, ‘Is this a 1 or a 0?’).
3. This standardized value is then multiplied by three, if the step is considered ‘essential’, two if ‘important’, and left as it was (that is, multiplied by one), if it is ‘only’ ‘desirable’, as categorized in Table 2 above. This procedure caters for the various areas being of different importance in established and emerging democracies, as argued above.
4. Because of this, the maximum values differ – 240 for established democracies and 270 for fledgling democracies. A transformation to a maximum value of 100 (a further standardization) is then conducted in order to have values that are as comparable as possible.

The result is a scoring system where the writers – at least to a considerable degree – feel confident that it makes sense to compare polities across their level of democratization, which was one of our ambitions.

For the purposes of transparency, professional exchange and possibilities for improving the methodology, Table 3 gives the detailed scorings for the six elections in the five countries featured as pilot cases. Readers with special insights may disagree on the inclusion or the particular focus of one or more of the 54 individual items; they may also disagree on the individual scores tentatively allocated, and we are happy to be corrected if we have allocated incorrect or arguable scores in any of the cases. The weighting of the various areas in established as well as fledgling democracies is also not above criticism, and it may eventually appear in a different form than what one now sees in Table 2. Even so, the writers feel comfortable with the resulting scores and their assessment of the level of election quality in the polities and elections included in this pilot phase of the framework.

As we have noted, the key to an election being legitimate and broadly accepted is a function of the quality of the process – but only to a certain degree. A fairly clean, well managed election may produce results completely unacceptable to losers in one country, while a deeply flawed election may be accepted in another. There are a host

TABLE 3
PERFORMANCE INDICATOR SCORES FOR SIX PILOT CASE ELECTIONS

Performance indicator	Australia 2001	Denmark 2001	East Timor 2001	South Africa 1994	South Africa 2004	Zimbabwe 2002
1. Legal framework						
1.1. Consolidated legal foundation?	2	3	3	3	2	1
1.2. Comprehensive electoral timetable?	3	3	3	3	3	1
1.3. Elections held without extra-legislative delay?	3	3	3	3	3	3
1.4. Can electoral legislation be implemented?	3	3	2	2	2	1
1.5. Electoral framework generally considered legitimate?	3	3	3	2	3	1
Intermediary step scores	9.3	10.0	9.3	8.7	8.7	4.7
2. Electoral management						
2.1. Perceived degree of EMB legitimacy?	3	3	3	3	3	1
2.2. Perceived degree of EMB impartiality?	3	3	3	3	2	0
2.3. Perceived degree of quality in EMB service delivery?	3	3	2	1	3	1
2.4. Perceived degree of EMB transparency?	1	2	3	2	2	0
Intermediary step scores	8.3	9.2	9.2	7.5	8.3	1.7
3. Constituency and polling district demarcation						
3.1. Constituency structure reasonable and broadly accepted?	3	3	3	2	2	2
3.2. Constituency and lower level district information easily available?	3	3	2	2	3	2
3.3. Fair system for boundary delimitation and seat allocation in place?	3	3	3	3	3	2
Intermediary step scores	10.0	10.0	8.9	7.8	8.9	6.7
4. Voter education						
4.1. Voter education to voters in need?	2	2	1	2	1	1
4.2. At risk groups with needs identified and needs addressed?	2	2	2	2	2	1
4.3. Percentage of ballots valid?	1	3	2	3	3	2
4.4. Turnout among first time voters, in terms of VAP?	2	2	3	2	1	2
Intermediary step scores	5.8	7.5	6.7	7.5	5.8	5.0
5. Voter registration						
5.1. Registration rate among VAP?	3	3	3	3	2	1
5.2. Register free from serious bias?	3	3	3	3	2	0
5.3. Level of registration inconvenience?	3	3	0	3	3	2
5.4. Mechanisms for ensuring accuracy of registers?	3	3	2	1	2	0
5.5. Mechanisms for ensuring public confidence in register?	2	3	2	1	2	0

(continued)

TABLE 3 *CONTINUED*

Performance indicator	Australia 2001	Denmark 2001	East Timor 2001	South Africa 1994	South Africa 2004	Zimbabwe 2002
5.6. Fair registration criteria, compliant with international standards?	3	3	3	2	3	1
Intermediary step scores	9.4	10.0	7.2	7.2	7.8	2.2
6. Access to and design of ballot paper. Party and candidate nomination and registration						
6.1. Parties allowed, and can they register without bias?	3	3	3	3	3	3
6.2. Independent candidates allowed?	3	3	3	0	0	3
6.3. Method of voting or ballot design non-discriminatory?	3	3	3	3	3	3
Intermediary step scores	10.0	10.0	10.0	6.7	6.7	10.0
7. Campaign regulation						
7.1. Systems to provide access to state- owned media employed equitably?	3	3	3	3	2	0
7.2. If a system of public funding of parties exists, is it implemented?	3	3	3	3	3	3
7.3. Independent mechanism for identifying bias in state media and correction of such bias?	2	2	3	2	2	0
7.4. State resources used properly by parties?	2	3	3	2	2	0
Intermediary step scores	8.3	9.2	10.0	8.3	7.5	2.5
8. Polling						
8.1. Turnout as per cent of registration?	3	3	3	3	2	2
8.2. Turnout as per cent of VAP?	3	3	2	3	2	2
8.3. Low level of election related violence?	3	3	3	1	2	0
8.4. Polling happening according to rules and regulations?	3	3	3	3	3	2
8.5. Systems for rectification of fraudulent voting?	1	2	3	2	2	1
8.6. Polling accessible, secure, and secret?	3	3	3	2	3	1
8.7. If desire for election observation, is it satisfied?	3	3	3	3	3	0
8.8. If there is desire for party election observation, is it satisfied?	3	3	3	3	2	1
8.9. Anti-vote-buying systems in place?	3	3	2	3	3	2
8.10. Level of intimidation?	3	3	3	1	2	0
Intermediary step scores	9.3	9.7	9.3	7.7	8.0	3.7
9. Counting and tabulating the vote						
9.1. Count conducted with integrity and accuracy?	3	3	3	1	3	1
9.2. Tabulation transparent and accurate?	3	3	3	2	3	0
9.3. Results easily available?	3	3	3	2	3	1

(continued)

TABLE 3 *CONTINUED*

Performance indicator	Australia 2001	Denmark 2001	East Timor 2001	South Africa 1994	South Africa 2004	Zimbabwe 2002
9.4. Counting with no undue delay?	3	3	3	2	3	3
9.5. Are parties and candidates allowed to observe the count?	3	3	2	3	3	1
Intermediary step scores	10.0	10.0	9.3	6.7	10.0	4.0
10. Resolving election related disputes.						
Verification of final results and certification						
10.1. Serious complaints accepted for adjudication?	3	3	3	3	3	3
10.2. Appropriate dispute resolution mechanism?	3	3	3	3	3	0
10.3. Disputes settled with no undue delay?	3	3	3	3	3	0
10.4. Election observation confirmation if no serious problems?	3	3	3	2	3	0
10.5. Is timeframe for constitution of parliament (if any) met?	3	3	3	3	3	3
10.6. Can persons with reasonable cases pursue them without personal or financial risks?	2	3	3	2	2	0
10.7. Are seats taken only by people properly elected?	3	3	3	3	3	3
Intermediary step scores	9.5	10.0	10.0	9.0	9.5	4.3
11. Post-election procedures						
11.1. Election statistics available with no serious delay?	3	3	3	2	3	1
11.2. Are EBMs audited and results made publicly known?	3	3	1	3	3	1
11.3. Is there capacity for election review?	3	3	2	3	3	1
Intermediary step scores	10.0	10.0	6.7	8.9	10.0	3.3
Weighted (cf. Table 2) and standardized scores	89	93	83	72	77	41

of political, strategic, and willpower factors that come into the elite legitimization of an election, which go well beyond the process itself.

That is why it is not sensible to fix some given total aggregate number obtained by the comparative scoring method as being the mark of an illegitimate election, or one that should be rejected (or will be rejected). Two cases could both score 74 out of a 100 and have problems in quite different areas. It is more important to sensitize the scoring methodology to give primacy to the most crucial electoral components in established and fledgling democracies, but even so the nuances of local realities will impact greatly on the perception on how good an election (and the administration thereof) actually is.

Table 3 displays the final weighted and standardized scores, not as final words in any sense, but merely for purposes of transparency and as a further indicator

of election and election administration quality over time and across nations. The standardized scores for each of the eleven steps are also included for the purpose of more focused comparisons.

Intuitively, these scores do make sense singly and comparatively, but the individual scores as well as the intermediary scores are more interesting when an election is compared to subsequent election assessments from the same country, for the purposes of improving election and election administration quality and assessing the elections' impact on political legitimacy and democratization as such. A problem not to be forgotten is how the assessments change subsequent to a country's recategorization from 'fledgling democracy' status to becoming an 'established democracy'.

Conclusion

The conclusion is that the framework works and at minimum provides a useful starting point for future attempts to identify levels of electoral governance performance in all kinds of democracies. This will allow for within- as well as cross-regional and over-time comparisons of election quality, which both should be useful in their own right but also when it comes to formulating and testing hypotheses about the development and stability of democratic legitimacy.

Democratic legitimacy has not been the core topic of this article, but it would be possible to extend the analysis in that direction once the instrument has been further tested and developed. One approach to these issues would be to compare the development in trust in the various social, political and administrative institutions collected and analyzed by teams such as the one that produces the Afrobarometer. Take for example the post-conflict re-emergence of a state like Lesotho, it is significant that the two societal institutions that have experienced the highest increase in trust between 2000 and 2003 are the National Assembly and the Independent Electoral Commission.¹⁷

We writers invite comments on the framework as presented here, both general and more specifically on the six elections and the assessments and scorings documented in Table 3. The next step is to invite interested colleagues, election practitioners and others to join us in our attempts to get a broader coverage of countries and elections than has been possible here. Such co-operation will in any case be necessary to ensure the kind of country- and case-specific insight and expertise that is essential.

We foresee the formation of assessment teams (or expert teams) for individual countries, which consists of two-three international and two-three domestic assessors coming together in 'their' country to discuss their case(s) and the performance on the various indicators. The basic guidance in this work will come from a general manual developed within the project and providing the cues for the decisions (in line with some of the indications in Table 1 above). This should allow the various expert teams to work towards the common goal, but such simple scorings as the ones illustrated above may not be the full story. Behind each score it is reasonable to expect to see a clear indication of the reasons for the level suggested, which should be put in writing and be available to all interested parties, at the project's homepage when eventually established.

The writers' initial contacts to EMBs and fellow academics in a number of countries have convinced them that there is a considerable interest in this kind of instrument, which goes beyond an academic value for the study of democratization and comparative study of causes of democratic legitimacy. Even greater interest is anticipated among election administrators, or at least those who genuinely want to identify the areas where they can improve their performance, something which evidently should be possible both in established and in fledgling democracies. In addition, election observers and monitors and their various organizations can also use the instrument to assess a particular election and compare to others that offer a meaningful basis for comparison.

Ultimately, a manual could be produced for use on a more definitive basis for the assessment of any election, whereby domestic and/or international observer organizations and political actors can judge the electoral process in a way that allows systematic comparisons over time and – maybe – across systems and regions too.

ACKNOWLEDGEMENTS

The authors want to acknowledge the support of the Australian Electoral Commission for the June 2004 workshop in Canberra and the constructive contributions by commissioners and senior staff. Helpful referee and editorial comments as well as suggestions from participants in an international roundtable on electoral standards organized by the Inter-Parliamentary Union in Geneva in mid-November 2004 are also highly appreciated.

NOTES

1. Jørgen Elklit and Andrew Reynolds, 'The Impact of Election Administration on the Legitimacy of Emerging Democracies: A New Comparative Politics Research Agenda', *Commonwealth and Comparative Studies*, Vol.40, No.2 (2002), pp.86–119.
2. Rod Medew, Director Research AEC, Michael Maley, Director International AEC, Andy Becker, AEC Commissioner, Ian McAllister, ANU, Nigel Roberts, Victoria University at Wellington.
3. Shaheen Mozaffar and Andreas Schedler, 'The Comparative Study of Electoral Governance – Introduction', *International Political Science Review*, Vol.23, No.1 (2002), pp.5–27; Mette Kjær, *Governance* (Cambridge: Polity, 2004), pp.157–71; Elklit and Reynolds (note 1); Raphael López-Pintor, *Electoral Management Bodies as Institutions of Governance* (New York: UNDP, 2000). See also Jørgen Elklit, 'Electoral Institutional Change and Democratization: You Can Lead a Horse to Water, But You Can't Make it Drink', *Democratization*, Vol.6, No.4 (1999), pp.28–51; and Pippa Norris, *Electoral Engineering. Voting Rules and Political Behavior* (Cambridge: Cambridge University Press, 2004). On the importance of EMB autonomy from governments, see Shaheen Mozaffar, 'Patterns of Electoral Governance in Africa's Emerging Democracies', *International Political Science Review*, Vol.23, No.1 (2002), pp.85–101.
4. Mozzafar and Schedler (note 3), p.5.
5. Mozzafar and Schedler (note 3), p.6; Andreas Schedler, 'The Nested Game of Democratization by Elections', *International Political Science Review*, Vol.23, No.1 (2002), pp.103–22.
6. Such as Jørgen Elklit and Palle Svensson, 'What Makes Elections Free and Fair', *Journal of Democracy*, Vol.8, No.3 (1997), pp.32–46, reprinted in Larry Diamond and Marc F. Plattner (eds), *The Global Divergence of Democracies* (Baltimore, MD: The Johns Hopkins University Press, 2002), pp.200–214; see also Guy S. Goodwin-Gill, *Free and Fair Elections: International Law and Practice* (Geneva: Inter-Parliamentary Union, 1994).
7. Interestingly enough, a number of studies on elections and electoral issues in Latin America do touch on these questions, even though often more indirectly. A recent example is Fabrice Lehoucq and David L. Wall, 'Explaining voter turnout rates in new democracies: Guatemala', *Electoral Studies*, Vol.23, No.3 (2004), pp.485–500, which analyses the differential turnout rates across the country and tries to identify reasons for the biases. But still the turnout rates can also be used as indicators of different levels of political legitimacy.

8. Terrence Lyons, 'Post-conflict Elections and the Process of Demilitarizing Politics: The Role of the Electoral Administration', *Democratization*, Vol.11, No.3 (2004), pp.36–62.
9. Elklit and Svensson (note 6).
10. Gerardo L. Munck and Jay Verkuilen, 'Conceptualizing and Measuring Democracy. Evaluating Alternative Indices', *Comparative Political Studies*, Vol.35, No.1 (2004), pp.5–34, demonstrates the various problems of conceptualizing and measuring democracy one finds in the different indices of democracy currently available. A comparison with their stringent approach and useful analyses of previous attempts of indexation is somewhat discouraging because it is not (yet?) possible to live up to the high and very reasonable standards to which they subscribe. However, the framework suggested here is only a first attempt to deal with some specific issues, and the outcome should in any case be assessed on whatever merits it has.
11. David Beetham, 'Towards a Universal Framework for Democracy Assessment', *Democratization*, Vol.11, No.2 (2004), pp.2–3; also Munck and Verkuilen (note 10).
12. A well-informed and valuable presentation and discussion of the South African IEC's is Vijay Padmanabhan, 'Democracy's Baby Blocks: South Africa's Electoral Commissions', *New York University Law Review*, Vol.77, pp.1157–1194.
13. See on this election Peter Burnell, 'Zambia's 2001 elections: the tyranny of small decisions, "non-decisions" and "not decisions"', *Third World Quarterly*, Vol.23, No.6 (2002), pp.1103–1120. See also Claude Kambuya Kamemba, 'Looking at the Management of the 2001 Zambian Tripartite Elections', *Journal of African Elections*, Vol.1, No.2 (2002), pp.11–26.
14. Daniel A. Smith, 'Consolidating Democracy? The Structural Underpinnings of Ghana's 2000 Elections', *Journal of Modern African Studies*, Vol.40, No.4 (2002), pp.621–50.
15. Roger Southall, 'An Unlikely Success: South Africa and Lesotho's Election of 2002', *Journal of Modern African Studies*, Vol.41, No.2 (2003), pp.269–96. See also Jørgen Elklit, 'Lesotho 2002: Africa's first MMP Elections', *Journal of African Elections*, Vol.1, No.2 (2002), pp.1–10.
16. As reflected in publications such as *Principles for Election Management, Monitoring, and Observation in the SADC Region* (Johannesburg: Electoral Institute for Southern Africa, 2004) and *International Electoral Standards. Guidelines for Reviewing the Legal Framework of Elections* (Stockholm: International IDEA, 2002).
17. John Gay and Robert Mattes, *The State of Democracy in Lesotho: A Report on the 2003 Afrobarometer Survey*, Working Paper No.32, March 2004, pp.13–14. Afrobarometer-reports are available from <<http://www.afrobarometer.org>>.

Manuscript accepted for publication November 2004.

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