Are Non-Partisan Technocrats the Best Party Watchdogs Money Can Buy? An Examination of Mexico's *Instituto Federal Electoral*

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Abstract

In recent times, scholars have inspected the political consequences of alternative electoral management bodies (EMBs). Mexico's *Instituto Federal Electoral* (IFE) is often trumpeted as an exemplary of EMB organization; indeed, IFE is often credited with the flawless oversight and management of Mexico's protracted transition to democracy. The common view is that IFE's institutional design—which empowers a corps of committed, technically-proficient, non-partisan Councilors to decide on all electoral matters—is the reason behind its success. We suggest, instead, that Councilors behave as 'party watchdogs', faithfully representing the interests of the political parties that sponsored them to IFE's Council. Evidence in favor of the party-sponsorship hypothesis comes from votes cast by members of IFE's Councils General from 1996 to 2005. To validate our view, we use Bayesian MCMC techniques that are appropriate for the examination of roll-call votes in small committees.

1 Introduction

During elections in 1997 and 2000, the Mexican citizenry ousted the party that held power uninterrupted for nearly seven decades. They did so peacefully, through the ballot box. In the aftermath of these critical elections, much of the credit for the success of the Mexican transition to democracy has gone to the authority in charge of planning and executing electoral policy,

namely, the Federal Electoral Institute (IFE). A new Council General —IFE's board of directors— was appointed in 1996 and oversaw the midterm elections of 1997, when the ruling Institutional Revolutionary Party (PRI) lost control of the lower chamber of Congress, and the presidential elections of 2000, when the National Action Party (PAN) defeated the old ruling party.

IFE's Councilors have come to personify non-partisan technocratic efficiency. They are thoroughly vetted and recruited from a set of professionals without party affiliations and admitted to IFE's council only after winning the endorsement of a qualified majority in the Mexican Chamber of Deputies. Furthermore, IFE's operational budget includes generous public financing for political parties and their election campaigns, and is therefore subject to few political whims. Indeed, IFE's aura of effectiveness, independence, and impartiality transpired into public opinion. Nearly two-thirds respondents in a May 2005 survey by *Reforma* considered IFE trustworthy. At the same time, the very bodies that IFE regulates, the political parties, were considerably less in tune with citizen opinion, seemingly a victim of Latin America's widespread disenchantment with party politics: only 1 in 3 interviewees expressed trust in political parties. [1] In short, IFE's larger-than-life reputation leads credence to a view of Electoral Management Bodies (EMBs) as institutions that work best when staffed by detached, apolitical technocrats.[2]

Against this rosy interpretation, our conclusions will undoubtedly come as a surprise: with few exceptions, it is *precisely* political parties that run the show at IFE. To substantiate this view, we start by describing IFE's institutional setup (Section 2). We uncover an array of resources available to parties to influence decisions in the Council General. Congressional parties are the only agents that can nominate candidates to the council; they are also in a position to impeach them. Moreover, as we show below, the post-IFE careers of some Councilors suggest continuing links with party sponsors. These and other features lead us to believe that Councilors might be more attuned to the goals of their party sponsors than one would surmise from their lack of party affiliation.

We then approach the question of Councilors' partisanship empirically (Section 3). We use MCMC estimation techniques to examine the voting record of IFE's Electoral Councilors between October 1996 and March 2005,

[1] National home-to-home survey, May 20-22, 2005. See *Enfoque*, June 5, 2005, p. 6.

[2] Scholars refer to this view of EMBs as the 'ombudsman' model. See Eisenstadt (2004) for discussion.

spanning two different Councils-General. These techniques allow inferences about the ideal points of IFE Councilors in one-dimensional ideological space. Our analysis uncovers patterns very much consistent with a "party sponsorship" or "party watchdog" interpretation of the Council General's day-to-day business. We conclude by discussing some of the likely effects of 'party watchdog' EMBs.

2 IFE's Institutional Setup: The Party Sponsorship Hypothesis

IFE was established in 1990 as a semi-autonomous bureaucratic agency in charge of overseeing federal elections. Though IFE's charter originally called for a preponderant presence of the Executive power on its board, successive reforms led to the creation of a vigorous agency independent from Mexico's once omnipotent Presidents. Concurrent with its increasing autonomy, IFE took over the years an ever more important role in organizing all electoral aspects of Mexico's protracted transition to democracy. Nowadays, IFE's Council General decides on all organizational matters relating to elections, including the elaboration and updating of electoral lists, installation of electoral booths, vote counts, monitoring of party expenditures, and overall regulation of political campaigns.

IFE took its present form in October 1996, after the last major electoral reform.[3] The size of the Council General was set at nine members, all of whom were to be non-partisan "Electoral Councilors" selected and ratified by consensus among congressional parties. The Minister of the Interior—who used to play a preponderant role as Council Chair in past IFE incarnations—was removed from the council altogether, replaced by a Council President chosen through the same procedures. In effect, the Executive relinquished

[3]To our knowledge, Malo Guzmán and Pastor Nieto (1996) remains the most authoritative analysis of the voting behavior of pre-1996 IFE Councilors. They code information contained in the minutes of all sessions of the Council General between June 1994 and November 1995 and analyze the voting record of the ten members of the council in search of the determinants of their individual vote choices. Their major finding is that the six non-partisan Citizen Councilors tended to vote as a bloc, largely isolating the Legislative Councilors who directly represented the major political parties. Rosas (2004) inspects the complete voting record of this Council General and finds strong support for Malo and Pastor's analysis.

day-to-day control over electoral matters and IFE became an autonomous regulatory agency freed from direct interference from the government (Brinegar, Morgenstern and Nielson 1999).

However, the influence of congressional parties over the Council's makeup leaves ample room to speculate about potential party-sponsor effects on the voting behavior of Councilors. In order to help us investigate the behavior of post-reform Councils (1996-2005), we turn to a detailed discussion of IFE's institutional setup, underscoring first those rules that provide incentives for pro-sponsor behavior, then those that induce supra-partisan consensus.

2.1 Incentives for partisan or pro-sponsor voting behavior

IFE's appointment rules lend themselves well to analysis within a standard principal-agent framework. From this perspective, IFE Councilors are the agents of their enacting coalition in the lower chamber of Congress. Parties in the enacting coalition delegate to their appointees authority to interpret the law and run all aspects of federal elections. The first problem, from the perspective of those in the enacting coalition, becomes how to reduce agency losses that result from the Council General behaving in ways that do not serve the principals' interests. The second problem arises from the fact that the enacting coalition is a collective principal, whose members (political parties) have conflicting interests.[4] We emphasize three aspects of this principal-agent situation that are particularly important in generating pro-sponsor behavior: rules of nomination, signalling devices used by sponsors, and party capture.

Rules of nomination. Councilors are appointed by a two-thirds vote in the Chamber of Deputies to serve seven-year terms. Tenure in office is only somewhat secure, since Congress can impeach any Councilor—a possibility we discuss at length below. Legislative parties have informally agreed, in all bargaining sessions over Councilor selection since 1996, that each party in the enacting coalition is entitled to appoint a share of Councilors roughly proportional to its lower chamber seat share, and that proposed nominees can be vetoed by any other party in the coalition. After the election of a single

[4]For a general discussion of the logic of delegation, see Kiewiet and McCubbins (1991, 22-38).

Table 1: Legislative party shares and Councilor sponsorship

Party	57^{th} House 1994-1997	Woldenberg Council 1996-2000	Woldenberg Council 2000-2003	59^{th} House 2003-2006	Ugalde Council 2003-2010
PAN	**24%**	2	2	**30%**	4
PRI	**60%**	3	4	**45%**	4
PRD	**14%**	3	2	19%	—
PT	**2%**	1	1	1%	—
PVEM	—	—	—	**3%**	1
CD	—	—	—	1%	
Total	500	9	9	500	9

Enacting coalition in bold.

nominee for Council President, a final logroll in the lower chamber on a closed list of eight Councilors plus potential replacements culminates the process. In 1996, PRI, PAN, PRD, and PT were in the enacting coalition, excluding no party with congressional representation.[5] Table 1 displays information about the enacting coalitions formed in 1996 and 2003, along with the number of candidates that each party in the coalition successfully sponsored to the council. We will use the name of the Council's President to distinguish between the two Councils- General.

While an informal right to veto may kill off highly partisan (and otherwise unqualified) candidates proposed by other sponsors, it is unlikely that any party would nominate individuals clearly opposed to its own interests and views about electoral regulation.[6] Parties reduce the chances for selecting "bad types" —i.e., individuals that take courses of action that hurt the principal's interests— by carefully screening potential agents. Parties actively engage in screening by proposing names of people who, though politically

[5]The *Partido de la Revolución Democrática* (PRD) is the main left-of-center alternative in Mexican politics; PT is the *Partido del Trabajo* and CD is *Convergencia Democrática*. In 2003, PRD and PT were excluded from the enacting coalition, while the *Partido Verde Ecologista Mexicano* (PVEM) was incorporated.

[6]In this regard, the dynamic is similar to the one used to fill vacancies in the U.S. Supreme Court.

unaffiliated, have preferences in line with those of the nominating principal (Alcocer V. 1995). Screening thus helps mitigate agency costs.

Agency costs can also be contained through institutional checks. Here the collective nature of the principal and the inherent conflict of interests among parties are served well by the collective nature of the agent and the formal and informal rules of appointment. A stylized view of the nomination process has each party in the enacting coalition choosing types that share its broad policy objectives and proposing them to the other coalition members. Candidates that are ideologically extreme —i.e., too partisan for other coalition members— are vetoed, and only moderate nominees survive. As in Cox and McCubbins's (1993) congressional committees, the resulting Council General can be seen as a microcosm of the enacting coalition in the lower chamber, with Electoral Councilors keeping tabs on each other, as legislative parties would if they were in direct charge of regulating electoral matters.

Signaling devices used by sponsors. Even if Councilors shirk and deviate from their principals' expectations about appropriate voting behavior, parties retain a wide gamut of mechanisms to make their preferences known to agents —and ultimately to call them to order. The range includes positioning in committees[7] and Council debates, private communications of all sorts, and (in the extreme) threats of impeachment against their own nominees. These mechanisms help make sponsor preferences on new issues completely transparent to Councilors.[8]

Party capture. Assuming Councilors are ambitious and have reasonably low discount rates for the future, their expectations of post-IFE careers may be molded by offers of continued sponsorship in the future (or, indeed, by rival offers from non-sponsors). The possibility of "party capture" of Councilors was present from the beginning, but the original legislation and its major reforms ignored the problem. Not until 2001 did a minor reform impose temporal restrictions on retired Councilors that prevented them from assuming

[7]The 1996 reform introduced committees for each of IFE's operational areas, staffed through voluntary participation of individual Councilors, and with chairs assigned by general consensus in the Council. Parties have non-voting representatives in both the Council General and committees.

[8]Malo Guzmán and Pastor Nieto (1996) find very mixed evidence regarding the effectiveness of signaling (voting cues by Legislative Councilors) and authorship of IFE bills in contested votes in the 1994-1996 era.

government positions or seeking electoral office immediately after the end of their tenure. Table 2—which includes "Citizen Councilors" from 1994-1996, not discussed in this paper, but analog to today's Electoral Councilors—confirms the need for those legal constraints. Ironically, the parties that demanded electoral impartiality and citizen control have tended to advance (reward?) the post-IFE careers of their nominees, while the former ruling party has largely abandoned its own. In any case, along with screening and signaling devices, parties can offer future-oriented incentives to its Council nominees in the hope of eliciting pro-sponsor voting behavior.

Expected partisan behavior. To the extent that the mechanisms outlined in this Section work, any Councilor should be ideologically close, and even sympathetic, to his or her sponsor. In these circumstances, we expect IFE voting patterns to be similar to those that congressional parties in the enacting coalition would generate if they were deciding on the same issues. We therefore entertain two expectations about voting patterns in IFE's Council General. First, since no single party has managed to sponsor an outright majority of Councilors, we should observe coalitions similar to those that form in the lower chamber, especially since the onset of divided government in 1997. The paucity of published aggregate data on congressional roll calls, available since 1998, is dramatic. Lujambio's (2001) analysis of lower chamber voting behavior for a relatively short period, the legislative year 1998-1999, indicates that 58% of all recorded votes reflected multi-partisan consensus; of the remainder, the PRD was rolled in 35% of the total roll call votes, the PRI in 5% and the PAN in 2%. Jeffrey Weldon reports[9] that for the entire 57th Legislature (1997-2000), multi-partisan consensus characterized about seven of every ten roll-call votes; for the 58th Legislature (2000-2003), the rate rose to eight in ten.

The comparison with IFE voting patterns can be ascertained from Figures 1 and 2. The top line in Figure 1 represents all roll-call votes observed each semester in the dataset. The middle line represents the number of **contested votes**, i.e., those where at least one Councilor voted differently from the others, or abstained. The bottom line represents all contested votes where one party was **rolled** by the others, i.e., those where a majority of Councilors sponsored by one party voted differently from the majority of Councilors sponsored by the other parties, and therefore lost. Figure 2 then

[9]Private communication, March 2005.

Table 2: Post-IFE Careers of Electoral Councilors

Councilor	Sponsor	Post-IFE career
Carpizo Council (1994-1996)		
Creel	PAN	PAN Deputy (1997-2000), PAN candidate for Mexico City Government (2000), Minister of the Interior (2000-2005).
Woldenberg	PAN	PRI nominee for Council President (1996).
Granados	PRD	PRD candidate for Governor in Hidalgo (1998).
Zertuche	PRD	IFE's Secretary-General (1999-2003).
Ortiz	PRD	PRD Deputy(1997-2000), PRD cabinet member in Mexico City Government (2001-).
Pozas	PRI	Returned to academic life.
Woldenberg Council (1996-2003)		
Cárdenas	PRD	PRD blue-ribbon committee member for Mexico City's government (2004-2005).
Barragán	PRD	Returned to academic life.
Cantú	PT	PRD nominee for Council President (2003).
Zebadúa	PRD	PRD Secretary of the Interior in Chiapas (2000-2003), PRD Deputy (2003-).
Lujambio	PAN	PAN appointee to IFAI Commissioner (2005).
Molinar	PAN	PAN Under-Secretary of the Interior (2000-2002), PAN Deputy (2003-).
Merino	PRI	Returned to academic life.
Peschard	PRI	Returned to academic life.
Woldenberg	PRI	Returned to academic life.
Luken	PAN	Returned to business life.
Rivera	PRI	Returned to academic life.

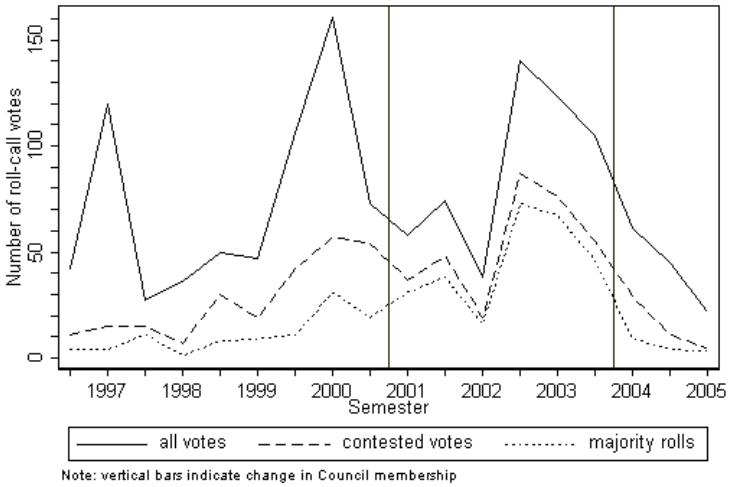

Figure 1: Unanimous, contested, and rolling Council General votes, 1996-2005

breaks down the bottom line in Figure 1 into the number of times that each party was rolled by the others each semester. Vertical lines in both Figures indicate changes in Council membership: the first marks the exit of Councilors Molinar and Zebadúa (December 2000), who assumed government appointments, the second marks the beginning of Ugalde's Council General (November 2003).

If anything, the Council General exhibited an even higher rate of unanimity or multi-partisan consensus (78%) than the lower chamber from 1997 to 2000, while the rolled rates for the three major parties were smaller and, given the much more balanced division between parties in IFE than in the 57th House seen in Table 1, of similar sizes between parties (8% for the PRD, 6% for the PRI, and 8% for the PAN). Clearly, the degree of cross-sponsor bloc voting is much higher than the incentives for sponsor-friendly behavior would predict. At the same time, contested votes appear to peak in most federal election years except for 1997), precisely when party sponsors would be most concerned about obtaining favorable treatment from IFE. This is reflected in IFE's consensus rates for the period 2000-2003, which drop to 53%, and the corresponding rolled rates (31% for the PRD, 10% for the PRI, and 6% for the PAN). On balance, in terms of aggregate data, the Council

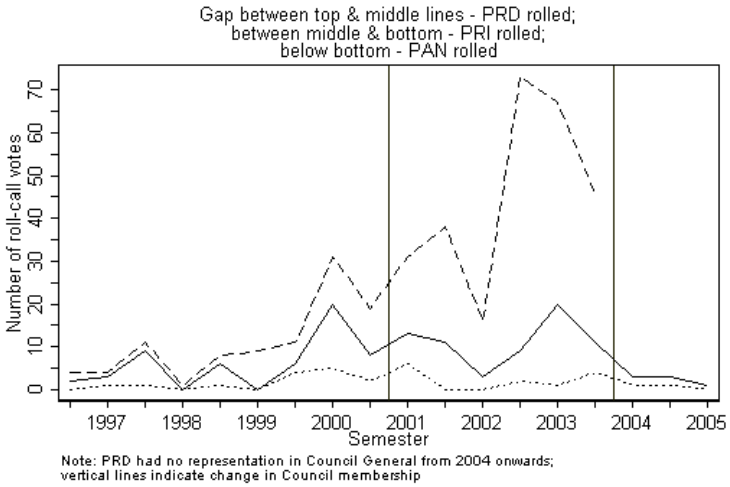

Figure 2: The breakdown of majority rolls, 1996-2005

General appears to mirror the broad voting patterns of its enacting coalition in Congress.

Second, a stronger expectation is that same-party appointees should exhibit very similar voting behavior in the council. Even allowing for slack due to vote-trading and idiosyncratic intensities, we would still expect to find that same-sponsor Councilors are closer in behavior to each other —for example, on an ideological scale— than to members sponsored by other parties. From the perspective of nominating rules, contested votes that do not conform to this pattern can be considered agency costs. This hypothesis will be examined in Section 3 when we look at roll-call behavior in the Council General. Before doing so, we discuss institutional limitations to partisan behavior at IFE.

2.2 Incentives for supra-partisan behavior

IFE was trumpeted in its origins as an autonomous agency that placed major decision-making powers in the hands of non-partisan members of the Council General (Woldenberg 1995). The long tenure of its members and the stability of its operational budget are traditionally seen as at least mild guarantees of independence. By themselves, these features probably are too weak to induce

what is patent in Figure 1 and we call "supra-partisan" behavior. In effect, further inspection of IFE's institutional makeup reveals built-in incentives for Councilors after the 1996 reform to vote together, as a bloc. Behavior of this kind is characteristic of the voting patterns of the 1994-1996 Council General, reflecting a partisan divide but also a stronger one between Citizen and Legislative Councilors (Rosas 2004). Here, we refer to two major incentives for Councilors to form super-majorities: the threat of impeachment and the existence of a last-instance electoral tribunal.

Rules of impeachment Though the stated objective of the 1996 IFE reform was to grant Electoral Councilors autonomy from parties, the contract retains one important element to constrain their behavior: the threat of impeachment. An impeachment trial of any Councilor can be ordered by a simple majority in the lower chamber, although a two-thirds vote in the Senate is required for actual impeachment. In principle, an alliance of any two of the three large parties could have sustained a majority vote against any Councilor in the Chamber of Deputies at any moment since 1997; before 1997, the PRI alone sufficed. Even if mustering a qualified-majority vote in the upper chamber were unlikely, initiating the trial in the lower chamber might well suffice to destroy the career of any Council General member. Impeachment threats by Federal Deputies and party leaders are not uncommon.[10]

Under these circumstances, even ideologically-motivated Councilors would shirk to some degree in order to protect their flanks against accusations of flagrant partisanship in their behavior.[11] In order to protect their tenure, Councilors should therefore make sure not to act in ways that systematically hurt the interests of parties with combined majority support in the lower

[10]No Electoral Councilor has yet been impeached, although the so-called "Councilor-Magistrates" elected to eight-year terms in 1990 were summarily dismissed from IFE upon the approval of an electoral reform in 1994, thus setting an ominous precedent.

[11]Indeed, threats of impeachment have all been characterized by charges of overt partisanship by offending Councilors. Recent examples illustrate the maneuver. The PRI and PVEM (with a total of 48% of the lower chamber) accused PAN-sponsored Councilor Arturo Sánchez of receiving voting instructions directly from his *compadre*, former Councilor and now PAN Deputy Juan Molinar. The current Council President, Luis Carlos Ugalde, was called "*Foxista*" by the PRI's caucus who nominated him, after he voiced concerns about the feasibility of new legislation allowing Mexicans abroad to vote; see *Reforma*, March 16, 2005. But the most notorious examples come from the 1997-1999 period, when the PRI threatened to move impeachment trials against several Councilors for their presumed anti-PRI voting (Eisenstadt 2004, Schedler 2000).

chamber. This could be achieved by sometimes failing to toe the party line —indeed, considering an abstention as a different vote, between 1996 and 2000 PRD-sponsored Councilors Zebadúa and Cantú voted different from one another in 17% of all contested votes; PAN-sponsored Councilors Molinar and Lujambio did so 9% of them; while PRI-sponsors Peschard and Merino voted differently only 5% of contested roll-calls. This could also be achieved by promoting a large degree of consensus in Council voting, keeping seriously divisive issues off of the Council's agenda.

Potential vetoes by a court of last resort. Most discussions of IFE's institutional incentives tend to omit a second actor, namely, the *Tribunal Federal Electoral* (TRIFE). Any Council General decision can be appealed to this electoral court in the last instance. All political parties, whether in or out of the enacting coalition, national political associations, and even ordinary citizens in some cases, have standing before TRIFE to challenge IFE decisions. Indeed, the tribunal has over the course of its history shown a growing interest in revising IFE accords, sometimes rewriting the law and the tribunal's own jurisprudence in order to force its criteria on IFE and other times denying IFE's self-attribution of decision-making power. In many areas of electoral law, the rulings of the judges have become unpredictable, and IFE decisions before the court face rising odds of being overturned or amended. Moreover, this behavior by the court has spawned litigiousness by those with standing to appeal (Eisenstadt 1994, 2004).

More importantly for our purposes, a Councilor who cared intensely for some resolution has to anticipate all major complaints and make a priori concessions to preempt appeals to TRIFE from affected parties. This can be achieved in two ways. First, by amending the proposal, in order to internalize the Court's preferences based on precedent and thereby hope to avoid a negative ruling. Second, by reducing the probability that any party sponsor will object a decision in court. This alternative calls for larger, multi-partisan and even universal voting coalitions in the Council General. The natural recourse for the Councilors, given active engagement by the tribunal and even spurious legal appeals from their party sponsors, is to circle their wagons —that is, to seek safety in broad co-partisan consensus.

Following this logic, a preliminary summary of the evidence suggests that the tribunal's ex post veto has indeed exerted ex ante influence on the voting patterns in IFE. As shown in Figure 1, universal and quasi-universal coalitions of Councilors voting in the same direction are most common among

the observations that make up our dataset, especially until the first semester of 2000. Unanimous votes (i.e., those where all Councilors voted identically, without abstentions) contained between the top two lines in Figure 1 form a considerable mass throughout the period and tend to grow in absolute terms in inevitably contentious election years (1997, 2000, and 2003). A slimmer slice of multi-partisan consensus voting, in which majorities of each sponsor's quota of nominees vote together, adds to this dominant feature in Council votes. Unlike the legislature in which its enacting coalition operates, which can always keep a lid on contentious bills, Councilors do not have the power to exclude nor freeze divisive complaints by external actors or controversial petitions presented by the political parties they oversee. Given that the Council General cannot fully control its agenda, the scores on multi-partisan consensus are probably an accurate reflection of the extent of agreement among Councilors.

To sum up, incentives for partisan Councilor behavior can be detected in nomination procedures, open signaling, and future rewards. Partisan behavior, however, ought to be mitigated by the threat of impeachment —a Councilor cannot always align with his or her sponsor's interests unless the sponsor can provide a shield in Congress. We also detected incentives to engineer oversized coalitions, in order to avoid TRIFE's veto. Very high levels of consensus render the task of detecting partisan tendencies difficult, since unanimity can be explained by myriad contradictory theories. To our advantage, the Council General's imperfect control of the agenda forces Councilors to discuss and vote on divisive issues —precisely those that might otherwise be left out of the table. Only an individual-level analysis of the Councilors' voting record can resolve which incentives—pro-party sponsor or pro-suprapartisan—are in fact dominant. We now turn to the estimation of ideal points of IFE's Electoral Councilors during the period 1996-2005. To the extent that pro-sponsor incentives might be dominant, we expect Councilors to line up along an ideological dimension similar to that of their sponsoring legislative parties and we further expect same-sponsor nominees to vote in virtually identical ways. To the extent that supra-partisan incentives are paramount, we expect ideal points that are not clearly distinguishable from each other as they cluster into a super-majoritarian coalition.

3 Bayesian Estimation of Ideal Points

At the time of Malo Guzmán and Pastor Nieto's analysis of IFE's Council General, political scientists had not yet developed methodological tools to infer the location of bliss points from the voting records of members of small committees. Since the mid-1990s, however, political methodologists have developed various techniques to circumvent what Londregan (2000) calls "the micro-committee problem". In essence, the micro-committee problem arises from the relative paucity of divided votes that would allow us to infer the ideological positions of committee members. Among the new techniques, Bayesian estimation methods have recently challenged the dominance of more traditional tools of ideal point estimation such as NOMINATE scores (Poole and Rosenthal 1997, **?**) as the most appropriate ways to study the voting behavior of individuals in small committees (Clinton, Jackman and Rivers 2004, Jackman 2001, Martin and Quinn 2002). Since IFE's Council General is in practice a very small decision body, and since most of the votes in the council are on procedural —therefore mostly consensual— matters, Bayesian Monte Carlo Markov Chain (MCMC) methods are ideal tools to infer the political preferences of its members.

We present an analysis of IFE's two Councils General in the period 1996-2005. Because two Councilors left IFE in 2000 to take government positions (see Table 2), we decided to break down these two Councils into three partially-overlapping sets of nine individuals each, and to use President Councilor names as labels: Woldenberg I (1996-2000), Woldenberg II (2000-2003), and Ugalde (2003-2005). We estimate ideal points for twenty individuals (seven of them served from 1996 to 2003, so their ideal points are estimated twice). Note also that a substantial proportion of unanimous votes in the Council General means that they convey absolutely no information about the ideological preferences of Councilors. Only a bit less than half the votes in these Councils can be usefully analyzed (53% were dropped from analysis). Usable votes were coded so that, in each case, a Councilor's vote in favor of the proposal is coded as "1", whereas a vote against is coded "0". Abstentions and absences are treated as missing values. The data are thus combined in three arrays of 9 columns by 246, 321, and 45 rows, respectively (corresponding to the non-unanimous votes in Woldenberg I, Woldenberg II, and Ugalde's Councils).

We use Clinton, Jackman and Rivers's item-response theory (IRT) model of voting behavior (Clinton, Jackman and Rivers 2004, Martin and Quinn

Table 3: Votes used to anchor the policy space of each Council

Date	Minority vote	Substance
Woldenberg I 1996-2000		
11/14/2000	PRI, Barragán	Should PAN be held responsible, and fined, for a case of Catholic clergy who illegally campaigned on its behalf?
Woldenberg II 2000-2003		
12/12/2001	PRD, Luken	Should Council fine PRI, PAN, and PVEM for damages caused to government-owned assets with electoral propaganda?
Ugalde 2003-2005		
1/31/2005	PRI, PVEM, Morales	Should PVEM leaders be made accountable to party rank-and-file, as the latter demand?

2002). As suggested in Appendix A, the identification of IRT models requires imposing restrictions either on item parameters or on Councilors' positions. Traditionally, scholars use a known "extremist" in the committee to anchor the ideological space and solve the problem of rotational invariance. We use the alternative method of restricting the discrimination parameter of one item (i.e., one particular vote) in each Council. In every case, we chose votes whose content should pit "Left" against "Right", therefore imposing some structure on the policy space underlying Councilors' voting record for each period. Table 3 provides details about these three votes. We stipulate standard normal prior distributions on Councilors' ideal points to solve the problem of scaling invariance. We have included a brief technical description of this model in Appendix A, were we also explicate our modeling decisions fully.

Table 4 reports Councilors' ideal point estimates. The last column in Ta-

ble 4 displays the number of votes on which the estimation is based for each Councilor. These are actual AYE/NAY votes, i.e., they exclude abstentions. Note that within each Council, point estimates of the ideal positions of Councilors (the mean of the posterior distribution of the 9×3 location parameters) determine their rank in the list. Thus, for example, the nine Electoral Councilors that served from 1996 to 2000 are arranged as follows from Left to Right: Cárdenas, Cantú, Zebadúa, Lujambio, Molinar, Merino, Woldenberg, Peschard, and Barragán. It is clear from this account that these ideological positions are largely supportive of the pro-sponsor hypothesis. The glaring anomaly is Barragán's extreme position to the right of this dimension, while Councilors with the same sponsor (PRD) otherwise occupy the left end of the scale.

Table 4: Posterior distribution of ideal points

Councilor	Sponsor	Mean	SD	Votes
Woldenberg 1996-2000				
Cárdenas	PRD	–1.79	0.44	230
Cantú	PT	0.42	0.20	231
Zebadúa	PRD	0.73	0.21	228
Lujambio	PAN	0.90	0.25	233
Molinar	PAN	1.09	0.26	238
Merino	PRI	1.95	0.45	244
Woldenberg	PRI	2.15	0.53	242
Peschard	PRI	2.28	0.60	242
Barragán	PRD	3.25	1.03	204
α_{28}		–1.67	0.79	
α_{228}		1.66	0.78	
Deviance		1071.0	45.85	
Woldenberg 2000-2003				
Cárdenas	PRD	–1.64	0.23	276
Barragán	PRD	0.47	0.13	233
Cantú	PT	1.70	0.21	294
Luken	PAN	2.00	0.24	279

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Councilor	Sponsor	Mean	SD	Votes
Rivera	PRI	3.34	0.42	304
Lujambio	PAN	3.47	0.45	310
Merino	PRI	3.58	0.45	315
Woldenberg	PRI	3.63	0.49	315
Peschard	PRI	3.79	0.46	308
α_{85}		–0.67	0.33	
α_{207}		0.67	0.33	
Deviance		993.4	28.75	
Ugalde 2003-2005				
Gómez Alcántar	PVEM	–1.08	0.55	45
Morales	PAN	–0.52	0.40	44
Andrade	PRI	–0.33	0.35	45
López Flores	PRI	–0.10	0.26	38
Latapí	PRI	0.94	0.37	45
Ugalde	PRI	0.95	0.45	42
Albo	PAN	1.28	0.48	45
Sánchez	PAN	1.62	0.55	43
González Luna	PAN	1.80	0.56	45
α_{33}		–2.43	1.29	
α_{43}		4.56	1.66	
Deviance		299.5	13.92	

The change in Council personnel after 2000 resulted in a slight rearrangement of Councilor locations. The PRD-PT contingent in the Council behaved more cohesively than during the previous period, with Barragán jumping towards the Left end of the scale. [12] On the opposite side of the spectrum, Lujambio slipped rightwards, voting much more in accord with

[12]There are reasons to suspect that left-right ideological differences do not extenuate the level of disagreement at IFE. Our interviews suggest that Councilors were divided on their interpretation of the Council General's legislative functions. These interpretative differences seemed anchored in the Councilors' different professional backgrounds. In particular, Councilors with a background in Law (especially Cárdenas and Barragán, since later Councilors Rivera and Zebadúa, also lawyers, tended not to make legalistic appeals in Council debates) tended to be punctilious in their legal interpretations of the Council's faculties, even when they were at opposite extremes of the spectrum on judicial activism, whereas Councilors with a Social or Political Science education tended to be less preoc-

Council President Woldenberg. We interpret this as a change in the issue space that accompanied the replacement of Molinar and Zebadúa, which coincided with the PRI's defeat in presidential elections. While the first half of Woldenberg's Council (1996-2000) was cleaved over procedural matters to guarantee a free and fair election —providing a base for unity of non-PRI parties—, the second half saw Councilors resolve serious campaign finance allegations against the PAN and the PRI. Even if Cárdenas remained quite off-center vis-à-vis the rest of the Council, PRD-sponsored Councilors now supported each other frequently. [13]

Our party-sponsorship hypothesis fares rather well after 2003, even if the first and a half years of Ugalde's council provide fewer contested votes to estimate location parameters. Councilor Morales is the new exception, exhibiting a position towards the left of the spectrum, opposite to other PAN-sponsored members.

It is also noteworthy that the posterior distributions of ideal points in all Councils are wide enough that they overlap in many instances, despite the fact that posterior standard deviations are always much narrower than the prior standard deviation of "1". This feature is easier to appreciate in Figures 3, 4, and 5 which portrays the first-to-ninth-decile range of the posterior location parameter densities. Thus, for example, the positions of Councilors Merino, Woldenberg, and Peschard are virtually indistinguishable both in 1996-2000 and 2000-2003. The same holds true for PAN-sponsored Councilors in the Woldenberg era, although less so after Lujambio's post-2000 rightward shift. While the first years of Ugalde's Council presents a column of five (six if López Flores is considered) members with virtually identical locations in space, the other members frequently vote against them.

Even then, the voting behavior of the Electoral Councilors is consistent enough that we can venture educated guesses regarding the probable identity of the median voters in all Councils . Sampling from the posterior distribution of ideal points allows us to rank the positions of Councilors. These

cupied with the finer points of legal argument. We thank Jeffrey Weldon for offering this insight. This led us to estimate a two-dimensional elsewhere (**?**). Results suggest that Barragán eccentricity occurred mostly in the second dimension, which only reveals Barragán's early fixation with keeping to the strict letter of IFE's charter to avoid trespassing its limits.

[13]Councilor Cantú, although sponsored by the PT, was accepted in the Council General slate negotiated in 1996 in order to overcome the PRD's veto of Woldenberg as Council president.

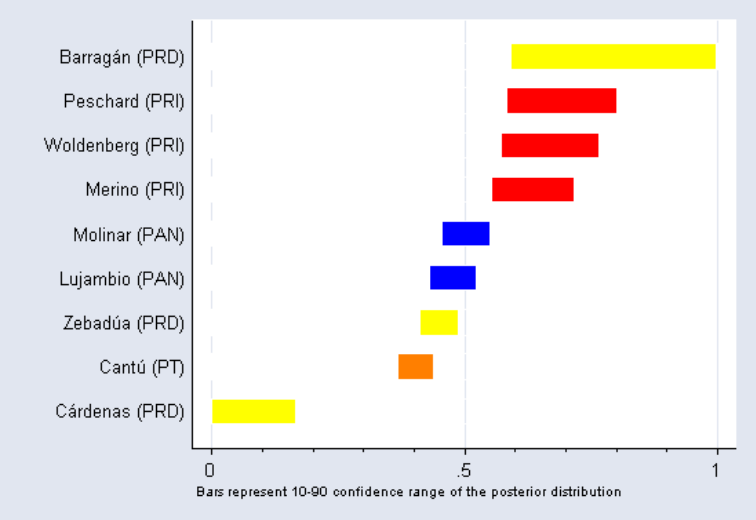

Figure 3: Ideology in IFE's Council General, 1996-2000 (Bars represent 80% HPD interval)

simulations are summarized in Table 5. During the first four years of the council, we are very certain that Molinar (sponsored by the PAN) was the median voter.[14] We are less certain about the identity of the median voter during the latter years of Woldenberg's Council, but even here there is a rather large probability (0.612) that Rivera, who was sponsored by the PRI, claimed this status.

In any case, it is obvious that neither Cárdenas nor Barragán, two of the most eccentric Councilors, ever had a chance of becoming the median voter in Woldenberg's Council. Their ideological positions were simply too extreme to make them dependable as perennial coalition partners.

Three things are noticeable from our analysis of voting behavior during nearly ten year at IFE's Council General. First, consensus is present to quite a large degree, much of it perfect, some less perfect. We interpret this as the product of tight-fisted agenda control by Councilors, as discussed in Section 2. Second, where conflict does transpire, we detect signs of partisanship in Councilors' votes. Same-sponsored members of the Council —with notable exceptions Barragán and Morales— align with each other rather well, indi-

[14]Indeed, the probability that he was not the median voter is a paltry 0.026.

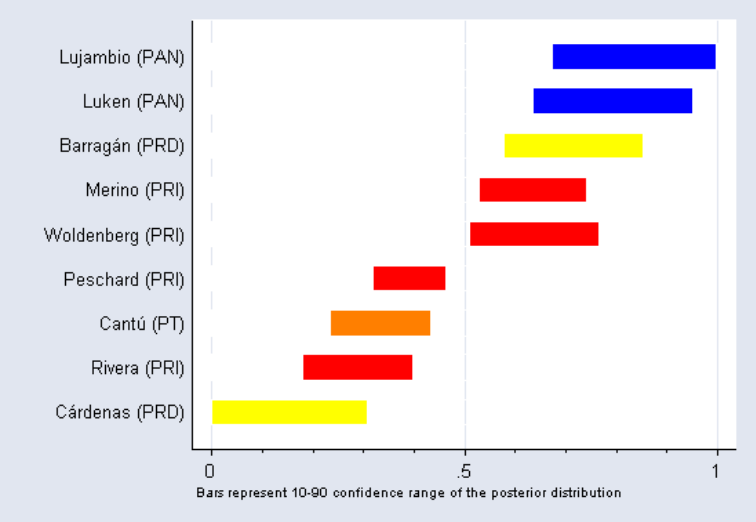

Figure 4: Ideology in IFE's Council General, 2000-2003 (Bars represent 80% HPD interval)

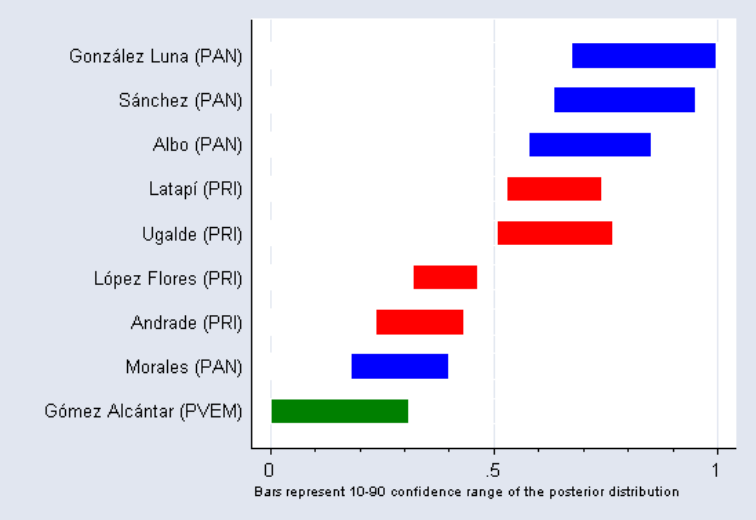

Figure 5: Ideology in IFE's Council General, 2003-2005 (Bars represent 80% HPD interval)

Table 5: Probability of being the median voter

Councilor	Sponsor	1996-2000	2000-2003
Barragán	PRD	0.011	0.000
Cárdenas	PRD	0.000	0.000
Cantú	PT	0.006	0.000
Zebadúa	PRD	0.091	—
Molinar	PAN	0.561	—
Lujambio	PAN	0.267	0.247
Luken	PAN	—	0.004
Rivera	PRI	—	0.354
Merino	PRI	0.039	0.172
Peschard	PRI	0.006	0.072
Woldenberg	PRI	0.020	0.154
Councilor	Sponsor	2003-2005	
González Luna	PAN	0.024	
Sánchez	PAN	0.057	
Albo	PAN	0.138	
Ugalde	PRI	0.374	
Latapí	PRI	0.382	
López Flores	PRI	0.015	
Andrade	PRI	0.009	
Morales	PAN	0.001	
Gómez Alcántar	PVEM	0.000	

Based on 2,500 draws from posterior distribution

cating that they tended to support one another in roll call votes. But third, as a consequence of the drive towards consensus, our estimates of Councilors' ideal points in space appear stacked to a considerable extent, making claims of clear and distinct cleavages in the Council General rather improbable.

Agenda control needs to be imperfect for our research to detect pro-sponsor patterns in behavior. The situation resembles the problem of distinguishing patterns of behavior when observing through a semi-transparent veil. The more perfect the agenda control exerted by the Council General, the thicker the veil, and therefore the harder it becomes to find pro-sponsor patterns—indeed, *any* patterns in behavior other than perfect alignment. To our advantage, agenda control is in fact somewhat imperfect. The divisiveness of any particular issue, especially a new issue, may be underestimated at first and only realized too late, after the issue has been let into Council business. Moreover, there is a wide range of matters (such as appointments, budget appropriations, etc.) that cannot be postponed indefinitely. In this manner, we can get some sense of the kind of cleavages that have characterized IFE's Council General in the last decade or so. Even if the veil we confront is somewhat thick, we are still able to discover some admittedly basic, but nonetheless quite clear, pro-sponsor arrangements in the voting record of Councilors. Despite difficulties, we detect symptoms of partisanship in IFE between 1996 and 2005.

In future extensions of this research, we plan to look for finer-grained evidence of partisan sponsorship. In particular, we believe that a separate analysis of issues originating inside and outside the Council General could be informative. By the logic of anticipation we outlined above, Councilors would propose issues that are controversial among parties if and only if they expected that TRIFE would rule in favor of whatever policy came out of the Council General. Otherwise, unanimity is the only insurance against unexpected turns of events. Instead, issues that originate outside the Council —such as complaints against one party— or administrative matters that IFE considers routinely —such as appointments— are likely to cleave Councilors in ways that allow conflict to transpire more fully, providing leverage to estimate partisan effects without the blurring effect of agenda control. We also believe that an analysis of party signals to Councilors could offer an opportunity to detect partisan effects in voting behavior. Do Councilors ever change the sense of their vote in the time that elapses between closed-door committee meetings and Council General sessions? If so, are they responding to party cues? This behavior would provide evidence of the strong influence

of signaling mechanisms by party principals to their agents in the Council.

4 Conclusion

We have described the spatial location of Electoral Councilors in IFE's Councils General from 1996 to 2005. We did so within a Bayesian framework, using MCMC techniques to describe and analyze the posterior distribution of ideal points. We find that Electoral Councilors' ideological positions are clearly describable in terms of Left-Right preferences and, more importantly, that their positions on the Left-Right ideological space tend to accord rather well with those of their party sponsors. Despite seemingly powerful incentives towards supra-partisan voting, we do find that Councilors are closer to their party sponsors' hearts than should be the case in a putatively apartisan electoral authority.

It is well known that US citizens tend to love their individual representatives but dislike Congress. In Mexico, we observe a different paradox, namely, that the collective body in charge of regulating elections is regarded as a reputable agency, whereas political parties are not trusted. Our analysis fuels this paradox by suggesting that parties, as principals, are firmly in control of their agents' behavior in IFE's Electoral Council. To the extent that IFE's behavior is indeed above the political fray, it is not because its Councilors are embodiments of technocratic efficiency, but instead because they behave as "party watchdogs", rabidly checking each others' movements. Our analysis suggests that EMBs that embrace political strife, rather than those that purport to expunge politics from their midst, might be better able to guarantee fair electoral competition in new democracies.

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A Model

The voting behavior of individuals in small committees conveys information about their policy preferences. Whether these preferences are sincerely revealed during the voting process or whether they reflect some contrived strategic calculus is subject of debate, but not a point that requires further discussion in the context of this paper.

Sincere or strategic motivations apart, it is incumbent upon the researcher to specify the mechanism that presumably links political preferences to vote choices. Though not the only modeling option, most political scientists rely on the Euclidean spatial model to build up their analysis from solid first principles Put succinctly, spatial models assume that, when facing a binary YEA or NAY vote choice, rational committee members will vote for the alternative that will enact the policy closest to their own ideal position. Clinton, Jackman and Rivers (2004) formalize this utility calculation as follows: Let $U_i(\boldsymbol{\zeta}_j) = -\|\mathbf{x}_i - \boldsymbol{\zeta}_j\|^2 + \eta_{i,j}$ represent the utility to committee member $i \in I_n$ of voting in favor of proposal $j \in J_m$ and $U_i(\boldsymbol{\psi}_j) = -\|\mathbf{x}_i - \boldsymbol{\psi}_j\|^2 + \nu_{i,j}$ the utility of voting against it.

In this formalization, the D-dimensional vectors $\mathbf{x}_i$, $\boldsymbol{\zeta}_j$, and $\boldsymbol{\psi}_j$ correspond, respectively, to the ideal position of the committee member in the D-dimensional policy space, the position that will result from a YEA vote, and the position that will result from a NAY vote. Disturbances $\eta_{i,j}$ and $\nu_{i,j}$ are assumed to be distributed joint-normally with zero means and known variance.

To turn this formal utility notation into a statistical model susceptible of estimation, note that a positive vote by member i on proposal j ($y_{i,j} = 1$) reveals that $U_i(\zeta_j) \geq U_i(\psi_j)$ (though, because of the stochastic components $\eta_{i,j}$ and $\nu_{i,j}$, it is not necessarily true that $\|\mathbf{x}_i - \boldsymbol{\zeta}_j\| \leq \|\mathbf{x}_i - \boldsymbol{\psi}_j\|$). Conversely, a negative vote by member i on proposal j ($y_{i,j} = 0$) suggests that $U_i(\zeta_j)$

$\leq U_i(\psi_j)$. From these relations, it follows that a committee member will decide to vote YEA on any given proposal if $U_i(\zeta_j) - U_i(\psi_j) > 0$:

$$\begin{aligned} y_{i,j} &= U_i(\zeta_j) - U_i(\psi_j) \\ &= -\|x_i - \zeta_j\|^2 + \eta_{i,j} + \|x_i - \psi_j\|^2 + \nu_{i,j} \\ &= 2(\eta_j - \psi_j)x_i + \psi_j^2 - \zeta_j^2 + \eta_{i,j} + \nu_{i,j} \\ &= \alpha_j + \beta_j x_i + \varepsilon_{i,j}, \end{aligned} \tag{1}$$

where $\alpha_j = \psi_j^2 - \zeta_j^2$, $\beta_j = 2(\eta_j - \psi_j)$, and $\varepsilon_{i,j} = \eta_{i,j} + \nu_{i,j}$. The last line in Equation (1) can be rearranged to represent each vote $y_{i,j}$ as an independent draw from a normal probability distribution; thus $p(y_{i,j} = 1) = \int_0^\infty \Phi(\alpha_j + \beta_j x_i)$, where $\Phi(\cdot)$ is the normal cumulative distribution function. If, for notational convenience, the parameters α_j, β_j, and x_i are stacked in vectors $\boldsymbol{\alpha}$, $\boldsymbol{\beta}$, and $\mathbf{x}$ (of lengths m, m, and n respectively), the likelihood function can be constructed from the observed $\mathbf{Y}$:

$$\mathcal{L}(\boldsymbol{\alpha}, \boldsymbol{\beta}, \mathbf{x}|\mathbf{y}) = \prod_{j=1}^{m}\prod_{i=1}^{n} \Phi(\alpha_j + \beta_j x_i)^{y_{i,j}}(1 - \Phi(\alpha_j + \beta_j x_i))^{1-y_{i,j}} \tag{2}$$

The likelihood function in Equation (2) can be estimated statistically. Note however that we require estimates of $\boldsymbol{\alpha}$ and $\boldsymbol{\beta}$ (the item, case, or bill parameters), and $\mathbf{x}$ (the ideal points of Councilors), and that we only have information collected in the matrix $\mathbf{Y}$ of observed votes (0's and 1's) for all committee members on all proposals discussed by IFE's Council General. As it stands, thus, the model is not identified, because an infinite number of values of $\boldsymbol{\alpha}$, $\boldsymbol{\beta}$, and $\mathbf{x}$ are solutions to the system of j equations in (1).[15] Thus, in order to allow identification of the model parameters, it is necessary to add restrictions on their possible values. To do so, one can alternatively fix $\mathbf{x}_i$ for "known" holders of extreme views in the committee, or fix $\boldsymbol{\alpha}$ and $\boldsymbol{\beta}$ parameters for some bills or decisions. As explained in the text, we prefer the latter approach. By fixing $\boldsymbol{\alpha}$ for two votes, we can in practice solve the problem of rotational invariance. By stipulating prior distributions for Councilors'

[15] There are two sources of under-identification in item response models: scale invariance and rotational invariance (Jackman (2001) offers an excellent discussion of identification problems in two-dimensional models). Note also that, in the context of Bayesian estimation, proper priors on the $\boldsymbol{\alpha}$, $\boldsymbol{\beta}$, and $\mathbf{x}$ parameters help solve the identification problem.

positions with known variance, we solve the problem of scale invariance. In the Bayesian approach, these prior distributions can be combined with the likelihood function (specified in (2)) to obtain posterior distributions of the parameters of interest. To summarize, our prior distributions on $\boldsymbol{\alpha}$, $\boldsymbol{\beta}$, and $\mathbf{x}$ are:

$$\begin{aligned} p(\boldsymbol{\alpha}) &\sim \mathcal{N}_J(\mathbf{0}, \mathbf{1}) \\ p(\boldsymbol{\beta}) &\sim \mathcal{N}_J(\mathbf{0}, \mathbf{1}) \\ p(\mathbf{x}) &\sim \mathcal{N}_I(\mathbf{0}, \mathbf{1}) \end{aligned} \tag{3}$$

Again, we imposed further identification restrictions on two item discrimination parameters in each council. For example, for the second half (2000-2003) we imposed restrictions on the discrimination parameters of votes 207 and 85 to construct a common one-dimensional space within which we could locate the ideological positions of Electoral Councilors. These restrictions are as follows:

$$\alpha_j \sim \mathcal{N}(4, 4) \tag{4}$$

$$\alpha_i \sim \mathcal{N}(-4, 4) \tag{5}$$

where j includes votes 228, 207, and 43, and i includes votes 28, 85, and 33, in Councils Woldenberg 1, Woldenberg 2, and Ugalde, respectively.

The joint posterior distribution of $\boldsymbol{\alpha}$, $\boldsymbol{\beta}$, and $\mathbf{x}$ results from the product of the likelihood function in (2) and the set of prior distributions in (3) and (4), as expressed in (6):

$$\pi(\boldsymbol{\alpha}, \boldsymbol{\beta}, \mathbf{x}|\mathbf{y}) \propto \mathcal{L}(\boldsymbol{\alpha}, \boldsymbol{\beta}, \mathbf{x}|\mathbf{y}) p(\boldsymbol{\alpha}) p(\boldsymbol{\beta}) p(\mathbf{x}) \tag{6}$$

We estimate the posterior distribution in Equation (6) through Gibbs sampling using WinBugs. For each of our datasets, we ran 600,000 iterations of the Gibbs sampler, discarding 100,000 as burn-in and thinning the resulting chain so as to keep 6,000 draws from the posterior distribution for inference purposes. We monitored convergence through Geweke's statistics.