

Anti-Corruption Efforts and Electoral Manipulation in Democracies*

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Abstract

Many developing democracies suffer from persistent corruption and rule-of-law violations. Growing efforts have focused on establishing anti-corruption institutions to combat this culture of impunity, but success has been modest. We tackle this puzzle by focusing on the calculus of the threatened corrupt elites in undermining serious anti-corruption efforts. We examine electoral manipulation, as credible anti-corruption reforms may increase pressure on corrupt elites to fraudulently maintain power in order to control anti-corruption efforts. At the same time, anti-corruption reforms can deter electoral manipulation if they sufficiently raise the costs of law-breaking. Focusing on the representative case of Romania and utilizing a variety of data sources, diagnostics and research designs, we show how credible anti-corruption efforts systematically induce electoral manipulation by the backlash coalition of corrupt politicians. However, this manipulation is constrained by electoral competition, which may be the key to longer-term political consolidation of these ‘imperfect’ democracies.

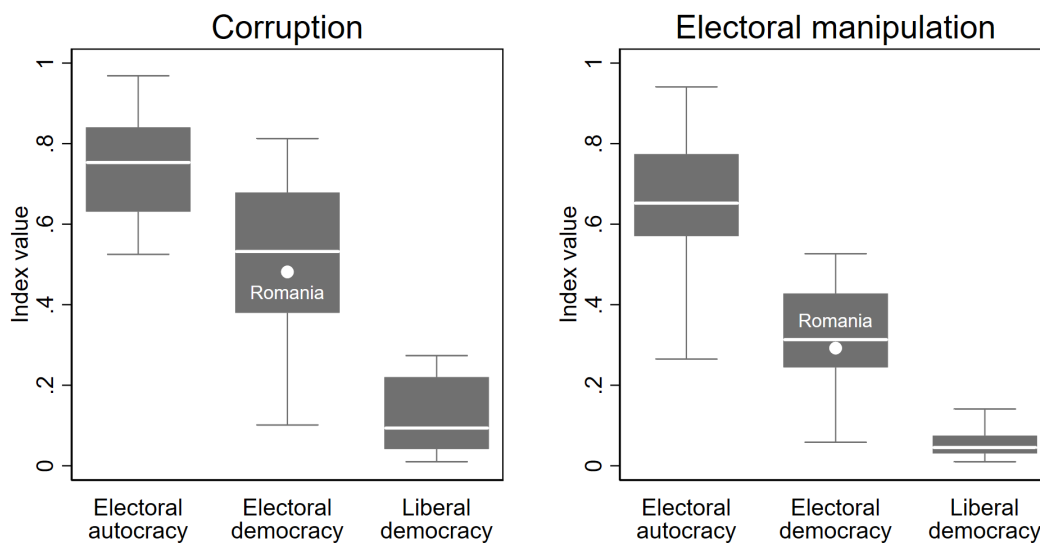
*Supplementary material for this article is available in the appendix in the online edition. References to tables and figures with “A” in their title point to the material in this appendix. Replication files are available in the JOP Data Archive on Dataverse <http://thedata.harvard.edu/dvn/dv/jop>.

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Following the rapid spread of democratization to the developing world as part of the “Third Wave” (Huntington, 1993), we have witnessed the proliferation of regimes that fulfill the minimal electoral requirements of democracy but at the same time exhibit considerable violations of the rule of law. While such deviations can take many forms (e.g. O’Donnell, 1994), arguably the most prominent is political corruption—the misuse of public office for private gain. Indeed, as the left panel of Figure 1 illustrates, corruption is quite pronounced in ‘electoral’ democracies, regimes characterized by genuine electoral competition and peaceful turnovers of power, but which score lower than ‘liberal democracies’ on dimensions such as personal liberties and the rule of law (Coppedge et al., 2018).¹

Figure 1: Perceptions of corruption and electoral manipulation across regime types



Note: Box plots of perceptions of corruption (left panel) and electoral manipulation (right panel), by regime type. Regimes are defined by variable `v2x_regime` in the V-Dem dataset (Coppedge et al., 2018). Corruption is measured by the Political Corruption Index (variable `v2x_corr` from the same dataset); electoral manipulation by the Clean Elections Index (variable `v2xel_frefair`). Data are for 2012, and rescaled to [0,1], with higher values indicating more corruption or electoral manipulation.

¹Figure A1 shows similar patterns using several other measures of corruption.

Recent years have seen significant domestic and international efforts to promote anti-corruption institutions as a potential remedy for this prevalence of corruption. However, while there are cases of sustained governance reforms, success in anti-corruption campaigns has been rather limited (Fukuyama and Recanatini, 2018; Mungiu-Pippidi and Johnston, 2017). An important potential reason for such ineffectiveness is the pushback by the corrupt elites themselves. Faced with the prospect of losing valuable revenue streams (or worse yet being sent to prison) corrupt politicians have strong incentives to undermine the functioning of effective anti-corruption institutions.

While efforts by corrupt elites to subvert anti-corruption reforms can take a variety of forms (including laws and government decrees), in this article we focus on electoral manipulation—a menu of measures ranging from pre-electoral manipulations of registration and electoral procedures to election-day actions such as ballot stuffing and intimidation.² Electoral manipulation is important because it can help corrupt politicians take or maintain control of power, a necessary condition to effectively sabotage credible anti-corruption campaigns. Indeed, while electoral fraud has typically been studied in the context of authoritarian and hybrid regimes, the right panel of Figure 1 shows that electoral manipulation is quite frequent in electoral democracies (and occasionally occurs even in liberal democracies).

And yet, backlash by corrupt elites is not inevitably successful. Anti-corruption reforms that manage to disrupt the corrupt status quo may not only reduce corruption, but also raise the cost of law-breaking more generally—including electoral manipulation. Thus, the broader implications of anti-corruption efforts depend on the balance between backlash and deterrent effects. In part, this is an empirical question, which we argue has not received sufficient attention. We seek to fill that void by examining the effects of successful anti-corruption reforms on the incidence of electoral manipulation in an electoral democracy.

²While both entail abuse of office, we view corruption (abuse for personal gain) as distinct from electoral manipulation (abuse for political/electoral gain).

Beyond this first-order concern, we also examine the theoretical question about how the political context affects the relative strength of the backlash and deterrence effects of anti-corruption campaigns. In line with arguments about the beneficial role of opposition oversight in good governance (Grzymala-Busse, 2007), we focus on the role of local political competition. In particular, since international election observers are less frequent in democratic regimes, local opposition should play a crucial role in detecting electoral manipulation and thus strengthening the deterrent effect of anti-corruption measures.

Therefore, our theoretical framework suggests that: (1) anti-corruption campaigns may deter electoral manipulation by raising its perceived costs for corrupt politicians; (2) they may promote backlash from corrupt politicians by increasing the urgency to undermine further progress in anti-corruption reforms; (3) the balance between these two opposing effects will hinge on the political context, such as the local strength of political opposition. We test these predictions in Romania, an electoral democracy with considerable corruption (as seen in Figure 1), which has in recent years experienced a robust anti-corruption campaign (Popova and Post, 2018). In particular, we examine patterns of electoral manipulation among local corrupt elites (in Romanian municipalities) in response to locally-salient anti-corruption efforts. We focus on local politicians because even though electoral fraud is usually orchestrated by national elites, its implementation depends crucially on the cooperation by local elites (Frye, Reuter, and Szakonyi, 2018; Rundlett and Svulik, 2016; Simpser, 2013).

To capture electoral manipulation, we develop novel forensic measures drawn from a variety of approaches: suspicious electoral mobilization patterns based on two temporally proximate elections; perceptions of and experiences with electoral fraud from original survey data (with experimental components); and a new measure of distributional skewness of electoral turnout. To measure locally-salient anti-corruption efforts, we assemble an original database of geo-coded corruption-related charges by the key anti-corruption institution in Romania. And to distinguish corrupt from non-corrupt local politicians, we create novel

corruption red-flag indicators from rich micro-data on municipal public procurement and infrastructure outcomes.

We find that on balance the backlash effect was much stronger than the deterrence effect, as electoral manipulation was significantly higher in high-corruption localities with prior anti-corruption actions. This effect is quite consistent across our diagnostic measures and a variety of research designs (including a regression discontinuity design, a difference-in-difference approach, and a list experiment). Importantly, we also find that the backlash is essentially neutralized in localities with stronger opposition, suggesting that local political competition may be a key factor in sustaining governance reforms and democratic consolidation in corrupt democracies.

Our study makes three types of contributions. First, it contributes to the growing literature on the effects of anti-corruption campaigns, by documenting the less-studied risk that such campaigns could become the victims of their own success. Second, since the backlash against anti-corruption campaigns can produce broader collateral damage to democratic institutions, our findings highlight a tension between efforts to strengthen the rule of law and efforts to safeguard basic democratic institutions against challenges from entrenched elites. This tension suggests that efforts to promote liberal democracy in many new democracies of the Third Wave may inadvertently contribute to the recent trends of authoritarian backsliding in some of these countries.

Finally, our article complements the predominant focus on election fraud in electoral autocracies (e.g. Beaulieu and Hyde, 2009; Gehlbach and Simpser, 2015; Magaloni, 2010; Rundlett and Svobik, 2016), by analyzing the dynamics of electoral manipulation in (albeit imperfect) democratic settings, and by highlighting the link between corruption and anti-corruption efforts as drivers of electoral manipulation.³

³While other scholars have studied electoral manipulation in several modern electoral democracies (e.g. Borcan, 2015; Cantú, 2014; Mares and Young, 2018), our understanding of

Theoretical Framework

In this section we discuss the theoretical mechanisms through which anti-corruption policies affect electoral manipulation in democratic countries. We define anti-corruption policies as measures by national-level rule-of-law institutions to combat political corruption by investigating, prosecuting and punishing public officials who misuse public office for private gain. Since we are interested in the impact of anti-corruption campaigns, we will focus primarily on the calculus of *corrupt* politicians, who are affected most directly by such campaigns. This does not mean that non-corrupt politicians may not engage in electoral fraud (for partisan or career reasons) but simply that we have fewer theoretical reasons to expect them to be affected by anti-corruption measures.

We propose a simple theoretical framework that starts from the calculus of an individual politician. These considerations apply to both national leaders, who typically coordinate the collective effort required for effective electoral manipulation, and local political agents, who are instrumental in the implementation of such efforts (Cantú, 2014; Frye, Reuter, and Szakonyi, 2018; Simpser, 2013). Given the sub-national nature of our main empirical case, our main focus here is on local politicians.⁴ We argue that politicians weigh the relative costs and benefits of engaging in electoral fraud, and will participate in electoral manipulation efforts only when the expected benefits outweigh the costs. To understand the implications of anti-corruption campaigns, this simple framework requires understanding how the costs and benefits of electoral manipulation change when corrupt politicians are confronted by credible anti-corruption institutions (i.e. when they begin to be systematically prosecuted by the dynamics of electoral fraud in democratic contexts remains more limited. The exception is the rich literature on vote buying; however, our study takes a broader view of electoral manipulation.

⁴Our main empirical case involves local politicians contributing to a nation-wide electoral outcome.

and punished).⁵

The first mechanism is that anti-corruption campaigns can raise the perceived *cost* of engaging in the (typically illegal) electoral manipulation (Becker, 1968). This deterrent effect should be particularly strong when electoral fraud falls under the direct purview of anti-corruption institutions. However, we would expect deterrence to apply even when anti-corruption campaigns have a narrower scope, since the spectacle of corrupt politicians being punished can undermine the “culture of impunity” more broadly, and therefore reduce the likelihood that local politicians are willing to take the risk of engaging in additional illegal activities—electoral fraud.

Deterrence should be more pronounced among corrupt politicians, who may reasonably fear that by attracting the scrutiny of rule-of-law institutions by engaging in electoral manipulation, they run greater risks of also being investigated for their corruption offenses. Therefore, from a cost perspective, we expect stronger anti-corruption efforts to deter corrupt politicians from engaging in electoral manipulation.

Hypothesis H1 (Deterrence): Prior anti-corruption actions reduce electoral manipulation among corrupt politicians.

The second mechanism is that anti-corruption actions may also affect the perceived *benefits* to corrupt politicians of engaging in electoral manipulation. When effective anti-corruption institutions begin to impose serious costs on corrupt politicians, they can trigger concerted efforts to neutralize these campaigns. While attacks can occur in a variety of ways (see, for example, Bánkuti, Halmai, and Scheppele, 2015), electoral manipulation is an important component of a backlash strategy, because it helps corrupt politicians take

⁵These costs and benefits are importantly shaped by the fact that, unlike most of the prior literature, we focus on electoral manipulation in democracies. We address the theoretical implications of this framework for non-democratic regimes in the conclusion.

over (or maintain) control of political institutions that can in turn be used to undermine anti-corruption initiatives.

While national political leaders are important for ensuring the coordination needed for a “backlash coalition,” local politicians are equally important in implementing electoral manipulation. But why would corrupt local politicians contribute to this collective effort, given the potential risks of electoral manipulation discussed above? There are at least two reasons.

First, corrupt politicians may be concerned that anti-corruption actions could hurt them electorally by either highlighting their corruption, or indirectly by raising the local salience of corruption among voters. Second, even if immediate electoral concerns are marginal (for example because voters are poorly informed or because local corrupt politicians are electorally safe), contributing to national efforts to undermine anti-corruption campaigns reduces the likelihood that corrupt politicians will be punished for their past corruption, and facilitates the continuation of their corrupt behavior with impunity. Therefore, from a benefits perspective, we should expect credible anti-corruption campaigns to encourage corrupt politicians to engage in electoral manipulation.

Hypothesis H2 (Backlash): Prior anti-corruption actions increase electoral manipulation among corrupt politicians.

Given that deterrence and backlash work in opposite directions, the overall impact of anti-corruption campaigns on the willingness of corrupt politicians to engage in electoral manipulation depends on the relative size of the two effects, which in turn depends on features of the political context. While we discuss several contextual factors in the conclusion, we focus here on a particularly important factor: local electoral competition.

A stronger opposition presence increases the likelihood that electoral manipulation by

corrupt local officials will be detected and reported.⁶ Since in democracies the costs of detection are higher than in authoritarian regimes, we expect corrupt politicians to be more cautious in their electoral manipulation efforts when exposed to greater opposition scrutiny (and possibly to abstain from electoral fraud altogether). Furthermore, stronger opposition can constrain the use of administrative resources by locally dominant parties, which can be used to pressure both election officials and voters for fraudulent purposes. Finally, greater partisan support in single party-dominant areas plausibly translates into lower incentives to report manipulation and greater receptiveness to cooption. For these reasons, a stronger opposition increases the costs of electoral manipulation for corrupt politicians, and should therefore increase the deterrent effect of prior anti-corruption actions.

Hypothesis H3 (Opposition checks): Stronger local opposition reduces the likelihood that corrupt politicians will engage in electoral manipulation in response to prior anti-corruption actions.

Context

To test these hypotheses, we focus on Romania—a representative case of an electoral democracy with significant corruption problems (Figure 1). In response, several anti-corruption institutions were set up in the early 2000s, most prominently the Romanian Anti-Corruption Directorate (DNA), a specialized anti-corruption agency with its own prosecutors, investigators, and police officers. With the initiative of reformist ministers (most notably Monica Macovei as Minister of Justice), and under the reign of activist chief prosecutors (such as Daniel Morar and Laura Kövesi), the DNA started pursuing vigorous corruption investiga-

⁶International election observers may also fulfill this function (Hyde, 2011), but such observers are less frequent in electoral democracies, and even if present, they often lack the local knowledge required to detect locally-adapted modes of manipulation.

tions at all levels of government. Between 2005 and 2012, it secured close to 1,500 sentences, including for a former prime minister, three ministers, two senators, six MPs, and several hundred local politicians and judges.⁷ The agency’s track record has been successful compared to many of its peers in Eastern Europe and elsewhere (Popova and Post, 2018). Perhaps as a consequence, Romania experienced a significant reduction in (perceptions of) corruption during this period.⁸

At the same time, numerous politicians, most vocally from the ex-communist PSD (Social Democratic Party), decried the DNA’s activities as politically motivated and its procedures as judicial overreach. While such concerns have gained some credibility recently, during our period of study the DNA was not politicized (Mungiu-Pippidi, 2018). Indeed, as Figure A4 shows, we find no evidence that during 2010-2012 the DNA’s caseload exhibited any systematic bias against any of the main parties, incumbents, or particularly vulnerable (or entrenched) politicians.

Given the threat to the status quo, (part of) the establishment sought to undermine the DNA. There were several legislative attempts to curtail its resources, remove its prosecutors, and decriminalize some of the offenses under its mandate. However, an important obstacle to many of these attempts was then-President Traian Băsescu.⁹ Therefore, removing Băsescu was an important component of a successful strategy to weaken or eliminate the DNA.¹⁰ On July 6, 2012 Băsescu was suspended by the parliamentary majority on allegations of overstepping presidential powers in a variety of cases, such as phone-tapping of political enemies and pressures on the judiciary. However, according to the Romanian Constitution,

⁷See: <http://www.pna.ro/faces/obiect2.jsp?id=192>.

⁸For example, the V-Dem Political Corruption Index (used in Figure 1) improved by 21% between 2000 and 2012.

⁹Romania has a semi-presidential system of government, and the president has significant influence over anti-corruption institutions, including naming the head of the DNA.

¹⁰See for example: <http://revista22.ro/16553/.html>.

his suspension had to be confirmed by a popular referendum, which took place on July 29. For the impeachment to be confirmed, Romanian law required a turnout of 50%+1 of registered voters and a majority of votes in support of impeachment.

We utilize this referendum as the main case in our empirical analysis.¹¹ While it is not the only instance through which political elites sought to eliminate barriers to weakening the DNA,¹² its context, timing, and the data we were able to gather during this period, allow us to rigorously examine our theoretical expectations. That said, we also draw on data from the 2008 and 2012 parliamentary elections to verify that our conclusions are not limited to the referendum (see the discussion below and results in Section A6.2).

The main driving force behind the impeachment was the USL (Social Liberal Union), a governing coalition composed of the PSD, headed by Prime Minister Victor Ponta, the center-right PNL (National Liberal Party), led by Crin Antonescu, who became interim president after Băsescu’s suspension, and the PC (Partidul Conservator), whose leader, Dan Voiculescu was under DNA investigations at the time (and was later sentenced to prison for corruption). The main political force opposing the referendum was the largest opposition party, the PDL (Democratic Liberal Party), which supported Băsescu in his two presidential campaigns in 2004 and 2009. In the remainder of the article, we call the USL the “governing coalition” and the PDL the “opposition.”¹³

¹¹Note that no other elections took place on that date, which means that local politicians had no personal reelection concerns to consider in deciding whether or not to engage in electoral manipulation.

¹²There was a prior attempt in 2007 to impeach President Băsescu that also resulted in a (failed) referendum. We do not analyze that referendum because we do not have sufficiently comprehensive data on anti-corruption actions and local corruption in this period. Also, since the referendum failed by a wide margin (75% voting against impeachment), the incentives to engage in electoral manipulation were likely much lower.

¹³The positions on the referendum of other, smaller political parties were more ambiguous.

Given Bănescu’s low approval rating at the time (owing primarily to his endorsement of unpopular austerity measures in 2010-2011), the decisive question was whether the government would succeed in getting 50% of voters to turn out. In the end, turnout was 46.24%, with 87.6% of those voting in favor of impeachment.

While the referendum was unsuccessful, there were numerous complaints of electoral manipulation.¹⁴ These complaints were a continuation of allegations of electoral manipulation in post-communist elections in Romania (Carey, 1995; Mares, Muntean, and Petrova, 2018).¹⁵ Based on journalistic accounts and court evidence,¹⁶ the repertoire of fraudulent practices used in the referendum was quite broad and included standard ballot stuffing, vote buying, voter intimidation, “electoral tourism” (i.e. voting in multiple constituencies), the use of personal data to vote on behalf of people who were dead or absent, and the misuse of mobile urns (for voters who cannot physically get to the polling station). Given the context of the referendum, there are strong reasons to believe that any electoral manipulation was committed largely by the governing coalition and its allies. Indeed, using the diagnostics of electoral manipulation we describe in the next section, we find no evidence of manipulation committed by the opposition (see Section A6.1).¹⁷ Therefore our analysis focuses primarily

We discuss them in Section A6.1.

¹⁴See, for example, the referendum report by the Romanian electoral commission: <http://www.roaep.ro/legislatie/wp-content/uploads/2015/06/RAPORT-privind-referendumul-national-din-29-iulie-2012-2.pdf>.

¹⁵After the 2009 presidential elections, which President Traian Bănescu narrowly won, Victor Ponta, the leader of the PSD complained that “their” (i.e. PDL’s) electoral manipulation system had worked better than the PSD’s. Interview available at: <https://www.youtube.com/watch?v=8hEfzktmiSs>.

¹⁶See for example: <http://www.pna.ro/faces/comunicat.xhtml?id=3522>, and <http://www.pna.ro/faces/comunicat.xhtml?id=4342>.

¹⁷Our diagnostics, described in the next section, allow us to capture patterns consistent

on politicians from the governing coalition.

The journalistic accounts and the criminal prosecutions also suggest that local political networks—mayors and local councilors from the governing coalition—played a crucial role in the manipulation efforts. Their role is partly due to some of the direct legal responsibilities in the administration of elections (for example, the updating of electoral lists), but is more broadly facilitated by discretionary powers in determining access to social assistance and public housing, local public sector employment, as well as ensuring local public order, which could be deployed for mobilization and coercive purposes to influence election outcomes. Local politicians were thus a key component in both legal and any illegal referendum mobilization efforts.¹⁸

Finally, in the absence of international observers, local opposition was the main potential source of oversight. While Romanian electoral law requires that representatives of the main political parties be included in local electoral commissions, such representatives were not necessarily present at every polling station, nor could they monitor electoral manipulation outside of polling stations (such as vote intimidation) or the pre-electoral use of administration with illegitimate turnout *suppression* by the opposition.

¹⁸For example, one Romanian mayor told an undercover journalist posing as a PSD party operative about his plans to boost turnout: “We go to people’s houses in the evening around 10pm. [...] We will act exactly like [PSD Secretary General] Dragnea has taught us. We have prepared cars for polling stations. We have five cars from party members. If they’re not enough we also take the Logan from the mayor’s office. It’s a good Logan with eight seats. We see who they are, how they are, what their faces are like. Depending on how they present themselves, we go after them.” <http://www.gandul.info/stiri/referendum-2012-reportaj-sub-acoperire-din-mijlocul-armatei-psd-daca-la-ora-17-la-sectia-93-sa-zicem-nu-s-a-iesit-decat-40-actionam-in-forta-exclusiv-gandul-9903249>.

tive resources (such as vote buying). Therefore, we would expect oversight to be related to the local strength of the opposition, which varied considerably even among localities with mayors from the governing coalition.¹⁹

Data, Variables, and Research Designs

We now describe our key variables of interest, our the data sources, and the research designs we use in our analysis.

Local Anti-Corruption Actions

Our key independent variable is a measure of local anti-corruption actions. As discussed above, the institution spearheading the anti-corruption campaign was the Romanian Anti-Corruption Directorate (DNA). We compiled an original dataset of all anti-corruption charges brought by the DNA, by combing through more than 2,000 press releases in the period 2008-2012.²⁰ An example of one such press release is given in Figure A3. We extracted information on the officials charged, their position and institutional affiliation, and the alleged transgression. We also geo-coded each case in order to develop a measure of anti-corruption actions by locality and year. In the analyses, we use a simple binary variable indicating whether any public official in a locality was subject to at least one DNA case in the two years prior to the referendum. A total of 152 localities fit this criterion (out of 3,034 localities for which we have data, or 4.77%). The core of our main empirical strategy will be to compare the patterns of electoral manipulation in the referendum in localities with and without prior

¹⁹The median opposition seat share in local councils with governing coalition mayors was 34%; but, 14% of those localities did not have a single opposition representative on the local council.

²⁰<http://www.pna.ro/comunicate.xhtml>.

anti-corruption actions.

Local Elite Corruption

As argued above, both the backlash and the deterrent effects of anti-corruption actions should primarily manifest themselves among the corrupt local elites. Therefore, our second key independent variable is a measure of local corruption.

While anti-corruption actions by the DNA indicate the presence of some (suspected) corruption in a locality, the DNA has had neither the mandate nor the resources to investigate all instances of corruption.²¹ Therefore, in order to measure local corruption separately, we collected two additional original datasets.

First, based on a large number of public procurement contracts for the period 2008-2012, we develop three intuitive measures of corruption risk in local procurement: the frequency with which local tenders are conducted through discretionary low-transparency procedures (as opposed to the default highest-transparency procedure), the frequency of single-bidder local tenders, and the average price per quantity for regularized homogenous purchases (such as office supplies). Less transparent, uncompetitive, and more expensive contracts for standardized products are often indicative of corrupt tenders (see, for example, Fazekas and Kocsis, 2017).

Our second indicator tries to capture the misappropriation of public resources by focusing on a very common area of such practice: infrastructure spending (Golden and Picci, 2005). We used several administrative datasets to construct an indicator of “missing infrastructure,” capturing any discrepancies between the change in infrastructure spending and the change in the actual physical stock of infrastructure for the period 2008-2012 (conditional on local

²¹The DNA is tasked with prosecuting cases causing large monetary damages or obtaining high-value objects or property. Other crimes are under the purview of ordinary prosecution offices.

and county-level covariates). A large discrepancy potentially indicates corruption. We focus on water and sewage distribution systems because their maintenance is primarily under local authority, and their capital expenditures are among the most clearly earmarked and available in the data. Both this measure, and the procurement risk measure (which combines the three individual risk indicators) are normalized (more details are given in Section A2.2). To maximize sample size, we combine these two measures into a simple binary corruption indicator equal to one if a locality is above the median on either of the proxies, and zero otherwise.²² 57% of localities exhibit higher-than-usual corruption risks.

Note that while this local corruption variable is positively correlated with the DNA’s anti-corruption actions, the two measures are far from identical (the correlation is .12; see Table A1). Despite the low correlation, it is nonetheless possible that both the anti-corruption action and evidence of local corruption risk are two noisily related measures of an unobserved true corruption level—and that such corruption is correlated with electoral manipulation. In that case, any evidence consistent with hypotheses H1 or H2 could also be consistent with a different account, that electoral manipulation is more likely to occur in localities with corrupt elites, and that localities with both DNA charges and local corruption risk are simply *more* corrupt than localities characterized as corrupt by just one of the two measures.

To evaluate this concern, we undertake two additional analyses. First, we do *not* observe systematically greater procurement corruption risk or infrastructure misappropriation in the above-median corrupt localities *with* anti-corruption actions than in the above-median corrupt localities *without* such actions (Figure A5; we also do not observe differences in two other, more tentative proxies for corruption described in Section A2.3). Second, in addition to the main, cross-sectional analyses across localities, we also make use of a difference-in-difference design that examines the *within-locality changes* in electoral manipulation (in the 2008 and 2012 parliamentary elections) as a function of the onset of DNA charges. While we

²²This measure is available for 2,537 of the 3,186 localities (79.6%) in our data.

describe the design in more detail below and in Section A6.2, we note here that our results corroborate the plausibility of a backlash effect against anti-corruption efforts that is distinct from the effects of local corruption levels.

Opposition Oversight

Hypothesis H3 predicts that stronger opposition will increase deterrence and/or attenuate backlash effects of anti-corruption reforms on electoral manipulation among corrupt politicians. We operationalize this potential moderator in two ways. First, we divide localities run by the governing coalition into those with a weaker and stronger opposition. We measure opposition weakness by their share of seats in the local council. For simplicity, we code localities as having a weak opposition if the seat share of the governing coalition is two-thirds or greater (15% of localities, all of which also have a directly-elected governing coalition mayor).

Localities with a weaker opposition may, however, exhibit different patterns of electoral manipulation than localities with a stronger opposition for other unobserved reasons (potentially correlated with prior anti-corruption actions, local corruption and referendum outcomes). To alleviate such concerns, we also develop a second measure of party competition that takes advantage of a regression discontinuity design (RDD). We compare localities where the governing coalition won a close mayoral election in 2008 (the election preceding the one immediately before the 2012 referendum) and those where it narrowly lost. Since we focus on localities run by the governing coalition in 2012, the localities where it narrowly won a mayoral post in 2008 experienced uninterrupted governing coalition control for more than one election cycle; by contrast, where the governing coalition narrowly lost in 2008, the locality had previously been under the opposition's control. This variation plausibly implies different degrees of monitoring by the opposition. The RD design rests on potentially less restrictive identifying assumptions than a standard regression approach, thus allowing for

a cleaner comparison across localities (the validity of these assumptions can also be more transparently tested; see below and in Section A5).

Diagnostics of Electoral Manipulation

In the main analysis, the dependent variable of interest is the locality-level turnout manipulation in the 2012 impeachment referendum. Because electoral manipulation is covert, we develop three different diagnostic measures, which we describe in turn. We briefly outline below the model specifications for each diagnostic, with more details in Section A4. In Sections A6.4 and A6.5, we discuss results from two additional manipulation proxies. Further, in Section A6.2 we show results using a different research design relying on the distinct data from the 2008 and 2012 parliamentary elections.

1. Disparities between local election and referendum outcomes. The first diagnostic exploits the variation in the correlation between party support in the June 2012 local election and the July 2012 referendum turnout. Given the proximity of the two elections, party support in local elections should be correlated with patterns of referendum turnout in predictable ways. We focus on the correlation between the main opposition party’s vote share in the local election and referendum turnout. To simplify the terminology, we henceforth call this diagnostic the “opposition conversion rate”—the rate at which the opposition local election vote share is “converted” into referendum turnout. Intuitively, the conversion rate should be negative: a higher opposition vote share should translate into lower referendum turnout, since opposition voters had a clear incentive to stay home in order to deprive the referendum of the 50% quorum.

What matters for our theoretical questions, however, is not the conversion rate itself, but whether it *differed* across localities with varying prior anti-corruption actions, local corruption, and opposition strength (in line with hypotheses H2-H3). From a backlash perspective, we would expect conversion rates to be *less negative* (or even positive) in localities where

our hypotheses predict greater electoral manipulation—and vice versa for deterrence.

This diagnostic is similar in spirit to other electoral fraud measures that examine correlations between election turnout and party vote shares (e.g. Myagkov, Ordeshook, and Shakin, 2009). We rely on official polling station-level vote shares and referendum turnout, as published by the Romanian Central Electoral Bureau. To control for differences between localities that may be correlated with both referendum turnout patterns and local partisan vote shares, we include locality-level characteristics (educational breakdowns, ethnic composition, and administrative type), drawn from the Romanian National Statistical Institute, as well as county fixed effects.^{23,24}

2. Survey-based measures of electoral manipulation. We are able to complement the aggregate-level data typically used in analyses of electoral fraud with individual-level data from a nationally representative face-to-face survey of over 1,200 adult Romanian citizens, fielded in early November 2012—close to three months after the referendum. We solicited respondents’ *perceptions* of the degree of referendum fraud, and employed a list experiment to try to infer respondents’ direct *experiences* with intimidation and/or turnout inducements.²⁵ The survey includes information on respondents’ locality, allowing us to add the locality-level information on anti-corruption actions, local corruption, etc. The text of both survey

²³We also control for the average number of tourists (logged) by locality in July/August 2012 (relative to the previous two years), because the referendum took place during peak summer vacation season and voters were allowed to vote outside of their locality of residence.

²⁴We run the following OLS model to test H1 and H2: $\text{Turnout}_{i,j} = \beta_0 + \beta_1 \text{Vote}_{i,j} + \beta_2 \text{USL}_j + \beta_3 \text{DNA}_j + \beta_4 \text{Corruption}_j + \sum_k \gamma_k \mathbb{Int}\{\text{Vote}_{i,j}, \text{USL}_j, \text{DNA}_j, \text{Corruption}_j\} + \sum_m \theta_m \text{Controls}_j + \delta_c + \epsilon_{i,j}$, for polling station i in locality j and county c ; $\mathbb{Int}\{\cdot\}$ is the full set of interaction terms (here, $k = 11$); δ_c are the county dummies. Coefficients on Vote and its associated interaction terms produce the conversion rates.

²⁵See Section A3 for more details.

questions is given in Section A3, which also describes how we constructed our outcome variables.

We use the variation in the responses to these two questions as our second diagnostic of referendum manipulation. Unlike for the aggregate-based conversion rate, the individual-level data elicit more directly the micro-level dynamics we are interested in. As with the conversion rate approach, we analyze how these responses vary in relation to locality-level anti-corruption actions and other factors of interest. We also control for a number of individual-level and locality-level characteristics, and region fixed effects.²⁶

3. Distributional Turnout Anomalies. Our third diagnostic approach is related to one of the more common fraud diagnostic applications: examining anomalies in distributions of election results (e.g. Myagkov, Ordeshook, and Shakin, 2009; Rozenas, 2017). Because electoral manipulation primarily targeted turnout, we analyze anomalies in the *right tail* of the turnout distribution.

We analyze two measures of distribution “tailedness.” The first is kurtosis, a well-known measure commonly found in the election forensics toolkit (Hicken and Mebane, 2017). Turnout proportions usually follow the Normal distribution (Myagkov, Ordeshook, and Shakin, 2009), which has a kurtosis of three. Thus, turnout distributions with a considerably higher value of kurtosis may point to the presence of manipulation, by indicating

²⁶For fraud perceptions, the model is: $\text{Perception}_{i,j} = \beta_0 + \beta_1 \text{USL}_j + \beta_2 \text{DNA}_j + \beta_3 \text{Corruption}_j + \sum_k \gamma_k \mathbb{I}nt\{\text{USL}_j, \text{DNA}_j, \text{Corruption}_j\} + \sum_m \theta_m \text{Controls}_i + \sum_n \theta_n \text{Controls}_j + \delta_r + \epsilon_{i,j}$, for individual i in locality j and region r ; δ_r are the region dummies. The model for the list experiment-based experience outcome is: $\text{ItemCount}_{i,j} = \beta_0 + \beta_1 \text{Treatment}_i + \beta_2 \text{USL}_j + \beta_3 \text{DNA}_j + \beta_4 \text{Corruption}_j + \sum_k \gamma_k \mathbb{I}nt\{\text{Treatment}_i, \text{USL}_j, \text{DNA}_j, \text{Corruption}_j\} + \epsilon_{i,j}$; ItemCount is the list-experiment choice variable; Treatment indicates whether a respondent was shown the sensitive item. Coefficient for Treatment gives the estimated proportion of individuals experiencing referendum fraud.

that the tails of the distribution are noticeably ‘heavier’ than what would be expected.

However, a large kurtosis can reflect either the heavy tails (left or right) or a high peak of the distribution (DeCarlo, 1997). Therefore, we also examine another, less utilized, tailedness measure not subject to these limitations—the medcouple (Brys, Hubert, and Struyf, 2004). It is separately derived for the right and left tails. We focus on the right medcouple (henceforth the RMC), and on the ratio of the right to left medcouple (RMC/LMC ratio). The reference value for RMC of a standard Normal distribution is 0.2; the expected RMC/LMC ratio is 1; larger values for either measure may be indicative of suspicious turnout patterns. As with the other manipulation diagnostics, we examine how these tailedness measures vary across localities with different anti-corruption actions and corruption levels.

Before turning to the results, we note that, given the covert nature of electoral manipulation, no single diagnostic measure can in and of itself unambiguously capture electoral manipulation. However, our hope is that the empirical analysis driven by theoretically-motivated expectations (both in terms of the design of our diagnostics and the choice of comparisons across localities with varying degree of anti-corruption actions and local corruption), when combined with a cumulation of evidence across multiple and diverse measurement strategies, amounts to a coherent portrait of electoral fraud. Moreover, as discussed below and shown in the appendix, we supplement our main approaches with a number of additional analyses that further probe the plausibility of our claims. As a result, while some of our diagnostics, such as conversion rates and distributional measures, may be compatible with legitimate efforts to mobilize voters, other approaches, such as the survey-based evidence and the analysis of electoral fraud prosecutions (discussed below and in Section A6.5), demonstrate that at least part of the turnout differences we document below were due to illicit electoral manipulation.

Analysis and Results

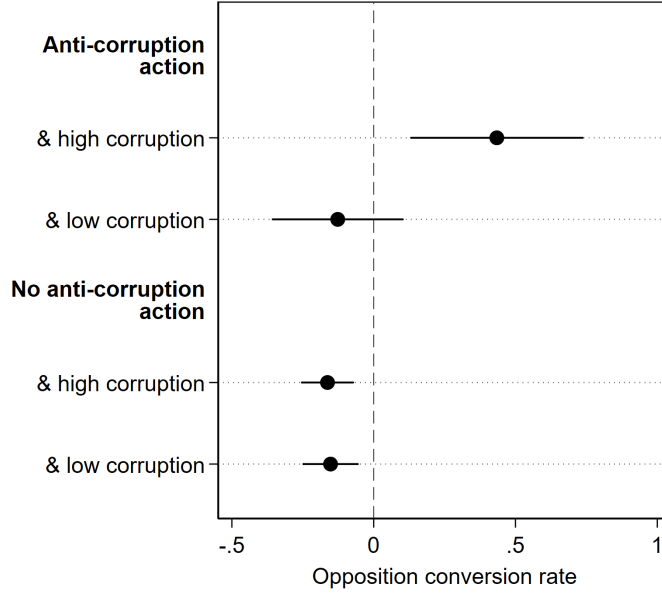
Main Results

We start by evaluating hypotheses H1 and H2. To reiterate, we examine whether referendum turnout manipulation is less (H1) or more likely (H2) in localities with prior anti-corruption actions than localities with no such actions; as discussed, we expect either of these two effects to obtain primarily in localities with corrupt politicians. To do so, we compare our diagnostic measures of manipulation across four types of localities, defined by: (a) the presence or absence of prior anti-corruption actions, and (b) higher or lower levels of local corruption. We assess in succession the evidence for H1 and H2 for each of the three diagnostic measures discussed above.

Figure 2 shows the results for the opposition conversion rate diagnostic. Since opposition supporters had a clear incentive to abstain, the conversion rate should on average be negative. While the precise magnitude of this correlation is *ex ante* unclear, fraudulent referendum turnout inflation should be manifested in a less negative—or potentially even positive—conversion rate. Hypothesis H1 (deterrence) thus suggests that the conversion rate should be lower in localities with prior anti-corruption actions than in localities without prior indictments. Hypothesis H2 (backlash) implies the opposite pattern. Both hypotheses imply that these differences should be driven by higher-corruption localities.

Results in Figure 2 are consistent with the hypothesized backlash effect, and inconsistent with the deterrence effect. In most localities the opposition conversion rate is as expected—negative (and precisely estimated in localities without anti-corruption action). However, in localities with both anti-corruption actions and higher corruption, the conversion rate is *positive* and much larger in absolute terms (.44, significant at $p < .01$). Importantly, we see no such evidence of backlash in the higher-corruption localities without prior anti-corruption actions. This difference suggests that electoral manipulation is not simply driven by corrup-

Figure 2: Opposition conversion rates, prior anti-corruption actions, and local corruption



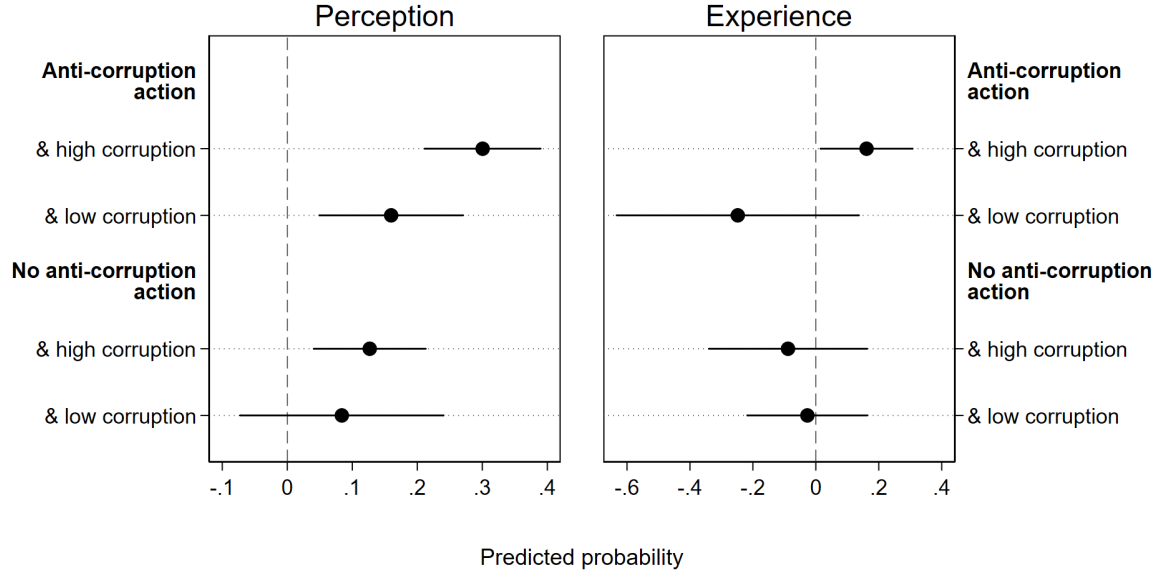
Note: Estimated opposition conversion rate, described in text above. Lines are the 95% confidence intervals based on standard errors clustered by locality. Model specification is given in footnote 24 and in more detail in Section A4.

tion; rather, manipulation is triggered only by the confluence of higher local corruption and prior anti-corruption actions.

We next evaluate the same hypotheses with the other electoral manipulation measures. Figure 3 conveys broadly similar patterns with our second set of fraud diagnostics based on individual-level survey data. The left panel shows the predicted probability of citizens perceiving “organized fraud” in the referendum across the same locality types as in the previous analysis. The right panel plots the estimated proportion of respondents experiencing intimidation and/or inducement to turn out, as elicited through our list experiment. While the estimates are generally noisier than for the aggregate-level analyses (partly due to smaller number of localities in different sub-types), both perceptions of fraud and reported experiences with manipulation are most pronounced in localities with prior anti-corruption actions and higher local corruption (statistically different from the other estimates—combined—at

$p < .01$ and $p < .04$ for perceptions and experience, respectively).

Figure 3: Individual perceptions of and experiences with manipulation, prior anti-corruption actions, and local corruption



Note: Predicted probabilities of perceiving “organized” referendum manipulation (left panel) and the reported experience with manipulation (right panel) for localities run by the governing coalition. Dependent variables are based on the survey questions reproduced in Section A3. Lines are the 95% confidence intervals based on standard errors clustered by locality. Model specifications are shown in footnote 26 and in more detail in Section A4.

Finally, Table 1 examines the variation in the tailedness of the turnout distributions across the same types of localities as before. The left column shows kurtosis, the middle column the right medcouple (RMC), and the right column the RMC/LMC ratio. To reiterate, these measures convey how heavy the tails of the turnout distribution are, with our interest focused on the right tail (i.e. localities with high turnout).

The patterns are again similar to those using the previous diagnostic measures. For localities with prior anti-corruption actions and higher corruption, kurtosis (of 6.09, twice the benchmark value), RMC (of .58, almost three times the benchmark value), and RMC/LMC ratio (of 2.05, twice the benchmark value) all point to a turnout distribution with a noticeably

Table 1: Referendum turnout tailedness, anti-corruption actions, and local corruption

	Kurtosis	RMC	RMC/LMC
Anti-corruption action			
& high corruption	6.09	0.58	2.05
& low corruption	1.92	0.27	0.33
No anti-corruption action			
& high corruption	3.70	0.35	1.21
& low corruption	3.48	0.29	1.27

Note: Measures of tailedness of referendum turnout distributions for localities run by the governing coalition. Kurtosis (column 1), right medcouple (Brys, Hubert, and Struyf 2004, column 2), and the right/left medcouple ratio (column 3). They are described in text above. Reference values are a kurtosis of 3, right medcouple of .2, and a right/left medcouple ratio of 1. Values higher than the reference value are suggestive of manipulation.

heavier right tail than would be expected under the usual Normal distribution. None of the other distributions attain nearly as pronounced a right-tailedness. These patterns are once again consistent with the hypothesized backlash effect.

Results from Additional Designs and Data Sources

In sum, the patterns across the three manipulation diagnostic measures are quite consistent, pointing toward backlash against anti-corruption actions that is concentrated in incumbent-run localities with higher local corruption. Nonetheless, we point to four additional analyses, presented due to space constraints in the appendix, which address several shortcomings of the approaches outlined above.

First, while our results are consistent with hypothesis H2, it could also be that localities with both DNA investigations and higher procurement/infrastructure misappropriation are simply more corrupt than other localities (or otherwise different for unobserved reasons), and that this difference is associated with greater electoral manipulation irrespective of DNA’s involvement. Moreover, all of the evidence up to this point has been drawn from

the impeachment referendum, which as we have discussed, entailed a direct (if thinly-veiled) battle over the role of the DNA in Romanian politics. The question remains whether we can observe the backlash dynamics in other, more “normal” electoral contexts as well.

To address these two questions, in Section A6.2 we employ a difference-in-difference design that examines the *within-locality changes* in potential electoral manipulation as a function of the onset of DNA charges—in the 2012 parliamentary election (relative to the 2008 parliamentary election). In this way, we eliminate any unobserved time-invariant features of localities, and also examine the plausibility of a backlash in another electoral environment. Table A3 shows that electoral manipulation is indeed more pronounced in localities that experienced an anti-corruption action between the two elections than in localities without such action.²⁷ These results thus reinforce both the backlash mechanism and its generality.

Second, if our results indeed serve as evidence that corrupt incumbents resorted to manipulation as backlash against the DNA, it should be that clearer threats (such as arrests in addition to indictments) spurred stronger reactions. Utilizing additional information from our data on DNA actions, we indeed find such evidence (Section A6.3): electoral manipulation is mainly concentrated in the higher-corruption localities that featured not only prior DNA indictments but also at least one arrest.

Third, we have argued that the deterrent or backlash incentives most clearly applied to the elites from the *governing coalition*. We therefore assume that local partisan control matters. Such partisan control effects may be correlated with other observable and unobservable locality-level characteristics, which in turn may be correlated with referendum turnout. To reduce such potential confounding, in Section A6.4 we employ a regression discontinuity design that compares referendum turnout in localities where the governing coalition narrowly

²⁷The key identifying assumption of parallel trends in the annulled votes is supported by the data. The DiD results also hold when we control for several time-variant characteristics, including the procurement/infrastructure corruption risk; see Table A3.

won a mayoral election in 2012 (seven weeks before the referendum) to turnout in localities where it narrowly lost. As discussed above, an RD approach potentially allows for a better-controlled comparison across localities. As with the analyses above, we examine the variation in this RD effect in relation to prior anti-corruption efforts and local corruption. The results are strongly consistent with our main results (Figure A13).

Finally, all of our diagnostics were indirect measures of potential manipulation. To get at more direct evidence of election fraud, in Section A6.5 we analyze data from an additional source. In the aftermath of the referendum, the DNA was given an additional mandate to prosecute any cases of *referendum fraud*. As of mid-2016, it had indicted close to 130 individuals from 29 localities.²⁸ While the sample size is too small for rigorous analysis, Figure A14 shows very similar patterns to the main results, supporting further the plausibility of the backlash effect.

Opposition Checks and Electoral Manipulation

Finally, we evaluate hypothesis H3, which postulates that a stronger opposition may strengthen the deterrence effect (and so reduce any backlash), by constraining the local (corrupt) elites through greater oversight. To reiterate, we measure these opposition checks in two ways. First, we use a binary indicator of whether the governing coalition has more than two-thirds of seats in the local council—an indication of a particularly weak opposition. Our second measure is a binary variable of whether a locality run by the governing coalition mayor in July 2012 was held by the opposition in the previous electoral cycle (June 2008-June 2012). In the latter approach, we utilize a regression discontinuity design (RD) which restricts the sample to localities where the governing coalition narrowly lost or won the 2008 mayoral elections. As in the previous analyses, we are interested in the *heterogeneity* of this RD

²⁸Most prominent among them was Liviu Dragnea, the secretary general of the PSD, who ultimately received a suspended two-year sentence.

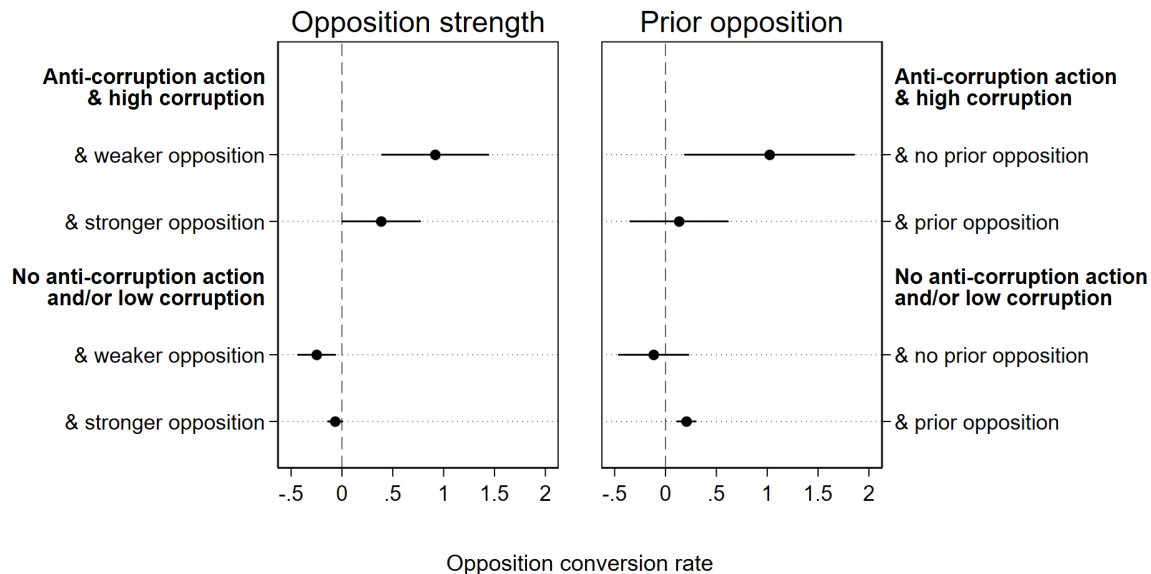
effect across localities with and without anti-corruption actions and with higher and lower local corruption. While in general the RD approach rests on less restrictive assumptions than the other analyses, examining this heterogeneity requires more stringent assumptions than the standard RD approach. We discuss these assumptions in detail in Section A5.²⁹

Figure 4 shows the results. Because of sample size constraints, we focus on comparing the referendum manipulation in localities with *both* prior anti-corruption actions and local corruption against localities with no prior DNA indictments and/or lower corruption. Also due to small sample sizes, we analyze only the opposition conversion rate, which gives us the greatest sample coverage. The left panel plots the analyses for the first measure (opposition strength); the right panel plots the RDD-based results for the second measure (prior opposition control).³⁰

²⁹Identifying assumptions in the standard RDD are the continuity of the potential outcomes across the electoral discontinuity, and that there is no strategic sorting around it (both are supported by the data; Figures A6 and A7). Examining heterogeneities in the RD effect further entails that the localities in subsamples defined by anti-corruption actions and local corruption be balanced on important covariates, not just be close to the electoral cutoff (Table A2). Moreover, because we use covariates in our RD analysis, we use the covariate-adjusted optimal bandwidth selector and verify that these covariates are balanced around the cutoff (Figure A6). That said, standard optimal bandwidth selectors may not be appropriate when studying heterogeneous RD effects, but our results hold across multiple bandwidths (Figure A8).

³⁰The model in the left panel of Figure 4 is: $\text{Turnout}_{i,j} = \beta_0 + \beta_1 \text{Vote}_{i,j} + \beta_2 \text{USL}_j + \beta_3 \text{DNA-Corruption}_j + \beta_4 \text{Opposition}_j + \sum_k \gamma_k \mathbb{I}nt\{\text{Vote}_{i,j}, \text{USL}_j, \text{DNA-Corruption}_j, \text{Opposition}_j\} + \sum_m \theta_m \text{Controls}_j + \delta_c + \epsilon_{i,j}$, where DNA-Corruption is as defined in the text above. The RD model in the right panel is: $\text{Turnout}_{i,j} = \beta_0 + \beta_1 \text{Vote}_{i,j} + \beta_2 \text{USL2008}_j + \beta_3 \text{USL2008 Margin}_j + \beta_4 \text{USL2008}_j \times \text{Vote}_{i,j} + \beta_5 \text{USL2008}_j \times \text{USL2008 Margin}_j + \sum_m \theta_m \text{Controls}_j + \delta_c + \epsilon_{i,j}$; USL2008 Margin_j

Figure 4: Opposition checks, electoral manipulation, prior anti-corruption actions, and local corruption



Note: Both panels show the estimated opposition conversion rate, described in the text above. Lines are the 95% confidence intervals based on standard errors clustered by locality. In the right panel, the analysis is restricted to localities in which the governing coalition narrowly won or lost the 2008 mayoral election. Model specifications are detailed in footnote 30 and in more detail in Sections A4 and A5.

Both measures of opposition checks produce very similar results: greater opposition oversight considerably constrains the extent of backlash by corrupt elites. When the opposition is weak, electoral manipulation is quite high in the higher-corruption localities with prior DNA actions (the top estimate in both panels in Figure 4). In fact, the opposition conversion rate in those localities case is close to one, suggesting that the governing coalition was able to turn out *almost all* of the opposition supporters. While some of this mobilization prowess may be legitimate, these patterns are hard to reconcile with completely clean elections, given

is the governing coalition's vote margin in the 2008 mayoral election in locality j ; $USL2008_j = 1(USL2008 \text{ Margin}_j > 0)$; the model is run separately in subsamples defined by DNA-Corruption; other details are given in Sections A4 and A5.

that in localities with both anti-corruption actions and high corruption but with *stronger* opposition, we find no strong evidence—if any—of electoral manipulation. What is more, in localities either without prior anti-corruption actions or with lower corruption, opposition conversion rates are non-positive *irrespective* of opposition strength, further suggesting that turnout inflation is greatest where corrupt incumbents have both the strongest incentives and the lowest constraints on engaging in electoral fraud.

Conclusion

In recent years anti-corruption efforts have figured prominently in both the domestic political debates of many countries and on the good governance agenda of international institutions. However, progress in the fight against corruption has been fairly modest. In this article we show why achieving success in governance reforms is difficult, even in cases where anti-corruption campaigns start to disrupt the high-corruption status quo. When anti-corruption institutions are effective, they can trigger a concerted political backlash from corrupt elites. In the empirical context we study (Romania), this backlash meant a greater propensity to resort to electoral manipulation among corrupt local elites in places where prior anti-corruption actions raised the salience of the national anti-corruption campaign. We document these patterns using electoral fraud diagnostics based on a combination of original public opinion surveys and fine-grained electoral data, novel geo-coded measures of both anti-corruption actions and local corruption, and several research designs and measurement strategies.

Of course, as with any single-country study, there are questions about the scope conditions of both our theoretical approach and the empirical results. In theoretical terms, we expect the general deterrence-versus-backlash framework for understanding the effects of anti-corruption (and more broadly rule-of-law) campaigns to be applicable to a broad set of democratic regimes. However, the deterrence and backlash mechanisms are less applicable

to authoritarian regimes, where anti-corruption campaigns are unlikely to be independent of control by the authoritarian incumbent. That means that both anti-corruption campaigns and electoral manipulation are controlled by the same actor, removing the potential tension between the two.

We also expect that the theorized role of local opposition in reinforcing the deterrence effects of anti-corruption efforts, as well as the crucial role of corrupt local politicians in the dynamics of backlash, to extend to many other corrupt democracies (though the particular type of relevant local actors will vary by institutional context).

It is less clear to what extent our key empirical findings—that anti-corruption efforts trigger electoral manipulation by corrupt politicians—apply in different contexts. While this is ultimately an empirical question best addressed by future research in different settings, we briefly discuss the likely scope conditions by placing Romania in a broader comparative setting along four key dimensions.

First, backlash by corrupt politicians is likely shaped by the strength and credibility of the anti-corruption drive. Corrupt politicians are unlikely to bother organizing against sufficiently weak anti-corruption institutions. Conversely, if anti-corruption institutions are sufficiently far-reaching and strong, they may strengthen deterrence to the point where corrupt politicians are afraid of engaging in electoral manipulation. From this perspective, the predominance of backlash effects in Romania could be due to the fact that it had successful but still fairly new and politically vulnerable anti-corruption institutions. However, Romania is by no means a unique case, joining other examples of reasonably successful rule-of-law reforms in corrupt democracies like Georgia, South Korea, or Uruguay (for other cases, see Mungiu-Pippidi and Johnston, 2017). Moreover, most serious anti-corruption efforts are likely to go through a phase similar to that of Romania in 2012, and it is during this crucial period that we should expect similar backlash dynamics.³¹

³¹The logic of corrupt elite backlash against anti-corruption efforts suggests that politi-

Second, the balance between backlash and deterrence should be influenced by the balance between pro- and anti-corruption forces. Where anti-corruption forces are clear electoral favorites, corrupt politicians should be less likely to engage in electoral manipulation. Doing so runs the risk of legal penalties, but without a high likelihood of securing an electoral victory. By contrast, where the pro-corruption coalition looks likely to succeed, local corrupt politicians may be eager to “over-deliver” electoral manipulation so as to curry favors with the leaders who can ensure protection against future anti-corruption efforts. Cases where the electoral outcome is uncertain—as in Romania in 2012—occupy an intermediate position. On the one hand, the marginal effect of local electoral manipulation efforts may be higher (thereby encouraging backlash); on the other hand, would-be manipulators have to worry about adding to the list of punishable behavior if the anti-corruption coalition wins.³²

Third, the actions of a “backlash coalition,” and hence the net political effects of anti-corruption campaigns, are shaped by the international constraints on a particular country. In this respect Romania is not particularly unique. Even though, as an EU member, Romania was subject to international scrutiny and political pressures to respect its rule-of-law commitments, the EU has not been very effective in limiting the erosion of the rule of law in some of its other member states (especially Hungary and Poland). Furthermore, even non-EU countries are subject to pressures to reduce corruption and respect liberal democratic norms from a variety of international sources (such as the World Bank, the International Monetary Fund, and bilateral aid donors).

Finally, the balance between backlash and deterrence is likely shaped by the overall prevalence of corruption. In countries where corruption is relatively rare, corrupt politicians are cal corruption and electoral manipulation should be positively correlated in countries with substantial corruption problems. Empirical patterns support this notion (see Figure A2).

³²These dynamics are related to the coordination problems discussed by Rundlett and Svulik (2016) in an authoritarian context.

unlikely to assemble a sufficiently large coalition to pose a credible threat to anti-corruption institutions. Therefore, we expect significant backlash to occur primarily in democracies with fairly widespread corruption and weak rule of law. As illustrated by Figure 1, Romania fits this description but is hardly unique, as such “dirty” democracies are very prevalent in large swaths of Eastern Europe, Latin America, Africa and Asia. At the same time, backlash is likely to be weaker in the most corrupt democracies, where challenging the corrupt status quo may be too daunting a task to pose a sufficient threat that warrants a systematic electoral manipulation effort by the corrupt elites.

In closing, it is worth reiterating that while our empirical focus is on electoral manipulation practices, the menu of possible political measures is much broader. While a detailed discussion of this backlash repertoire is beyond the scope of our study, the post-2012 evolution of the fight over Romania’s anti-corruption reforms highlights a few of them. Following the failure of the July 2012 referendum, the backlash coalition used its victory in the December 2012 parliamentary elections (that also involved electoral manipulation) to launch a revision of the constitution, which would have significantly weakened the independence of the anti-corruption institutions. When that effort also failed, it resorted to a multi-pronged approach to undermine not only the DNA (for example, by forcing out its chief prosecutor) but also other crucial elements in the anti-corruption institutional framework, such as the Prosecutor General. This fight is still ongoing as of the writing of our article, suggesting that far from being a one-off fluke, the link between anti-corruption measures, corrupt political elites and anti-democratic backlash is likely to be a frequent—and perhaps inevitable—side effect of any systematic effort to challenge the corrupt status quo. While this may well be a risk worth taking, we need to be aware that rather than ushering in clean liberal democracies, these struggles may instead trigger transitions from corrupt democracies to corrupt non-democracies.

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