

Democratisation from the outside in: NGO and international efforts to promote open elections

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Until recently, the monitoring of elections in a sovereign country by outside actors was extremely rare. The United Nations (UN) had significant experience in conducting plebiscites and elections in dependent territories but did not monitor an election in a formally independent country until 1989, when it reluctantly became involved in the Nicaraguan electoral process. At the regional level, the Organization of American States (OAS) occasionally sent small delegations to witness elections in member states, but these missions were too brief to permit any real observation of the processes, and failed to criticise fraud.¹ Since the 1980s election-monitoring has become increasingly common in transitional elections from authoritarian to democratic rule. Non-governmental organisations (NGOs), domestic and international, were the first to become involved in election-monitoring in the 1980s followed by international and regional organisations like the UN, the OAS, and the Organisation for Security and Cooperation in Europe (OSCE) in the 1990s. Election-monitors played a crucial role in transitional elections held in the Philippines (1986), Chile (1989), Panama (1989), Nicaragua (1990) and Haiti (1990). In addition, elections began to form a crucial element of UN 'peace-building' strategies in countries torn apart by civil strife such as Namibia (1989), Cambodia (1993) and El Salvador (1994). By the middle of the 1990s, international election-monitoring had thus become widely accepted, and fairly universal standards established for defining the term 'free and fair' elections.

This article probes the factors propelling the growth of international and NGO election-monitoring efforts in recent years, and assesses their scope, contribution and limits. It explores the implications of international election-monitoring for the changing nature of sovereignty, the development of domestic civil and political society (or what Robert Putnam calls 'social capital'²) and new patterns of interaction among NGOs, regional organisations and the UN. The paper then looks at these questions through the lens of a specific case study, the Mexican presidential elections of 1994, which were without doubt the most 'watched' elections in Mexican history. It concludes with an assessment of the importance of international election-monitoring for the development of an international political rights regime in the 1990s.

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Explaining international efforts to promote democracy in the 1980s and 1990s

The expansion of international election-monitoring activities in the 1980s and 1990s was a direct reflection of the growing support for democracy world-wide. In 1991, for instance, the OAS convention at Santiago declared that member states were required to maintain democratic forms of governance consistent with its charter. Shortly thereafter, the OAS approved the Washington Protocol under which any suspension of democracy in a member state would automatically trigger a meeting of the OAS Permanent Council, followed by a meeting of the Hemisphere's foreign ministers or the OAS General Assembly, in order to take appropriate measures to restore democracy. In December 1991 the UN General Assembly passed a resolution by an overwhelming majority of 134 to 4 calling on the secretary-general to establish an office to coordinate requests for electoral assistance by member states, leading to the creation of an Electoral Assistance Unit in the Department of Political Affairs (DPA); in its first year of operation, the unit responded to requests for assistance from some 20 countries.³ Meanwhile, the Conference on Security and Cooperation in Europe (CSCE), declared at Copenhagen in June 1990 that free elections constituted an 'inalienable' human right. The 1990 Paris charter also called on CSCE members to 'strengthen democracy as the only system of government within our nations', and mandated the creation of a new Office for Free Elections to oversee elections in CSCE states.⁴

The growing support for democracy, particularly free elections, was the product of five factors. First, the global wave of democratisation that began in the 1970s and continued through the 1990s radically transformed the make-up of the world's main international organisations. In the last quarter of the twentieth century, more than forty countries have switched from authoritarian to democratic forms of governance. The new predominance of democratic states within inter governmental organisations (IGOs) inevitably encouraged them to become more active in the promotion of democracy. At the same time, new democracies were also often weak and vulnerable to attempts to roll back democracy in their countries. Placing international organisations decisively on the side of democracy thus represented a form of insurance against a potential regression to authoritarianism, and a deterrent to anyone contemplating an attack on fragile democratic institutions.

Second, the United States was generally supportive of attempts to strengthen the commitment of IGOs to democracy. American leaders such as Anthony Lake defined the promotion of democracy as the new central thread uniting the different strands of American foreign policy in the post-Cold War era.⁵ The end of the Cold War freed Washington from having to support dictators as an alternative to the greater evil of global communism, produced an abrupt cut-off of Soviet aid to several authoritarian client states, and was perceived as a major ideological triumph in favour of capitalism and democracy.⁶ American officials and academics also advanced a powerful national security rationale: democracies were inherently more peaceable than dictatorships and, based on the historical record, extremely unlikely to go to war with one another, therefore the US

should support democracy as a way of underwriting its own security. The reasons why the Kantian democratic peace hypothesis, recaptured by Michael Doyle's 1983 article,⁷ was absorbed by American policy-makers so quickly lie beyond the scope of this paper; but there is no question that it provided a powerful motive undergirding much of US democracy-promotion efforts around the world.

Third, domestic changes, particularly the strengthening of civil and political society, made it easier for regime opponents to garner international support for democracy. Both the Inter-American Human Rights Commission (IAHRC) of the OAS and the UN Centre for Human Rights have experienced a sharp escalation in the number of complaints relating to violations of political rights. This reflects a secular increase in the capacity of dissidents to take their case to the international community. The growing capacity of domestic actors to appeal directly to international fora activates international guarantees for democracy, creates a tradition of international jurisprudence that forms the basis of future appeals, and nudges the existing political rights regime towards enforcement.

Fourth, changes in the global normative climate have contributed powerfully to the growing involvement of IGOs and NGOs in democracy-promotion efforts. Democracy is now perceived to be the only legitimate form of government. To some extent this is clearly the product of the demise of the Soviet Union and the mushrooming of democracies around the world. A more neglected factor in the shift of global norms is the role of the Catholic Church. In the wake of the Second Vatican Council (1959–65), it abandoned historical support for authoritarian governments, such as Salazar's Portugal, not to speak of Mussolini's Italy, in favour of a new theological stance favouring human rights and democracy. Vatican II emphasised the importance of social change in the Church's mission; the right to judge 'sinful' political and social structures in the light of the Gospel; lay engagement; a greater focus on collegiality rather than hierarchy; and the significance of individual rights.⁸

The election of John Paul II as Pope in 1979 intensified the Church's support for democracy world-wide. In his first papal encyclical the new Pope, who had experienced the rigours of communist rule firsthand as Cardinal of Poland, not only condemned human rights violations but declared that the Church was 'the guardian' of freedom, which in turn was the basis of God-given human dignity. Given the centralisation of the Catholic Church, theological changes at the apex quickly spread to the lower rungs of the organisation, thereby conditioning the normative preferences of Catholics and strengthening democratic impulses around the world. Papal visits to several countries (Mexico, 1979, 1990; Poland, 1979; Philippines 1981; Brazil, 1980; Argentina, 1982; Guatemala, Nicaragua and El Salvador, 1983; Korea, 1984; Chile, 1987; and Paraguay, 1988) served as a catalyst for galvanising supporters of democracy in them.⁹ The Church, with its organisational resources, institutional credibility and international scope, thus emerged as formidable opponent to authoritarian regimes. It is therefore no accident that Catholic countries dominated the ranks of democratising countries in the 1970s and 1980s. Major shifts within the Church strengthened global democratic norms directly, with a powerful global actor coming out in support

of democracy, and indirectly, by contributing to democratisation in a host of countries.

Fifth, the rise of election-monitoring by outside actors to defend democracy reflects the erosion of traditional state sovereignty. Rising economic interdependence made states more porous to outside influences including pressures to democratise. The trend towards regional economic integration was an important factor influencing democratic development in Spain, Portugal and Greece in the case of the European Economic Community (EEC), and Mexico in the case of the North American Free Trade Agreement (NAFTA). The collapse of the Soviet Union removed an important obstacle to US (and international) efforts to promote democracy abroad, and opened the door to the revival of moralism in US foreign policy. Meanwhile, states themselves have undergone a profound mutation in recent years. The spread of urbanisation, communications, education and economic development has produced what James Rosenau regards as a global improvement in civic skills,¹⁰ constraining governments and heightening domestic pressures for democratisation. Furthermore, the rising importance of sub-national loyalties, whether ethnic, regional, religious, poses a new challenge to state dominance of society.

Why election-monitoring?

Election-monitoring involves a gamut of activities. These include the passive observation of electoral processes; pressure for changes in the electoral environment; verification of voter registration lists; balloting and the count; mediation between the government and opposition; the provision of technical assistance; and, in the most extreme cases, the actual administration of elections by outsiders.

Election observation serves five distinct functions. First, the presence of observers improves the credibility of the election process by deterring fraud. This encourages opposition parties to participate rather than boycott the process, and invariably boosts voter turnout as well. Incumbent governments who expect to win often have a strong incentive to invite international observers to give their victory credibility in the eyes of public opinion. For example, Daniel Ortega clearly expected the Sandinistas to win the February 1990 elections in Nicaragua, and took a gamble by inviting the UN, OAS and the Council of Freely-Elected Heads of Government chaired by Jimmy Carter to observe the elections.

Second, observers play an important role in providing technical assistance to improve electoral processes world-wide. Such assistance has ranged from training poll-watchers, helping to design an appropriate sample for parallel vote tabulations including quick-counts, and financing the purchase of logistical equipment. In Nicaragua, for example, the UN designed a quick-count based on a stratified sample of 8% to 10% of the vote that showed Violeta Chamorro with a 16 point lead over Ortega.¹¹

Third, observers can play an important role in mediating disputes, and bridging the chasm of distrust among rival political contenders. In El Salvador, for example, the patient mediation of both UN Secretary-General Javier Perez de

Cuéllar and his representative Alvaro de Soto kept the peace talks between the government and the Farabundo Martí National Liberation Front (FMLN) alive, eventually resulting in a series of breakthrough agreements.¹² In Nicaragua, Carter helped broker a series of agreements between the Sandinistas and the opposition that allowed for the participation of Mesquite Indians in the political process, the adoption of a code of civility among all political parties, and the release of much needed foreign funds for the National Opposition Union (UNO).¹³ The mediation of Carter, the UN's Elliot Richardson, and OAS Secretary-General João Baena Soares helped facilitate a smooth transition from Sandinista hands to UNO in the crucial hours after the 1990 elections.¹⁴ In the Dominican Republic, a tense stand-off between the government and the opposition, which questioned the results of the 1990 elections, was successfully defused through deft diplomacy by Carter's delegation.¹⁵

Fourth, observers play an important role in opening up the electoral process by bringing problems out into the open and pressuring for their rectification. In Namibia, the UN, which possessed the right to veto South Africa's conduct of the elections, successfully pressured the South African Administrator-General (AG) to revise the electoral law to permit voting by secret ballot, counting in the major regional centres rather than in a single fraud-prone national centre, and full access to voting stations by South-West African People's Organisation (SWAPO) representatives.¹⁶ UN pressure also forced the AG to abandon plans to subject Namibia's new Constituent Assembly to South African control by making its decisions subject to veto by the AG and judicial review by South African courts.¹⁷ In Nicaragua, Guyana, Suriname, Paraguay, Chile and Mexico, outside observers succeeded variously in pressuring governments to strengthen the independence of election commissions, improve the quality of the voter registration list or draw up a new one altogether, give the opposition greater access to polling stations on election day, and permit quick-counts.

Finally, outside organisations have been called on to administer the electoral process or supervise it, usually as part of a wider peace-building strategy. In Cambodia the UN organised and conducted the 1993 electoral process from start to finish,¹⁸ while in Namibia it meticulously supervised an election organised by the South African government. In Bosnia, the OSCE organised elections for a tripartite presidency, a federal parliament and regional parliaments in September 1996; but it was forced to postpone municipal elections because of a host of difficulties including voter intimidation, the reluctance of refugees to return to localities where they once lived, and widespread tampering with voter registration records.

Synergy in election-monitoring?

Most analyses have neglected the dynamic interaction between the different sets of actors involved in election-monitoring. Yet the patterns of interaction, task-sharing and specialisation may turn out to be decisive in explaining the difference between the success and failure of a mission. From a purely functionalist point of view, the UN has major advantages over other organisations in organising elections in areas that have experienced serious internal strife and

where authority has broken down. The UN has more experience in peace-building missions, greater organisational, financial and technical resources, and is capable of mobilising a higher level of consensus among the major powers through such mechanisms as the 'friends of the secretary-general' than most regional organisations or NGOs. The Cambodia operation, for example, cost about US\$1.5 billion, involved 15 000 troops and 7000 civilians, and lasted 18 months. In Namibia, the UN deployed 4650 soldiers, 1700 police monitors and 1600 election supervisors, at a cost of about \$367 million. In El Salvador, a much smaller country, the UN fielded a mission of some 1500 personnel at its height; with no fixed departure date, it cost just over \$100 million.

In addition, such peace-building missions require delicate cooperation between the mission's military and electoral wings. In both Cambodia and Namibia UN election officials relied on military assistance to prevent voter intimidation, protect UN installations and provide logistical support. To the extent that the military wing was unable fully to demobilise the former antagonists and decommission their weapons before the elections, its presence was all the more necessary to deter armed interference with the process. In fact, demobilisation before the elections was mostly a failure in Nicaragua and Cambodia, and only a partial success in Namibia and El Salvador. Yet, even in major peace-building missions, the UN can benefit from the presence of NGOs and even regional organisations. In Namibia pressure from the Organisation of African Unity and the Non-Aligned Movement (NAM) on the secretary-general strengthened the UN's resolve in the face of unreasonable demands by the AG. NGOs also added to the chorus of support for the UN in Namibia. In El Salvador, the UN mission (ONUSAL) depended on NGOs for assistance in implementing programmes, and for reliable information.

In countries where an existing government remains in power and where the UN plays only a monitoring rather than organising role, the actors are likely to be more evenly matched. For example, the UN Observer Mission to Verify the Electoral Process in Nicaragua (ONUVEN) collaborated closely with the OAS and Carter. In fact, the UN was by no means the dominant player. The OAS covered far more polling stations on election day (70%) than the UN, and Carter played a much greater role in mediating disputes than Elliot Richardson or Baena Soares.

As relatively small groups with limited resources, NGOs are driven to create specialised niches based on comparative advantage. The International Human Rights Law Group is particularly good at analysing election laws; the International Foundation for Election Systems at providing electoral equipment and technical support. The Council of Freely-Elected Heads of Government led by Jimmy Carter has played a crucial role in democratic transitions throughout Latin America and the Caribbean. The prestige of its members, institutional credibility, media visibility and access to high-placed decision makers put it in an unusual position among NGOs to exert pressure for electoral reforms, mediate disputes among contending parties, influence the thinking of US government officials and shape public opinion. Sometimes, however, a country can be deluged with too many inexperienced observers, leading to clashing accounts, partisan behaviour, a failure to coordinate with others and confusion.

Political factors can also influence the cast of characters in election-monitoring activities. During the Cold War, Washington marginalised the UN from Latin American affairs in favour of the OAS, which was more susceptible to US control.¹⁹ In the wake of the end of the Cold War, however, a growing rapprochement between the UN and the OAS has taken place.²⁰ Both organisations collaborated closely in the 1990 Nicaraguan and Haitian elections. Eventually, however, the UN came to dominate the resolution of the Haitian crisis. The need to tighten the OAS embargo against the Haitian military junta required an expanded UN role, which also signalled that the international community was serious about its intent to restore democracy. Key OAS members such as Brazil, Mexico and Chile also opposed sending military forces to Haiti,²¹ fearing undermining the principle of non-intervention and distorting the purposes of the OAS. The US was thus left with little choice but to seek UN approval for the use of armed force in Haiti through the Multinational Force (MNF).

The dilemma of sovereignty

Election-monitoring by outsiders goes to the heart of the debate about the changing nature of sovereignty, more so than humanitarian assistance.²² The latter occurs in the context of political and economic breakdown and can be rationalised as a temporary expedient to deal with an emergency. The same can more-or-less be said of elections organised by international organisations as part of a peace-building strategy. In the case of elections monitored by outsiders in functioning states, however, it is difficult to avoid the debate about the implications for sovereignty. The debate stems partly from the conflicting imperatives of the UN and OAS Charters, which establish free elections as a universal human right but also proscribe interference in the internal matters of states.²³

Proponents of a 'right to democratic governance' make several arguments to justify election-monitoring in sovereign states.²⁴ First, the concept of sovereignty is itself subject to change in response to new domestic and international conditions. Simply saying that election-monitoring interferes with sovereignty evades the question of what sovereignty is and how it may have changed over time. Second, election-monitoring enhances the domestic legitimacy of the government and strengthens the state and its capacity for 'sovereignty'. Third, true sovereignty resides with 'the people', not the state; and, to the extent that international election-monitors seek to empower 'the people', their activities are consistent with sovereignty. Finally, states are not free agents but subject to limitations stemming from natural rights that their citizens possess as moral beings, as well as legal obligations voluntarily contracted by states under several international covenants on human rights, including free elections.

Many governments are now willing to allow international observers, not necessarily because they agree with these arguments, but because they find it a politically convenient way to gain credibility, placate the opposition and avoid a deterioration of relations with the international community and the United States. Still, election-monitoring by outsiders can frequently become a target of suspicion and outright hostility. Some of this concern is grounded in a healthy

scepticism of Western motives based on bitter experiences with colonialism, and US interventionism to 'save democracy'.²⁵

Experience suggests that there are several ways to defuse these concerns. First, in the case of peace-building missions, it may be helpful to create a mechanism, consisting of the main political forces in the country, formally vested with sovereignty. The UN in Cambodia, for example, set up a Supreme National Council (SNC) consisting of the major Cambodian factions chaired by Prince Sihanouk.²⁶ Technically, the UN derived its authority from the SNC. The UN made a concerted effort to consult with the SNC and empowered it with several important tasks. Second, international actors must obtain the consent of all major political parties and the government before observing an election, and do so in a strictly impartial fashion. The Council of Freely-Elected Heads of Government (Carter's Council), for example, has an iron rule that it will never formally observe an election if the major players do not welcome it. Third, international actors need to make sure that their work is not used by states as pretexts for intervention, though this 'externality' may be difficult to avoid. In Panama Carter's denunciation of fraud in 1989 was used by Bush to justify his invasion of the country, although Carter himself was opposed to armed intervention.²⁷ Finally, the US and other countries should forego any attempt to promote democracy that involves the unilateral use of force or runs the risk of a serious backlash against international efforts to promote democracy.

The use of multilateral force to protect the results of an internationally monitored election has been sanctioned only in Haiti. The UN also continued to recognise the deposed Aristide as the legitimate ruler of Haiti, thus modifying the 'effective control' standard for UN recognition in favour of one based on democratic legitimacy.²⁸ The shaky legal pretext for such action by the Security Council was that the Haitian military junta posed a threat to regional peace. The UN action in Haiti sets a political (but not legal) precedent for the use of multilateral force to protect democracy, strengthening the enforcement capacity of the international political rights regime. The decision to intervene in Haiti was the result of a constellation of factors that will not easily come together again, including Haiti's strategic weakness as a small and dependent country; prolonged chaos in a country close to the US and the consequent threat of a mass exodus of Haitian boat-people; Aristide's democratic legitimacy and doggedness; the international isolation of the Haitian military regime; and China's decision not to veto the use of force by the Security Council.

Building institutions

Tocqueville's *Democracy in America* identified a strong civil and political society as the basis of a healthy democracy.²⁹ Strong societal institutions, including civic associations, religious institutions, a free press, political parties and an independent judiciary, help counterbalance state power, provide a context for developing civic skills, encourage norms of reciprocity and trust, articulate societal interests, and create peaceful channels for the resolution of conflicts that might otherwise result in violence. Election-monitors can play a crucial role in developing institutions in several ways. Mediation by outside actors can foster

trust among rival parties by providing guarantees, clearing up misperceptions, relaying information back and forth, and resolving key issues. Pressure from outside actors can encourage governments to develop new institutions necessary for a fair election to take place, such as an independent election commission, an accurate voter registration list, a human rights ombudsman, an opening of the official media, transparency in the management of party finances, and so forth. Technical and financial assistance to domestic civic associations by international groups can play a major role in developing election-monitoring groups that can provide a nucleus for the formation of an organised civil society. Finally, internationally observed elections in which all major political parties accept the results represents by itself a democratic breakthrough, because it provides for the peaceful transfer of power through the ballot box rather than through force.

In the case of peace-building missions, the presence of neutral actors such as the UN can represent a 'time-out' from conflict, thereby providing a window of opportunity to reactivate civil society, construct democratic institutions and revive the economy. In Cambodia the UN presence produced a highly successful election under very difficult conditions with a turnout of 90%, the development of relatively free press, the growth of several human rights NGOs and new foreign aid commitments.³⁰ At the same time the UN was unable to purge the police force of human rights violators, persuade the factions to demobilise and ensure a neutral electoral environment because of the failure of both the Khmer Rouge and the Hun Sen government to collaborate fully with the world organisation. The result is that the outlook for Cambodia remains uncertain.

The effects of UN missions in El Salvador and in Haiti on the development of local institutions have also been mixed. In El Salvador, ONUSAL successfully presided over the demobilisation of the FMLN, the cessation of the civil war, the creation of a new civilian police force, the installation of a human rights ombudsman, and the removal of several top army officials for major human rights violations after investigation by a UN-sponsored commission. Unlike in Cambodia, the 1994 Salvadoran elections were organised by the regime, which resisted international advice and conducted a flawed election.³¹ In Haiti the international community was successful in dislodging the military junta, reforming the police, demobilising the army and establishing order. Yet the subsequent parliamentary elections in June 1995 conducted by the Aristide government were, according to one experienced observer, 'the most disastrous technically', he had ever witnessed.³²

What explains the varying success of the UN in creating institutions for democracy? First, the ability of the UN to create institutions depends vitally on the cooperation of the parties to the conflict. If the parties fail to cooperate or renege on prior agreements, the chances will diminish accordingly. Such cooperation is likely to be more forthcoming if the international community possesses both the will and the leverage to maintain pressure for the parties to work towards a solution. Second, developing democratic institutions in countries that lack a democratic tradition is a time-consuming process that may not be achievable in the short-term horizons of most UN and other missions. There is a long and distinguished literature on the 'prerequisites' for democracy that should sound a cautionary note about efforts to transplant democracy to

inhospitable conditions overnight.³³ Still, it is possible to err on the side of too much pessimism. Growing interdependence may have quickened the time-frame for the development of democracy in part because of heightened outside involvement. Nor, should one be over-deterministic about the prospects for democracy. India has had a highly successful democracy for almost 50 years, despite not meeting one of the usual key pre-requisites for democracy: a medium or high level of per capita income. The results in Cambodia, Haiti and El Salvador are mixed; they are not an unqualified failure. The development of international regimes to protect democracy where it is in danger, liberalised trading arrangements to expand economic activity, higher outlays of foreign aid specifically tied to the development of democratic institutions, and making respect for human rights a condition for receiving official loans and participating in multilateral institutions can go a long way towards improving the prospects for democracy, despite unfavourable domestic conditions.

Election-monitoring: the Mexican case

The Mexican case is interesting for several reasons. First, it represents an opportunity to study the interaction between the UN, several international NGOs and Mexican civic groups in the task of election-monitoring. Second, resistance to outside interference has been unusually strong in Mexico, making it a good test-case for the erosion of traditional sovereignty norms in the Western Hemisphere. Third, the UN mandate in Mexico was not to observe the 1994 elections, but to train and finance domestic observers. Mexico thus represents an excellent case study of the impact of international actors on the development of local civil society and the thickening of social capital.

The main international actors in the 1994 electoral process were the United Nations Electoral Assistance Program (UNEAP); the National Endowment for Democracy (NED) established by the US Congress in 1983 as an autonomous body to support democratisation initiatives around the world; the National Democratic Institute (NDI), which conducts international outreach for the US Democratic Party; and the Council of Freely-Elected Heads of Government. The presence of international observers, euphemistically designated 'foreign visitors' so as not to offend nationalist sensibilities, reflected the low credibility of Mexican elections in the wake of widespread allegations of fraud in the 1988 presidential elections won by Carlos Salinas, the candidate of the official Institutional Revolutionary Party (PRI) party, which has governed Mexico uninterruptedly since 1929 in various guises. The PRI's credibility problem had an important international dimension as well. The decision of the Salinas administration to adopt an export-orientated model based on increasing integration with the US made it inevitable that the Mexican electoral process would be subjected to more international scrutiny than usual. Indeed, the lack of clean elections in Mexico quickly became a significant issue in Washington debates on the ratification of NAFTA.³⁴ Growing interdependence also encouraged the emergence of transnational coalitions to improve the human rights climate in Mexico, involving both Mexican and foreign NGOs. Finally, the global spread of democracy meant that the Mexican political system looked increasingly like an

authoritarian anachronism in much the same category as such unpopular regimes as those in Burma, China, Cuba, Vietnam and Indonesia. Thus the situation was different from the past, when Mexico's softer and inclusionary form of authoritarian rule had contrasted favourably with the gross human rights violations of the bureaucratic-authoritarian regimes in the southern cone.³⁵

The role of UNEAP

The UN Electoral Assistance Program was formally invited by the Mexican government to provide technical and financial assistance to Mexico's domestic election-monitoring organisations, which the government recognised were a crucial ingredient of a credible election.³⁶ The government could have financed the domestic observer groups directly but this would have been seen as a transparent attempt to co-opt them and had the opposite effect of undermining credibility. The government also hoped that the involvement of UNEAP in training and financing domestic observer groups would make them more professional and objective. The government was particularly worried about the Civic Alliance (AC), an umbrella group of independent NGOs that the government felt was biased towards the leftist Democratic Revolutionary Party (PRD). AC had quickly emerged as the country's most credible election-monitoring group. The government hoped that UNEAP would finance a variety of domestic observer groups from across the political spectrum to ensure that no one civic organisation acquired a monopoly on judging the elections, especially not AC. Indeed, while UNEAP channelled \$1.5 million to AC, or three-quarters of AC's budget for 1994, the UN agreed to spend roughly \$2.2 million to fund the observation efforts of more than a dozen other groups, including the mammoth National Teacher's Union (SNTE), with powerful ties to the PRI.

Relations between AC and UNEAP were often tense. AC bitterly resented UNEAP's determination to finance election-monitoring groups linked to the government, which AC saw as hopelessly biased and rival claimants on UNEAP funds, and hinted at a relationship of complicity between the Mexican government and the United Nations. UNEAP felt it was necessary to fund a variety of different observer groups to ensure that it was not viewed as biased towards AC, which had already received about 41% of UNEAP's budget. UNEAP also clashed with AC over the latter's spending priorities, expense estimates and observation methodology. More important, UNEAP was concerned that the left-orientated AC suffered from a tendency to equate a PRI defeat with a victory for democracy. AC's leadership chafed at UNEAP's perceived 'interference', but its heavy reliance on UNEAP funds prevented an open rupture between them.

UNEAP's mission in Mexico represents a highly successful and cost-effective intervention by outsiders to promote the development of local civil society and social capital. Without UNEAP and international financial and logistical support, AC would have been unable to mount a country-wide observation effort. However, the fact that UNEAP's mission was so effective also testifies to the pre-existing strength of Mexican civil society. Fair elections had already become a major societal issue, thus providing a reservoir of public support for AC. Its seven founding groups were all closely identified with highly respected figures

who served as political entrepreneurs by harnessing growing domestic and international concern for transparent elections to facilitate growth. AC itself was organised as an umbrella group knitting together some 450 NGOs in a dense and reciprocal network. This loose structure gave AC considerable range and flexibility, while cohesion was assured by the prestige of its leadership, overlapping membership among its constituent organisations and a clearly defined goal. UNEAP's mission thus took place in a societal context where a relatively small injection of funds could have a large payoff. Had Mexican civil society not been as developed, it is unlikely that UNEAP's mission would have been as successful. It is always easier to add to an existing stock of social capital than to attempt to create it from scratch, as in wartorn countries like Cambodia.

The UN and international NGOs

The Mexican government hoped that the presence of UNEAP would act as a check on other international actors, if only by drawing attention away from them. The government also reasoned that UNEAP, as an official international body capable of functioning only at the behest of member states and within strictly defined limits, would be easier to control than other international actors. On the ground, however, an almost symbiotic relationship developed between UNEAP and the cluster of foreign NGOs. The Council of Freely-Elected Heads of Government and NDI were in a position openly to criticise the Mexican electoral process, which UNEAP, as an official international organisation with the limited mandate of aiding domestic election observer groups, was unable to do.

Yet UNEAP had the necessary technical and financial resources to facilitate the growth of a cluster of domestic election-monitoring organisations, and the leverage to demand a high degree of professionalism and neutrality from them. In a few crucial instances, NGOs contributed functionally to UNEAP's own objectives. By improving the design of AC's quick-count, NDI helped AC allay UNEAP concerns about methodology. NGOs also acted as channels of communication between UNEAP and AC by relaying mutual concerns back and forth, and clarifying misunderstandings. There was therefore little institutional rivalry between UNEAP and NGOs, and the pattern of cooperation that developed in Mexico between them may constitute a model of future interaction.

The role of international NGOs

AC also received small grants from external NGOs, including \$150 000 from NED and \$50 000 from NDI.³⁷ The fact that AC was supported by NED, with its bipartisan US Congressional support and distinguished board of directors, set AC apart from other domestic observer groups by giving it a fund of international legitimacy, particularly among US opinion makers. AC's ability to influence international opinion may in turn have worked to enhance its bargaining power *vis-à-vis* the Mexican government. However, Civic Alliance leaders fretted about the dangers of accepting US Congressional support through the NED, which could lead to AC being tarred as an instrument of US interventionism. NED's decision to award its prestigious 1995 Democracy Award to Sergio Aguayo, one of the

founding members of AC, represented a public endorsement of AC's work by the international community.

NDI's involvement in designing the quick-count conducted by AC in the wake of the closing of the polls significantly improved both its technical soundness and believability. NDI also supported regional fora on AC electoral observation efforts in the cities of San Luis Potosí, Guadalajara and Veracruz which brought together some 200 local civic leaders in each city, the national coordinators of AC and international civic leaders from Chile, Paraguay and the Philippines. In addition, NDI sponsored an AC seminar in Mexico City to train election observers and brought together 120 community leaders from all the Mexico's 31 states and the Federal District.³⁸ These conferences played an important role winning over regional elites for AC's electoral monitoring efforts and facilitated its development as a nation-wide organisation.

Another important international player in the 1994 Mexican elections was the Council of Freely-Elected Heads of Government led by Jimmy Carter. The government's attitude towards the council was mixed. On the one hand, the government was reluctant to invite the council to observe the process formally because this could signal a breakdown of the Mexican electoral system and potentially reduce the regime's control over the process. On the other hand, senior government officials knew that the presence of an objective international observer group might give credibility to the election results if the PRD refused to accept the results, a highly likely outcome. The PRD failed to support the 1993 electoral reforms and split over whether to approve a further round of reforms in 1994. The other main opposition party, the centre-right PAN, had voted for both reform initiatives, giving them at least some credibility.

The reforms continued the overhaul of the voter registration list begun in 1990, introduced a new tamper-proof photo identity card for voters, enhanced the autonomy of the Federal Election Institute (IFE) and allowed international observers in for the first time. Government officials were concerned that without the presence of international observers such as The Council of Freely-Elected Heads of Government, the PRD would be able to discredit even a clean election, given the culture of distrust surrounding the conduct of Mexican elections, and plunge the country into a political crisis. The council could potentially play a crucial role in the regime's strategy of legitimising the elections because of its ability to influence public opinion in the Western Hemisphere and within the Clinton administration.

For the council, the main risk in observing the electoral process was that its presence could be used to legitimise an unfair election. However, not to become involved would have meant giving up the chance to influence the process at all. In view of these competing considerations, the council's approach was low-key. It sent two international delegations (in September 1993 and June 1994) to report on Mexico's electoral reforms, fielded only a small observer mission on election day, and chose not to bring Carter to Mexico at all. The government's decision to permit international observers came far too late, less than three months short of the elections, for the council to mount a fully fledged observation mission.

The council had always been concerned that the government would eventually decide to invite international observers in order to bolster the credibility of the

elections but not give them enough time to do a serious job. In effect, there was a danger that the government would pull the wool over the eyes of the international observers by using them to improve confidence in a process that could not be properly observed because of time constraints. President Carter himself was unwilling to go to Mexico without a formal invitation from all political parties and the Mexican government. Of all the three major political parties, only the PRD was willing to consider inviting Carter. There was also the danger that, in a country like Mexico, Carter would become an issue himself. He had historically observed elections and also played a mediating role. Mexican political actors, although separated by a wide chasm of distrust, were simply unwilling to turn to an ex-US President to sort out their differences. What was possible in Nicaragua was impossible in Mexico; and the council had to adjust its strategy accordingly.

The Council of Freely-Elected Heads of Government made a useful contribution to the democratisation of the electoral process. First, by inviting Mexican civic leaders like Sergio Aguayo to participate in missions in Haiti, Guyana and Paraguay, the council sensitised them to the role of international and domestic observers in promoting fair elections and helped develop a relationship between the council and the leaders of Mexico's emerging election-monitoring groups. Second, by holding meetings with Mexican government officials on electoral issues, the council was able to bring the weight of international public opinion to bear directly on decision makers. Mexican leaders knew that their actions were under direct international scrutiny. Third, the council issued two detailed reports on the Mexican electoral process that were widely circulated among government officials, academics and NGOs throughout the hemisphere.

These reports in effect helped internationalise some of the more arcane but critically important issues of electoral reform. For example, in September 1993 the council conducted the first ever study of voting patterns in the General Council of IFE and concluded that the supposedly independent magistrate councillors had supported the PRI on all important decisions that came before the council in an 11-month period between October 1990 and September 1991. The report thus undercut the government's assertion that the magistrate councillors were objective, gave opposition parties more ammunition in their bid to reform IFE, and ensured that international public opinion would not take IFE seriously unless its governing structure was reformed to allow full independence for the magistrate councillors. Fourth, the council's intimate knowledge of the pre-electoral environment and close ties with major Mexican political leaders meant it was the only international actor able to offer an assessment of the entire electoral process leading up to election day and beyond. Finally, as the first international actor to become involved in Mexican elections, the council helped pave the way for the government's eventual decision to allow international observers, thereby contributing to an important opening of the Mexican electoral system that few could have predicted.

On election day, 21 August 1994, the Council in conjunction with NDI and the International Republican Institute fielded 80 observers in all 31 states and the Federal District. The largest international delegation was sent by Global Exchange, an NGO that fielded 105 representatives. Overall, 943 individuals were

officially accredited as international observers representing 283 organisations from around the world; the majority came from the US (68%) followed by Canada (7.6%) and Argentina (3%).³⁹ International observers probably exerted a psychological influence on the election far out of proportion to their numbers. Their mere presence, which was widely reported in the media, may have helped convince ordinary Mexicans that the elections would be clean, thus contributing to the extraordinarily high rate of turnout among voters. The fact that most observers agreed that the irregularities characterising the elections had not affected the overall results of the presidential race, and that there was no identifiable pattern to them that might indicate fraud contributed to the credibility of Zedillo's victory and Mexican elections generally.⁴⁰

According to post-election surveys, about 61% of those asked thought that the elections were clean while 24% did not and 15% did not know. In addition, 64% felt that the IFE had performed very well. This contrasted sharply with pre-election polls taken in June 1994 when 35%–45% of those surveyed expected fraud while 65% expected violence.⁴¹ In fact, one of the most impressive features of the elections was the almost complete lack of violence during and after the elections. By improving the credibility of election results the presence of international observers almost certainly helped reduce the risk of violence.⁴² An attempt by the PRD to protest at what it claimed was a fraudulent election without presenting much evidence fizzled out for lack of public support.

The limits of election-monitoring

International actors in Mexico thus played an important role in supporting domestic observer groups financially, morally and technically. But they also exerted an independent effect on the electoral process by nudging the regime further down the path of reform, acting as a psychological deterrent to election fraud and bolstering the credibility of the final results, thereby reducing the risk of violence.

A contrary view is that international observers may have unwittingly abetted fraud by legitimising it. The possibility that election observers may legitimise fraud is a danger intrinsic to the task of election-monitoring, and it applies equally to domestic and international election observers. This can occur if observers fail to detect fraud and pronounce the election 'clean', or maliciously ignore evidence of fraud. Neither of these two eventualities came to pass in 1994 in Mexico. The domestic network of observers covered virtually all areas of the country. The quick-count ruled out any chance of fraud at the counting stage. And only PRI-linked observer groups possessed any incentive to cover up evidence of fraud, assuming this was possible, while AC and most international observers had every incentive to expose it.

More problematic is a situation where the official party profits from its huge advantages in terms of financial resources and media access during a campaign, but otherwise holds a clean election. Here the risk is that observers may end up pronouncing an election fair on the basis of results that, although obtained through impeccable voting, may reflect unfair campaign conditions. There is no question that the PRI as a state party enjoyed massive advantages over its rivals,

particularly with regard to media access and financial reserves. It is, however, virtually impossible to demonstrate the effects of such advantages on the election outcome. Also, both domestic and international observer groups throughout the campaign strongly criticised the government for allowing such inequities between political parties. AC conducted several studies of the electronic media to track coverage of the presidential race. Pressure by domestic and international observer groups and opposition parties in turn contributed to the first serious discussion about campaign and political party finance issues in Mexico. The government's unprecedented decision to permit a televised debate between the three main presidential candidates had an important effect on the race by enhancing the public perception that the opposition could win. Without the presence of observer groups, there would have been less pressure on the government to address these questions.

Finally, experience from other countries, where the government has enjoyed vast advantages over its rivals, suggests that entrenched regimes can lose elections even if the playing field is highly uneven provided the voter registration list, the balloting and the count are conducive to a clean election. More than one dictator has overestimated the advantages of incumbency, called an election to legitimise his authority at extremely short notice, invited international observers to make the election acceptable to the global community, and then proceeded to lose in a landslide victory to the hastily organised opposition. 'Stunning' elections like these have occurred in India in 1977, the Philippines in 1986, Poland in 1989 and a host of other countries.⁴³ Opposition parties can therefore overcome the advantages of state parties if the election itself is clean, which in turn may depend partly on the presence of international observers. The fact that PAN has won gubernatorial elections in four states and several cities, despite highly unequal campaign conditions, is further evidence in this direction.

International observers focus on elections. Elections go to the heart of democracy, but obviously democracy involves something more than just elections. Merely holding a clean election will not necessarily resolve such maladies as the maldistribution of income, weak institutions or deep ethnic cleavages. Elections may simply be a form of 'skin-deep' or 'easy' democratisation. Yet clean elections can over time contribute to the growth of institutions such as political parties and civic associations, give the poor a voice in the political system, punish corruption at the ballot box, and facilitate the development of rules to deal with conflict. Amartya Sen has shown how competitive political environments can provide an early warning system to prevent famine, while the accountability intrinsic to democracy may induce policy makers to correct misguided policies before it is too late.⁴⁴ The 'skin-deep' criticism is thus exaggerated and misleading.

Conclusion

The dramatic growth of election-monitoring since the mid-1980s is intimately tied to fundamental changes in the structure of both domestic and international politics. That election-monitoring has become so widespread in so short a period of time, despite the fact that it so often runs afoul of a state-centric notion of

sovereignty, testifies to the depth of these changes. The growth of election-monitoring has major implications for building democratic institutions. Election-monitoring not only facilitates reasonably fair elections but the development of basic democratic institutions and habits as well. The crucial role of NGOs in international monitoring has contributed to greater pluralism in global society, and produced a web of largely cooperative ties based on niche specialisation between IGOs and NGOs. Finally, election-monitoring is nothing more than a way of enforcing the political rights enshrined in major international covenants. As external election-monitoring becomes more widely accepted and practised, the effective scope of these rights will expand accordingly.

Election-monitoring has thus become the central element of a rapidly developing international regime to preserve and extend democracy. The United Nations should continue to develop and intensify the patterns of collaboration with international and indigenous NGOs documented in the Mexican and other cases. A better international division of labour between the UN and NGOs would foster democracy.

Notes

- ¹ R A Pastor, 'Elections, monitoring', in Seymour Martin Lipset (ed), *Encyclopedia of Democracy*, Washington, DC: Congressional Quarterly, 1995, p 409.
- ² R D Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*, Princeton, NJ: Princeton University Press, 1993, especially ch 6.
- ³ *Ibid.*
- ⁴ T M Franck, 'The emerging right to democratic governance', *American Journal of International Law*, Vol 86, No 1, 1992, p 66–68.
- ⁵ A Lake, 'The enlargement of democracy', *From Containment to Enlargement*, US Department of State Dispatch, 3 (39), 27 September 1993, pp 658–664.
- ⁶ See F Fukuyama, *The End of History and the Last Man*, New York: Avon Books, 1992.
- ⁷ M W Doyle, 'Kant, liberal legacies, and foreign affairs', *Philosophy and Public Affairs*, Vol 12, Nos 3 and 4, 1983, pp 205–235, 323–353. Doyle was not the first to point out the connection between peace and democracy. Earlier works on the topic are D Babst, 'A force for peace', *Industrial Research*, April 1972, pp 55–58; and R J Rummel, *Understanding War and Conflict*, Los Angeles: Sage, 1975–81. Doyle's article, provoked far greater interest in the topic.
- ⁸ D H Levine, 'Religion and politics, politics and religion: an introduction', in Levine (ed), *Churches and Politics in Latin America*, Beverly Hills: Sage Publications, 1979. See also S P Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman, OK: University of Oklahoma Press, 1989, p 78.
- ⁹ Huntington, *The Third Wave*, p 83.
- ¹⁰ J N Rosenau 'Sovereignty in a turbulent world', in G Lyons & M Mastanduno (eds), *Beyond Westphalia: State Sovereignty and International Intervention*, Baltimore, MD: Johns Hopkins University Press, 1995, pp 204–209.
- ¹¹ The Council of Freely-Elected Heads of Government, *Observing Nicaragua's Elections, 1989–1990*, Atlanta, GA: Carter Center of Emory University, 1990, pp 25–26.
- ¹² C Eguizábal, 'Las Naciones Unidas y la consolidación de la paz en Centroamérica', in O. Pellicer (ed), *La Seguridad Internacional en América Latina y el Caribe*, Mexico City: Instituto Matías Romero de Estudios Diplomáticos, 1995, pp 119–127.
- ¹³ The Council of Freely-Elected Heads of Government, *Observing Nicaragua's Elections, 1989–1990*, pp 16–21.
- ¹⁴ *Ibid.*, pp 25–33.
- ¹⁵ J McCoy, L Garber & R Pastor, 'Pollwatching and peacemaking', in L Diamond & M F Plattner (eds), *The Global Resurgence of Democracy*, Baltimore, MD: Johns Hopkins University Press, 1993, p 181.
- ¹⁶ National Democratic Institute, *Nation Building: The UN and Namibia*, Washington, DC: National Democratic Institute, 1990, pp 26–34. See also L Cliffe, *The Transition to Independence in Namibia*, Boulder, CO: Lynne Rienner, 1994, especially chs 4, 6–8.
- ¹⁷ National Democratic Institute, *Nation Building: The UN and Namibia*, pp 35–36.

- ¹⁸ See M W Doyle, *UN Peacekeeping in Cambodia: UNTAC's Civil Mandate*, Boulder, CO: Lynne Rienner, 1995.
- ¹⁹ On the relationship between the OAS and the UN in Latin America, see R Greene, 'El debate ONU-OEA: nuevas competencias en el ambito de la paz y la seguridad internacional', in O. Pellicer (ed), *Las Naciones Unidas: Visión de Mexico*, Mexico City: Fondo de Cultura Economica, 1994, pp 72–102; and S N MacFarlane & T G Weiss, 'The United Nations, regional organizations, and human security: building theory in Central America', *Security Studies*, Vol 2, No 1, Autumn 1992, pp 6–37.
- ²⁰ A K Henrikson, 'The growth of regional organizations and the role of the United Nations', in L Fawcett & A Hurrell (eds), *Regionalism in World Politics*, Oxford: Oxford University Press, 1995, pp 142–147.
- ²¹ R A. Pastor, *Whirlpool: US Foreign Policy toward Latin America and the Caribbean*, Princeton, NJ: Princeton University Press, 1992, p 282.
- ²² On the implications of humanitarian assistance for sovereignty, see T G Weiss & J Chopra, 'Sovereignty under siege: from intervention to humanitarian space' in Lyons & Mastanduno (eds), *Beyond Westphalia*, pp 87–114.
- ²³ Pastor, 'Elections, Monitoring', p 409.
- ²⁴ See, for example, Franck, 'The emerging right to democratic governance'. See also G H Fox, 'The right to participation in international law', *Yale Journal of International Law*, Vol 17, No 539, 1992, pp 539–607; and F Tesón, 'Changing perceptions of domestic jurisdiction and intervention', in T J Farer (ed), *Beyond Sovereignty: Collectively Defending Democracy in the Americas*, Baltimore, MD: Johns Hopkins University Press, 1996, pp 29–51.
- ²⁵ For a sceptical view of Western efforts to promote human rights in Asia, see B Kausikan, 'Asia's different standard', *Foreign Policy*, Vol 92, 1993, pp 24–51.
- ²⁶ Doyle, *UN Peacekeeping in Cambodia*, p 84.
- ²⁷ See National Democratic Institute and International Republican Institute for International Affairs, *The May 9, 1989 Panamanian Elections*, Washington, DC: NDI/IRI, 1990.
- ²⁸ For a discussion of UN recognition practices and an argument in favour of democratic legitimacy as the standard for recognition see, G H Fox, 'Multinational election monitoring: advancing international law on the high wire', *Fordham International Law Journal*, Vol 18, No 5, May 1995, pp 1658–1667.
- ²⁹ A de Tocqueville, *Democracy in America*, Vol 1. ed J P Mayer, Garden City: Anchor Books, 1969, Part I, pp 62–84; Part II, pp 174–195, 262–311.
- ³⁰ Doyle, *UN Peacekeeping in Cambodia*, pp 32–34, 40–58.
- ³¹ Eguizábal, 'Las naciones Unidas y la consolidación de la paz en Centroamérica', pp 128–137.
- ³² R Pastor in The Council of Freely-Elected Heads of Government, *Mission to Haiti #3: Elections for Parliament and Municipalities*, Atlanta, GA: Carter Center of Emory University, 1995, p 19. See also, Robert Maguire et al, *Haiti Held Hostage: International Responses to the Quest for Nationhood 1986–1996*, Occasional Paper #23, Providence, RI: Watson Institute, 1996.
- ³³ See, for example, R Dahl, *Polyarchy: Participation and Opposition*, New Haven, CT: Yale University Press, 1971; S M Lipset, *Political Man: The Social Bases of Politics*, New York: Doubleday, 1960. See also, Z Arat, 'Democracy and economic development: modernization theory revisited', *Comparative Politics*, Vol 21, 1988, pp 21–37.
- ³⁴ R A Pastor, *Integration with Mexico: Options for US Policy*, New York: Twentieth Century Fund, 1993, especially pp 27–28, 65–67.
- ³⁵ See Huntington, *The Third Wave*. See also L Diamond, J Linz & S M Lipset (eds), *Politics in Developing Countries: Comparing Experiences with Democracy*, Boulder, CO: Lynne Rienner, 1990; and Diamond & Plattner (eds), *The Global Resurgence of Democracy*.
- ³⁶ See Unidad de Asistencia Electoral, *Posibilidades de Apoyo a Organizaciones No Gubernamentales de Observadores Electorales en Mexico*, Mexico City: UN Mission, 23 May 1994.
- ³⁷ The grounds for classifying NED and NDI as NGOs lies in their autonomy from Congress and the executive in the case of NED and from the Democratic Party, in the case of NDI. Likewise, the Council of Freely-Elected Heads of Government was created as a private initiative by former President Carter, and operates independently of any government.
- ³⁸ 'Briefing paper for the National Democratic Institute for International Affairs and the International Republican Institute's Joint International Delegation to the 1994 Mexican elections', August 1994, p 14.
- ³⁹ Instituto Federal Electoral, *Informe Sobre Observadores y Visitantes Extranjeros*, Mexico City: Instituto Federal Electoral, 1994.
- ⁴⁰ For the view of international observers (including this author) on the 1994 elections, see The Council of Freely-Elected Heads of Government, *The August 21, 1994 Mexican National Elections*, Fourth Report, Atlanta, GA: Carter Center of Emory University, November 1994. On the views of Mexico's most important domestic observer group, the Civic Alliance, see Alianza Cívica, *La Calidad de la Jornada Electoral del 21 de Agosto de 1994: Informe de Alianza Cívica Observación '94*, Mexico City: 19 September 1994. For the views of other domestic and international groups, see Instituto Federal Electoral, *Proyecto de Informe a la Camara de Diputados*, Addenda 21, 22 and 23, Mexico City: Instituto Federal Electoral, 1994.

⁴¹ J McCoy, 'On the Mexican elections', *Hemisphere*, Fall 1994, p 28.

⁴² For examples from other countries on the possible functions of international observers, see J McCoy, L Garber & R Pastor, 'Pollwatching and peacekeeping', *Journal of Democracy*, Vol 2, No 4, 1994, pp 102-114.

⁴³ See Huntington, *The Third Wave*, pp 175-180.

⁴⁴ A Sen, 'Freedoms and needs', *The New Republic*, 10 and 17 January 1994, pp 31-38.

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