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Electoral Studies xx (2007) 1–15

Electoral Studies

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Partisanship in non-partisan electoral agencies and democratic compliance: Evidence from Mexico's Federal Electoral Institute

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Received 12 January 2007; revised 10 August 2007; accepted 20 November 2007

Abstract

Scholars argue that electoral management bodies staffed by autonomous, non-partisan experts are best ~~at providing~~ credible and fair elections. We inspect the voting record of Mexico's *Instituto Federal Electoral* (IFE), an ostensibly independent bureaucratic ~~agent~~ regarded as extremely successful in organizing clean elections in a political system marred by fraud. We discover that the putative non-partisan experts of "autonomous" IFE behave as "party watchdogs" that represent the interests of their political party sponsors. To validate this party influence hypothesis, we examine roll-call votes cast by members of IFE's Council-General from 1996 to ~~2005~~. Aside from shedding light on IFE's failure to achieve democratic compliance in 2006, our analysis suggests that election arbiters that embrace partisan strife are quite capable of organizing free, fair, and credible elections in new democracies.

Keywords: Electoral agencies; ~~Democratic consolidation~~; Ideal point estimation

"Democracy is a system in which parties lose elections." Przeworski (1991, p. 10)

Przeworski's dictum implies that losers in a democracy should concede victory to winners. The reasons why losing parties choose to comply with the voters' verdict, however, remain a matter of debate. Some emphasize the key role of a civic culture shared by the citizenry (e.g., Putnam, 2000); others emphasize the need for democracy loyalists to stick together when extremists perform disruptive actions (e.g., Linz and Stepan, 1978); still others underscore the importance of electoral rules and institutions in facilitating negotiation (e.g., Jones (1995). As in Przeworski's classic formulation, we emphasize the importance of trust in the fairness of the electoral process. Losers abide by the ballot box because they retain a chance of winning a fair election in the future.

Indeed, the scholarly literature on "agencies of restraint" portrays Electoral Management Body (EMB) independence as a solution to impart credibility to electoral processes routinely marred by fraud (Hartlyn et al., in press; Schedler et al., 1999). Scholars and practitioners suggest that technical experts who oversee a professional civil service staff, are secure in their tenure, and enjoy ample, non-political budgets are in an optimal

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0261-3794/$ - see front matter © 2008 Published by Elsevier Ltd.
doi:10.1016/j.electstud.2007.11.013

position to guarantee fair electoral processes (see references in López-Pintor, 2000; Mozaffar, 2002). Instead, we suggest that electoral credibility and compliance with electoral outcomes can also be achieved by granting political parties strong influence within EMBs, provided that all main parties see themselves represented in their deliberations.

To substantiate this interpretation, we study electoral regulation in Mexico during the last decade. Mexico provides an interesting case-study into the organization of credible elections. In a view prevalent among pundits and scholars, Mexican elections became credible once the Institutional Revolutionary Party (PRI), which had been losing votes for at least 20 years, finally relinquished control over electoral regulation to an autonomous EMB, the *Instituto Federal Electoral* (IFE) in 1996. IFE's Council-General personified non-partisan expertise unencumbered by direct political interference from government. Councilors were thoroughly vetted and recruited from a set of professionals without party affiliation and admitted to the council after winning consensual endorsement in the Chamber of Deputies. Once in office, IFE's operational budget, which includes generous public financing for political parties and their electoral campaigns, is subject to few political whims. Consistent with the view that EMB autonomy is paramount in guaranteeing fair elections, IFE is often heralded as exemplary of the "ombudsman" model of electoral management (Eisenstadt, 2004), which welcomes delegation of electoral authority to agencies staffed by detached, non-partisan experts.

IFE's Council-General ran three competitive elections in which incumbents suffered important losses. The PRI lost control of Congress after seven decades of uninterrupted rule in the 1997 midterm election, and then lost the presidency to the center-right National Action Party (PAN) in 2000. The PAN was relegated to second place in Congress in the 2003 midterm ~~election~~. Yet, political losers accepted the outcomes of federal elections in ~~these~~ years. But the new Council-General, ~~inaugurated~~ in 2003, lacked consensual support in the Chamber of Deputies. At the last minute, the ~~center-left~~ Party of Democratic Revolution (PRD) broke off negotiations and was ignored by the other major parties during the process of councilor selection. The PRD immediately accused IFE of lacking autonomy from political parties, and ~~then~~ failed to concede victory in the 2006 presidential election.

We do not contest the claim that IFE's Council-General brought credibility to elections during Mexico's protracted transition to democracy. On the contrary, IFE ~~remained~~ one of the most respected democratic institutions in Mexico, ~~at least until after~~ the post-election dispute of 2006 ~~temporarily dented its wide support~~. However, we are not persuaded that this is the consequence of non-partisan impartiality of IFE's Councilors, as the ombudsman model assumes. Nor do we agree with the view that the post-electoral debacle of 2006 is the result of replacing an autonomous IFE with a ~~particised~~ one. Instead, we analyze IFE's institutional setup as a response to standard problems of delegation: parties carefully select their representatives to IFE and have tools to induce them, within limits, to act in accordance with their interests. Our view is that political parties, not non-partisan technocrats, have always been the ones that run the show at IFE. In this regard, IFE should be considered to be closer to a checks-and-balances "party watchdog" (Molina and Hernández, 1999) model than to the ombudsman model of EMB organization. And it was precisely the lack of full checks-and-balances ~~— *not* a rebirth of undue partisan influences —~~ that made IFE's authority questionable.

To substantiate the view that parties have not relinquished control over the agent in charge of regulating their own behavior, we start in Section 1 by fleshing out the various dilemmas that politicians confront in delegating authority to a regulatory agency. We describe IFE's institutional design in Section 2, showing ~~how,~~ despite ~~central~~ guarantees against majority tyranny, parties avail themselves of ~~an~~ array of resources to influence decisions in the Council-General. Ultimately, IFE's institutional setup suggests that councilors will be sensitive to the goals of their party sponsors, even in the absence of formal ties to political parties. We refer to this as the *party influence* hypothesis. We then inspect councilor behavior for traces of partisanship in Section 3. We employ Bayesian MCMC estimation techniques to examine the voting record of all Electoral Councilors between October 30, 1996, and ~~August 24, 2005~~, spanning two entirely different Councils. Based on this analysis, we can make relatively precise inferences about the ideal points of council members in one-dimensional ideological space. Our statistical analysis uncovers patterns consistent with the party sponsorship interpretation of councilors' voting behavior both before and after the 2003 renewal of the Council-General.

1. Delegation dilemmas

We see IFE as an agent of political parties in the Mexican legislature, who have the power to appoint and remove the organ's governing board. Consequently, we analyze its institutional setup within the canonical

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literature on delegation.[2] In this light, political parties in the enacting coalition delegate authority to interpret the law and run federal elections to their appointees in IFE's Council-General. Two critical delegation problems arise from the perspective of the enacting coalition. The first ~~problem~~ is that appointees may behave in ways that do not serve the principals' common interests, i.e., delegation is open to moral hazard. The other problem arises from the fact that the enacting coalition is itself a collective principal, whose members have conflicting electoral interests. The enacting coalition ~~would like~~ to set ample *agency discretion* to take advantage of agent specialization, while at the same time ~~limiting~~ the possibility of excessive *agency loss* (Hamilton et al., 1788; Huber and Shipan, 2002; McCubbins and Page, 1987; Miller, 2005). The literature on delegation dilemmas has uncovered various, ~~and~~ often ingenious, ways of mitigating this tradeoff. But the heterogeneous nature of the enacting coalition complicates delegation by broadening the definition of agency loss. In this sense, IFE is a regulatory board that must serve the interests of a ~~very~~ broad constituency – legislative political parties with opposing electoral interests and views on electoral law that are often incompatible – while striving to achieve credibility and trust in elections.

For political parties in the enacting coalition, the relevant question is how much influence ~~on~~ IFE can they retain while still achieving credibility in the eyes of the electorate. We interpret recent work on "agencies of restraint" (Eisenstadt, 2004; Schedler et al., 1999) as suggesting that anything short of full abdication ("autonomy") impedes trust and credibility. ~~It is important to ask who is involved in the credibility game to evaluate this conclusion.~~ The tacit premise is that ~~citizen's~~ trust in IFE's independence and impartiality matters most.[3] Instead, we start from the premise that trust in the fairness of the electoral process is most important to political parties, who are after all directly subject to IFE's regulatory and procedural decisions. Unless political parties ~~believe~~ in IFE's ~~aura of~~ effectiveness and fairness, they ~~will~~ not be willing to concede defeat in the competition for power.[4]

Given our view that winning the trust of political elites is more important than generating confidence among the electorate, *it is crucial that IFE ~~remains~~ subject to partisan influence*. We argue that, in structuring IFE, parties have managed to retain influence in the Council-General while at the same time checking each other's ambition. The solution takes advantage of the agent's collective nature: the Council-General is a nine-member body sitting atop IFE's bureaucracy. By ensuring that all relevant political parties have Council representation, the enacting coalition imposes a checks-and-balances solution to the ~~aforementioned~~ dual delegation problem. Minority representation, rather than an autonomous ombudsman, protects the interests of parties with IFE representation while simultaneously ensuring that no single party will be able to manipulate elections.

2. IFE's institutional design: the party influence hypothesis

IFE was established in 1990 as a bureaucratic agency in charge of overseeing federal elections. Although its original charter called for a preponderant presence of the Executive branch 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 expanding role in organizing all electoral aspects of Mexico's protracted transition to democracy. Today, IFE's Council-General decides on all organizational matters relating to elections, including voter registration, district boundaries, operation of electoral booths, vote counts, monitoring of party and campaign expenditures, and overall regulation of political campaigns and party organization.

IFE took its present form during the ~~last~~ major election reform in 1996. The size of the Council-General

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

[3] Before the 2006 presidential election, public opinion decidedly backed IFE; for example, in a May 2005 survey nearly two-thirds of respondents considered IFE trustworthy, more so than any other political institution in the country. The organizations that IFE regulates received much less support in citizen evaluations, as only one in three respondents expressed any degree of trust in political parties. See national face-to-face survey, May 20–22, 2005, in *Reforma*'s supplement *Enfoque*, June 5, 2005, p. 6.

[4] Citizen trust is important, but public opinion tends to follow party cues. Panel surveys reported by Estrada and Poiré (2007) allow comparisons of democratic attitudes among supporters of losing candidates. In 2006, PRD voters were more distrustful, with as many as a quarter of them expressing, both before and after the election, that Mexico was not a democracy, compared to 13% of PRI voters. After the election, another quarter of PRD voters, who had originally expressed trust in democracy, joined the distrustful camp after losing; only 10% of PRI voters did the same. Thus, ~~after the election,~~ 50% of PRD voters disputed the democratic character of the Mexican political system, compared to slightly less than a quarter of PRI voters and 16% of PAN voters. These differentials are likely products of elite cues in the pre- and, especially, post-electoral disputes.

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Table 1
Legislative party shares, enacting coalitions, and councilor sponsorship

Party	56th Leg. 1994–1997 (%)	Woldenberg I 1996–2000	57th Leg. 1997–2000 (%)	58th Leg. 2000–2003 (%)	Woldenberg II 2000–2003[a]	59th Leg. 2003–2006 (%)	Ugalde 2003–2010
PAN	*24*	2	24	41	2	*30*	4
PRD	*13*	3	25	10	2	19	–
PRI	*60*	3	47	42	4	*45*	4
PT	*2*	1	1	1	1	1	–
PVEM	–	–	1	3	–	*3*	1
Others	–	–	–	1	–	1	–
N	500	9	500	500	9	500	9

Enacting coalition is in italics.
[a] Two councilors resigned in late 2000 and were replaced by substitutes pre-selected in 1996.

was set at nine members, eight of whom are non-partisan "Electoral Councilors" selected and ratified by consensus among congressional parties. The Minister of the ~~Interior —~~ who chaired the council *ex ~~officio~~ —* was removed from the council altogether and replaced by a non-partisan Council President chosen through the same consensual procedures. In effect, the Executive relinquished day-to-day control over electoral matters and IFE became an autonomous regulatory agency.[5] Scholars ultimately explain delegation to IFE technocrats as a constrained but purposeful move by PRI leaders to benefit from clean elections, given their calculus that the party would maintain sufficient citizen support to win them (Magaloni, 2006). While that calculus proved wrong, the battle for credibility was clearly won. However, the influence of congressional parties over the council's composition leaves ample room for speculation about potential party sponsor effects on the voting behavior of councilors. In order to orient our investigation of that behavior after the 1996 reform, we turn to a detailed discussion of IFE's institutional design, underscoring those rules that provide incentives for *pro-sponsor behavior*, in contrast to those that induce *cross-partisan voting* or even outright universalism.

2.1. Incentives for partisan voting behavior

Following principal-agent theory, we emphasize three aspects that are relevant in generating pro-sponsor or partisan voting behavior: rules of nomination, signaling devices used by sponsors, and party capture.

[5] ~~Malo and Pastor (1996) analyze roll-call votes from 1994–1997 in search of the determinants of individual vote choices. They find that the six non-partisan Citizen Councilors, selected by the consensual procedures retained in the 1996 reform, tended to vote as a bloc, largely isolating the Legislative Councilors who directly represented the major congressional parties.~~

2.1.1. Rules of nomination

Councilors are appointed by a two-thirds vote in the Chamber of Deputies to serve 7-year terms. Tenure in office is fairly secure, yet Congress can impeach any councilor – a possibility we discuss at length below. Legislative parties have informally agreed, in bargaining sessions over councilor selection since 1994, that no single party should designate a majority on the council, that each party in the enacting coalition is entitled to propose a share of councilors roughly proportional to its lower chamber seat share, and that nominated candidates can be vetoed by any other party in the coalition (Alcocer, 1995; Schedler, 2000). After the election of a single nominee for Council President, a final logroll in the lower chamber on a closed list of eight candidates (plus a ranked list of replacements) culminates the process. In 1996, all parties with congressional representation (PRI, PAN, PRD, and PT) joined the enacting coalition; in 2003, only three of six congressional parties were included.[6] Table 1 shows information about the enacting coalitions formed in 1996 and 2003, the relative strength of legislative parties, and the number of candidates that each party successfully sponsored to the Council-General.

Party sponsorship quotas in the Council-General have ~~always~~ been flexible, overrepresenting the PRD until 2003. In 1994, the PRD ~~received~~ three of six Citizen Councilors. The PRI ~~accepted this distribution~~ shielded behind its control of the then powerful Council presidency. The PRD again demanded a ~~large representation~~ in 1996 and got it, although its fourth member had to be co-sponsored with the PT (Councilor Cantú). The PAN ~~accepted~~ to sponsor only two members in exchange for strengthening the Council-General's powers ~~vis-à-vis~~ IFE's bureaucracy. In 2003 ~~it was the PRI,~~

[6] The PT is the *Partido del Trabajo*. In 2003, the PRD and PT were excluded from the enacting coalition, while the *Partido Verde Ecologista Mexicano* (PVEM) was incorporated.

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having just re-gained plurality status in the chamber, that demanded four seats in the new Council-General.

While the informal right to veto eliminates highly partisan and otherwise unqualified candidates, it is unlikely that any party would nominate individuals clearly opposed to its own interests and views about electoral regulation.[7] Parties reduce the chances of selecting "bad types" — i.e., individuals whose conduct could hurt the sponsor's interests — by screening potential agents carefully and proposing candidates who, while unaffiliated to them, have preferences in line with those of the chamber party. Thus, screening helps mitigate agency costs. As in Cox and McCubbin's (1993) congressional committees, the resulting Council-General can be seen as a microcosm of the enacting coalition in the lower chamber, with councilors keeping tabs on each other by defending their sponsors' interests in IFE's debates and decisions.

Contrary to what had happened in previous negotiations, no major party was willing to concede to the PRD's maximalist demands in 2003, leaving it without representation in IFE's Council. This sign was ominous from the partisan perspective we develop, a harbinger of electoral distrust to come arising from incomplete checks-and-balances in the renewed Council-General.

2.1.2. Signaling devices used by sponsors

Should councilors shirk or deviate from their sponsors' expectations about appropriate voting behavior, parties retain a wide gamut of mechanisms to make their preferences known to agents and call them to order. The mechanisms include positioning in council and committee debates,[8] public and private communications of all sorts (including threats of impeachment against council members), agenda interference through the filing of petitions and complaints, and recourse to appeal before an electoral tribunal (we expand on some of these below). These mechanisms should make sponsor preferences completely transparent to councilors.

2.1.3. Party capture

Assuming that 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 (or, indeed, by offers from rival parties). The danger of "party capture" was present from the outset, but the original legislation and its reforms in the 1990s ignored the problem.[9] Table 2 — which includes the list of Citizen Councilors from 1994 to 1996 — speaks to this issue. Ironically, the parties that most demanded electoral impartiality and citizen control have tended to advance the post-IFE careers of their nominees, while the former ruling party has largely abandoned its own. In any event, a party can offer future-oriented incentives to its nominees in the hope of eliciting appropriate voting behavior. Alternatively, parties can exploit the individual expectations of council members that professional opportunities may materialize in the future.

2.1.4. Expected partisan behavior

The rules and devices outlined above lead us to expect that council members will represent their sponsoring party's views on electoral regulation, i.e., *councilors should manifest partisan behavior*. But it is also true that the broad lines of much of the Council-General's day-to-day business are inscribed in election statutes which have seen few significant changes since 1996 and which contain norms that reflect the principals' shared interests in electoral regulation. From this perspective, the Council-General can be said to operate on *autopilot*, executing standing agreements among the members of the 1996 enacting coalition. In consequence, a large volume of decisions should be characterized by consensus among council members. In addition, councilors retain substantial control over IFE's agenda and conceivably use it to prevent extremely divisive items from entering debates and votes in the Council-General.

Thus, open conflict in the Council-General should only occur sporadically, and only regarding topics that escape the gate-keeping control exercised by the Council. We have detected three types of topics with such characteristics: (i) internal agency matters, such as administrative appointments and budgetary decisions; (ii) electoral issues brought by actors outside the enacting coalition, which must be processed by IFE under threat of judicial reprimand; and (iii) issues whose

[7] Schedler (2000) expresses a similar view about the selection of council members, but considers that their conduct once in office must demonstrate prudence and impartiality in order to accomplish their task. That they should appear to be purer than Caesar's wife, however, does not necessarily make them so.

[8] The 1996 reform introduced committees for each of IFE's operational areas, staffed through voluntary participation of individual councilors, and with chairs assigned by consensus in the council. Party organizations with legal registry exercise voice without a vote on the Council-General and in committee.

[9] An initiative to restrict employment of ex-Councilors in government positions or elective office has been frozen in Congress since 2001.

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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 Federal District Government (2000), Minister of the Interior (2000–2005), PAN Senator (2006–2012).
Woldenberg	PAN	PRI nominee for Council President (1996).
Granados	PRD	PRD gubernatorial candidate in Hidalgo (1998).
Ortiz	PRD	PRD Deputy (1997–2000 and 2003–2006), PRD cabinet member in Mexico City Government (2001–2003).
Zertuche	PRD	PRD nominee as IFE's Secretary-General (1999–2003).
Pozas	PRI	Returned to academic life.
Woldenberg Council (1996–2003)		
Barragán	PRD	Returned to academic life.
Cárdenas	PRD	Returned to academic life.
Zebadúa	PRD	PRD Secretary of the Interior in Chiapas (2000–2003), PRD Deputy (2003–2006), ~~minor-party candidate for governor of Chiapas who withdrew along with PAN's candidate (2006)~~.
Cantú	PT	PRD nominee (vetoed) for Council President (2003).
Lujambio	PAN	PAN appointee as IFAI Commissioner (2005–2012).
Luken	PAN	Returned to private business.
Molinar	PAN	PAN Under-Secretary of the Interior (2000–2002), PAN Deputy (2003–2006), Director of Social Security Institute (2006–).
Merino	PRI	~~Returned to academic life~~.
Peschard	PRI	~~Returned to academic life~~.
Rivera	PRI	Returned to academic life.
Woldenberg	PRI	Returned to academic life.

emergence and divisive potential could not have been foreseen by the principals when they designated council members.

A preliminary inspection of roll-call votes at the Council-General confirms the presence of strong consensual or cross-partisan tendencies. The general lack of conflict among councilors can be ascertained from Fig. 1. Vertical lines indicate changes in council membership, the first marking the exit of councilors Molinar and Zebadúa – who assumed government appointments in 2000 and were replaced by Councilors Luken and Rivera – the second marking the beginning of a completely renovated Council-General in November 2003. Throughout the article we label these Councils-General by the names of their respective presidents: Woldenberg I (1996–2000), Woldenberg II (2000–2003), and Ugalde (2003–~~2005~~). The top line in Fig. 1 counts all roll-call votes observed each semester in the period analyzed. The volume of IFE decisions is substantial – 1699 votes are included in the data set – and peaks, as one would expect, in federal election years. The middle line represents the number of *non-unanimous votes*, i.e., those in which at least one councilor voted differently from the others or abstained, for a total of 728. Unanimous votes above that middle line comprise 57% of all roll-calls. The lower line in Fig. 1 follows from a slightly stricter definition of conflict. It registers all non-unanimous votes in which at least two councilors voted against the majority, excluding abstentions. On this still modest definition of conflict, less than 16% of all roll-calls at IFE would qualify as divided votes in the period under scrutiny, although its incidence has grown steadily from 1-in-10 under Woldenberg I to 1-in-5 under Ugalde.

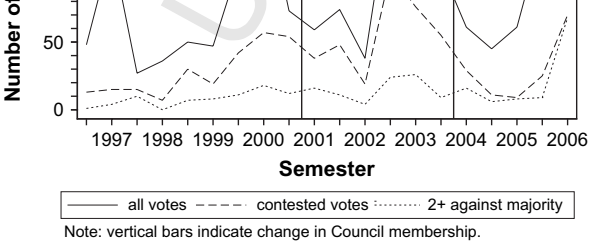

Fig. 1. Unanimous, contested, and minimally conflictive Council-General votes, 1996–2006.

~~The~~ high degree of universalism in the Council-General ~~certainly deserves future attention, but~~ one cannot infer that "ideological reasoning" is exceptional in

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IFE from the prevalence of consensual votes. After all, if the enacting coalition could anticipate all future conflicts in electoral regulation and if the Council-General had perfect control over its agenda, statutes would internalize all conflict and all decisions would possibly be reached by consensus – the autopilot analogy. Our research takes advantage of real limitations both in foresight and in the council's agenda control, which allow latent conflict to become observable. *We expect that this conflict, however low its incidence, will nonetheless expose the ideological divergence and partisan predispositions of council members*. When conflict arises, behavior by any councilor should dovetail her sponsor's interests and preferences. We therefore entertain the expectation that same-sponsor nominees will exhibit similar behavioral patterns on the council. From the perspective of political parties, deviations from this expected behavior can be seen as agency loss. Even allowing for slack due to vote-trading and idiosyncratic behavior, we still expect to find that same-sponsor councilors are ideologically closer to each other than to colleagues sponsored by different parties. We test this party influence hypothesis in Section 3, where we examine roll-call behavior in the Council-General. Before doing so, we discuss other institutional design features that play *against* our chances of detecting partisan behavior at IFE.

2.2. Incentives for consensual behavior

The consensual tendencies discussed so far are the product of *ex ante* agreement among congressional parties in the enacting coalition. Further inspection of IFE's institutional design reveals additional incentives of an *ex post* nature for councilors to form cross-partisan coalitions when voting. Here, we refer to two such incentives: the threat of impeachment and the existence of an electoral tribunal of last resort.

2.2.1. Rules of impeachment

Although the foremost objective of the 1996 reform was to grant autonomy to the Council-General, the delegation contract retains one important element to constrain agency behavior: the threat of impeachment (Eisenstadt, 2004). A simple majority vote in the lower chamber is needed to indict a councilor, although a two-thirds vote in the Senate is required for actual impeachment. In principle, a coalition of any two of the three largest parties could have sustained a majority vote in the Chamber of Deputies against any councilor at any moment since the PRI lost its congressional majority in 1997. However meager the likelihood of destitution by the Senate, merely initiating the trial in the lower chamber might well suffice to destroy the career of any councilor. No Electoral Councilor has yet undergone an impeachment trial, although ~~the so-called "Councilor Magistrates" elected to 8-year terms in 1990 were summarily dismissed upon the approval of the election reform of 1994, thereby setting an ominous precedent against security of tenure at IFE~~.[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 order to secure their tenure, councilors should strive to act in ways that do not systematically hurt the interests of parties with combined majority support in the lower chamber. This can be achieved by sometimes failing to toe the party line, and accommodating instead the interests of other parties and their council nominees. Table 3 categorizes roll-call votes in IFE's Council-General by the degree of unity manifested by party contingents of Electoral Councilors. For example, the PAN successfully sponsored two councilors to the Woldenberg I Council. In contested votes in which both were present, the pair voted in the same direction in 206 instances, while in 26 votes they parted company. For purposes of the analysis presented in Table 3, we count an abstention as a dissenting vote, which opens the rare possibility that each Councilor will vote differently in a three-member contingent (this happened eight times in the PRD contingent in Woldenberg I, six times in the PRI in Woldenberg II).[11] All multi-member party contingents have shown some level of division in roll-call votes, but there is wide variation across parties (with the PRD blocs by far the least unified) and across Councils (the current Ugalde Council shows a strong surge in disunity for PAN and PRI blocs). Shirking of this sort is very likely a matter of sincere preference revelation by individual councilors in many cases. But whatever the motivation,

[10] Though no Councilor has ever been indicted, formal complaints have been filed ~~multiple times~~ and threats of impeachment invariably characterized by charges of overt partisanship are quite common. A search of newspaper *Reforma*'s database since 1996 uncovered a total of 41 impeachment threats articulated by political parties (28 were issued during Woldenberg I, eight during Woldenberg II, and five so far under Ugalde). Four "official complaints" (a prelude to impeachment) were jointly filed in 1999 by the PRI, PT, and PVEM. There are also reports of four bills of impeachment sent to Congress in 2002, but these were mooted and left no trace in the record. Of the 20 individuals occupying councilor positions since 1996, 13 received threats of impeachment.

[11] ~~In Section 3, we relax the assumption that abstentions are dissenting votes and model them more appropriately as data that are missing at random.~~

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Table 3
Unity and division in multi-member party contingents (contested votes with no absent contingent members)

Sponsor	Dissenting votes in contingent	Woldenberg I 1996[a]–2000		Woldenberg II 2000–2003		Ugalde 2003–2006[a]	
		Freq.	Pct. (%)	Freq.	Pct. (%)	Freq.	Pct. (%)
PAN	0	206	89	261	83	41	28
	1	26	11	52	17	80	55
	2	–	–	–	–	25	17
PRI	0	218	90	279	87	51	35
	1	23	9	34	11	67	47
	2	2	1	6	2	26	18
PRD	0	18	8	90	27	–	–
	1	212	89	243	73	–	–
	2	8	3	–	–	–	–

[a] The series of roll-call votes for the Woldenberg Council starts October 1996; the series for the Ugalde Council is truncated in June 2006.

deviation from the party line can often signify alignment with other partisan contingents on the issue at stake.

2.2.2. *Vetoes by a court of last resort*

Most discussions of IFE's institutional incentives tend to overlook the impact of a second actor, the *Tribunal Electoral del Poder Judicial de la Federación* (TRIFE). Any Council-General decision can be appealed to this electoral court of last resort. All political parties and their candidates, national political associations, even ordinary citizens in some cases have ~~stood~~ before TRIFE to challenge IFE's decisions. Indeed, the tribunal has over the course of its history shown a growing interest in revising IFE's agreements, sometimes rewriting the tribunal's own jurisprudence in order to force its criteria on IFE, and at other times limiting the scope of IFE's decision-making power. In many areas of election law, TRIFE's rulings have become unpredictable, and IFE decisions on the docket face rising odds of being overturned or amended. Moreover, this behavior by the court has spawned litigiousness by those with standing to appeal (Eisenstadt, 2004).

TRIFE is a busy court, as evidence in Table 4 suggests, and has received a growing number of appeals since 1996. Of the total of 1699 roll-call decisions from the council, 218 have been challenged in court, involving 234 separate measures in 423 separate suits (IFE logrolls and multiple plaintiffs increase the number of appeals). Moreover, the tempo of appeals has risen over time, from 1-in-9 decisions challenged during Woldenberg I to 1-in-5 for the Ugalde Council. At the other end, TRIFE also grants appeals, in part or in whole, at twice its earlier rate, currently overruling IFE in one out of 12 roll-call votes.

Clearly, TRIFE can be considered a "nonstatutory factor" that limits the discretion of IFE's Council-General (Huber and Shipan, 2002). In some principal-agent accounts of delegation, such exogenous factors can assuage a principal's fear about potentially adverse agent behavior. In this case, the ability of parties to challenge unfavorable council decisions *ex post* should make them more willing to delegate power *ex ante*, much as powerful political actors use the Supreme Court in the US to further their interests (Clayton, 2002; McCubbins et al., 1999). More importantly for our purposes, nonstatutory factors can also be expected to alter the behavior of agents. In IFE's case, councilors who care intensely about some resolution have to anticipate all major complaints and make a priori concessions to preempt legal appeals from affected parties (cf. Gely and Spiller, 1990). This can be achieved in two ways. First, councilors can craft resolutions that incorporate the tribunal's preferences based on precedent, hoping to avoid

Table 4
Legal appeals and TRIFE rulings on IFE decisions, 1996–~~2006~~

Council	TRIFE ruling	*N*	Pct. (%)
Woldenberg I 1996–2000	No appeal	572	89
	Appeal denied	46	7
	IFE overruled	28	4
	All	646	100
Woldenberg II 2000–2003	No appeal	440	81
	Appeal denied	60	11
	IFE overruled	40	7
	All	540	100
Ugalde 2003–2005[a]	No appeal	171	79
	Appeal denied	27	13
	IFE overruled	17	8
	All	215	100

[a] Appeals to Ugalde's Council tracked until April 2005.

Please cite this article in press as: Estévez, F. et al., Partisanship in non-partisan electoral agencies and democratic compliance: Evidence from Mexico's Federal Electoral Institute, Electoral Stud. (2007), doi:10.1016/j.electstud.2007.11.013

negative rulings in case of legal challenge. Second, councilors can reduce the probability that other actors, most prominently parties themselves, will appeal a decision. This route calls for compromise and accommodation in council decisions.[12] An obvious implication is that council members will tend to form oversized, cross-partisan, and even universal voting coalitions. The obvious strategy for the councilors, given active engagement by the tribunal and increasing recourse to legal challenge, is to circle their wagons – that is, to seek safety in broad cross-partisan consensus.

2.3. The null and the party influence hypotheses

When translated to the realm of Council-General roll-call votes, the null hypothesis of councilor autonomy states that knowing which party sponsored a given councilor *should not* help us predict his or her voting behavior. The null follows from the perspective that the influence that sponsors may have is either non-existent, or is relatively tiny with respect to a multiplicity of other factors that systematically determine councilor votes in the Council-General. It is unclear which factors are the ones that are most influential in allowing councilors to remain "autonomous", but the prevalent view is that party labels clearly should not matter.

In contrast, our perspective is that incentives for pro-sponsor party behavior – which we find in nomination procedures, open signaling, and future rewards – are in fact the dominant factor. As a consequence, knowing which party sponsored any councilor should be a strong predictor of voting behavior at IFE. We expect councilors' ideological positions to be distributed such that same-sponsor members occupy adjacent positions on the ideological space. In the extreme, the party influence hypothesis leads us to expect council members to cluster together in distinct same-sponsor blocs, thus defining a veritable partisan cleavage in the council.

Finding such clustering will not allow us to distinguish whether parties are finding good agents *ex ante* through nomination procedures or whether they are eliciting pro-sponsor behavior *ex post* through threats of punishment and/or signaling devices. For our purpose, however, showing that the ideal points of Electoral Councilors are consistent with the ideological location of the parties that sponsored them suffices to show party influence. We test the party influence hypothesis through estimation of ideal points of IFE's Electoral Councilors during the period 1996–2005.

3. Ideology and partisanship in the Council-General

Political methodologists have developed various techniques to circumvent the "micro committee problem", i.e., the difficulty of estimating parameters of interest when the number of committee members is small, even if the committee has produced a long list of contested votes (Londregan, 2000). Among these techniques, Bayesian methods (Clinton et al., 2004; Jackman, 2001; Martin and Quinn, 2002) are more appropriate to the study of individual voting behavior in small committees than other tools of ideal point estimation. Since IFE's Council-General is a very small decision-making body – and, to further complicate matters, a highly consensual one – Bayesian Markov chain Monte Carlo item-response theory offers the best way to generate valid inferences about councilors' ideological profiles, provided that our models are appropriately identified through suitable priors.

We present an analysis of IFE's two Councils-General in the period 1996–2005, but we break up the Woldenberg Council into two separate entities, as discussed in Section 2. We estimate ideal points for 20 individuals (seven of whom served throughout the Woldenberg years, so the ideal points of these individuals are estimated twice). Our decision to study these Councils separately stems from our interest in understanding whether individual ideal points stack in ways consistent with the party influence hypothesis, even after some councilors leave and others replace them. The large number of unanimous votes (971 in total) convey no information about councilors' ideologies and have been dropped from the analysis. The remaining 728 usable votes are coded so that, in each case, an Aye vote is coded "1" and a Nay vote "0". In Section 2, we characterized votes with abstentions and absences as non-unanimous votes, implicitly admitting that abstainers were voting against the majority. However, we have no grounds to believe that abstentions should be treated as Nay votes. We thus prefer to see abstentions as missing parameters to be updated based on information from

[12] Indeed, Councilor Merino admits that consensual Council resolutions are more likely to withstand the scrutiny of TRIFE (Merino, 1999). There is a similar argument in the literature on judicial politics in the US, according to which judges in District Courts may have an incentive to vote consensually so as to diminish the probability of review and a potential adverse ruling by the Supreme Court (Cameron et al., 2000; Lax, 2003; Songer et al., 1994). As far as we can tell, this literature concludes that incentives for "strategic consensus-building" are low, if they exist at all, given the very small probability that the Supreme Court will review any one decision by a lower court. Since TRIFE reviews a much larger proportion of IFE decisions, strategic consensus-building may be more likely in the Mexican context.

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Table 5
Votes used to anchor policy space for each Council

Date (vote number)	Minority vote	Substance
Woldenberg I		
12/16/1997 (vote 28)	PRI, Barragán (Nay)	Agenda power for President (PRI-sponsored): should Council-General ratify President's appointee for one administrative office?
11/14/2000 (vote 228)	PRI, Barragán (Aye)	Scope of IFE authority: should PAN be held responsible and fined for the case of a clergyman who campaigned illegally on its behalf?
Woldenberg II		
4/6/2001 (vote 27)	Cárdenas, Cantú, Luken (Nay)	Money in elections: should IFE drop investigation of complaint by Alianza Cívica against the PRI for clientelistic practices in Chiapas?
5/30/2003 (vote 206)	PRI (Aye)	Scope of IFE authority: should PAN be fined for a TV campaign spot that PRI considers libelous?
Ugalde		
8/23/2004 (vote 33)	PAN minus Morales, Latapí (Nay)	Agenda power for President (PRI-sponsored): should candidate for top-level appointment, proposed by Council President without relevant commission's consent, be ratified?
1/31/2005 (vote 43)	Andrade, López Flores, Morales, Gómez Alcántar (Nay)	Scope of IFE authority: must PVEM statutes make party leaders accountable to rank-and-file?

observed votes and conditional on values of individual- and item-specific parameters. We do assume, as is common in ideal point estimation, that abstentions are "missing at random" (Clinton et al., 2004; Little and Rubin, 1987). Thus, our estimates of councilors' ideal points appropriately incorporate uncertainty generated from abstentions.

We base our inferences on Clinton, Jackman and Rivers' voting behavior model (Clinton et al., 2004; Martin and Quinn, 2002). The identification of this model requires imposing restrictions either on item parameters or on voters' positions. Traditionally, scholars use a known "extremist" in the committee to anchor the ideological space, thus solving the problem of rotational invariance. We use the alternative method of restricting the discrimination parameters of two items (i.e., two specific roll-calls) per council.[13] In every case, we chose votes with substantive contents that pit political liberals against political conservatives, thereby imposing some structure on the ideological space underlying the individual voting records for each period.

A discussion of this structure is in order. Most issues voted on at IFE fall into two general categories. The first category comprises decisions about the pace of reform to liberalize political competition. This category corresponds to the second dimension of Mexican politics described by Molinar Horcasitas (1991) and Lujambio (2001), among others, and substantiated empirically by Moreno (2003) and Magaloni (2006). Two examples of relevant items comprised by this category are: how easy should it be to replace top- and mid-level IFE bureaucrats appointed by the PRI before the electoral reform? Should IFE have full authority to penalize vote-buying? The second category includes decisions on IFE's scope of authority to defend citizen rights against party encroachments (cf. Cárdenas, 2004): Should IFE intervene to ban negative ~~campaigns'~~ ads, seen by many in Mexico as ~~contrary~~ to citizen interest? Or to defend the rights of rank-and-file party members against party leaders? Interviews with former Councilors Lujambio and Molinar corroborated that our choice of anchors, listed in Table 5, corresponds to their perception of the principal themes discussed during their tenure at IFE and afterwards. According to our interviewees, issues in the first category were dominant in the first years, issues in the second in the latter years, especially in the Ugalde Council. Yet, party positions on these categories should overlap substantially, with the PRD and PRI standing on opposite ends of the spectrum, and the PAN somewhere in between, at times voting with the PRD, at others ~~obtaining key concessions from the PRI in exchange for policy support in the Chamber of Deputies~~.

Table 6 reports councilors' ideal point estimates. The last column in the table displays the number of votes on which we base our estimation of each councilor's

[13] We stipulate standard normal prior distributions on councilors' ideal points to solve the problem of scaling invariance. For each of our data sets, we ran 200,000 iterations of the WinBugs sampler, discarding 100,000 as burn-in and thinning the resulting chain so as to keep 10,000 draws from the posterior distribution for inference purposes. We monitored convergence through Geweke's statistic. Samples and convergence results are available from the authors for inspection.

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Table 6
Posterior distribution of ideal points

Councilor	Sponsor	Mean	SD	Votes
Woldenberg I				
Cárdenas	PRD	−1.79	0.44	230
Cantú	PT	0.42	0.20	231
Zebadá	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
Woldenberg II				
Cárdenas	PRD	−1.67	0.23	290
Barragán	PRD	0.40	0.12	246
Cantú	PT	1.70	0.20	308
Luken	PAN	1.98	0.24	294
Rivera	PRI	3.20	0.38	318
Lujambio	PAN	3.50	0.45	323
Merino	PRI	3.60	0.44	330
Woldenberg	PRI	3.70	0.47	330
Peschard	PRI	3.75	0.44	323
Ugalde				
González Luna	PAN	−2.61	0.47	145
Sánchez	PAN	−2.14	0.39	143
Albo	PAN	−0.97	0.22	146
Latapí	PRI	−0.47	0.17	146
Ugalde	PRI	0.23	0.16	141
López Flores	PRI	0.71	0.19	137
Andrade	PRI	1.09	0.25	146
Morales	PAN	1.24	0.27	143
Gómez Alcántar	PVEM	1.85	0.39	145

ideology. Note that point estimates of ideal positions (the mean of the posterior distribution of the 9×3 location parameters) determine individual ranks and relative ideological distances within each council. For example, the nine Electoral Councilors that served from 1996 to 2000 are aligned from left to right as follows: Cárdenas, Cantú, Zebadúa, Lujambio, Molinar, Merino, Woldenberg, Peschard, and Barragán.

The distribution of ideal points in the Woldenberg I Council is largely supportive of the party influence hypothesis, showing tightly adjacent positions for both the two PAN nominees and the three PRI nominees. The glaring anomaly is Barragán's position at the extreme right of the ideological spectrum, when other members of the ~~PRD~~ contingent ~~(and the sole councilor sponsored by a smaller left-wing party)~~ clearly occupy the left end of the scale. This outlier would appear to be an example of deficient screening by his party sponsor, a singular exception to partisan segmentation of the Council.

The partial turnover in council membership after 2000 resulted in some repositioning of member locations. New entrants Luken and Rivera occupied Zebadúa's vacant slot between Councilors Cantú and Lujambio, while Molinar's departure left Councilors Lujambio and Merino as ideological neighbors. The PRD's contingent in this council behaved more cohesively than before, with Barragán leapfrogging toward the left.[14] Council members sponsored by the PRI continued to occupy the closely adjacent positions appropriate to bloc voting, but cohesion in the PAN contingent eroded.

Our party influence hypothesis continues to fare well after 2003. Again, members of the PRI and PAN contingents are deployed in respectively adjacent positions with only one exception. The new outlier is Councilor Morales near the conservative end of the spectrum, quite distant from his fellow PAN nominees. The ideological positions of Councilors Barragán in the Woldenberg I and Morales in the Ugalde Councils are not consistent with the party sponsor hypothesis. However, 18 councilors have ideological positions consistent with those of their sponsors, which suggests that parties are mostly able to reduce agency costs, either by screening *ex ante* or signaling *ex post*.

Also noteworthy is the finding that the posterior distributions of ideal points (which we also call "ideal point ranges") overlap in many instances. This feature is easier to appreciate in Fig. 2, which shows the first-to-ninth-decile width of the posterior location parameter densities for each councilor in the three periods. These figures standardize the range of each council's ideological spectrum reported in Table 6 in order to facilitate the visual inspection of ideal points and ranges.[15] We hasten to add that neither the ideal points nor the measures of spread are strictly comparable across Councils. One can appreciate in the figures, ~~for example~~, that PRI-sponsored council members in each half of the Woldenberg Council are virtually indistinguishable from each other, with overlapped ideal point ranges a sure sign of coalescent voting patterns in contested roll-calls. Stacking of ranges in the Ugalde Council dropped significantly for all members, including

[14] In a generous reading, this councilor's 180-degree shift from the extreme right of the previous council reduced agency costs to his party sponsor. Barragán's behavior is so erratic, however, that it is nigh impossible to explain it within an ideological or partisan logic. A two-dimensional rendering of ideal points helps make sense of this case, but we prefer to show results of a one-dimensional fit because it is simpler, and because degrees of overlap as predicted by the party influence hypothesis do not vary substantially in a two-dimensional model.

[15] ~~In the standardized spectrum, the left end of the left-most councilor's 80% highest posterior density takes a value of 0, the right end of the right-most councilor's a value of 1.~~

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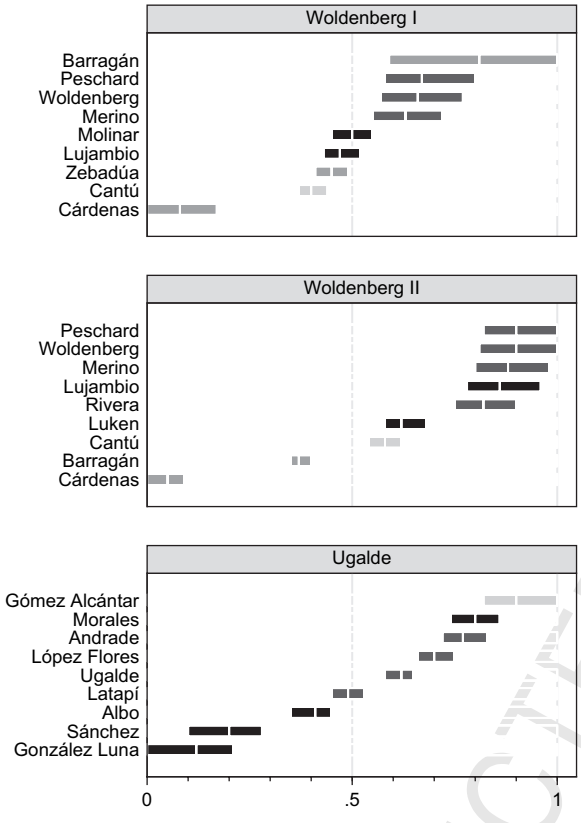

Key: Bars are 80% HPD intervals, the white gap marking the median, and are colored by Councilor's sponsor.

Fig. 2. Ideology in IFE's Council-General (standardized range).

those sponsored by the PRI. The ideal point ranges of PAN nominees were stacked in the first half of the Woldenberg Council, but not afterwards. The ideal point ranges of PRD nominees were never stacked. In the event, only four of eight multi-member contingents appear to exhibit the clustering of ideal point ranges that would signify fully consistent partisan bloc voting. It is also interesting to note that ~~member~~ stacking dropped after the 2003 Council renewal. If bloc voting is a ~~trait~~ of partisanship, then the latest Council appears *less* partisan than ~~any~~ of Woldenberg's Councils, which contradicts the view widely held ~~during the campaign and post-election disputes~~ that Ugalde's Council was inordinately partisan.

An even stronger statement of the party influence hypothesis would look to the formation of partisan cleavages based on bloc clustering. We can address this expectation more systematically by performing ranks tests of the point estimates of councilors' ideologies in each council, using party sponsorship as the predictive categorical variable. To the extent that significant inter-party differences are found in the positions of councilors, we could conclude that parties have succeeded in selecting representative agents whose like-mindedness undergirds partisan cleavages on the Council-General.

Table 7
Ranks test of councilors' ideal points position by party sponsorship

Council	Excluding Cantú	Cantú as PRD
Woldenberg I	$T_{3,3,2} = 16.0$	$T_{4,3,2} = 16.6$
	$Pr(>T) = 0.011$	$Pr(>T) = 0.008$
Woldenberg II	$T_{4,2,2} = 31.1$	$T_{4,3,2} = 32.6$
	$Pr(>T) = 0.011$	$Pr(>T) = 0.008$
Ugalde	$T_{4,4,1} = 17.8$	
	$Pr(>T) = 0.010$	

Note: all Kruskal–Wallis test statistics were between 3 and 5 times larger than the greatest critical value reported by Daniel (1990, Table A. 12).
True *p*-values are therefore substantially smaller than those we report.

We report Kruskal–Wallis tests results in Table 7. Having only nine councilors forces us to consider only three of the four party contingents present in some Councils.[16] For both Woldenberg Councils, the test was performed twice: once dropping ~~PT-sponsored~~ Councilor Cantú from the sample; once categorizing him as PRD-sponsored. The ~~null~~ hypothesis that councilors sponsored by the PAN, the PRI, and the PRD come from identical populations can be rejected at levels below 0.01 for all Councils (and regardless of how Mr. Cantú is handled). There is statistical evidence to support the claim that the populations from which parties handpick their appointees to the Council-General have significantly different medians in the ideological spectrum. Even in the presence of ideological outliers in Woldenberg I (Barragán) and Ugalde (Morales) it is possible to support the stronger version of the party influence hypothesis. Partisan segmentation of IFE would appear to be a fact of life.

Another way of approaching our results is by asking how probable it is to find ~~same-party sponsors~~ in adjacent ideological positions under the assumption of sponsor-independence – that is, as if such probabilities were not conditional upon party labels, ~~like~~ the null hypothesis claims. For Woldenberg I, this exercise is akin to drawing four yellow (PRD including Cantú), three ~~white~~ (PRI), and two blue (PAN) balls from an urn without replacement. Starting from the left of the spectrum, the (sponsor-independent) probability of getting three adjacent PRD balls is $(4/9) \times (3/8) \times (2/7) \approx 0.048$; that for three adjacent PRD balls and then two PAN balls is $0.048 \times (2/6) \times (1/5) \approx 0.003$. The adjacency

[16] Statistical tables consulted do not report critical values for four-group small-sample tests (Daniel, 1990, pp. 555–556).

Table 8
Connected winning coalitions at IFE (mean size and frequency)

Council	Left-wing winsize (Pct.)	Centrist winsize (Pct.)	Rightwing winsize (Pct.)	Unconnected winsize (Pct.)	Contested votes winsize (*N*)
Woldenberg I	7.51 (*28*)	6.37 (*3*)	7.28 (*45*)	6.51 (*24*)	7.13 (246)
Woldenberg II	6.00 (*<1*)	6.40 (*2*)	7.23 (*56*)	6.83 (*42*)	7.05 (336)
Ugalde	6.50 (*30*)	– (*0*)	– (*0*)	6.58 (*70*)	6.56 (54)

of ~~ideological positions of~~ councilors sponsored by the same party that we observe in all three Councils for all three parties is ~~a highly~~ unlikely event – unless we believe that the events are *not* sponsor-independent, as the party influence hypothesis ~~suggests~~.

The mapping of subjacent ideological preferences in accordance with partisan sponsorship does not exhaust the voting data from IFE. A fuller analysis of voting behavior on the Council-General must delve into the coalitional dynamics observed over time. To the extent that councilors who are ideologically close can agree on common policy goals, the natural prediction is that they should coalesce in ideologically connected coalitions (Axelrod, 1970). In spatial theory, when the status quo lies to the right of the median in a unidimensional spectrum, the left bloc votes together to bring policy toward the median member's ideal point, with coalition size (*winsize*) increasing monotonically with the distance between the status quo and the median. Table 8 presents the aggregate evidence for connected majorities at IFE. Note that in constructing this table we reverse our empirical strategy. We first used roll-calls to infer ideological positions; we now use inferred ideologies to decide which of the observed voting coalitions are ideologically connected.[17] In doing so, we do not ask whether inferred councilor ideologies account for individual voting patterns (by construction, our results are the "best" one-dimensional fit); instead, we ask how well our best model fits group voting patterns according to the criterion of ideological connectedness.

Several points in Table 8 are worth highlighting. First, even in the presence of extremists on either end of the spectrum, as in Woldenberg I, connected centrist coalitions have been exceedingly rare since 1996, which conforms to theoretical expectations for a one-dimensional spatial model of voting. Second, each council shows a different pattern of connected coalition formation. Woldenberg I alternated between oversized "leftist" and "rightist" coalitions.[18] Woldenberg II constructed majorities preponderantly from the right (comprising PRI and PAN contingents), while Ugalde has generated connected coalitions only from the left. Third, the proportion of unconnected majorities expands over time until they dominate contested roll-calls in the latest council. Over 10 years, unconnected coalitions are smaller than connected ones by half a vote on average. When non-extremist members drop out of a coalition, *winsize* is reduced but the broad ideological range of the coalition remains constant. Overall, fully 37% of contested votes were decided by unconnected coalitions since 1996.

The direct implication of these patterns for the observation of partisan behavior by councilors is that coalitions at IFE, whether connected or not, tend to be cross-partisan and are inevitably so as *winsize* increases. But regardless of coalition size and coalitional dynamics, the underlying *preference distribution* on the council nonetheless informs contested votes in ~~a~~ consistent and predictable fashion. The distribution of ideal points and their ranges props one inescapable conclusion: councilors are ideologically diverse but, with two notable exceptions, consistently aligned with their party sponsors.

4. Conclusion

~~Notwithstanding~~ the difficulties entailed by agenda control and powerful incentives toward consensual decisions which crowd out more narrowly partisan voting, we have detected important evidence of partisanship on IFE's Councils-General from 1996 to 2006. The analysis of the posterior distribution of ideal points of these councilors provides evidence that nearly all Electoral Councilors have ideological preferences similar to those of other colleagues nominated by the same-party ~~sponsor~~. Moreover, there is evidence that council

[17] This strategy is commonly employed in the US congressional literature whenever NOMINATE scores are used to predict vote choice. Burden et al. (2000) show that NOMINATE scores correlate highly with other indicators of ideology, even though they are built from observed roll-calls.

[18] We ~~hasten to~~ clarify that we employ "leftist" ~~(respectively, "rightist")~~ ~~and "from the left" (respectively, "right") as synonymous, and~~ strictly as directional qualifiers, ~~i.e., we~~ do not mean to imply that coalitions from the left represent the PRD's interests. Indeed, there are no PRD-sponsored councilors ~~in~~ Ugalde's Council, ~~but~~ we still refer to coalitions formed from the left.

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members grouped by party sponsor share ideal point ranges that cluster into discernible partisan blocs, distinct from one another. To that same extent, councilors are closer to their sponsors' hearts than might be expected in a putatively non-partisan electoral authority.

Our findings jibe with the view that legislative parties select IFE's Councils-General so as to retain control over agent behavior. We believe our evidence is more than suggestive that though the bulk of IFE decisions have been above the political fray and free of partisan bickering, this is not because its members are embodiments of technocratic efficiency and impartiality. Instead, the voting record is consistent with the view that councilors behave as party watchdogs, able to check each other's moves and assure compromises that protect their sponsors' interests in the electoral arena. Thus, the paradox of Mexico's success story, at least until 2006, is that IFE has been and remains a *non-autonomous agent*. Parties have not given away full control of the levers of electoral regulation and yet benefit from the reputation that elections are clean.

However, for this power-sharing model to work, all major parties should be represented. The absence of the PRD in the enacting coalition that named the most recent Council-General was cause for concern that materialized in the aftermath of the 2006 presidential race. Because parties anticipate that their interests will be guarded by their sponsored council members and can be reasonably sure that agency losses will be minor, they are willing to obey the occasional ruling that hurts their short-term interests. Parties may more adamantly oppose electoral regulation if they suspect that their preferences will not receive a fair hearing. In short, analysis has shown that Mexico's electoral regulator, which has enjoyed high levels of trust by citizens, has manifested partisan behavior within its ranks since its inception. Our results invite cross-national research to support the broader theoretical claim that election arbiters that embrace partisan strife, rather than those that purport to expunge party politics altogether from electoral regulation, are better able to guarantee free and fair elections in new democracies.

In general terms, the behavioral patterns that our investigation has uncovered have been observed in other, more consolidated, democracies. Johnston (2002) detects robust signs of pro-Tory and pro-Labour bias in U.K. Parliamentary constituencies since 1950, despite redistricting plans prepared by "independent" Boundary Commissions chaired by a senior Judge. Casual observation of other EMBs suggests that the partisan logic that we have documented in Mexico's IFE is not unknown elsewhere. In describing the "politics of co-participation" that characterize the Uruguayan party-based *Corte Electoral*, López-Pintor recognizes this point: "Whatever negotiations take place in the political arena influence the Corte's decisions; conversely, decisions adopted by the Corte can easily be assumed by the parties as their own. This applies to both informal politics and to law-making. Consequently, once a decision is taken, all the parties usually implement it" (López Pintor, 2000, p. 23). Mozaffar and Schedler echo this point in their description of electoral bodies built as quasi-consociational schemes of power-sharing (Mozaffar and Schedler, 2002, p. 16).

Miller (2005) uncovers a whole class of situations where the fundamental problem of striking credible commitments is solved through delegation to agents that remain, to a large extent, autonomous from principals. Our conjecture is that checks-and-balances arrangements should suffice in such situations. Our discussion and findings relate to classic studies of the politics of gerrymandering, where a debate has long been waged between proponents of non-partisan boards for redistricting and those favoring co-partisan arrangements for reducing the incidence of partisan bias (see Butler and Cain, 1992 for the U.S. and Australian cases, Rossiter et al. (1997, 1998), for the U.K. and Northern Ireland). They should also stimulate debate farther away from the area of electoral regulation: the watchdog scheme has been the model of choice to handle ethnic strife in deeply divided societies, as evidenced by the United Nations' Minority Police Recruitment program set in place in Bosnia and Herzegovina in the second half of the 1990s to organize multi-ethnic police forces (Collantes Celador, 2005).

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Please cite this article in press as: Estévez, F. et al., Partisanship in non-partisan electoral agencies and democratic compliance: Evidence from Mexico's Federal Electoral Institute, Electoral Stud. (2007), doi:10.1016/j.electstud.2007.11.013

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Please cite this article in press as: Estévez, F. et al., Partisanship in non-partisan electoral agencies and democratic compliance: Evidence from Mexico's Federal Electoral Institute, Electoral Stud. (2007), doi:10.1016/j.electstud.2007.11.013