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Can One-Party Dominant States Be Democratic? A Meso-Level Classification of The Playing Field of Hegemonic Party States.

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LOYOLA UNIVERSITY CHICAGO

CAN ONE-PARTY DOMINANT STATES BE DEMOCRATIC? A MESO-LEVEL
CLASSIFICATION OF THE PLAYING FIELD OF HEGEMONIC PARTY STATES

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

PROGRAM IN POLITICAL SCIENCE

BY

ADAM HII

CHICAGO, IL

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LIST OF ABBREVIATIONS

ANC	African National Congress
AU	African Union
BCP	Botswana Congress Party
BDP	Botswana Democratic Party
BNF	Botswana National Front
BPF	Botswana Patriotic Front
BPP	Botswana People's Party
BTI	Bertelsmann Transformation Index
CCM	Chama Cha Mapinduzi
CEC	Central Election Commission
CHADEMA	Chama cha Demokrasia na Maendeleo
CPJ	Committee to Protect Journalists
CUF	Civic United Front
EISA	Electoral Institute for Sustainable Democracy in Africa
EOM	Election Observation Mission
EU	European Union
IEC	Independent Election Commission
IFES	International Foundation for Electoral Systems

IPI	International Press Institute
IWMF	International Women's Media Foundation
NCCR	National Convention for Construction and Reform
NEC	National Election Commission
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Co-operation in Europe
RSF	Reporters Sans Frontières
TEMCO	Tanzanian Election Monitoring Committee
TSN	Tanzania Standard Newspapers
UDC	Umbrella for Democratic Change
UN	United Nations
USSR	United Soviet Socialist Republics
WHO	World Health Organization
YAP	Yeni Azərbaycan Partiyası

ABSTRACT

This project seeks to fill a gap in the regime classification literature on how to approach one-party dominant states. Historically, these states have been difficult to classify with numerous scholars expressing struggles in approaching these cases. Using the level electoral playing field, this study proposes a new meso-level classification scheme to create clearer regime classification for one-party dominant states. It uses three cases studies of current one-party dominant states to see if any of these regimes can realistically be considered democratic. The case study of Botswana in comparison to the other two one-party dominant states (Tanzania and Azerbaijan) as well as compared to three benchmark democracies shows that some one-party dominant states can be considered democratic.

CHAPTER ONE

ONE-PARTY DOMINANCE AND DEMOCRACY

“Botswana has long enjoyed peaceful elections and is one of the continent’s stable democracies” (Apiko, 2019). “Botswana is one of Africa’s success stories. A stable democracy, the country has evolved since its independence in 1966 from being one of the poorest countries in the world to its current status of upper middle-income country” (European Commission, 2021). “Although Botswana is not a large country, it is truly one of the extraordinary success stories in Africa. Since the mid-'60s it has moved on a path of good economic management and outstanding political governance” (Obama, 2009). These are some examples of how Botswana has often been lauded since its independence in 1966 as a strong African democracy.

This sentiment is not limited to mass media, political organizations, and politicians, but also appears in studies on democracy in the country and sub-Saharan Africa more broadly. Some scholars assert that Botswana can act as a model of democracy for other countries in sub-Saharan Africa (Molutsi and Holm, 1990). Furthermore, Botswana’s reputation for stable democracy coupled with pragmatism and liberal norms has been argued as a cornerstone of its economic success (Osei-Hwedie, 2000). Even studies that are critical of Botswana’s democracy, arguing that work remains to be done regarding checks and balances, still consider Botswana to be a democracy despite these potential deficiencies (Sebudubudu and Osei-Hwedie, 2006).

Paradoxically, throughout nearly 60 years of independence, the Botswana Democratic Party (BDP) has maintained majority control of the legislative and executive branches of government, meaning that Botswana is also classified as a one-party dominant regime, a country

in which all elected branches of the national government have seen majority control by the same party for at least three consecutive elections. In every single election, the BDP has maintained its status as a dominant party and while there have been changes in who the elected officials are, there has never been a partisan transition of power in the country. Yet while some regional scholars consider Botswana democratic, as shown above, many democratic scholars assert that a state without partisan transitions of power cannot be considered a democracy.

Huntington was one of the first to outline concrete guidelines for this democratic characteristic with his “two-turnover test” (Huntington, 1990). He asserts that after two peaceful, electoral transitions of power, competing political factions, such as parties, in a state will have won and lost power, which is a necessary sign of democratic consolidation (Huntington, 1990). If transitions are missing a state cannot be considered a democracy by this definition since the transitions themselves are the evidence that contestation is present, and that ruling parties will accept electoral outcomes. Other scholars of democracy agree with Huntington that competitive elections where the peaceful transition of power is shown by changes between partisan factions are necessary to prove democracy exists (Vanhanen, 2003 and Gastil, 1994). Even if other characteristics of democracy are present, some scholars assert that any state where a single dominant party wins at least three consecutive elections is to some degree intrinsically authoritarian (Przeworski, Alvarez, Cheibub, and Limongi, 2000).

Geddes notes in her work on understanding democracy that one-party dominant states can be difficult to classify, since without a transition of power it can be difficult to know how to treat those regimes, echoing the concerns raised by Huntington (Geddes, 1999). Geddes accounts for the difficulty by placing all dominant party systems as authoritarian states, yet also conducts her analysis with what she calls “stringent criteria” or “less stringent criteria” in her study where the

less stringent criteria remove these cases from the analysis (Geddes, 1999). The dual analysis highlights where the difficulty in classifying one-party dominant states begins. Being compelled to either remove the cases or run separate analyses is a problematic solution to the issue of one-party dominance considering currently over 10% of all countries are one-party dominant states, and thus severely limits the potential understanding of democracy and authoritarianism.

Geddes is not the only scholar grappling with classification issues and the potential to lead to Type I or II errors. Type I errors are where states are incorrectly classified as democracies, and Type II errors are where states are incorrectly classified as authoritarian. Researchers often opt for Type II errors citing an abundance of caution in classifying a state as a democracy (Cheibub et al., 2010). Yet as was the case with Geddes, in their study Cheibub and coauthors create a separate classification variable for these dominant party states if others wish to see results without those difficult-to-classify cases (2010).

While some scholars have attempted to create adjustments for these difficult-to-classify states, others have pursued the creation of their own data sets, such as a study titled “Extreme Bounds of Democracy” which looks at democratic transitions (Gassebner et al., 2013) and a study on the relationship between democracy and transparency (Hollyer et al., 2011). While these may work for one study at a time, given the large number of one-party dominant states it is not a tenable long-term solution to understanding the democratic or non-democratic distinctions of one-party dominant states. Considering there are currently 27 one-party dominant states across the globe, these current solutions will limit understanding of democracy in the long term.

Considering that numerous scholars identify competitive elections and transitions of power as key features of democracy, how can Botswana be heralded as a democracy when the BDP has maintained power since its independence? Why is there such a difference in democratic

classifications between some one-party dominant states such as Russia and Azerbaijan (both widely considered authoritarian) compared to other one-party dominant states like Singapore (commonly classified as a hybrid regime) and South Africa (often classified as a democracy) considering these countries share similar track records on partisan regime change? Historically, why was Japan considered democratic for much of the second half of the 1900s while Mexico was considered authoritarian despite both countries being one-party dominant states?

The answers to these questions lie in the fact that defining democracy has been a long evolving process, with scholars diverging on what constitutes a democracy. There are some firm starting points. No democracy scholar will disagree with Dahl's position that a democracy needs participation and contestation (Dahl, 1971). Yet scholars will disagree on numerous other aspects, often depending on whether that scholar opts for a more procedural or institutional definition of democracy. In a procedural view of democracy, the peaceful transition of power through competitive elections is the cornerstone of democracy, often classified as a necessary condition for democracy to exist (Cheibub et al., 2010). On the other hand, institutional measures of democracy focus on the outcomes of institutions, many of which are valued due to the increased intertwining of liberalism with definitions of democracy, such as upholding civil rights and individual freedoms (Cheibub et al., 2010).

These are just two of the larger distinctions in studying democracy. Even within these categories, some scholars will value certain aspects of civil rights, such as access to justice, higher than others. When dealing with one-party dominant states these democratic distinctions become more muddled. Many who utilize more procedural definitions of democracy would assert that a one-party dominant state can never be democratic. Yet some of these countries may uphold institutional measures that are in line with democracies that have partisan transitions of

power. The muddled definition of democracy complicates understanding of one-party dominant states. Further analysis concerning how democracy is defined will be conducted in the next chapter to help understand why democratic classifications for one-party dominant states have been fraught with difficulty.

The issue of understanding the relationship between one-party dominance and democracy is not limited to theories of democracy. The measures of democracy commonly used in democracy research do not often agree on how to classify these states. As was previously alluded to, the paradox of one-party dominant states is not unique to Botswana. In 2022 there were 27 one-party dominant states across the globe. The average length of dominance by one political party in these states is 24 years, and out of all 27 states, the median length of single-party rule is 23 years. Botswana and Singapore are the two longest-lasting one-party dominant states at 56 and 54 years respectively as of 2022. At the other end of the spectrum, Japan and the Republic of the Congo are the most recent one-party dominant states with the dominant party rule having lasted 10 years. It is important to note that Japan also had a historic period of one-party dominance for most of the post-WWII period in the 20th century as well. While some of these states began their one-party dominance more recently, and others much earlier, all have reached a point where the same political party has won majority control in multiple consecutive elections.

Turning to the democratic classification question, out of these 27 states, seven states have consistently been deemed as democracies by five different measures of democracy, one state is uniformly considered authoritarian by those same measures of democracy, and two states are consistently ranked as a transitory or hybrid regime type between a full democracy or fully authoritarian state. The remaining 17 states either have undergone transitions, becoming more or less democratic since their single-party dominance began, or there is a disagreement between the

measures of democracy on how to classify these states. The measures included in this study are Freedom in the World, Polity5, Varieties of Democracy (V-Dem), The Democracy Index, and the Bertelsmann Transformation Index (BTI). How these measures classify each of the one-party dominant states will be shown in the next chapter when defining one-party dominance. Further elaboration on how these measures approach their understanding of democracy to further explain the difficulty the measures of democracy have in classifying these regimes will be conducted in Chapter Three.

While the measures of democracy do not reach a consensus on all one-party dominant states, they do on a few. Some of these agreed-upon states are thus prime contenders for case study analysis for an in-depth look at how some one-party dominant states are considered democratic despite lacking partisan transitions of power. To analyze whether a one-party dominant state can be democratic, three case studies will be performed. Case studies of Botswana, Tanzania, and Azerbaijan will be conducted to evaluate the propensity for democracy in one-party dominant states. These cases have been selected since the five measures of democracy included in this study all assert Botswana is a democracy, Tanzania is a hybrid or mixed regime, and Azerbaijan is an authoritarian state.

These three states provide other benefits beyond agreement in the measures of democracy, and their differing positions on a democracy to authoritarian spectrum, which make them ideal cases for analysis. Each country has a different length of one-party dominance with Botswana being one of the longest-lasting one-party dominant states. Meanwhile, Azerbaijan is one of the newest one-party dominant states having starting dominance in 2010. Finally, Tanzania is only a few years above the average length of one-party dominance for all states. Two of the states do share a geographic region; however, since more than half of all one-party

dominant states currently in existence are in sub-Saharan Africa, having two cases from this region is representative of one-party dominance. Finally, Botswana is commonly identified by scholars as a particularly difficult state to classify. Geddes identifies Botswana as one of the reasons she conducts her analysis twice, once removing one-party dominant states, since it is a state that is most likely to be subjected to a Type II error of being incorrectly classified as an authoritarian state (1999). Further explanation of why these cases were selected compared to others will occur in Chapter Three after in-depth analysis of each measure of democracy.

These cases will be analyzed using the concept of the level playing field. The playing field refers to how political contestation between opposing factions or parties is structured. For instance, what laws govern party registration or candidate ballot access and are these laws both fair to opposition parties and parties in power? Are institutions set up to be impartial for equal application of election law and election management? Do election results demonstrate the ability of opposition parties to increase their vote share and potentially gain control of at least one branch of government? If the answers to these questions are yes, then the playing field could be described as level, allowing for true contestation between political factions, which is a key notion of democracy. In all one-party dominant states multiple parties contest elections, but with the same party consistently winning one of the biggest charges against their potential for democracy is that the electoral playing field is skewed in such a way that precludes sufficient contestation and thus democracy.

One important factor to note is that no electoral playing field can ever be fully level. There will always be some advantages given to those currently in power via incumbency advantages. Therefore, this study does not set a threshold of needing a completely level playing field to be considered democratic, because no state in the world would reach that goal. Rather, in

terms of the playing field, there must be a reasonable chance for opposition parties to successfully increase their power and eventually gain control of the government for it to be described as a democratic playing field.

With that important note, the level playing field will be the focus of this study. Evaluating the playing field within one-party dominant states and comparing those playing field distinctions across the three case studies can more clearly delineate if any one-party dominant state can be considered democratic, helping to solve this puzzle of the disconnect between theory and measures of democracy concerning one-party dominant states. With the focus on the level playing field, it makes sense for this study to utilize a procedural definition of democracy. A procedural definition aligns more closely with the level playing field since both have a more exclusive focus on participation and political contestation. While neither a procedural nor institutional definition fits perfectly on its own, a procedural definition is a better fit for this study. The greater distinctions between these two definitions which led to this decision, along with greater explanation of the numerous variables that can be included in the level playing field will occur in the next chapter.

Additionally, three weak democracies have been chosen to provide an average baseline to compare against the one-party dominant states. Ghana, Guyana, and Sri Lanka are the states selected for this purpose. These states were chosen since they are considered democracies by all five measures of democracy that were used to select the case studies, yet all three states are consistently at the lower end of the democracy category in these measures. Additionally, all three have partisan transitions of power, so for a one-party dominant state to be considered democratic, its electoral playing field would not only need to be more level than other one-party dominant states but comparable to the average of the benchmark democracies.

Building from the level playing field I am proposing a new meso-level classification scheme that can be used to explore the differences between one-party dominant states to better understand democratic distinctions between these states. This classification scheme is split into three categories: electoral laws and implementation, institutional independence of the judiciary, media, and electoral commission, and do election results show the opportunity for opposition party gains and potential control. As will be shown further in Chapter Three, many of the measures of democracy include several indicators that fall under the three categories proposed by the meso-level classification scheme. Yet each measure misses some indicators that are included in this new classification scheme and add numerous indicators that move beyond these key conditions of participation and contestation. Thus, the measures of democracy included in this study are useful tools in the macro-level analysis of democratic and authoritarian distinctions, and the proposed classification scheme is designed to complement them with more finite meso-level analysis on these one-party dominant states and their unique characteristics.

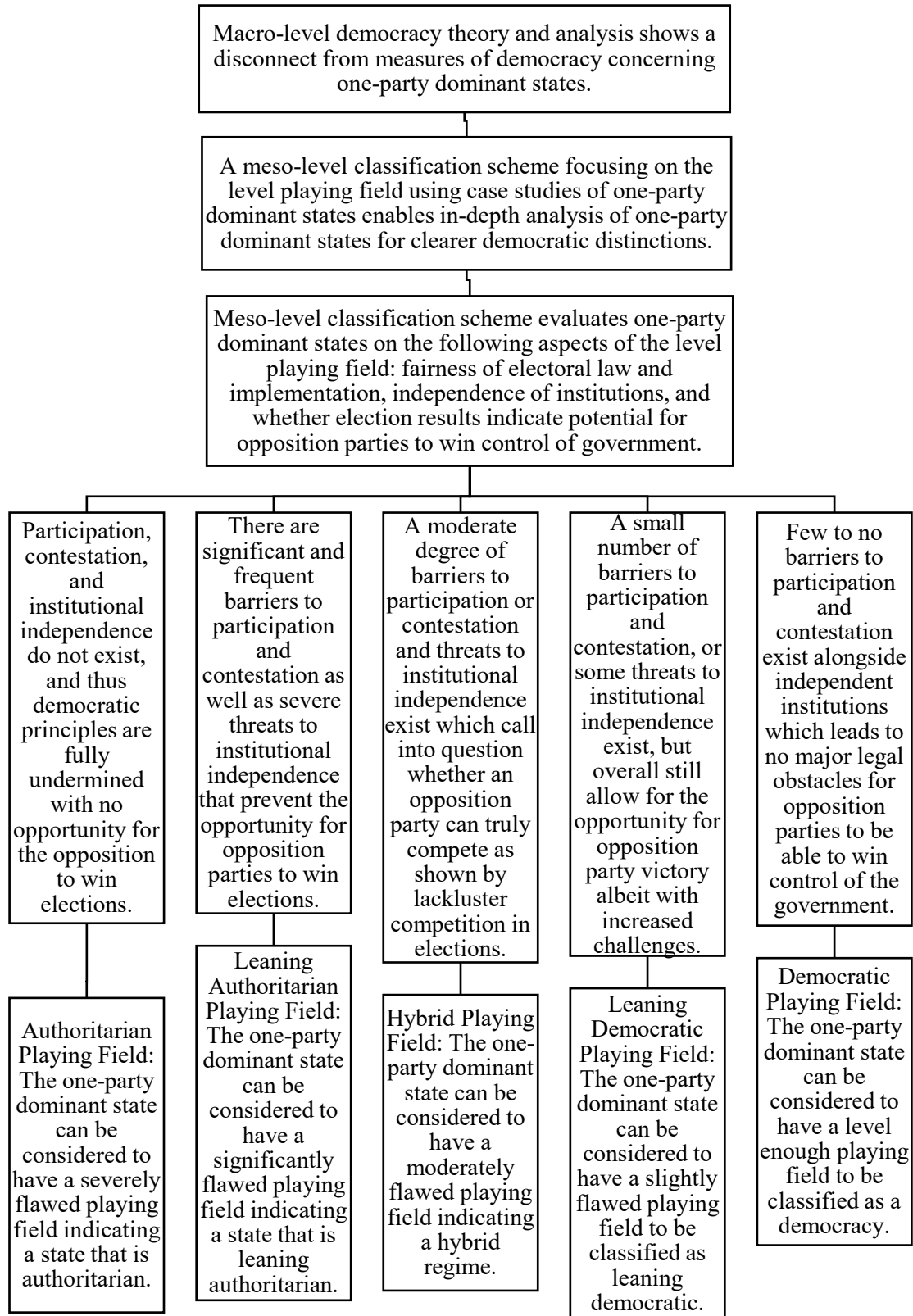
Each of these categories within the proposed classification scheme contains multiple indicators which are laid out throughout the rest of this study. These aspects are analyzed at length in each of the case study chapters for a greater understanding of how democratic classifications are decided upon. Points are assigned to each indicator to help with the classification of the playing field in the case studies and one-party dominant states more broadly. Within the classification scheme, each one-party dominant state is assigned points for each indicator and then compared with each other and benchmark democracy average.

Yet the main goal is to differentiate between one-party dominant states more effectively on a democracy to authoritarian spectrum. As such, it is necessary to assign categorical distinctions between the cases in this study and the average of the benchmark democracies.

These categories will help sort one-party dominant states into democratic distinctions based on their playing field to supplement the measures and theories of democracy in how they approach these difficult to classify states. This study proposes five classification categories concerning the electoral playing field: Democratic Playing Field, Leaning Democratic Playing Field, Hybrid Playing Field, Leaning Authoritarian Playing Field, and Authoritarian Playing Field.

A Democratic Playing Field creates few to no barriers to participation and contestation, has independent institutions to uphold a level playing field, and has no major legal obstacles to opposition parties being able to win control of the government. A Leaning Democratic Playing Field may contain a small number of barriers to participation and contestation, or have some threats to institutional independence, but still allow for the opportunity for opposition party victory albeit with more challenges than in a state classified with a democratic playing field. A Hybrid Playing Field has a moderate degree of barriers to participation or contestation and threats to institutional independence that call into question whether an opposition party can truly compete as shown by lackluster competition in elections, thus indicating missing features needed for democracy. A Leaning Authoritarian Playing Field would be one where there are significant and frequent barriers to participation and contestation as well as severe threats to institutional independence that prevent the opportunity for opposition parties from winning elections. Finally, an Authoritarian Playing Field is one where participation, contestation, and institutional independence do not exist, and thus democratic principles are fully undermined. Further elaboration on how the categorical divisions are arrived at, along with the score ranges for each category will be discussed at the start of Chapter Seven. Figure One on the next page provides a visualization of the classification scheme and the rationale for building a new meso-level analytic tool for studying one-party dominance and democracy.

Figure 1. Visualization of Classification Scheme and Rationale



Using the classification scheme, this study will explore the question of should all one-party dominant states be classified as authoritarian or can some of these states be classified as democratic. My findings show that there are indeed significant differences when comparing one-party dominant states. More specifically, in all three categories of the classification scheme Botswana maintains a significantly more level playing field than Tanzania and Azerbaijan. Botswana ends with a score that places it within the Democratic Playing Field category. Meanwhile, both Tanzania and Azerbaijan ended up within the Leaning Authoritarian Playing Field group after analyzing the aspects of their electoral playing field. There are still some distinctions between these two states with Tanzania near the upper bound of that category and Azerbaijan at the lower end, but the more significant difference is between them and Botswana. Botswana maintains a more level playing field concerning all aspects of election law and implementation, concerning institutional independence, and the number of legislative seats that have swapped between parties in just the last four election cycles show that around three-fourths of all elected positions to that body can successfully be contested by opposition parties, indicating a more level playing field. Tanzania, and to a greater degree Azerbaijan, have significant issues in all these areas that impede a level playing field which will be explored in greater detail in their respective case study chapters.

Additionally, Botswana overperforms the average of the three benchmark democracies in this new meso-level analysis tool. The average of the three weaker benchmark democracies ends with a score that places the average in the Leaning Democratic Playing Field. In fact, Botswana outperforms the individual results for each of the three benchmark democracies in the proposed classification scheme. Full results for each of the benchmarks are discussed in Chapter Seven and presented in the Appendix. Therefore, my findings show that it is possible for some one-

party dominant states to maintain a level playing field and thus the necessary democratic conditions of participation and contestation. Chapters Four, Five, and Six will provide in-depth analyses of the three case studies that explain their electoral playing field. And then Chapter Seven will demonstrate the comparison between these three, and their performance compared to the benchmark averages in the classification scheme which are the basis for these findings.

It is important to note that there are some limitations concerning opposition party capacity and cohesion that are not analyzed here. This dissertation focuses on legal avenues for opposition party competition, how well the institutions that play a role in elections maintain their independence, and election results. As such, it does not include aspects such as levels of private donations to dominant and opposition parties, disparities in the number of field offices or campaign workers between parties, and other similar structural factors that may differ between dominant and opposition parties. Therefore, there are opportunities to build upon these questions in future research. The final chapter, Chapter Eight, will discuss these limitations, as well as others, in greater detail.

This project sets out to answer whether any one-party dominant state can truly be considered democratic. To achieve this goal, the study will progress in the following way. Chapter Two will focus on defining vital terms for the study. It will begin with a review of the literature on one-party dominant states to explain the unique characteristics of these regimes. As with democracy, the concept of one-party dominance has evolved. I will trace the theoretical development of this regime type to show how the definition of a state where all elected branches of the national government have seen majority control under the same party for at least three consecutive election cycles was decided upon. Chapter Two will also review the literature on democracy. This analysis will focus on how democracy as a concept has evolved over time along

with the differences between procedural and institutional definitions of democracy. The chapter will then proceed with an analysis of the level playing field to lay out the framework of how the comparison of one-party dominant states will be explored and why the level playing field fits well as a tool for this meso-level analysis. Chapter Two will conclude with the hypotheses for this study which correspond to the main points of the level playing discussed briefly above and that will be elaborated on further in that chapter.

Chapter Three will focus on five measures of democracy. The goal of the classification scheme proposed by the study is to serve as a meso-level analytic tool to supplement the macro-level analysis from the existing measures of democracy. Thus, I will analyze these measures to show how they approach questions of democracy as a means of highlighting how this new classification scheme can complement them. An in-depth study of the measures of democracy will show how they each individually approach democracy, what factors they include that already correspond to the level playing field (and by extension what they do not include), and what variables they add that move beyond the procedural definition of democracy used here. Following discussion of the measures of democracy, Chapter Three will also explain the case study selection process which has led to Botswana, Tanzania, and Azerbaijan being the cases selected for in-depth analysis. It will show how these three states best fit the goals of the study, and why other one-party dominant states were not chosen as ideal cases. Finally, Chapter Three will lay out the methodology that will be used in each of the case studies to analyze the level playing field in each of the one-party dominant states for their eventual comparison.

Chapters Four, Five, and Six will analyze the three cases. Chapter Four will focus on Botswana, which is selected as an example of a one-party dominant state considered democratic by the measures of democracy. Chapter Five will analyze Tanzania, a commonly agreed upon

hybrid regime. Chapter Six will discuss Azerbaijan, a one-party dominant state agreed to be authoritarian by the measures of democracy. In each chapter the election playing field will be thoroughly analyzed from a variety of angles. Each will begin with a discussion of election law surrounding party formation and registration as well as candidate ballot access. The case studies will then focus on an analysis of election fraud, intimidation, or other methods of tampering that may benefit a dominant party. As the final part of the first hypothesis, each case study will evaluate the use of government resources by dominant parties in elections as these would give an unfair advantage to them not accessible to opposition parties. Throughout all parts of the first hypothesis how evenly these laws and regulations are implemented will also be discussed.

The second hypothesis in each case study will focus on institutions necessary for a level playing field. The independence of the media will be evaluated first due to its dual role as a watchdog on the current government and as a campaign tool for opposition parties. Second, the case studies will analyze judicial independence and the powers of the judiciary to arbitrate cases of election disputes. Finally, the electoral commission, the entity responsible for conducting elections in each of the case studies, will be evaluated for its independence.

The final hypothesis and focus of the three case study chapters will look at election results. Each election since the first victory of the dominant party will be analyzed. This section will look for trends in opposition party performance to see if there has been a path for opposition parties to increase their vote share or level of representation. The number of legislative seats that have changed hands between a dominant party and opposition parties will also be discussed as another avenue to see if there is a path for opposition parties to gain power in government.

Following the three case studies, Chapter Seven will provide a comparison of the three cases along each point of the classification scheme this study is proposing as a meso-level tool of

analysis. Also included in Chapter Seven will be the performance of three weaker democracies that have partisan transitions of power to establish a benchmark for what would need to be reached by a one-party dominant state to be considered democratic. The results of this comparison, which show that Botswana does maintain a democratic playing field, will be discussed at that time. Finally, Chapter Eight will conclude the study by discussing the implications of these findings as well as the limitations of the study and avenues for future research into the intersection of one-party dominance and democracy.

CHAPTER TWO

UNDERSTANDING DEMOCRACY AND ONE-PARTY DOMINANCE

The discussion of how most scholars of democracy approach the intersection of one-party dominant states and democracy highlights that much more work needs to be done. These regimes have been growing in number, and thus past solutions such as running multiple sets of analyses removing these difficult to classify states is not a feasible long-term solution. This study proposes a meso-level analysis of one-party dominant states along the concept of a level playing field to help address this knowledge gap. The first steps in this process are to understand exactly what a one-party dominant state is, how democracy is defined and the wide degree of variance in those definitions, and then what work has been done surrounding the intersection of these concepts. These steps will show how the electoral playing field is thus a useful tool for a new, meso-level classification scheme and along what principles these states should be evaluated. To begin this process, I turn now to the literature on one-party dominant states.

Defining One-Party Dominant States

While analyzing the existing literature special attention will be given to the concept of the level playing field. The level playing field is the mechanism by which the questions asked in this study will be evaluated. The reason for this lies in the disconnect between the theory and measures of democracy. One of the critiques of the various measures of democracy has been the growing inclusion of liberalism within the measures which some argue dilute the measures away from democratic definitions. The level playing field, however, focuses more on procedural measures of democracy that do not include the encroachment of liberalism to the same degree as

other definitions or measures of democracy. The distinction between procedural and institutional definitions of democracy, along with examples of how liberalism has been incorporated into the measures of democracy will be explored further in the section on defining democracy below.

These factors will help explain further why the level playing field is utilized in this study. But first, a firm definition of one-party dominant states is needed.

One of the initial empirical definitions of a one-party dominant state is one where the same political party wins at least three consecutive elections (Sartori, 1976). These consistent election wins should not be only for one type of election, such as the presidency, but all nationally elected offices including the legislative branch and executive branch (Bouček, 1998). For the legislature, a dominant party needs to win an outright majority of seats. Opposition parties can win legislative seats in a dominant party system but not in numbers great enough to challenge the dominant party's control of the legislative branch. Dominance can be achieved in presidential systems where the chief executive is elected separately from the legislature or in a parliamentary system, where the party that wins a majority of seats will appoint the chief executive. In either of these system types or their variations, the key is that a dominant party would maintain political control of the executive and legislative branches for extended periods. One-party dominant states need to be able to hold legislative majorities without the need for multi-party alliances or to include non-party affiliated independents. In some states, a party may find itself in majority control repeatedly through political coalitions, yet an argument can be made that the party is not dominant since it will compromise on its platform and agenda to form a coalition with other parties to create a government. Thus, in this study, I am only including states with dominant parties that have majority legislative control without coalitions.

It is necessary here to discuss another closely related regime type: one-party states. One-party states have as their defining feature that all opposition parties have been banned from running or were forced to merge with the ruling party, thus preventing any partisan competition (Przeworski et al., 2000). One-party regimes are authoritarian, and no measure of democracy has classified such a regime as a democracy. One-party dominant states on the other hand have multiparty elections but they “usually do not allow alternation of political power” but the opportunity for alternation does exist (Magaloni and Kricheli, 2010).

There are also debates about the margins of victory in the election and what that means for determining what is a dominant party regime. White argues that the size of the electoral win can impact how dominant a party is (1973). Geddes has also argued that an electoral victory margin plays a role in identifying the degree of dominance of the dominant party (1999). She states that an electoral margin of victory for the legislature of around two-thirds of all votes would imply a state is under a dominant party or that the dominant party has never lost the executive since coming to power (Geddes, 1999). However, she is not clear on how many consecutive victories are needed to establish a dominant party regime, unlike the Sartori definition of three electoral cycles. Determining the precise margin of victory necessary for a party to be considered dominant is difficult. Margins of victory would likely also vary between states with two major political parties and states with more than two major parties. Thus, I will not include the margin of victory in defining a dominant party regime, but it will be a factor in explaining some of the differences between different one-party dominant states.

Building upon the literature I will be focusing on certain criteria for establishing my definition of a dominant party regime, which applies to all 27 countries included in Table 1 below. For this study, a one-party dominant state holds multiparty elections and has the same party maintaining

control of both the legislature and executive at a national level. Complete political control needs to last for at minimum three consecutive election cycles without resorting to alliances or coalitions with other political parties or non-partisan representatives. They also must not have lost electoral control of either branch of government at any time during one-party dominance. The margin of victory or mechanisms used to maintain electoral dominance are not considered factors in defining a one-party dominant state but will be crucial in differentiating between types of dominant party systems and how some might be considered democracies. With the standard of what constitutes a dominant party system established, I now turn to an analysis of how the understanding of what democracy is has evolved, the current debates on a definition of democracy, and finally how little has been previously studied about the potential for one-party dominant states to be democracies.

Table 1. One-party Dominant States and Democratic Categorical Classification as of February 2023

Country	Beginning of One-Party Dominance	Freedom House	Polity5 ¹	Economist Intelligence Unit Democracy Index	V-Dem Regimes of the World	Bertelsmann Transformation Index
Japan	2012	Free ²	Democracy	Full Democracy: 2012-2014 and 2020-2022. Flawed Democracy: 2015-2019.	Liberal Democracy	N/A
South Africa	1994	Free	Democracy	Flawed Democracy	Electoral Autocracy 1995-1999 and 2013-2022, Electoral Democracy 2000-2012	Democracy in Consolidation 2006-2008, Defective Democracy 2009-2022
Namibia	1994	Free	Democracy	Flawed Democracy	Electoral Democracy 1995-1999 and 2017-2022, Liberal Democracy 2000-2016	Democracy in Consolidation 2008, Defective Democracy other years
Botswana	1966	Free	Democracy	Flawed Democracy	Electoral Democracy 1967-2009 and 2017, Liberal Democracy 2010-2016 and 2018-2022	Democracy in Consolidation
Bolivia	2009	Partly Free	Democracy	Hybrid Regime	Electoral Democracy	Defective Democracy
Mozambique	1994	Partly Free	Anocracy ³	Hybrid Regime 2006-2017, Authoritarian 2018-2022	Electoral Autocracy 1994-1996, 1998-2004, and 2009-2022, Electoral Democracy 1997 and 2005-2008	Defective Democracy 2006-2014, Highly Defective Democracy 2016, Moderate Autocracy 2018-2022

¹ The most recent data for Polity5 including all countries only continues through 2018.

² Free in the Freedom in the World index is equivalent to democracy.

³ The most recent Polity5 dataset defines an anocracy as a “mixed, or incoherent, authority regime”.

Singapore	1968	Partly Free	Anocracy	Hybrid Regime 2006-2013, Flawed Democracy 2014-2022	Electoral Autocracy	Moderate Autocracy
Tanzania	1995	Partly Free	Anocracy	Hybrid Regime	Electoral Autocracy 1995, 2001-2006, 2013, and 2016-2022, Electoral Democracy 1996-2000, 2007-2012, and 2014-2015	Defective Democracy
Nicaragua	2011	Partly Free: 2011-2018, Not Free: 2019-2022	Democracy	Hybrid Regime 2011-2017, Authoritarian 2018-2022	Electoral Democracy: 2012-2016, Electoral Autocracy: 2017-2022	Highly Defective Democracy: 2011-2016, Moderate Autocracy: 2018-2020, Hardline Autocracy: 2022
Togo	1999	Not Free: 2002-2007, Partly Free: 1999-2001 and 2008-2022	Anocracy	Authoritarian	Electoral Autocracy 1999-2007, 2010-2013, and 2017-2019, Electoral Democracy 2008-2009, 2014-2016, and 2020-2022	Hardline Autocracy 2008, Moderate Autocracy 2010-2022
Uganda	2006	Partly Free 2006-2017 Not Free 2018-2022	Anocracy	Hybrid Regime	Electoral Autocracy	Defective Democracy 2008-2016, 2020-2022, Moderate Autocracy 2006 and 2018
Angola	1992	Not Free	Anocracy	Authoritarian	Closed Autocracy 1992-2009, Electoral Autocracy 2010-2022	Hardline Autocracy 2006-2009, Moderate Autocracy 2010-2022
Cambodia	2003	Not Free	Anocracy	Hybrid Regime 2006-2016, Authoritarian 2017-2022	Electoral Autocracy	Moderate Autocracy 2006-2010, Hardline Autocracy 2011-2022

Gabon	1991	Partly Free: 1991-2008, Not Free 2009-2022	Anocracy	Authoritarian	Closed Autocracy 1991-1993, Electoral Autocracy 1994-2022	N/A
Kazakhstan	2004	Not Free	Authoritarian	Authoritarian	Electoral Autocracy	Moderate Autocracy 2006-2013, Hardline Autocracy 2014-2022
Russian Federation	2003	Partly Free: 2003, Not Free 2004-2022	Democracy 2003-2006, Anocracy 2007-2018	Hybrid Regime 2006-2010, Authoritarian 2011-2022	Electoral Autocracy	Highly Defective Democracy 2006-2013, Moderate Autocracy 2014-2022
Cameroon	1997	Not Free	Anocracy	Authoritarian	Electoral Autocracy	Moderate Autocracy 2006-2014, Hardline Autocracy 2016-2022
Chad	1997	Not Free	Anocracy	Authoritarian	Electoral Autocracy	Hardline Autocracy
Burundi	2005	Partly Free: 2005-2014, Not Free: 2015-2022	Democracy 2005-2014, Anocracy 2015-2018	Hybrid Regime 2006-2012, Authoritarian 2013-2022	Electoral Autocracy	Hardline Autocracy 2006 and 2018-2022, Moderate Autocracy 2014 and 2016, Highly Defective Democracy 2008-2012
Azerbaijan	2010	Not Free	Authoritarian	Authoritarian	Electoral Autocracy	Moderate Autocracy 2012-2013, Hardline Autocracy 2010-2011, and 2014-2022
Republic of the Congo	2012	Not Free	Anocracy	Authoritarian	Electoral Autocracy	Hardline Autocracy
Tajikistan	1999	Not Free	Anocracy	Authoritarian	Electoral Autocracy	Hardline Autocracy
Equatorial Guinea	1991	Not Free	Authoritarian	Authoritarian	Closed Autocracy 1991-1995, Electoral Autocracy 1996-2022	N/A
Dominica	2005	Free	N/A	N/A	N/A	N/A

St. Vincent and the Grenadines	2001	Free	N/A	N/A	N/A	N/A
Belize	2008	Free	N/A	N/A	N/A	N/A
Samoa	2006	Free	N/A	N/A	N/A	N/A

Source: Freedom House, Polity5, V-Dem, Economist Intelligence Unit Democracy Index, and Bertelsmann Transformation Index

Table 1 highlights that there is a vast gulf between theories on democracy such as those proposed by Huntington and Geddes, and how the measures of democracy classify one-party dominant states. Having two seemingly different classification schemes on how to characterize one-party dominant states is not a tenable solution considering the large number of one-party dominant states across the globe. While previous studies have attempted to alleviate this issue, such as was already demonstrated with Geddes, the growing number (more than doubling from 12 one-party dominant states before 2000 to 27 one-party dominant states in 2023) of one-party dominant states calls for a more long-term solution, which is why this study proposes a deeper analysis of one-party dominant states via the lens of the level playing field. With the standard of what constitutes a dominant party system established, I now turn to an analysis of the various definitions and understandings of democracy.

Defining Democracy

A common starting point for defining democracy is Dahl's conception in his classic book *Polyarchy*. Dahl identifies two necessary components of a democratic system: contestation (or competitive elections) and widespread participation (Dahl, 1971). These components allow for governments to fulfill a key characteristic of democracy which is a government that is responsive to the preferences of the people (Dahl, 1971). Dahl's definition also assumes several individual rights and freedoms that must be present to assure that contestation and participation are present, such as freedom of expression, the ability to organize, and the reliability of non-governmental sources of information such as a free press (Dahl, 1971).

Scholars have built upon Dahl's definition of democracy by refining the protection of civil liberties for citizens, often by including more rights, freedoms, and protections than what Dahl originally posited (Altman, 2013). The importance of government accountability has also

been argued to be a crucial component of democracy (Miller, 2018). Diamond identifies four vital components of democracy: political liberties, participation rights of citizens, equal justice, and equal rights for women (Diamond, 1999). These additions regularly appear in the measures of democracy and focus principally on numerous elements of liberalism.

The addition of liberalism has triggered a debate over whether definitions of democracy should be focused on a procedural view of democracy or an institutional view of democracy. In a procedural view of democracy, the peaceful transition of power through competitive elections is the cornerstone of democracy, often classified as a necessary condition for democracy to exist (Cheibub et al., 2010). Measures like these aim to rely on a minimal number of variables with clear coding based on these few key features of democracy (Cheibub et al., 2010). Proponents of these measures argue that procedurally defining democracy creates the most parsimonious way of conducting comparative research that can be applied in a wide-reaching way (Cheibub et al., 2010). However, scholars have also proposed that adding additional elements, such as direct popular decision-making, can be used in procedural definitions of democracy to differentiate between democracies (Altman, 2013).

However, these minimalist measures have difficulty accounting for how dominant party systems are classified within the democracy-authoritarian spectrum of regime types, which is a limitation that this project seeks to rectify. Many of these procedural definitions of democracy are proposed by the same scholars who note the difficulty in classifying one-party dominant states. Yet these procedural measures do align well, but not fully, with the concept of the level playing field. One of the key features of both the level playing field previously identified and these procedural definitions of democracy is competitive elections. The features of the level playing field identified above do add many more variables than most procedural definitions of

democracy commonly use, but all areas identified in the previous section do fit under the broad category of enabling competitive elections.

On the other hand, institutional measures of democracy focus on outcomes of institutions, many of which are valued due to the increased intertwining of liberalism with definitions of democracy, not just the existence of the institutions themselves, yet also struggle in accounting for one-party dominant states (Cheibub et al., 2010). One such institutional definition of democracy argues that democracy needs more than just open elections, but also contains numerous accountability measures that form a robust civil society (Stepan, 2000). It follows from a robust civil society that institutional definitions of democracy incorporate several rights and freedoms. These rights and freedoms that are becoming increasingly important for defining a democracy are related to liberalism, such as non-discrimination policies, women's rights, and access to a fair and equitable justice system. As has been shown already by scholars such as Diamond, many democracy scholars tend to opt for institutional definitions of democracy.

Several different measures of democracy include these institutional factors, but nowhere are they more prevalent than in the Varieties of Democracy (V-Dem) measurement which includes hundreds of individual indicators. However, there have been recent attempts to create a categorical scale of regime types based on the V-Dem data, resulting in a scale including four categories: Closed Autocracy, Electoral Autocracy, Electoral Democracy, and Liberal Democracy (Luhmann, Tannenber, and Lindberg, 2018). Placing Liberal Democracy as a more democratic system of government than an electoral democracy further highlights how intertwined liberalism has become with the way democracy is measured.

Several of the measures of democracy used in this study, such as V-Dem, Freedom House, and Polity5, all employ a categorical scale that includes numerous elements that are

focused on the outcomes of a political system, which is in line with an institutional definition of democracy. It is in these measures that the inclusion of liberalism with democracy becomes more apparent. It is due to these additions of liberalism that this study chooses to use the level playing field to help focus more finitely on the principles of participation and contestation identified by the definitions of democracy.

Examples of liberalism are present in every measure of democracy included in this study. Freedom in the World includes several indicators more concerned with individual liberties, such as freedom of religion (Puddington et al., 2022). Polity5 is closer to a procedural definition of democracy but still includes additional factors such as constraints on the chief executive (Marshall et al., 2022). The Democracy Index includes entire categories dedicated to aspects of liberalism and not a procedural definition of democracy, such as political culture (Democracy Index, 2022). The Bertelsmann Transformation Index similarly includes full categories about liberalism in its measure of democracy consolidation such as political and social integration (Donner et al., 2022). Finally, the Varieties of Democracy Index consists of 493 individual indicators and perhaps best expresses how liberalism has become intertwined with democracy due to this broad reach (Coppedge et al., 2022).

Yet all these measures of democracy do include variables that coincide with a procedural definition of democracy, even if overall these measures go beyond procedural definitions to include variables such as those mentioned above. Each measure of democracy included in this study varies in what they choose to focus on, and those differences will be analyzed in-depth in Chapter Three. Chapter Three will also more fully explore the encroachment of liberalism into the measures of democracy beyond that already described.

This study will rely upon a procedural definition of democracy. The decision to utilize a procedural definition does not mean institutional measures do not have merit. However, to build clear distinctions between one-party dominant states in the proposed classification scheme that will be laid out in Chapter Seven, a focus on variables related to necessary conditions of participation and contestation is preferable. As will be shown later in this chapter and again in Chapter Three following an analysis of the measures of democracy, the concept of the level playing field more closely aligns with a procedural definition of democracy thus making it the proper framework for testing the question of whether a one-party dominant state can be a democracy. Future research around one-party dominance and democracy, especially surrounding certain human rights concerns and other similar outcomes can certainly utilize an institutional measure of democracy, but as those questions are outside the scope of this study, the focus of the level playing field means a procedural definition of democracy focused on competitive elections will be used. Therefore, this study focuses on a definition of democracy that highlights two necessary conditions, equal and fair participation in the electoral process, and contestation between political factions in those elections.

One-Party Dominant Democracies?

As has been shown there is a broad literature on democracy. Similarly, numerous scholars have studied one-party dominance. However, research on the intersection between these concepts is limited. Some of the democratic theorists have touched upon the inability of one-party dominant states to be democracies as was shown at the beginning of this chapter with Huntington, Geddes, and others. Beyond these examples, a few other scholars have approached the broad question of one-party dominance and democracy which is the focus of this section. These other scholars have also often utilized elements that are associated with the level playing

field as a means of evaluating this intersection which further highlights why the level playing field is used in this study.

For example, Magaloni has focused on the mechanisms by which a dominant party maintains power in a one-party dominant state. If consistent electoral outcomes keeping a dominant party in power arise through extensive electoral fraud, that would lead to authoritarian outcomes and thus a regime being classified as an authoritarian state (Magaloni, 2010). However, if there is no evidence of electoral fraud and dominant parties win consistently due to party popularity, then a democratic classification for the state is possible. (Magaloni, 2010). Delegating election implementation to an independent electoral commission would be one way to prevent electoral fraud from occurring (Magaloni, 2010). Typically, these commissions would be favored by a dominant party when that party either already caters to popular sentiment on political issues or can alter its political stances to improve the party's popularity. Finally, Magaloni notes that unity among opposition parties makes it more likely for a dominant party to not engage in electoral fraud and rather cater to voter preferences in policy (Magaloni, 2010).

In a similar vein, Bogaards posits that if elections respect established rules and the dominant parties maintain power through multiparty elections, then these can still be considered democratic states (2005). Like Magaloni, Bogaards mentions the importance of not engaging in electoral fraud (2005). Yet he also focuses more on the balance of power in the government, specifically that the executive has checks and balances placed upon it, and no one can convert that position into a dictatorship (Bogaards, 2005). Bogaards also notes that there must be evidence that the opposition can grow their vote share to potentially win control of at least one branch of government (2005). However, if there are efforts by the dominant party to limit the effectiveness of rival parties, then these states are not democracies (Bogaards, 2005). In these

viewpoints, it is the methods utilized by the dominant party to win elections that can indicate the possibility for a state with a dominant party to be democratic, which is in line with part of the level playing field concept, although specifically on election fraud and management.

Another theory asserts that the ability to hold dominant parties accountable by minority parties is a way to determine if a one-party dominant state is a flawed democracy (Schrire, 2001). However, authoritarian states can be perceived as accountable and have taken measures to increase their accountability, such as human rights commissions in Malaysia (Rodan, 2009) and Vietnam's increased accountability in local representative bodies at the provincial level (Vasavakul, 2014). Thus, while some previous research has identified accountability as a possible determinant of democracy, due to the difficulty of measuring accountability and the fact that authoritarian states can take steps to improve accountability, accountability will not be a consideration in this study.

While these few authors have taken a more systematic look at one-party dominant states and the possibility that they can be classified as a democracy, most of the limited research in this area is on individual case studies. In a study on Japan, Scheiner takes the country's democratic classification by the measures of democracy as a given and instead focuses on the problems of opposition party unity in a one-party dominant state (2006). Studies in South Africa (Koelbe, 2017) and Zambia (Simutani and Mate, 2008) both focus on how one-party dominance is a threat to democratic norms in each state. Even the book *Uncommon Democracies: The One-Party Dominant Regimes* is an edited volume primarily focusing on the cases of Japan, Israel, and Sweden, but with limited cross-national comparison (Pempel, 2019). While there are more examples of case study work, particularly around the cases of Japan and South Africa, broader

studies focusing specifically on whether one-party dominant states can be democracies are lacking in the literature.

Since the literature on one-party dominance has so few studies on whether these states can be a democracy, this project seeks to fill that gap. While the few studies that do deal with the intersection of one-party dominance and democracy focus on individual case studies, this project will be one of the few multi-case comparisons on the topic. The framework of the level playing field will now be explained below as it will inform the hypotheses and how this study will approach these questions of one-party dominance and democracy.

The Level Playing Field

Competitive authoritarian states are viewed as a mixture of different elements of democratic and authoritarian systems that thus place them firmly between these two ends of the democracy-to-authoritarianism spectrum (Levitsky and Way, 2010). These states must have national elections that have open competition from multiple political factions or parties, along with no serious constraints on the elected government from unelected actors, such as the military for instance, but still include elements that create an unfair playing field effectively preventing political opposition from gaining much traction (Levitsky and Way, 2010).

As has been shown in the section defining one-party dominant states, there are several overlapping features between these categories. This overlap makes sense since the goal of the competitive authoritarian literature is to help understand democratic and authoritarian tendencies in hybrid regimes, which like one-party dominant states are difficult to classify. These similar goals are also why this study utilizes the concept of the level playing field to help evaluate one-party dominant states. However, as has already been shown, one of the key distinctions between these regime classifications is that the competitive authoritarian literature aligns with the

democratic theory already presented that asserts countries with these characteristics cannot be democracies. As the measures of democracy diverge on this point I utilize the framework of one-party dominance instead for case selection, but it is worth keeping these similarities between these regime classifications in mind since similar tools can be used in evaluating both.

There are numerous ways that an uneven playing field can be manifested. First, electoral laws could be biased in favor of the dominant party. Bias can occur for numerous reasons, such as if a candidate is barred for political reasons or if there are impediments against opposition parties such as limits on the right to assembly (Levitsky and Way, 2010). It is worth noting that there are legal ways to limit the ability of the opposition to run that are not featured prominently in the competitive authoritarian literature, which is why even though this is a starting point for the level playing field measures used in this study, it does not comprise all of them. For instance, most countries include signature thresholds and monetary deposits for candidates to appear on the ballot. In many places, these are very low and easily achievable by all parties. But if these barriers are high, it could impede newer candidates and parties that are already at a resource disadvantage to dominant parties. Additionally, if election laws bar or limit the ability for party coalitions to form that would impede opposition efforts which are often coordinated through opposition blocks to build a stronger support base to challenge dominant parties.

A second way the electoral playing field can be uneven is through electoral fraud. Election fraud can include measures such as stuffing ballot boxes, improperly counting votes, blocking certain individuals from voting due to political affiliation, or even violence against voters as a scare tactic to depress turnout (Levitsky and Way, 2010). All these actions would create an uneven playing field that would benefit the current party in power. Often minority parties challenging election results can be a signal that these behaviors are occurring (Magaloni,

2010). However, one aspect that is added to the level playing field in this study is the ability of election monitors to observe elections without impediment. While an opposition party challenging election results may be indicative of fraudulent election behavior, it alone is not proof. Allowing unfettered access to election observation by outside organizations, typically international monitors, creates an independent assessment of election security and fairness.

A third way that the electoral playing field can be uneven is if candidates for office from the dominant party are treated differently from those of minority parties in the application of the law. Unequal application of the law can occur if a candidate is barred for political reasons, if violence against candidates or their supporters occurs, or if certain laws, such as campaign finance laws are enforced unevenly to the benefit of the dominant party (Levitsky and Way, 2010). These are often used as ways to control and limit the opposition without outright banning opposition parties from functioning, thus maintaining the appearance of independent elections without them being fairly conducted on a level playing field.

A fourth way in which an uneven playing field can be manifested is via extra-governmental efforts. These efforts are designed to impede the ability of other political parties to organize and contest elections (Diamond, 1999). Extra-governmental efforts are different than simply banning opposition parties or having fraudulent elections. One potential avenue is through a resource advantage. However, the mechanism in which a resource advantage manifests itself matters for potential democratic or authoritarian outcomes. If a dominant party is utilizing state resources such as government employee labor for campaign activities, that would be an uneven playing field trending towards more authoritarian outcomes (Levitsky and Way, 2010). One area that this study adds to the list of unequal access to resources is the use of government or military transit to and from campaign activities by incumbents. While these are often cited as

used for security concerns, they are yet another resource that is more readily available to a dominant party and cannot be harnessed to the same degree as by an opposition party. It could also be that the dominant party will attract people interested in being politicians since they have a well-established political apparatus and thus people who desire to join politics will be naturally drawn to them compared to minority parties (Greene, 2010). The incumbency effect prevalent in all elections would facilitate some movement of individuals interested in government towards the dominant party, but in a one-party dominant state that effect would be exaggerated.

The resource advantage has been analyzed in case studies of Botswana and Senegal to highlight why Botswana has maintained one-party dominance while Senegal did not (Tesfahun, 2015). While both potential avenues create an uneven playing field, the second option of attracting political talent is how major parties in democracies across the globe are more likely to attract members than small minority parties, and thus is not necessarily a concerted effort to generate an uneven playing field. It is also worth noting here that due to incumbency there can never be a truly level playing field in any state with multiparty elections that allow for more than one term per officeholder. While incumbency itself will thus not be judged as part of the uneven playing field, it can still impact the level playing field overall, these incumbency-related effects need to be held in mind.

A fifth avenue for evaluating an uneven playing field is the independence of the media. Media independence can be looked at in several ways. One of these is seeing if there are independent media that are not owned by the government. Having access to a variety of sources instead of just government-sponsored ones would be a sign of a more even playing field. While state-owned media can still be part of a level playing field, there needs to be equal access to that media for all political parties and no evidence of coverage skewed towards the current party in

power (Levitsky and Way, 2010). Efforts to curtail independent media to quell reporting negative of the current regime via the targeted fining, jailing, or even murder or disappearances of individual journalists would all also be evidence of an uneven media landscape and thus an uneven playing field overall (Levitsky and Way, 2010).

Yet media independence is not just concerning individual journalists. The government targeting media outlets with fines, defamation lawsuits, or even suspending or forcibly closing critical media outlets or the government forcibly closing independent media outlets due to critical coverage would all indicate ways in which the access to information is unequally controlled, and thus the playing field uneven (Levitsky and Way, 2010). Essentially, any threat to the media, whether towards individual journalists or media outlets, would create an uneven playing field. Media has a dual role of acting as a watchdog on current government actions and as a campaign tool for all parties to get their message out to the masses. Impeding either of these functions would benefit the party currently in power and thus lead to a less level playing field.

A sixth potential mechanism for evaluating an uneven playing field is the independence of the electoral commission if one exists. In most states, the electoral commission is the body that oversees elections within a state and is typically at least nominally independent of other parts of the government per the law. Independent electoral commissions that are truly free of influence from other parts of government help facilitate election integrity and thus their existence tends to lead to a more even playing field. If these commissions are biased towards the dominant party that would undermine the electoral process (Levitsky and Way, 2010). An appointment system without input from multiple parties, the ability of the current government to remove commission members without recourse, or even the commission not having adequate resources to oversee campaigns without relying on other parts of the government would all indicate a lack

of independence for the commission. The impact of electoral commissions has been studied in cases of democratic consolidation, such as a study on electoral reform in Ghana (Botchway and Kwarteng, 2018). These entities are recognized not only in the competitive authoritarian literature but also in democratic case studies as vital instruments for maintaining democracy.

A seventh way for the playing field to be uneven concerns the judicial system. Independent judicial systems instill confidence in government since they can act as a check on other branches of government from corruption and abuse, and thus having them in place helps foster a more even playing field (Levitsky and Way, 2010). How judges are appointed and their protection from political retribution for their rulings are typical signs of judicial independence. Yet a case study on the relationship between the Supreme Court and electoral commissions in Kenya highlights another impact of the court system on the level playing field not currently featured prominently in the competitive authoritarian literature. While electoral commissions are typically seen as independent of outside influence if they are set up properly, that does not mean they are free from all checks and balances. The Kenya case of elections in 2013 and 2017 highlights how the court system acts as a check on election commissions can be a further way to make the playing field more even as a whole (Stacey and Miyandazi, 2021). In this case, the courts were used to arbitrate claims of election fraud that the electoral commission was judged not to have adequately investigated. Due to their need to be a check on electoral commissions and their power, one aspect this study adds to the level playing field is that judicial branches must be legally empowered to investigate claims of election fraud and arbitrate cases concerning the decisions of the electoral commission.

A final potential way of measuring if an uneven playing field exists is via the outcomes of elections. Diamond argues that the contestation of elections does not have to necessarily

produce a change in power, but the opportunity for the dominant party to lose must be plausible (Diamond, 1999). In his study on democracy, Vanhanen states that if a party wins with over 70 percent of the vote, the system cannot be democratic (2003). The argument states that despite multiparty elections, there must be other factors in play that prevent these elections from being free and fair given the lopsided margin of victory. The incumbent party may resort to overt methods such as electoral fraud to stay in power, or more subtle mechanisms of coercion and intimidation (Howard and Roessler, 2006). While the factors described by Howard and Roessler will likely present themselves in one of the other ways described of creating an uneven playing field, the margin of victory during elections does provide a useful look as to how well the implementation of the previous indicators is functioning.

As has been seen throughout the discussion of the level playing field, several of these features are incredibly useful for trying to evaluate states that have been historically difficult to classify as either democracies or authoritarian states. Yet there are still several individual indicators in each broad category that can be added to the concept of the level playing field and will be utilized throughout the rest of this study in evaluating the case studies that occur in Chapters Four, Five, and Six. A closer look at the measures of democracy in Chapter Three will show how the level playing field is an appropriate tool for the meso-level analysis proposed by this study to complement the macro-level analysis the measures of democracy utilize.

Hypotheses

Given these varied, but limited, attempts to understand the intersection between one-party dominant states and democracy, more work needs to be done. Further study on one-party dominance and democracy is especially prudent since one-party dominant states have been growing in number over time. Following the dissolution of the Soviet Union, several post-soviet

states have become one-party dominant states. In the early 2000s, several more states across the globe became one-party dominant states as well. As of 2022, 27 states in the international system were dominated by one political party despite having multiparty elections and had been for an average of over 20 years. Despite the optimism of the 1980s with the emergence of the third wave of democracy, one-party dominant states are a growing regime type, and thus the need to understand how to classify these regimes is vital. Otherwise, understanding democracy and applying democracy as a variable to study other outcomes of interest will be plagued with potential errors and discrepancies.

Building upon the previous work done and seeking to address some of the gaps to provide greater illumination on one-party dominance and democracy, this study will test several hypotheses. Each of the hypotheses focuses on the evenness of the political playing field. If a playing field is highly uneven that would be in line with more authoritarian states, and thus those scholars who operate under the assumption that all one-party dominant states cannot be democratic would be correct. However, if the playing field is mostly even, then a state should be considered a democracy as asserted by the measures of democracy since the evenness of the electoral landscape is a vital feature of democracies.

I use the words mostly even since there is always some unevenness in the playing field even in fully democratic states. The incumbency effect that favors those already in elected positions when running for reelection at the very least provides some degree of unevenness in the playing field.⁴ Although recent studies have shown that in young democracies incumbency can

⁴ For more information on the benefits of incumbency in democracies see: Hainmueller, Jens, and Holder Lurz-Kern. 2008. "Incumbency as a Source of Spillover Effects in Mixed Electoral Systems: Evidence from a Regression Discontinuity Design." *Electoral Studies* 27 (2): 213–27, Katz, Jonathan N., and Gary King. 1999. "A Statistical Model for Multiparty Electoral Data." *American Political Science Review* 93 (1): 15–32, and Kendall, Chad, and Marie Rekkas. 2012. "Incumbency Advantage in the Canadian Parliament." *Canadian Journal of Economics* 45 (4): 1560–85.

be a disadvantage if linked with high levels of corruption, the incumbency effect can be confounded by other factors (Klašnja, Marko, 2015). Even so, incumbency does come with certain benefits, such as easier access to the media. Because of incumbency, a state can't have a completely even electoral playing field. Thus, these hypotheses will be evaluated by looking at the degree of unevenness in the electoral playing field to see whether there are strong distinctions among one-party dominant states that would imply them occupying different spaces on the democracy to authoritarianism spectrum and if any of the one-party dominant states have a playing field even enough to be considered a democracy, such as in the example of Botswana already provided and other one-party dominant states that are currently considered democracies by various measures.

H1: A one-party dominant state is more likely to be considered a democracy if electoral laws are not biased in favor of the dominant party and if the dominant party refrains from committing electoral fraud or abusing government resources to benefit their campaigns.

Electoral laws typically cover a wide variety of issues. These include setting the limits of who is allowed to vote, procedures for running elections including the frequency of elections and length of terms, what activities are considered legal or illegal for campaigning, and what systems are put in place for adjudicating allegations of these laws being violated. As all of these are under the broad category of election laws, three specific areas will be analyzed in depth to evaluate the electoral playing field.

H1a: A one-party dominant state is more likely to be considered a democracy if electoral laws concerning the ability to organize allow for multiple parties to actively engage in the electoral process and are upheld.

These laws could include limitations on the right to organize, limitations on public assembly, laws that inhibit the creation of rival political parties, or changes in election laws that are designed to weaken opposition to the dominant party. Additional indicators that would show

a bias in the application of the law would be if opposition parties are routinely targeted under tax, libel, or defamation laws, while members of the ruling party are not treated the same under these laws would be an unequal implementation of law designed to hinder the electoral activity of an opposition. Penalties that are skewed unfairly towards opposition parties, such as fines, limits on the ability to organize, or even the jailing of political opponents would be indicators of an uneven playing field. These factors would indicate a legal way within the state of making the playing field more uneven through the selective application of the law. An analysis of existing law, court cases within the state, and reports by international election monitoring organizations will be the basis of the analysis.

H1b: A one-party dominant state is more likely to be considered a democracy if electoral laws concerning electoral fraud do not favor a dominant party and are upheld.

Elections must be run free of widespread electoral and voter fraud to be considered a level playing field. Rampant fraud of any kind would undermine the electoral law as written as it would show a lack of implementation of the law, and thus prevent any state with systemic problems related to election integrity from being considered democratic. Internal reporting from news outlets, political parties, and similar sources will be the first step in evaluating if widespread fraud is occurring. These findings will be further corroborated by the results of any court cases that arise from any allegations of electoral fraud along with reporting from international election monitors.

H1c: A one-party dominant state is more likely to be considered a democracy if electoral laws concerning campaigning prevent the use of government resources to benefit a dominant party and are upheld.

Dominant parties will enjoy some campaign advantages through the incumbency effect, such as increased name recognition and a larger platform of past accomplishments on average compared to opposition parties. While electoral laws cannot prevent an incumbency advantage

from occurring, they can place limits on what government resources can be used in campaigns. By their nature of currently holding office, dominant parties would have access to government resources that opposition parties would not. If these resources are used in campaigns, it would create an unfair advantage over opposition parties. Thus, there needs to be election laws written preventing the use of these resources and they need to be upheld fairly.

H2: A one-party dominant state is more likely to be considered a democracy if institutions deemed as necessary for democracy are free to execute their functions without government interference or reprisals.

Three different institutions are necessary for a level playing field: the media, an independent electoral commission, and the judiciary. Each of these plays a unique role in maintaining a level electoral landscape. As such, each of these institutions, while under the umbrella of the second hypothesis on institutions, receives its sub-hypothesis.

H2a: A one-party dominant state is more likely to be considered a democracy if the media is independent.

Independent media is a necessary institution for democracy. Political parties rely on independent media to campaign and disseminate their platform to voters. Additionally, independent media functions as a watchdog on governments to help prevent corruption. Without this, there would be fewer checks on the powers of dominant parties and an uneven electoral landscape that would be skewed towards a dominant party.

H2b: A one-party dominant state is more likely to be considered a democracy if the electoral commission is independent and free from government interference.

Electoral commissions are the institutions that conduct elections in most countries. The independence of electoral commissions is a vital component of a democracy. If the dominant party is either directly running elections or can place undue pressure on the institutions that run elections, then the electoral playing field cannot be considered even.

H2c: A one-party dominant state is more likely to be considered a democracy if the judiciary is independent and free from government interference.

When challenges to election results or election procedures occur, they should be adjudicated by the judiciary. Therefore, an independent judicial branch is vital to a level of electoral playing field. Without an independent judiciary, opposition parties would not have the ability to fairly and unbiasedly challenge abuses of election laws committed by a dominant party if those occur.

The independence of these institutions would be measured by specifically accounting for direct oversight of these entities by the government, evidence of bribery of officials in these institutions, or retribution efforts such as the jailing of reporters by the dominant party. These pieces of evidence will be supplemented by reports from international election monitors to assess the integrity and independence of these institutions.

H3: A one-party dominant state is more likely to be considered a democracy if opportunities exist for opposition parties to grow their vote share in elections to the point where they can potentially win either the presidency or legislature.

There may exist other factors that can limit the ability of opposition parties to compete with a level playing field outside of electoral laws and independent institutions. A close look at election results, especially heavily skewed or static electoral margins of victory would be a potential indicator of a playing field that is uneven in favor of the dominant party not captured by the first two hypotheses. Close elections, or subsequent elections where the minority party or parties demonstrate their ability to increase their vote share would be one way of measuring to see if opportunities do exist for minority parties to eventually win a majority. Another way this will be operationalized will be by seeing if the electoral coalitions supporting the dominant and minority parties change or realign over time as it would also indicate a more even playing field where parties can campaign successfully to change minds and votes.

Together, these three hypotheses provide a lens through which to explore the electoral landscape political parties find themselves. And while there is never a perfectly level playing field due to factors such as incumbency, the goal will be to see if there are significant differences between one-party dominant states. The meso-level analysis proposed by this study will supplement the measures of democracy and how they evaluate countries at the macro level. More finite cross-case comparison, as will be seen in each case study chapter and then filtered through the proposed classification scheme in Chapter Seven is designed to act as a complement to the existing measures included in this study which will now be analyzed in Chapter Three.

CHAPTER THREE

THE MEASURES OF DEMOCRACY AND CASE STUDY SELECTION

As was shown in Chapters One and Two, the disagreement on how to treat one-party dominant regimes permeates the literature on both democracy and one-party dominant states. The difficulty in classifying these countries is compounded by the fact that disagreement is highly prevalent across measures of democracy as well. As was highlighted in Table 1, most of the one-party dominant states face some degree of difference in their democratic or authoritarian classification between various measures of democracy. There was minimal agreement across all five measures, which I used to pick my ideal cases that will be explored in chapters four through six, but broadly speaking there was a lack of consensus on how to treat these cases of one-party dominant states across the various measures. Thus, this chapter provides a thorough analysis of five different measures of democracy used in the study. After analyzing the measures of democracy, case study selection and the methodology used to evaluate those cases will occur.

There are four main purposes for examining the measures of democracy. First, understanding the way these measures are used is vital to see how these measures correlate with the definitions of democracy previously discussed. Second, understanding the correlation makes it possible to identify ideal cases for further study of the intersection between one-party dominant states and democracy. The third purpose is to highlight through an exploration of these measures and their macro-level analysis how the classification scheme focused on the level playing field can complement them as a meso-level tool for in-depth comparisons among one-party dominant states. Finally, since each measure presented here has some limitations and challenges

regarding the ways they are constructed or evaluated, using all five measures for comparative analysis helps lessen any potential bias or limitation that may be present in one measure and thus strengthens the ideal cases selected for in-depth analysis in the following chapters.

Freedom House

The first measure used is the *Freedom in the World* data from Freedom House. Out of all the measures included here, *Freedom in the World* comprises the broadest scope in terms of countries with 195 countries included in the measure. These data are updated yearly which allows for ample comparison over time within each one-party dominant state based on new developments as well as ample comparison across the dominant party states. Freedom House asserts that its measure is based primarily upon the Universal Declaration of Human Rights that was adopted by the United Nations General Assembly in 1948 (Puddington et al., 2022).

Using the Universal Declaration of Human Rights leads to several initial insights into what data is collected, how these data are analyzed, and thus how Freedom House builds its classification system that will be useful going forward in the in-depth analysis of the measure. First, rights and freedoms for citizens within a state are a core component of their democracy measure. The authors of the measure note that while both the existence of laws protecting certain rights and liberties as well as their implementation are considered, greater weight is given to the implementation and how well these laws are upheld (Puddington et al., 2022). Second, the measure is split into two broad categories: political rights and civil liberties (Puddington et al., 2022). Third, the authors note that minimum thresholds with both those two broad categories and in certain sub-categories are required for a state to be considered a democracy (Puddington et al., 2022). Therefore, even if states do exceedingly well in certain aspects of the methodology used, that performance cannot offset not meeting these minimum thresholds.

To arrive at their final scores for each country per year, over 150 different analysts and expert advisors are consulted to weigh in on events within countries that impact the various political rights and civil liberties categories (Puddington et al., 2022). These events then lead to scores for 25 different indicators (Puddington et al., 2022). The way this index is constructed has led to critiques by other scholars. The first of these is that with so many different variables being measured in the index, there is potential to dilute the results and be unable to determine what factors are truly determinate of what does and does not make a democracy (Landman and Häusermann 2003). While Freedom House has attempted to address the issue by having certain minimum requirements in certain categories as noted above, it is still important to keep in mind when comparing the various measures of democracy. This critique also highlights how the meso-level focus on the level playing field is designed to complement this measure of democracy when evaluating one-party dominant states since the level playing field highlights only specific aspects related to participation and contestation. Other scholars have also noted that the *Freedom in the World* index does not contain enough transparency (Hadenius and Teorell, 2005) and the perceived lack of transparency leads to issues in trying to replicate the results (Munck and Verkuilen, 2002). Having five different measures of democracy can address some of these concerns about replication and transparency since other measures can be used in comparison to the Freedom House data to help select ideal cases.

Freedom House does provide all the categories, subcategories, and questions that help analysts create the democracy score for each country in a publicly available methodology section. Freedom House categorizes regimes as either free, which is analogous to democratic, partly free, which is analogous to a hybrid regime, and not free, which corresponds to authoritarian states (Puddington et al., 2022). In the end, states are ranked between one and seven

with one being the freest and seven least free (Puddington et al., 2022). The rating comes from an aggregate score that is out of 100, and that aggregate score is split between two categories: political rights (40 points) and civil liberties (60 points). Within these two categories, there are several subcategories with multiple indicators used to create the aggregate democracy score. I will provide a brief overview of all categories and a more in-depth analysis of the questions within subcategories that pertain to the hypotheses.

The political rights category contains three subcategories, the first of which is the electoral process. Within the category, there are three criteria that all speak to national elections and the openness of election laws. The first two criteria are whether the chief executive or head of government and the legislature are elected through free and fair elections (Puddington et al., 2022). The third criterion here is whether electoral laws are fair and implemented impartially (Puddington et al., 2022). These indicators of Freedom House's *Freedom in the World* index speak directly to the first hypothesis on election laws. Within the three case study chapters, it will be important to analyze exactly what the electoral laws say to establish what "free and fair elections" mean in practice, as well as look at corroborating evidence that these laws are indeed implemented fairly. Yet the inclusion of these measures within the *Freedom in the World* index does assist in selecting ideal cases of differing one-party dominant states and the subsequent analyses in Chapters Four, Five, and Six will show if there is indeed variation among one-party dominant states concerning electoral laws and their implementation.

The second of the three subcategories here is political pluralism and participation, and there are four different criteria for evaluation. The first two deal with political parties, specifically if they can legally operate and organize, are free of other impediments to their ability to function such as intimidation, and if there is a realistic opportunity for parties to increase their

level of support or gain power via elections (Puddington et al., 2022). These indicators will also feature as important points of analysis for the hypotheses laid out in the first chapter. However, there may be factors that inhibit the function of political parties not currently captured by Freedom House that will be explored in the case studies.

The third and final subcategory of political rights in the *Freedom in the World* index is the functioning of government, which contains three criteria. These criteria all concern corruption and transparency within the government, and the role of nonelected actors influencing policy (Puddington et al., 2022). While some of these measures can be seen to be indirectly related to several of the hypotheses, there are other criteria either already discussed or that will be in subsequent sections that address them more directly.

The other category of the *Freedom in the World* index is civil liberties, with four subcategories. The first of these subcategories, freedom of expression and belief, contains four different criteria, two of which directly address the hypotheses identified in Chapter One (Puddington et al., 2022). The first of these is the existence of free and independent media, which directly addresses part of the second hypothesis on independent institutions. Freedom of the press is vital for a level playing field otherwise the party in power would be able to control all the information received by the public and silence any potential dissent. Freedom of the press often means that independent media exists without constraints; however, it is possible for there to be press outlets owned by the state and still maintain a level playing field if those sources are not unduly influenced by the government at the time and are free to still publish stories and information that are critical of the current government without fear of reprisal.

The second subcategory, associational and organizational rights, contains one important measure that concerns the first hypothesis (election laws and implementation). That indicator

would be the freedom of assembly (Puddington et al., 2022). If there are not equal opportunities for political rallies and association for opposition parties compared to the dominant party, there would be an uneven playing field in favor of the dominant political faction. Without the ability for different political groups to organize, the distinction of being a democracy would be called into question since there would not be the opportunity for transitions of power and government to occur if competing parties are hindered in their operations.

The third subcategory is useful in analyzing both hypotheses one (election laws and implementation) and two (independent institutions). This subcategory is the rule of law and contains four criteria that focus on the independence of the judiciary as well as the fair implementation of the law amongst various groups within a state (Puddington et al., 2022). The independence of the judiciary, especially surrounding the implementation of the law, will thus be something that will need to be examined very closely in the upcoming case studies. Impartial electoral laws are one piece of the puzzle for establishing an even electoral playing field. But alone they are not enough. It is just as important that these laws are followed and implemented properly, otherwise, an uneven playing field would exist.

The final subcategory in the civil liberties section is personal autonomy and individual rights, which contain four indicators (Puddington et al., 2022). None of the indicators directly address any of the hypotheses, but they do provide a useful opportunity to examine one of the critiques of certain measurements of democracy discussed in Chapter Two, the intertwining of liberalism with measures of democracy. If individual rights are the main area in which countries are different concerning their democracy scores by Freedom House, that could indicate that procedures of democracy are being marginalized in favor of outcomes of liberalism, which would diminish the importance of key notions of participation and contestation. I now turn to a

brief comparison of the one-party dominant states grouped by their categorical rankings of freedom to see where the biggest variance lies.

As has been shown, out of 25 total indicators in the *Freedom of the World* index, 13 directly speak to the hypotheses concerning the level playing field while the remaining 12 do not. Again, this highlights how the level playing field can be used as a complement to this measure of democracy by providing a more in-depth analysis of certain aspects of participation and contestation. An initial comparison between the free and not-free states based on their average scores in each indicator from the most recent year of data reveals some interesting points of note within specific subcategories. For the sake of an initial comparison between all one-party dominant states, I have clustered them into groups whether they are considered free, partly free, or not free by Freedom House. For the sake of simplifying the comparison, I present some data on the differences between the averages of the states classified as free (democratic) and not free (authoritarian) to see if there is a significant difference in the *Freedom in the World* rankings for the one-party dominant states.

One piece of evidence that supports *Freedom in the World's* ability to differentiate amongst one-party dominant states is the 12 indicators that do not correlate with the hypotheses. These indicators are primarily concerned with outcomes often associated with liberalism and not structures of a democratic institution. When the average scores of the free and not free states are compared across all indicators there are greater degrees of difference depending on the question. The largest difference occurs in question A2, "Were the current national legislative representatives elected through free and fair elections" (Puddington et al., 2022). The question is out of four points, with a higher score meaning a more free and fair election. The free states average a score of 3.86, and the not free states a score of 0.31 for a difference of 3.55. In

contrast, a question concerning personal freedoms around the choice of marriage partners and other related family issues sees the least amount of variance with the free one-party dominant states scoring 2.57 out of four and the not-free states 1.23 for a difference of 1.34 (Puddington et al., 2022). While still a noticeable difference, the first question pertains more closely to the hypotheses than the second one. Eight of the 12 indicators that are not directly related to the hypotheses are within the bottom 10 of all indicators when they are arranged in terms of the difference between the averages of the free and not free states.¹ On average the one-party dominant states considered free by Freedom House are classified as such compared to the not-free states due to a greater differentiation concerning a level playing field, which is what this study posits is necessary for a one-party dominant state to be considered a democracy.

It is important to note that while the initial comparison highlights some ability of Freedom House to differentiate between one-party dominant states, *Freedom in the World* does not cover every feasible way of measuring an uneven playing field. First, two aspects of the hypotheses (independent electoral commissions and dominant parties not utilizing state resources in campaigning) do not appear to be measured by *Freedom in the World*. Additionally, while there are some questions in the measurement that do speak to the hypotheses, these are by no means an exhaustive list of the possible ways an electoral landscape could be considered uneven. Thus, while it provides an insightful comparison for the sake of helping select the ideal cases, the case studies themselves will go into greater depth on these aspects of democracy. This is not to say that *Freedom in the World* is flawed, but rather to highlight how a meso-level analysis on the level playing field provides a useful supplement to the macro-level analysis of democracy in all countries performed by this measure. Yet *Freedom in the World* is only one of the five measures

¹ A full table of all 25 indicators of the *Freedom in the World* index, along with the averages of the free, partly free, and not free one-party dominant states can be found in the appendix.

included in this study. I now turn to an initial description and analysis of the next measure, Polity5.

Polity5

Polity5 ranks countries on a scale from -10 which is the most authoritarian, to 10 which is the most democratic. Within the Polity5 scores, there are three distinct categories. States that are between negative 10 and negative six are considered authoritarian, states between negative five and five are classified as anocracies², and finally states with a score between six and 10 are considered democracies (Marshall et al., 2020). Unlike the Freedom House measurement, there are no specific thresholds that need to be crossed within specific categories for a country to be considered a democracy, the state only needs to have a high enough total score. That means it is theoretically possible for a state to score highly on the authoritarian spectrum within specific categories but still be considered a democracy overall. However, this theoretical case does not apply to any of the one-party dominant states.

Each country is assigned a separate democracy and authoritarian score and then these are combined to create their final polity score. The scales for both the democracy and authoritarian states share related categories but with different individual indicators within these categories. The first category is “Competitiveness of Executive Recruitment” (Marshall et al., 2022). If a state has open elections for the chief executive, whether via direct elections or indirect elections via a parliamentary system, then that state achieves the highest possible score for democracy of two points (Marshall et al., 2022). If there is currently a period of transition from one regime type to another, then the state in question receives one point towards its total democracy score (Marshall et al., 2022). Finally, if the chief executive is selected in some non-electoral way, such as by the military or via a coup, then the state gains two points to its authoritarian score

² The most recent Polity5 dataset defines an anocracy as a “mixed, or incoherent, authority regime”.

(Marshall et al., 2022). Due to the nature of the category, it is highly unlikely that a country would gain points for both its total democracy and authoritarian scores. As with the Freedom House measure of democracy, Polity5 directly speaks to some aspects of the level playing field in that competitive elections exist. However, by not including legislatures Polity5 is not as robust as the Freedom House measure.

The second category in the Polity5 framework for differentiating between democracies and non-democracies also concerns the chief executive, specifically the openness regarding the recruitment of the chief executive (Marshall et al., 2022). There are two ways in which executive recruitment can lead to a one-point gain in the total democracy score. The first is regimes have an electoral or selection process for candidates for the chief executive (Marshall et al., 2022). The other is that in a state with a hereditary leader, such as a king, if there is also a chief executive with political power that is elected, then the recruitment process is still considered democratic (Marshall et al., 2022). On the other hand, if the process for executive recruitment is solely via hereditary means, or if there is a head of state designated by hereditary and a chief executive that is designated by a closed process, then the country would gain one point towards their authoritarian score (Marshall et al., 2022). As was the case with the first category, due to the nature of the available designations it is not likely for a state to gain points in both the democracy and authoritarian scores. While the openness of executive recruitment concerns contestation in a political regime and is thus related to the concept of the level playing field, it is not as directly related as the first category.

The third category in the Polity5 framework concerns the level of restraint placed upon the powers of the chief executive (Marshall et al., 2022). It is also the category that carries the most weight in determining the final democracy and authoritarian scores. On the democratic

side, a country can receive as many as four points toward its democracy score if there is executive power parity with other branches of government in various areas (Marshall et al., 2022). Significant restraints on the executive can also lead to points towards democracy, but less than the maximum of four that is available (Marshall et al., 2022). However, only slight restraints on the executive or no restraints at all on executive power can lead to up to three points on the 10-point authoritarian score (Marshall et al., 2022). Sizable constraints on executive action may be an indicator that government resources are not utilized for campaign activities, the final part of the first hypothesis, but there is much more that will go into discussing and analyzing that aspect beyond one factor of executive constraints.

Overall, these first three categories do highlight one limitation of Polity5, an increased focus on the executive compared to other elected positions. The increased focus on the executive compared to Freedom House highlights a few points on the importance of utilizing multiple measures. First, these differences help to explain the variance between different measures of democracy in evaluating one-party dominant states. Second, evaluating the measures of democracy highlights how just as with trying to define democracy, the lack of consensus leads to numerous interpretations that can muddle systematic evaluation of the concept. Finally, these distinctions show that the measures of democracy may have gaps when explaining a level playing field. While these are useful starting points for understanding certain democratic aspects, they are being used to identify ideal cases due to missing certain aspects of the level playing field.

There are still two more categories to discuss. The first of these is the one category that only exists in the authoritarian score and not the democracy score, which is the regulation of political participation (Marshall et al., 2022). In a democracy, political participation is naturally

not limited outside of a few potential cases, such as children not being able to vote. However, there are differing degrees of regulating political participation which is why it is included in the authoritarianism measurement. If there are heavy restrictions on political activity based on region, political identity, ethnicity, or some other characteristics then a country will gain two points towards its authoritarian score (Marshall et al., 2022). If there are some restrictions, mainly on a sectarian basis after one central group comes to power then only one point instead of two would go towards the authoritarian score (Marshall et al., 2022). Regulation of political participation may help discuss the aspect of election fraud in the first hypothesis, but like the rest of the Polity5 data, the country rankings for each category are not publicly available, and the lack of restrictions on political activity while a good sign for voter fraud not existing, is not conclusive evidence.

The final category is once again the same for both democracy and authoritarian indices, just with differing indicators. This category also concerns political participation and focuses on the competitiveness of political participation (Marshall et al., 2022). Political participation does help address the final hypothesis, the ability of opposing political parties to increase their vote share. If political participation is illegal or allowed but restricted, then a state will gain points toward its authoritarian score (Marshall et al., 2022). States will be given points between one and three for their democracy score if the participation is open; however, lower points will be awarded if participation is transitioning from a restricted format to an open one (Marshall et al., 2022).

Unfortunately, Polity5 does not release scores for each indicator or even category, but just the overall democracy score, authoritarian score, and then the combined polity ranking. That means that, unlike Freedom House, it is not possible to delve deeply into which categories are

causing the largest distinctions between the one-party dominant states that Polity5 considers democracies compared to other categories. Out of the one-party dominant state, only three of the countries are considered democracies, four are considered authoritarian regimes, and the remaining 13 countries fall within the anocracy category (Marshall et al., 2022). Because of these classifications, there is minimal comparison that can be drawn from these data compared to the comparisons possible from the Freedom House data. The three states considered democracies have an average polity score of 7.66, the anocracies have an average polity score of -0.46, and the four authoritarian states have an average of -6.75 (Marshall et al., 2022). Thus, there is a slight overall skew towards more authoritarian tendencies for one-party dominant states since the largest category, anocracies, is slightly closer to the threshold for authoritarianism than democracy. However, these rankings of one-party dominant states do not reveal much which highlights the need to dig further into questions of what can make a one-party dominant state a democracy in the case study, but the cross-measure comparison of how states are ranked still aids in selecting ideal cases for these case studies.

Additionally, Polity5 does not publish yearly reports for each country as Freedom House does, so the rationale for how the final democracy and authoritarian scores are arrived at is more obscure. In fact, the most recent country reports published by the organization are from the previous Polity IV dataset and were released in 2010. The lack of regular country reports severely limits the ability to understand how countries are classified, especially when the data for each individual category is also not broken down and available.

In choosing ideal cases to study this is not a major issue since five measures of democracy are utilized to pick the cases in the subsequent chapters. As can be seen in the categories included by Polity5, several are related to the concept of the level playing field, but

numerous features, such as electoral commission independence and media independence are not included, which shows how the meso-level analysis of the level playing field can supplement democracy discussions for one-party dominant states. I now turn to one of the largest measures of democracy in terms of indicators, the Varieties of Democracy.

V-Dem

The third measure, Varieties of Democracy (V-Dem), presents unique opportunities and challenges. At the micro-level V-Dem has 483 distinct indicators that are aggregated into five large-scale indices: the electoral democracy index, the liberal democracy index, the participatory democracy index, the deliberative democracy index, and the egalitarian democracy index (Coppedge et al., 2022). Each of these indices is a separate dimension of democracy in the V-Dem methodology and thus receives its own score. With all these indicators numerous pieces of data can be called upon for in-depth analysis between countries. Yet, the sheer volume of indicators in the V-Dem dataset has made comparisons between these data and other measures of democracy difficult in the past. However, recent efforts to create a categorical scale using the V-Dem data have been undertaken by creating their own Regimes of the World classification.

Regimes of the World contains four different categories: Closed Autocracy, Electoral Autocracy, Electoral Democracy and Liberal Democracy (Lührmann, Tannenberg and Lindberg, 2018). These distinctions are made using a few key indicators along with two of the five large scale indices. The Regimes of the World measure functions differently from both measures of democracy previously analyzed. For each indicator, including the two large scale indices, certain thresholds must be met for every single one, as opposed to the two large scale composites of Freedom House or the methodology of Polity5, for a state to move along the path of being considered a democracy.

The first indicator considered in Regimes of the World is multiparty elections. If a state does not have multiparty elections, then that state is automatically considered one of the two autocracy categories (Lührmann, Tannenberg and Lindberg, 2018). For a state to be considered a one-party dominant state there must be multiple political parties running in elections. Thus, while the first step of the Regimes of the World classification system, it does not provide meaningful distinction for the one-party dominant states in this study.

States are then evaluated on whether elections are considered sufficiently free and fair. As is the case with the multiparty election indicator, if a state does not reach a sufficiently high score, it is also automatically considered an authoritarian state (Lührmann, Tannenberg and Lindberg, 2018). Here is where the first major difference between one-party dominant states considered democratic and authoritarian by Regimes of the World appears. This indicator is scored from zero to one with one being the most free and fair (Coppedge et al., 2022). The average score of the one-party dominant states classified as democratic is 0.45 higher than the average score of the authoritarian states. A near half point difference on a one-point scale is significant and highlights that within the case studies it will be important to see what evidence of elections not being free and fair, such as electoral laws not being followed, exists.

If states rank sufficiently democratic on these two indicators, then they are evaluated against the larger electoral democracy index, with states that do not perform sufficiently democratic being considered authoritarian states automatically as well (Lührmann, Tannenberg and Lindberg, 2018). Both the multiparty elections and free and fair elections indicators discussed are part of the electoral democracy index, but the index goes much further than either indicator by including other factors such as freedoms of expression and association to name a couple. Overall, there are 43 distinct indicators, and these indicators are grouped together into

five smaller indices. The first of these five indices directly address part of the second hypothesis (independent media). That index is concerned with freedom of expression and whether there are alternative sources of information (Coppedge et al., 2022). Included in the index are distinct measures for the availability of independent or alternative media sources, whether there is government restriction or harassment on these sources, and general freedom of expression within a state for both men and women (Coppedge et al., 2022).

The second category in the electoral democracy index is the freedom of association index (Coppedge et al., 2022). That index directly speaks to two of the hypotheses: electoral laws being equal across political parties and the ability of a party to grow its share of the vote. The freedom of association index has six indicators that focus on whether political parties are allowed to exist, if there are restrictions on alternative political parties that are currently out of power, if these opposition parties are autonomous, and the ability of civil society organizations to function (Coppedge et al., 2022). It also contains the measure for multiparty elections previously discussed. The freedom of association index not only addresses some of the laws concerning political parties, but also the ability of those parties to function effectively which relates to their ability to campaign and thus have the opportunity for increased votes.

A third category in the electoral democracy index also contains variables vital not only to the ability to increase the share of the vote by an opposition party, but also part of the second hypothesis on the independence of electoral commissions. The clean elections index has four variables that can impact the ability of an opposition party to increase its vote share which include the existence and extent of vote buying, voting irregularities, government intimidation of voters, electoral violence, or any other type of vote fraud (Coppedge et al., 2022). The other

variables directly address whether there is an independent or autonomous election management bureau, and the capacity of that institution to fulfill its mission (Coppedge et al., 2022).

The final two categories do not relate to the hypotheses. One is a single indicator category on the percentage of the population that has suffrage rights (Coppedge et al., 2022). The other is the largest category of the electoral democracy index, the elected officials index (Coppedge et al., 2022). The elected officials index does contain certain variables that are related to the level playing field, for example that the executive and legislative body are elected by citizens (Coppedge et al., 2022). But the other indicators deal with the appointment of cabinet ministers or other government officials which are not the focus of the level playing field in this study (Coppedge et al., 2022).

The electoral democracy index does create a threshold of 0.5 out of one for a state to be considered a democracy (Lührmann, Tannenberg and Lindberg, 2018). The average difference between one-party dominant states classified as democracies and those classified as authoritarian is not as high as the difference concerning the free and fair elections variable but is still quite high at 0.38. The case of Singapore is also interesting to highlight. In the 2019 data from V-Dem, Singapore has the highest free and fair elections score out of any of the 20 one-party dominant states, but an electoral democracy index score of under 0.5 (Coppedge et al., 2022). Singapore is the only state out of all the one-party dominant states to pass the democracy threshold for free and fair elections but subsequently fail the electoral democracy index cutoff. Overall, the clear distinctions here do show that according to V-Dem there is some major variation among the one-party dominant states, which the case studies will seek to explore further.

For states that are not able to clear the individual indicators and the electoral democracy index thresholds, they are then sorted into either an electoral autocracy or a closed autocracy. It

is important to note that the electoral autocracy category is the most common placement for one-party dominant states in Regimes of the World. Out of the 21 one-party dominant states that V-Dem has data for, 15 are considered electoral autocracies. Another two are closed autocracies with only the remaining four being classified as democracies (two electoral and two liberal). The distinction between these two comes from two of the indicators within the electoral democracy index. For a state to be considered an electoral autocracy that state must have both the executive and the legislature elected in multiparty elections (Lührmann, Tannenberg and Lindberg, 2018). Failure to clear these hurdles would lead to a state being classified as a closed autocracy, which is the least democratic category out of the four that are contained in the Regimes of the World framework.

States that have electoral structures strong enough to be considered a democracy are then subjected to three further tests to classify them as either an electoral democracy or a liberal democracy, with a liberal democracy being the highest categorical rating in the Regimes of the World framework (Lührmann, Tannenberg and Lindberg, 2018). The first distinction between electoral and liberal democracies is access to justice for both men and women (Lührmann, Tannenberg and Lindberg, 2018). States that do not have a sufficient level of access to justice for both men and women (a cutoff point of three on a four-point scale) are classified as electoral democracies and cannot be considered liberal democracies. Access to justice is why Namibia is not considered a liberal democracy by V-Dem as Namibia falls just short with a score of 2.94 (Coppedge et al., 2022). While Namibia does not clear that hurdle for liberal democracy, overall, it is another indicator where a significant difference exists between the democracies and authoritarian states with an average difference of 1.27 on a four-point scale (Coppedge et al., 2022).

From there, states are ranked by how transparent law enforcement apparatus are using the same scale and threshold as the equal justice measure. South Africa fails to be classified as a liberal democracy due to scoring below the threshold for transparent law enforcement (Coppedge et al., 2022). If a state does pass both thresholds though, which out of the one-party dominant states applies only to Botswana and Japan, then the state moves to the final mechanism that distinguishes between these two types of democracy. The difference between the democracies and non-democracies is striking, with an average difference of 1.13 on the four-point scale (Coppedge et al., 2022).

The final piece of the puzzle for distinguishing between types of democracy in the Regimes of the World framework is the liberal democracy index. Much like the electoral democracy index, the liberal democracy index is comprised of several categories and indicators, and states must meet a certain threshold to be considered a liberal democracy as opposed to an electoral democracy (Lührmann, Tannenberg and Lindberg, 2018). Most indicators here do not concern the hypotheses. However, there is one category concerning judicial independence that does relate to the second hypothesis on independent institutions such as the judicial branch and electoral commission independence. But overall, the distinction between types of democracies in Regimes of the World does not pertain to the central focus of this study.

Regimes of the World has several useful metrics that have highlighted areas that will be analyzed further in the case studies in the subsequent chapters. As was the case with the previous measures of democracy analyzed, some aspects of the hypotheses presented in Chapter One are addressed. However, no measure thus far has been able to fully capture the aspects of a fair playing field, highlighting the need for analysis of one-party dominant states that goes beyond the existing measures of democracy.

Yet the substantial number of indicators, along with specific variables that can lead to an authoritarian classification make V-Dem a unique complement to the other measures already discussed in selecting states as ideal cases. The large number of indicators also presents another aspect as to why the meso-level analysis tool proposed in this study is complimentary to the measures of democracy and their macro level analysis. With so many indicators it is easy to see how aspects of liberalism, discussed in Chapter Two, have influenced the rankings for states within some measures of democracy. While this can be useful for sorting states along a democratic spectrum, the tighter focus on aspects related to participation and contestation via the level playing field provides a rich analysis that complements the measures of democracy.

Democracy Index

The fourth measure of democracy used is the Democracy Index developed by The Economist Intelligence Unit and covers 165 states around the globe, including all the one-party dominant states excluding the few microstates that are under 500,000 in terms of population size. The Democracy Index is relatively new and thus has not been used in as many studies as the other measures discussed, but it has been growing in popularity and is utilized in several studies such as: a study on the relationship between democracy and accessibility to health services (Walker, Anonson and Szafron, 2014), the relationship between democracy and political protest in Europe (Dubrow, Slomczynski and Tomescu-Dubrow, 2008), and measuring democracy's impact on human empowerment (Alexander and Welzel, 2011). Thus, due to its rising level of usage I am including it as one of the five measures used to select the case studies.

The Economist Intelligence Unit argues they designed the measure with a robust number of categories due to other measures of democracy not being sufficiently broad and missing features concerning the substantive outcomes of a democracy (Democracy Index, 2022). One of

the ways the Democracy Index tries to achieve this and an argument for its unique qualities is in the addition of political culture to the puzzle of measuring democracy (Democracy Index, 2022). It also stresses an increased focus on participation beyond what other measures of democracy entail (Democracy Index, 2022). In practice, that increased focus means having 60 indicators between five broad categories: electoral process and pluralism, civil liberties, the functioning of government, political participation, and political culture (Democracy Index, 2022). Each indicator is either awarded a score of one if the state has met the goal in the indicator, a zero if the state has not, and half a point if there is a grey area where a simple dichotomous measure may not fully capture the reality of measuring that indicator (Democracy Index, 2022).

Each of the five broad categories are given a score from zero to 10 based upon the scores of the indicators in each category, and those scores are averaged to create the final democracy score (Democracy Index, 2022). Countries are then split into four classifications of regime types: full democracies - scores of eight or higher, flawed democracies - scores between six and eight, hybrid regimes - scores between four and six, and authoritarian regimes - scores lower than four (Democracy Index, 2022). To arrive at these scores, The Economist Intelligence Unit combines expert opinions along with relevant public opinion polling data from sources such as the World Values Survey (Democracy Index, 2022). These public opinion data feature in the political participation and political culture categories (Democracy Index, 2022).

The first category, electoral process and pluralism, contains 12 indicators with many being closely tied to the hypotheses on electoral laws the ability of opposition parties to increase their vote share. Relevant indicators include if elections for national office free and fair, are campaign activities opportunities are equal between political factions, can citizens form political parties independent of the current government, is voter intimidation present, and an indicator

asking if “opposition parties have a realistic prospect of achieving government” (Democracy Index, 2022). The Democracy Index’s report includes scores for each country at the broad category level, so while direct comparisons on each indicator are not possible, a comparison of the one-party dominant states considered democratic and those considered authoritarian is possible for broader electoral process and pluralism category. Once again taking the averages of the countries in the respective categories shows a difference of 6.16 out of 10 between the democracies and nondemocracies in terms of how democratic the electoral processes are (Democracy Index, 2022). As with the other measures discussed thus far this does mean that within the case studies there should exist significant differences in the creating and application of election law if the one-party dominant states that are considered democracies do warrant that distinction.

The next two categories are the functioning of government and political participation. Within the functioning of government category there are only two indicators that are tangentially related to the questions explored in this study: the level of government transparency and the level of government corruption (Democracy Index, 2022). These two indicators are related to several hypotheses since government corruption can play a role in factors such as the independence of the media, independence of the judiciary, and use of state resources for campaigns, but do not address those issues directly. There is still a sizeable difference of 4.96 between the democracies and non-democracies, but not as large as the electoral process category. The third category of political participation only has one indicator that speaks towards an uneven playing field (opportunities for opposition party victory), which is if minority groups have a “reasonable degree of autonomy and voice in the political process” (Democracy Index, 2022). While this does not directly address the hypothesis, the indicator can relate to it since constraints on certain

populations that do not apply to majority populations would be a factor that could limit the ability of an opposition party to increase its share of the vote. There is still a significant difference between the democracies and nondemocracies, but a less severe one at only 2.7 out of 10 (Democracy Index, 2022).

The fourth category, democratic political culture, does not have any indicators that relate to the hypotheses. The category focuses primarily on public opinion questions from the World Values Survey concerning the public's views on democracy and consolidation of power under one executive (Democracy Index, 2022). However, the category does not evaluate if that consolidation of power is occurring, just the public's view on that concept. As such, none of the indicators are of particular use in relation to the hypotheses.

The final category, civil liberties, does contain numerous indicators that relate to several of the hypotheses. Four of the 17 indicators directly address press freedom both in terms of independent press existing, and regarding how much pressure there is from the government on the media (Democracy Index, 2022). There is also an indicator concerning the independence of the judiciary from influence of other government organs (Democracy Index, 2022). Finally, there is one indicator which evaluates how equally citizens are treated under the law (Democracy Index, 2022) which can impact how political parties and opposition candidates receive equal treatment under the law. This final category again sees a significant difference between the average scores of the democracies and nondemocracies with a difference of 5.12 out of 10. Overall, these average score differences do indicate significant differences between dominant party states which if borne out will become clear throughout the case studies.

As with the other measures of democracy, The Democracy Index does have some potentially problematic issues as well. The major issue unique to this measure of the use of

public opinion data in crafting its democracy evaluation. Public opinion data can be unreliable for a variety of reasons. The first of these is that public opinion can be a method of controlling a political agenda by those who are asking the questions since they are then essentially influencing what issues the public should think and care about (Berinsky, 2017). Public opinion can also be influenced by question wording or the order in which questions are presented (Tourangeau, Rips, & Rasinski, 2000). And finally, the level of knowledge the mass public has about politics is low (Converse, 1990).

Public opinion can create issues for using the Democracy Index. If public opinion cannot be fully relied upon and is part of determining the scores for various indicators within the Democracy Index, then there is some inherent uncertainty about the final classifications used by the measure. That is one reason for using multiple measures of democracy, to help alleviate any potential biases or flaws contained within just one measure. Additionally, there are a few factors within the measure that can help mitigate concerns over public opinion. Balancing public opinion with the use of experts is one way to account for those issues identified in using public opinion. Naturally, this can also come with its own set of issues which have been addressed in talking about the previous measures of democracy, particularly surrounding transparency. Additionally, the indicators that are influenced by public opinion data have little overlap with the key indicators identified in relation to these hypotheses. The use of multiple measures of democracy in selecting the case studies will mitigate the uncertain nature of public opinion being used as a factor in assessing democracy.

The use of public opinion also highlights how this project and its proposed framework on the level playing field can complement measures of democracy. Laws and institutional structures concerning participation and contestation are not likely to be impacted by public opinion.

Therefore, the meso-level analysis proposed in this study can help provide a rich analysis between one-party dominant states concerning these aspects while The Democracy Index focuses on its macro-level analysis. Thus far, the four measures of democracy have shown some ability to speak to various aspects of the hypotheses, but no measure fully captures all aspects of the questions asked. Therefore, it is becoming increasingly clear that using multiple measures to pick ideal cases for further study can help shed light onto democratic classifications for one-party dominant states, and I now turn to the final in the measure, the Bertelsmann Transformation Index.

Bertelsmann Transformation Index (BTI)

The BTI does not measure the level of democracy directly, but the level of democratic consolidation. Yet the categories the BTI uses to evaluate and compare democratic consolidation contain many similar indicators to the other measures of democracy. Each country is assigned a democracy consolidation score from one (least consolidated) to 10 (most consolidated), and then ranked as either: hard-line autocracy, moderate autocracy, highly defective democracy, defective democracy, or democracy in consolidation (Donner et al., 2022). Thus, while this measure officially concerns democratic consolidation, the BTI does create categorical distinctions between democracies and autocracies.

The BTI compares consolidation of democracy in 128 countries across seven regions in the developing world: East-Central and Southeast Europe, Asia and Oceania, Latin America and the Caribbean, Post-Soviet Eurasia, West and Central Africa, Middle East, and North Africa, and Southern and Eastern Africa (Donner et al., 2022). As with all other measures besides Freedom House, the BTI includes all one-party dominant states except for microstates, or states under 500,000 in total population. There are five categories to measure democratic consolidation:

Stateness, Political Participation, Rule of Law, Stability of Democratic Institutions, and Political and Social Integration (Donner et al., 2022). As with the previous measures, an in-depth look at these categories can shed light on how related this measure is to the hypotheses and provide another point of comparison with the other measures of democracy.

The first category of Stateness is concerned with the existence of certain characteristics that define a territory as a state. These include whether the government has a monopoly on the use of force or if there are guerilla groups in the country, the existence of basic administrative structures, if the government is secular, and if the people accept the state as legitimate (Donner et al., 2022). As such, while this category is used to help determine a state's democratic consolidation ranking overall and thus will be a slight influence on the case studies selected, there are no specific indicators that will be analyzed further from the Stateness category. The BTI does provide scores per indicator for each country and for the overall categories as well. Using an average of the scores for democracies and non-democracies in the most recent data from the BTI will highlight some interesting trends. For this category, these averages show that in terms of Stateness there is not much difference between one-party dominant states. There is only a 1.04 difference in the averages grouped by classification on a 10-point scale, which is less than half of the difference between the states classified as democracies and nondemocracies in any other category (Donner et al., 2022).

The second category, political participation, is much more closely aligned with the hypotheses. Political participation contains an indicator evaluating whether multiple parties are free to form and organize without restrictions which directly addresses hypothesis one about election laws (Donner et al., 2022). Here is the first major difference between one-party dominant states classified as democracies and nondemocracies with a difference in the average

scores of 5.55 on a 10-point scale (Donner et al., 2022). Part of the scoring includes evaluating if all candidates have fair and equal media access which speaks to the second hypothesis on independent institutions as well (Donner et al., 2022).

Another indicator concerns methods of limiting the ability of people to form and operate political or civic groups which would include political parties and thus speak to the first hypothesis on election laws as well (Donner et al., 2022). Another substantial difference is seen here between the democracy and nondemocracy averages with an average score 5.16 higher for the democracies on a 10-point scale (Donner et al., 2022). The final indicator directly addresses if there is legal press freedom and if there is any effort by the government to curtail critical reporting such as the intimidation of journalists, all of which directly corresponds to the hypothesis on independent institutions (Donner et al., 2022). While this indicator does not see as large of a gap between the democracies and nondemocracies, the difference is still sizable at 4.61 (Donner et al., 2022). Thus, unlike the Stateness category, the political participation category does highlight that in the BTI methodology there are significant differences between one-party dominant states, and these correspond to areas that will be explored further in the case studies, which lends support to using this measure as one of the ones to help select the case studies.

The third category, Rule of Law, also contains four indicators, three of which speak to the hypotheses. One of the indicators is related to the second hypothesis (independent institutions) which directly asks if there is an independent judiciary (Donner et al., 2022). The difference between democracies and nondemocracies in this indicator is again substantial with a difference of 5.65 (Donner et al., 2022). Two other indicators help address part of the first hypothesis (election laws and management). One of the indicators measure the existence of mechanisms for holding current government officials accountable for corruption (Donner et al., 2022). This is

one category in which the difference between the averages of democracies and nondemocracies is smaller at only 2.20 and could indicate some potential areas of similarity between the case studies (Donner et al., 2022). The final indicator of note is if there are civil rights guarantees for citizens, and here there is a larger difference based on regime type with the democracies having an average score 4.10 higher than the nondemocracies (Donner et al., 2022).

The fourth category, Stability of Democratic Institutions, has only two indicators: “performance of democratic institutions” and “commitment to democratic institutions” (Donner et al., 2022). These two indicators measure whether democratic institutions exist, if they have the capacity to perform their functions and carry out their goals, and if these institutions are viewed as legitimate by all the political players in a state (Donner et al., 2022). The BTI defines a democratic institution as varying levels of government between national to local, the judiciary, and public administration (Donner et al., 2022). In other words, do different branches and levels of government exist, and how capable are they of carrying out their mandates? However, these broad indicators make it difficult to see what aspects may vary between states since some states may not have local levels of government but may have independent judiciaries and another state the opposite. The differences between democracies and nondemocracies for average scores are remarkably high 5.71 (performance) and 6.27 (commitment), but without deeper distinctions in these broad indicators only surface level analysis is available.

Within the final category, Political and Social Integration, there are again four indicators with one standing out. That indicator measures if there is a party system in a state that can articulate the collective interest of its members (Donner et al., 2022). Political parties that are not capable of successfully advocating for their members would indicate a highly uneven playing field. Additionally, it addresses the third hypothesis (opportunities for opposition party victory)

since an opposition party without the ability to gain more seats in a legislature would be ineffective at articulating interests of its members. The other indicators here concern public opinion and interest groups, which are not related to any of the hypotheses.

Like the other four measures of democracy, the analysis of the BTI highlights how a meso-level analysis focused on the level playing field can act as a compliment to this measure when evaluating one-party dominant states and their difficult democratic distinctions. The Stability of Democratic Institutions category in the BTI is one of the best examples of this complement. Using the questions and hypotheses proposed in this study it is possible to delve deeper into which types of institutions have independence and stability, and what degree of stability exists. At the macro level understanding broader stability distinctions is useful, but the classification scheme proposed in this study will help separate out certain key institutions at the national level from their conjunction with local levels of government as happens in the BTI.

As has been shown in the analysis of all five measures of democracy, each one contains several points that do address the level playing field. Yet no measure fully captures the various ways in which the playing field can be uneven. Thus, these measures are useful in picking ideal cases for further study, due both to their usage by scholars of democracy and having several indicators that related to the hypotheses from Chapter One. Yet there are also aspects in which the meso-level analysis of the level playing field complements these measures. Election commissions and government resources in campaigns appear to be the most often overlooked aspects among these measures which provide potential for the level playing field to supplement the macro-level analysis of the measures of democracy.

There is one last point that needs to be noted about the different measures of democracy. Nearly every measure of democracy does not include microstates, or states with a population of

under 500,000. Four of the cases of one-party dominant states, including all three cases in the Latin American region, are microstates. Freedom House does include these states, yet the other five measures do not. Therefore, for these cases the available analytical tools will be limited to just one measure of democracy, but all the other cases will be judged along all five measures of democracy.

Case Studies

The analysis of five different measures of democracy shows that when it comes to measuring democracy, there is significant differentiation among one-party dominant states. Based upon the research presented in Chapter Two, there is less consensus among scholars of democracy if a one-party dominant state can be a democracy since transitions of power between political factions do not occur. Due to the discrepancy between theory and measures, it is necessary to delve deeper into the political realities of one-party dominant states to see if there is indeed variation when it comes to a level political playing field. Case study analysis can answer whether the measures of democracy are adequately classifying these states based upon a level playing field, and if a one-party dominant state can indeed be considered a democracy.

Three case studies have been chosen to evaluate the proposed hypotheses: Botswana, Tanzania, and Azerbaijan. These cases have been selected to represent ideal cases of one-party dominant states that are widely considered by the measures of democracy to be a democracy (Botswana), a hybrid regime (Tanzania), and an authoritarian state (Azerbaijan). In selecting ideal cases, the first step was to identify states that all five measures of democracy agree upon their democratic to authoritarian classification. Each measure of democracy has its own unique indicators that make up their classification system as shown above. Yet in many ways they all speak to the concept of a level playing field, albeit in separate ways and with different amounts

of emphasis on certain aspects of the electoral playing field. Therefore, I sought agreement between the measures on the states selected.

First, I immediately excluded the microstates (population under 500,000) from being case studies since only Freedom House provided data on microstates. The goal of ideal cases was to get as much consensus among the measures as possible to see if the democratic classifications were warranted, and not having data from four out of the five measures precludes these states from being selected as case studies. An analysis of one-party dominant states in microstates and how these often lead to democratic classifications would be an important avenue for further research on one-party dominant states and democracy; however, to make these findings be more generalizable I have opted not to utilize any state that does not have data across all five measures of democracy as a primary case study. It is also worth noting that all the microstates share a colonial history of rule under Great Britain. These states are also all considered democracies by Freedom House, and thus could lead to interesting future research on one-party dominant states concerning the role of colonization in potentially democratic outcomes in one-party dominant states.

Following the exclusion of microstates, the next was to prioritize consistency in the democratic to authoritarian classification of the dominant party states. There are several one-party dominant states that have undergone transitions in how they are viewed by measures of democracy. Yet since this study is trying to highlight the distinctions between types of one-party dominant states, those states that are consistently classified as democracies, hybrid regimes, or authoritarian states are prioritized as being an ideal case of their position on the democracy to authoritarian spectrum. Thus, any state that had undergone a change in classification during their time as a one-party dominant state was removed from consideration to be an ideal case. For

example, in the V-Dem data, South Africa is for some years classified as an Electoral Democracy, but in others an Electoral Autocracy. Due to these classification changes it is now removed from consideration to be an ideal case of a one-party dominant democracy. The same rule applies to every country that saw a change in its democratic classification in terms of shifting between democracy, hybrid regime, or authoritarian state. While states that fluctuate between regime types are not considered ideal cases, states that shifting categories within a broader classification, such as a shift between Electoral Democracy and Liberal Democracy, are still considered contenders for ideal cases since they are still within the same main category of democracy.

The third step is then to see where the measures of democracy agreed on classifications for one-dominant party states. Internal consistency is important for a state to be considered an ideal case, but it is also prudent that the five measures used all agree on a state's democratic classification for it to be an ideal case. For example, Angola is widely considered an authoritarian state by most measures of democracy; however, Polity5 consistently categorizes it as an anocracy, their classification for a mixed or hybrid regime. Due to disagreements between the various measures Angola would be removed as an ideal case since there is not unanimous agreement on its level of democracy. These three steps were used together to select each of the case studies that will constitute the following chapters.

For the ideal case of democracy, there are eight countries that are consistently classified as democracies. Four of these are microstates, and thus were immediately removed from consideration (Belize, Dominica, Samoa, and St. Vincent and the Grenadines). Additionally, Japan is considered a democracy by four of the five measures, but is not included in the BTI and thus it has been removed as a potential case study as well. Removing these states leaves three

states that are all neighbors within sub-Saharan Africa: Botswana, Namibia, and South Africa. South Africa was next excluded as an ideal case. South Africa fails to be an ideal case due to being classified as an Electoral Autocracy for four years by the V-Dem measure. Therefore, South Africa lacks both the internal consistency within one measure of democracy of constantly being classified as a democracy, and consistency among the various measures since during the years that V-Dem classifies it as an Electoral Autocracy the other measures still considered South Africa a democracy. The remaining two countries of Botswana and Namibia both could function as an ideal case. There is data available on both states from all five measures of democracy and during the length of one-party dominance in each state both have constantly been classified as a democracy by all five measures. In the end Botswana was selected as the ideal case of a dominant party democracy over Namibia for two reasons. First, Botswana has maintained one-party dominance for 28 years longer than Namibia. One-party dominant states vary in the length of time they have been dominant, but with Botswana being one of the longest lasting one-party dominant states, it creates a unique opportunity for study as an ideal case to analyze. Additionally, as shown in the previous chapter, Botswana specifically is often identified by scholars of democracy as one of the cases of one-party dominant states that is particularly difficult to classify in global studies of democracy. Thus, including it as an ideal case for study can help address some of the concerns over these difficult to classify states.

The second case study decided upon was the ideal case of a one-party dominant state in a state widely considered to be authoritarian. The authoritarian case was the easiest one to decide upon since there is only one state that qualifies under the three criteria established above, Azerbaijan. Equatorial Guinea and Gabon are removed from consideration since they do not have data across all five measures of democracy due to not being included in the BTI. After that,

every other state that is primarily considered an authoritarian state either has one measure of democracy that classifies it as a hybrid regime, or there are times where the classification fluctuates between an authoritarian and hybrid regime classification within at least one measure of democracy. Therefore, outside of Azerbaijan there is no one-party dominant state that is consistently classified as authoritarian by all measures of democracy.

There are a few challenges with selecting the mixed or hybrid regime case study. The first major challenge is that Freedom House (partly free), Polity5 (anocracy), and the Democracy Index (hybrid regime) include categories specifically for mixed or hybrid regimes while V-Dem and the BTI do not specifically include a hybrid regime distinction. V-Dem does have two authoritarian categories and two democracy categories arranged on a most to least democratic scale. Due to lacking a hybrid classification, I am allowing countries that have ranked in the middle two categories of electoral autocracy and electoral democracy as an approximation of hybrid status. Every one-party dominant state that has attained the ranking of liberal democracy by V-Dem has been categorized as a democracy by at least one other measure of democracy during that same period. Similarly, any state that has been classified as a closed authoritarian system has been considered an authoritarian state and not a hybrid regime by at least one other measure as well during those same years. Since those factors would naturally limit countries from hybrid status anyway, it makes sense to use these distinctions for the V-Dem measure.

The BTI faces similar classification challenges with its five categories. There is a clear middle classification of the five categories as a highly defective democracy; however, no one-party dominant state has consistently been categorized as a highly defective democracy for the entire length of one-party dominance. Thus, I am considering any state that has fluctuated between the middle three classifications of defective democracy, highly defective democracy,

and moderate autocracy as potential candidates for a hybrid regime case. As with V-Dem, every state that has achieved either the most democratic or most authoritarian categorization has also been ranked as either a democracy or authoritarian state by at least one of the measures that includes hybrid regimes.

With these parameters established, selecting the ideal case for a one-party dominant hybrid regime proceeds through the same steps as the other two case studies. There are no more states missing data, but there are several that fail test two and three on hybrid consistency within each measure and among the different measures. There is one case that stands out based on these steps as the ideal case for a hybrid regime, Tanzania. The three measures of democracy that include a hybrid regime distinction have classified Tanzania as a hybrid regime consistently throughout its one-party dominance since 1995. Within the V-Dem measure, Tanzania has oscillated repeatedly between the electoral authoritarian and electoral democracy categories, which highlights the hybrid nature. As for the BTI, Tanzania has consistently been ranked as a defective democracy, the second most democratic of the five categories, but still well within the acceptable established range. Due to these reasons, Tanzania has been selected to represent the ideal case of a hybrid regime.

Some of the broad differences within each measure for one-party dominant states considered democratic compared to other regime types have already been discussed above when analyzing each measure of democracy. Yet with the three cases now selected, seeing how each of these cases performs in the measures of democracy further highlights why these cases have been chosen. Table 2 shows the performance of each case in the most recent editions of each measure of democracy. For V-Dem the liberal democracy index and the polyarchy indicator are used for

the point of comparison in lieu of the categorical rankings in Regimes of the World to allow for a more granular comparison along the specific democracy spectrum.

Table 2. Case Study Performance in the Measures of Democracy³

	Botswana	Tanzania	Azerbaijan
Freedom House (maximum democracy score-100)	72	34	9
Polity5 (maximum democracy score-10)	8	3	-7
V-Dem Liberal Democracy Score (maximum score-1)	0.81	0.76	0.17
V-Dem Polyarchy Indicator (maximum score-1)	0.60	0.36	0.19
Democracy Index (maximum score-10)	7.62	5.1	2.68
BTI (maximum score-10)	8.25	4.75	3.58

It is clear from these data that the case studies chosen do provide optimal ideal cases. There are significant differences between all three cases that all follow the same pattern. Botswana regularly scores significantly higher than Tanzania, which in turn outperforms Azerbaijan. These data also highlight the disconnect between measures of democracy and scholars of democracy articulated throughout the past two chapters. Many scholars have placed all one-party dominant states as authoritarian in many of their studies, yet the measures of democracy clearly see distinct differences between the various one-party dominant states. Since these three countries are ideal cases to study, they will shed light on how one-party dominant states should be treated considering democratic status. And the subsequent case study chapters and following comparison will be invaluable in bridging the divide between theory and measure.

³ Source: Freedom House, Polity5, V-Dem, Economist Intelligence Unit Democracy Index, and Bertelsmann Transformation Index

These case studies also provide several useful distinctions that may also be of interest in evaluating the intersection between one-party dominant states and democracy in generating more generalizable results. First, while both Botswana and Tanzania are in Africa, they do occupy different subregions of the continent of Southern Africa and East Africa. Additionally, Azerbaijan provides even more geographic diversity from the Central Asia region. Second, the three cases also offer diversity in terms of population with Tanzania having approximately 61 million people, Turkmenistan approximately six million and Botswana approximately two million. While population size diversity was not a criterion for choosing the cases, and due to lack of data there is no inclusion of microstates, having a diversity of population sizes is a benefit for generalizability of the results of the case studies. Third, the three cases have differing lengths of one-party dominance which will help account for variations in regime longevity. And the case of Tanzania will be especially unique as it has been dominated by the same political party much longer than it has been a one-party dominant state. Prior to 1992 it was a one-party state where alternative political parties were not legally allowed to function or run for office. Undergoing a change from a one-party state to a one-party dominant state will allow for a unique analysis concerning the first hypothesis on how changes to electoral laws may impact a regime's democratic classification. The subsequent chapters will analysis each case. Botswana will be the focus of Chapter Four, Tanzania Chapter Five, and Azerbaijan Chapter Six.

In Chapter Seven the results of these cases will be compared and analyzed. These results will also be compared against the average of three other democracies: Ghana, Guyana, and Sri Lanka. These three countries are all considered weak democracies by the measures used to pick the three case studies. In other words, these countries are consistently ranked as democracies, but typically with numerical scores that are in the lower end of the democracy categories in these

measures. By including the average performance for a level playing field in these three weak democracies a benchmark can be created that will set the bar for what a one-party dominant state will need to achieve to be considered a democracy. Their inclusion allows the findings to go beyond just differences in one-party dominant states, but also to see if any of the cases can maintain the same degree of a level playing field. The last point that needs to be discussed here before diving into these cases is an explanation of the methodology used in the case studies.

Methodology

Hypothesis one, election laws and election implementation, will start with an analysis of the text of any law either within a state's constitution or that has been passed by the legislature of the country related to elections. These laws can include party formation laws, laws that concern candidates being placed on the ballot, and campaign finance laws just to name a few. The laws will be evaluated to see if they benefit the dominant party compared to opposition parties. Local and international media reporting around allegations of election fraud will also be studied to evaluate the fairness of election implementation in each country. These reports will also include looking at specific cases and charges of election fraud brought through the legal system and the outcomes of those cases.

Supplementary information from election monitoring agencies will be used to verify if the laws have been implemented fairly. Botswana has hosted election monitors from the African Union, the Electoral Institute for Sustainable Democracy in Africa, and the Kenya Human Rights Commission whose reports will be used as evidence in the case study. In Tanzania, election monitoring reports from the International Foundation for Electoral Systems, the Commonwealth Observer Group, the European Union Election Observation Mission, and the Electoral Institute for Sustainable Democracy in Africa will be analyzed. And in Azerbaijan the Office for

Democratic Institutions and Human Rights, which is part of the Organization for Security and Co-operation in Europe, has been the primary election monitor with long term missions in the country, including monitors in the several weeks leading up to and following elections. Thus, the reports from that organization will be utilized in the Azerbaijan case study.

Finally, all three cases are included in the Electoral Integrity Project. The Electoral Integrity Project includes indicators for a broad swath of issues, several of which correspond to the points regarding a fair playing field. Those indicators that correspond to the points in the first hypothesis will be analyzed for all three case studies. It is important to note that no individual piece of data that will be analyzed fully captures the entirety of hypothesis one. Thus, the combination of each of these different data sources is necessary not only for the reliability of the results, but also for completeness in evaluating how level the playing field is in each state.

Analysis of the second hypothesis, independent institutions, will begin in the same manner as the previous hypothesis. All laws concerning the media, the judicial branch, and the electoral commission in each case study country will be the first pieces of data presented. Following the laws concerning each institution, several pieces of international monitoring data will be utilized. Data from the International Press Institute, the Committee to Protect Journalists, the International Women's Media Foundation, and Reporters Sans Frontières (RSF) will all be utilized to evaluate media independence. The previously identified international election monitor reports for each country will also contain information that will be useful for evaluating the independence of electoral commissions. Additionally, there are a couple indicators in the Electoral Integrity Index that speak to the impartiality of election officials that can also be used in analyzing electoral commissions. Finally, for the judicial branch reporting on judicial branch

independence by international media as well as some data from the World Bank's World Economic Forum dataset will be useful in assessing independence of the judiciary.

Finally, the third hypothesis, opportunities for opposition party victory, will focus on an analysis of election results in each of the one-party dominant states. These results will be gathered, when possible, from data that is kept by the electoral commission in each state. If that data is unavailable, then the election results which can be found in the reports of the international election monitoring agencies will be used. The results of all elections during periods of one-party dominance for the three case studies will be analyzed. Therefore, all national elections in Botswana since 1966, in Tanzania since 1995, and in Azerbaijan since 2010 will be focused on since these points are when each state began one-party dominance. Additionally, media reporting about opposition party coalitions can shed further light onto the avenues for opposition party victory and thus will be used in evaluating the third hypothesis as well.

The cases selection and methodological explanation in the chapter lays out a roadmap for the remainder of the study. The next three chapters will focus on each of the three one-party dominant case studies, starting with Botswana, followed by Tanzania, and ending with Azerbaijan. After that, the sixth chapter will compare and analyze the results of the case studies to determine if a one-party dominant state can truly be considered a democracy.

CHAPTER FOUR

BOTSWANA

The first case study to be analyzed to address this intersection between dominant party regimes and democracy is Botswana. Botswana is a land-locked country in Southern Africa with a population of 2,351,625 people in 2020 (The World Bank, 2020). It is also the longest running dominant party regime in the world. For the last 56 years, electoral politics in Botswana has been dominated by the Botswana Democratic Party (BDP) which has maintained majority control of both the legislature and executive since 1966. The BDP first came to power following independence in 1966 and has remained the dominant political force in the country to this day. The first elections held with universal suffrage in the country occurred in 1965, the year prior to independence, and established the government that would come into power during the transition to independence with the BDP winning most seats for the first time (Botswana: The 1965 Pre-Independence General Election, 2021). Since then, elections have been held in Botswana every five years, starting in 1969, and in each election the BDP has won most seats in the National Assembly. The National Assembly is a unicameral legislative body in Botswana and obtaining majority control in the National Assembly is enough to ensure dominant party status (Const. of Botswana 1966, Sec. 58). It is currently comprised of 57 single member districts which operate under a first past the post system and an additional four members that are appointed by governing party following the elections (Const. of Botswana 1966, Sec. 58).

Following the national elections to fill this body, the National Assembly then holds an internal election of its members to vote for filling the office of the President (Const. of Botswana

1966, Sec. 32.) In 1997 Botswana amended the constitution to include term limits for the office of the President. Presidents in Botswana may serve no more than 10 years in the office, whether consecutive or not (Const. of Botswana 1966, Sec. 33). No such limits exist for members of the National Assembly. These bodies are advised by a second body known as the House of Chiefs, but this is purely an advisory council and does not have decision making power to pass law (Const. of Botswana 1966, Sec. 77).

Due to the political structure, to achieve dominant party status under the definitions previously established, a party would need to win three consecutive elections for majority control of the National Assembly, since doing so would also naturally allow for control of the executive. In Botswana, the BDP first achieved dominant party status following the elections in 1974, their third consecutive win, and have held the majority ever since. This has led to the BDP being the dominant party for 56 years, over the course of 12 electoral cycles. According to several of the theories of democracy discussed in Chapter Two, the lack of partisan transitions of power should indicate that Botswana is not a democracy. Yet throughout the entire time of Botswana being a dominant party regime, the country has been classified by all the measures of democracy included in this study as a democracy. To explore this disconnect I now turn to an analysis of my hypotheses to see if the how even the playing field in Botswana is.

H1: Election Laws and Election Management

One of the first places an uneven playing field can manifest itself is in the electoral laws of a state. Botswana's Electoral Act was first adopted in 1968, the year prior to the first elections following independence, and it, along with some parts of the Constitution, shape the electoral landscape of the country. The Electoral Act contains 154 distinct sections which cover voter eligibility, registration, candidate procedures, election expenses, illegal practices, and the

establishment of polling locations. Several of these sections directly speak to how even the electoral playing field is in the country.

H1a: Election Laws for Parties and Candidates

Getting a candidate or party onto the ballot is the first way that a playing field can be uneven. Any candidate can be nominated for office provided they meet a few distinct criteria. First, the potential candidate must reside in the constituency in which the person is running for office (Electoral Act Sec. 35, 1968). Any candidate must also gain the support, via signatures and identification card numbers, of at least nine residents of the district who are eligible to vote (Electoral Act Sec. 35, 1968). Each candidate must also contribute a monetary deposit for their name to appear on the ballot (Electoral Act Sec. 36, 1968). Any candidate for the National Assembly must also reach certain constitutional requirements which include being at least 18 years of age, being a citizen of Botswana, and meet the qualifications to be a registered voter (Const. of Botswana Sec. 61, 1966). There have not been instances of candidates being barred from running for office for political reasons and independent candidates without political party backing are allowed to run for office. Likewise, there are no legal restrictions on parties coordinating their efforts as blocks.

There is nothing in these restrictions that creates an uneven playing field that would disadvantage the opposition parties or candidates since the signature threshold is so low. This assessment of the electoral law is supported by international monitoring data. The Electoral Integrity Project tracks multiple facets of elections across 169 countries. One factor this project considers is whether there are barriers to opposition parties being able to get on the ballot. On this question of the index, the Electoral Integrity Project ranks Botswana with a score of two out of five, which is their categorical ranking of disagreement with the statement “Some opposition

party candidates were prevented from running” (Garnett, et.al., 2022). The ability for candidates to run without impediment supports the analysis of the electoral laws that there is not an uneven playing field when it comes to getting on the ballot.

Turning to another area of election law, two provisions related to election expenses exist that indicate a more level playing field between candidates and parties in Botswana. The first is that there is a maximum amount of money a candidate can spend on election expenses such as advertising (Electoral Act Sec. 81, 1968). Additionally, money spent by political parties specifically on candidates counts towards the maximum each candidate is allowed to spend on elections (Electoral Act Sec. 86, 1968). However, despite these two provisions, there is one exception that money spent by political parties on advertising for their party, and not specific candidates, is not subject to this limitation (Electoral Act Sec. 80, 1968). While this unlimited party spending option is open to all parties, it does benefit those parties that have greater resources which would be the dominant party; however, any wealthy donor to a political party can alleviate this potential advantage. Thus, while unlimited party spending can create a bias if all parties do not have many donors or donors contributing large amounts, it is difficult to separate this bias from other forms of incumbency advantage. Data from the Electoral Integrity Project concurs with an indicator concerning equitable access between parties for political donations ranking a two out of five, or “disagree”, with the thought that equity across party exists (Garnett, et.al., 2022). As funding for parties is crucial for campaigns, the lack of a party spending law would indicate an unevenness in the playing field that could be corrected by legislation but is currently set up to favor the dominant party, and thus one way in which electoral laws are currently skewed.

H1b: Fraudulent Electoral Behavior

The Electoral Act also criminalizes several activities that would create an uneven playing field if left unchecked. Some of these are related to individual voters, such as impersonation, or attempting to vote multiple times in the same election (Electoral Act Sec. 91, 1968). Other provisions included are actions that would attempt to influence other voters such as “undue influence” which is defined as violence or threats of violence against individuals for voting a certain way (Electoral Act Sec. 92, 1968) or bribery to try and influence the voting patterns of others (Electoral Act Sec. 93, 1968). These methods of intimidation or bribery are commonly used in authoritarian regimes to create an uneven electoral landscape and keep certain individuals in power and having laws protecting against bribery does indicate the potential for a level playing field in Botswana. In terms of addressing and reporting illegal election practices, any candidate can file a petition challenging the outcome as the result of illegal election practices, as well as any voter from the district where an illegal act is suspected to have occurred (Electoral Act Sec. 116, 1968). These petitions are all decided by the High Court of Botswana, the independence of which will be evaluated later in this chapter. (Electoral Act Sec. 120, 1968).

Additionally, several provisions are in place to attempt tampering with the results of elections at each polling location. Ballot boxes are required to be always locked in the polling place, and the presiding officers at each polling location must show empty boxes to all present prior to their locking (Electoral Act Sec. 53, 1968). No person at a polling location may aid any voter beyond directing them to the polling booth (Electoral Act Sec. 55, 1968), nor may they impede or even speak with a voter between the time of receiving the ballot and when the ballot has been cast (Electoral Act Sec. 56, 1968). Protections are also in place to prevent the searching, barring entry, or arrest of any voter in a polling location (Electoral Act Sec. 51, 1968). Each

candidate is then able to appoint up to two individuals to act on their behalf as “counting agents” to attend the official counting of the votes following the closing of the polls (Electoral Act Sec. 68, 1968). Together, these provisions are designed to signal the integrity of elections and indicate that the electoral playing field is established in such a way that a dominant party would not unduly benefit from the laws in place over other parties. Once again, data from the Electoral Integrity Project corroborates that the laws are written to maintain an even playing field. Two indicators from these data support this view. For the statement “some voters were threatened with violence at the polls,” Botswana once again scores a two out of five, which in the categorical scale of the Electoral Integrity Project is disagreement with the statement, thus indicating one area where voters had freedom and safety to cast their votes (Garnett, et.al., 2022). Additionally, Botswana is scored four out of five, or in the “agree” category, for an indicator assessing if ballot boxes are secure (Garnett, et.al., 2022). These data help indicate that electoral laws are being implemented properly, but further analysis on that point will occur after discussing all electoral laws.

Taken together, these laws portray a playing field with several indications of attempts to make the playing field even, with an issue of unevenness surrounding campaign funding. The cross-case analysis in Chapter Seven will illustrate whether there is a distinct difference between the playing field between one-party dominant states. While campaign financing laws appear to give an advantage to the BDP, one area of electoral law is not enough to explain electoral dominance. Therefore, a deeper dive needs to occur into the implementation of all electoral laws to see if they are being upheld in the way they are written.

To evaluate implementation of the law, I turn to media reporting (media independence and thus reliability of reporting will be evaluated later in this chapter) about alleged faulty

implementation of election law coupled with several instances of international election monitors observing Botswana elections and the reports from those monitors. Botswana has been relatively free of legal challenges within the country alleging improper elections or election fraud. In fact, most elections have not seen any court cases filed alleging improper conduct during elections. The most recent elections in 2019 were an exception where there were several cases brought to the court system. These have been spearheaded by the former President Khama who following his term and a falling out with the dominant BDP had started his own political party, the Botswana Patriotic Front (BPF) ('People's Court' Witnesses, 2022). Membership from other opposition parties also joined in both publicly and legally in asserting fraudulent behavior in the 2019 election, although several parties later backed away from the claim ('People's Court' Witnesses, 2022).

These allegations were made against election officials and did not assert widespread voting fraud by members of the public, but rather improper conduct from election officials ('People's Court' Witnesses, 2022). The allegations of fraud have played out in the public sphere via the media and press releases, as well as in the court system. In the public eye the BPF along with other parties joined under a cooperative agreement known as the Umbrella for Democratic Change (UDC) promised to host what they referred to as a "People's Court" where they would present evidence of election rigging after asserting the claims in the media for months ('People's Court' Witnesses, 2022). The "People's Court" never came to fruition following several of the promised evidence presenters walking back their public claims of election fraud and several of the other parties that are part of the UDC pulling funding for the event ('People's Court' Witnesses, 2022). The only formal public acknowledgement of the challenges brought by the

UDC was a 2020 press release from the IEC asserting a free and fair election had occurred, and that due to pending court cases they could not comment further (Rebuttal – IEC, 2020).

The IEC did note in that press release that by that point in time out of the 22 election challenges brought to the court, 15 of them had already been dismissed (Rebuttal – IEC, 2020). By the end of the legal challenges, all 22 cases brought before the court were dismissed due to lack of evidence. As is highlighted in one of the court rulings that occurred soon after the election in 2019, the allegations of election fraud did not contain proof of actual irregularities occurring (Botswana Court Rejects Opposition, 2019). The opposition parties claimed that several BDP members worked in certain districts to cause “irregularities” in the election outcomes in those districts (Botswana Court Rejects Opposition, 2019). However, no evidence was presented to the court that the named officials were involved in elections in those challenged districts or the election more broadly, and thus the case was dismissed (Botswana Court Rejects Opposition, 2019).

Several pieces of international monitoring corroborate the ruling that the election of 2019 was free of electoral fraud. The Electoral Integrity Project did not find evidence of fraudulent votes cast in their indicator on fraudulent votes (Garnett, et.al., 2022). Additionally, the organization found that election officials were fair, and that elections were well managed in two other indicators concerning election procedures (Garnett, et.al., 2022). To further analyze the assertions that elections were conducted in a free and fair manner, it is important to analyze the reports of international election monitors from the 2019 election as well as their previous instances of election monitoring.

Botswana had its first instance of international election monitoring in 1994, following adoption of a UN General Assembly resolution that called on all member states to welcome

election monitors (Sebudubudu, 2008). Since then, Botswana has had international monitors observe every subsequent election for freedom and fairness. The 2019 elections, which had allegations of fraud, had representatives of the African Union (AU) throughout the country as election monitors. In their report following the election, the AU representatives made two major claims that support the idea of election law being followed, and thus a level electoral playing field existing. The first was to note that in recent elections the IEC has improved the confidence of the electorate in free and fair elections in the country (Preliminary Statement, 2019). The other is the observers assert that the 2019 elections are “the most competitive in the history of the country since independence” (Preliminary Statement, 2019). Coupled with the outcomes of the judicial cases alleging election fraud, these statements by international election observers create confidence that the playing field in the 2019 election was sufficiently level.

Reports from international election monitors from previous elections indicates that elections in Botswana are fairly run despite the country’s status as a one-party dominant system. The African Union also observed the 2014 elections and publicly praised Botswana for holding “peaceful and successful” elections (African Union Congratulates, 2014). The Kenya Human Rights Commission also monitored the 2014 election and a 16-page report of its findings contains several points that assert free and fair elections occurred. The report indicates that there were prominent levels of transparency, the IEC followed all election laws, elections upheld credible principles such as the secret ballot, and that measures were taken to guarantee the participation by all who wished to vote through accessibility features for those with needing assistance (Observation of the 2014 Botswana General Elections, 2014). In 2009 the AU again sent election observers, commented on election preparations, and asserted that the election had what the observers described as a “clean bill of health,” indicating their fairness (Owino, 2009).

The 2004 elections were one of the most widely observed in the country by 57 different national and international monitors and none of those monitors submitted any adverse report of fraudulent election activity (Sebudubudu, 2006). Overall, there is a consistent pattern of election monitors heralding the lack of election fraud in the country. Furthermore, according to the Electoral Integrity Project, there is no evidence of election monitors, both domestic and international, being restricted in their access, and thus the findings of these election monitors can be deemed reliable (Garnett, et.al., 2022). Consequently, it can be safely asserted that Botswana does uphold the principles of a level playing field for the first (electoral laws and implementation) and second (electoral fraud) hypotheses.

H1c: State Resources Used in Elections

One final piece of the election implementation puzzle is if there is evidence of a dominant party using state resources for campaigning. Even if the laws are written and upheld to maintain a level playing field, and there is no proven election fraud, the dominant party using state resources to benefit their campaigns would lead to an undue advantage in an election and thus an uneven playing field. There has been some evidence of state resources being used in a couple of campaigns. In 2014 President Khama, in his reelection campaign, was accused of utilizing military resources in the campaign since he traveled to campaign locations in military vehicles, which the government stated was for his protection as the current head of government (Poteete, 2014).

A second incident occurred in August 2009 when a senior civil servant read a message from President Khama on the government owned Radio Botswana and Botswana TV about the internal BDP elective congress. The message was deemed by the National Broadcasting Board to be a partisan message on behalf of the BDP (Mogalakwe, 2015). Following the judgement, the

radio and television station were required to give equal time to opposition parties in the same prime time slot for similarly themed messages (Mogalakwe, 2015). While the improper message incident was corrected, the fact that an abuse of government systems to send the message does show the opportunity for the dominant party to attempt to abuse state resources to gain advantages in campaigns that are not as readily available to opposition parties. This case both highlights the strength of institutions that safeguard against potential abuse, but also highlights an area where laws can be improved to prevent these abuses from occurring in the first place. The lack of explicit electoral laws blocking the use of state resources or even restricting spending by a political party is an obstacle to a level playing field. Although these do not exist for individual candidates, given the strength of the BDP these laws need to be strengthened to improve the electoral landscape. Outside of these few examples of state resources being used, there has not been substantiated proof that the BDP has been utilizing government resources for campaigns; however, any instances, like the one above, indicates room for improvement concerning government use of resources when campaigning and where further safeguards are needed.

When it comes to international monitoring, the Electoral Integrity Index again includes an indicator for state resources being improperly used for campaigning. Due to the lack of laws limiting a political party's spending and resource use, coupled with the instances that have occurred of the BDP facing challenges of improperly using state owned media and military transport, the Electoral Integrity Project does assert that there is a concern for election integrity in this area (Garnett, et.al., 2022). Together, these few allegations along with the lack of laws surrounding party spending and concerns from international monitors do show an uneven electoral landscape in this dimension of hypothesis one.

One area that can never be completely level is the issue of incumbency advantages. Incumbents running for office regularly enjoy increased name recognition and a longer record of political successes to pull upon, and thus an easier time selling themselves to voters. Incumbent reelection itself does not indicate an election that is rigged or not free but does suggest some advantage. This disparity can be exacerbated by how incumbency is used, and if laws are tilted to favor incumbents. The BDP has used incumbency to its advantage to a significant extent and has created another area where there is room for improvement in the electoral landscape. Due to the nature of presidential succession laws in the country, the BDP has regularly employed a strategy of having the current President resign 18 months before the next election where they would be term limited from running, and having their Vice President take over, thus instilling some incumbency advantage for that individual (Poteete, 2014). The former Vice President then serves as President for 18 months, building in some incumbency advantages while also creating a mechanism where failures of the administration can be blamed on the previous office holder and not the person running for the presidency.

While not illegal, having this transition creates a constant incumbent at the head of the party and thus does give greater advantages to the dominant BDP than could be utilized by the opposition. The effect is mitigated somewhat due to the nature of executive selection being performed by the National Assembly. The head of the party may have greater incumbency advantages, but since the people do not directly vote for the position, the incumbency advantage is somewhat mollified. Yet the public still will be aware of who would be selected as President since the National Assembly will select the former Vice President, and now current President who has served since the previous President stepped down 18 months prior, if the BDP retains power in an election. Due to the strong importance of incumbency and how incumbency is used,

the Electoral Integrity Project does assert that electoral laws are skewed in favor of incumbents, which does create an unfair advantage for the BDP (Garnett, et.al., 2022). While incumbency will never be free of perks concerning reelection, due to the way laws are written, and the BDP strategy to always have a presidential incumbent, this goes beyond a typical incumbency advantage to create another uneven electoral factor.

These two areas for improvement, coupled with the several areas where electoral laws and implementation are fair do cause Botswana to receive an overall election integrity score from the Electoral Integrity Project of 59 out of 100, which is in the “Moderate” category and one point away from a “High” election integrity score (Garnett, et.al., 2022). Thus, it appears that these issues identified about election laws alone are not enough to state that Botswana does not deserve its classification as a democracy the country receives in the measures of democracy. Comparisons along these dimensions with the other case studies in Chapter Seven will explain if there are significant distinctions in the electoral landscape that can allow a one-party dominant state to be considered a democracy. Yet electoral laws are only one piece of the puzzle. The next step is an analysis of institutions necessary for democracy to see if they are truly independent in Botswana.

H2: Independent Institutions

The media, the electoral commission, and the judiciary are all institutions that require independence for there to be an even electoral landscape and thus a democracy. As is highlighted in the example in the previous section which details the BDP using state-run TV to push political messages, the media is a vital tool for campaigning and an independent media is necessary for opposition parties to be able to freely disseminate their message. Electoral commissions are the institutions that are responsible for implementing elections and thus need independence to ensure

election laws are upheld. Finally, the judiciary will hear any allegations of inappropriate election activity and thus their independence is vital as a check on power for a dominant party to prevent abuse.

H2a: The Media Landscape

The first step in this process of analyzing institutions is a look at the media and press landscape in the country, and if there is free, independent media that is capable of being critical of the current government. The media is a necessary institution for two reasons. First, without independent media it would not be possible for an opposition party to have their message and platform reach the public to the same degree as a dominant party. The second reason for starting with the media landscape is that local reporting from within the country can be used as a piece of evidence when evaluating the other questions in this study. If the media landscape is shown to be free of bias overall with independent media existing and flourishing, then local reporting about instances of electoral fraud or judicial independence becomes a valuable piece of evidence in analyzing those questions. On the contrary, if the media landscape is not shown to be producing an even playing field, then comparing local reporting with reporting from outside the country, data from international election monitors and other such sources, can take on a different direction of analysis by showing how the lack of independent media is impacting the electoral landscape in other ways. These reasons make starting with this question of independent media the perfect place to begin an analysis of the institutions in a country.

The first major news source that needs to be addressed is *Daily News Botswana*, a news service run by the government since 1965 that contains a print newspaper, a radio station, a television station, and an online presence (Parsons, 2022). While being a government run news source, the Botswana government does have laws in place that require *Daily News Botswana* to

provide basic coverage of opposition viewpoints as well as viewpoints from the dominant BDP (Parsons, 2022). Recent coverage of elections in the summer of 2022 highlights this basic coverage with stories on the *Daily News Botswana* website providing positive portrayals of both the BDP and opposition party candidates. Just some of these stories include “A New Botswana is Possible” (Williams-Madzonga, 2022) which presents statements from the Botswana Congress Party (BCP) in a positive light, “UDC Canvases for Moselewapula Residents’ Vote” (Tshepo, 2022) which highlights both the get out the vote efforts and the platform of opposition group the Umbrella for Democratic Change which is a coalition of multiple parties, and the article “VP Urges Members to Make Achievements Known” (Sennamose, 2022) which sheds light on the difficulties encountered by the BDP in messaging about the election and certain policy shortcomings. Despite these laws on basic coverage, the state-owned news service does cover activities and candidates from the BDP with increased regularity over opposition parties (Shale, 2009). Thus, while state owned news does provide basic information in accordance with the law, the state-owned news chooses to favor the dominant party with more in-depth coverage. Coverage of the BDP by state-owned sources does include occasional critical stories such as reporting on the criminal activity and subsequent suspension of a BDP member of Parliament (BDP Suspends Majaga, 2020) coverage of corruption concerning billions of pula that have gone missing from government reserves (Tebogo, 2019), and failures of the BDP to improve infrastructure in many parts of the country (Sennamose, 2019). Yet overall, the BDP tends to receive neutral to positive press in state-owned media. And as the state-owned media is the most consumed media in the country, the skew in coverage does provide an advantage to the BDP.

Yet further evidence about the level of press freedom in the country is necessary to evaluate before casting a final judgement on the independence of the media. One thing that

moderates the effect of state-owned news is the existence of other news sources beyond those owned by the government. First, there are five independent newspapers that are distributed across the country: *Botswana Gazette*, *Botswana Guardian Sun*, *Mmegi*, *Sunday Standard*, and *The Voice* (Botswana News, 2022). Additionally, there are several smaller, regional publications throughout the country that are independently owned. Each of these newspapers also run their own websites, making their information available across the country in two different forms. Private media does favor increased coverage of opposition parties and is more critical of the BDP than the state-owned *Daily News Botswana* (Shale, 2009). Private media has a history of focusing on and exposing scandals involving members of the BDP (Shale, 2009). The scandals and critical coverage from private media have ranged from personal issues surrounding individual government officials such as reporting on a BDP Councilor having an alleged sexual affair with a minor (Kgoboge, 2015) to broad government issues such as exposing use of a slush fund between the BDP and diamond mining partner De Beers (BDP in De Beers, Debswana Slush Funds Scandal, 2010). These media do have limits in that they disseminate almost entirely in English (the official language), and not in both English and Setswana (the common spoken language) and thus have less reach than *Daily News Botswana* (Shale, 2009). Yet overall, private media does help level the playing field somewhat concerning print news by providing a more critical voice of the dominant party.

Botswana currently has five radio stations that play across the country. Two of these are government owned – Radio Botswana and Radio Botswana 2 – while the others are independent of the government – Gabz FM, Duma FM, and Yarona FM (Radio Stations in Botswana, 2022). All radio stations, even Radio Botswana, provide a mixture of news, music, and other entertainment programs, although Radio Botswana dedicates significantly more airtime to news

than the other four stations. Radio Botswana and Radio Botswana 2 are subject to the same law on state-owned media that requires them to provide basic coverage to opposition parties; however, as has been seen with the print media, these laws do not guarantee equal coverage in terms of quantity or political slant concerning more in-depth analysis. And since Radio Botswana is the primary radio station for news, the radio landscape is skewed towards the dominant BDP.

Finally, there are numerous television stations that are privately owned that compete with the government run *Botswana TV*. The existence of independent forms of media, alongside the ability for government run sources to be both critical of the BDP and complementary of opposition parties further alludes to an overall fair but somewhat imbalanced media landscape. However, as with the print and radio sources, *Botswana TV* is the most watched network in the country and does focus on more positive news of the current administration, thus biasing television coverage from within Botswana towards the BDP. In fact, out of all its media evaluation indicators, TV news is the area that the Electoral Integrity Project ranks Botswana the score of “agree” for the statement that TV news favors the dominant party (Garnett, et.al., 2022).

It is also worth noting due to the location of Botswana and the size of the country most people also have access to international news sources via South Africa, which further opens the media landscape beyond just local sources of information. International information access is across all forms mentioned above: newspapers, television, radio, and online presence. The largest two outlets seen in Botswana from South Africa are News24 South Africa which includes print and online access methods, and the South African Broadcasting Corporation which includes radio, television, and an internet presence in Botswana. Coverage of Botswana by these international sources does include critical stories of the BDP led government, which provides another means by which people can gain additional perspectives on politics in Botswana. A few

examples of recent critical coverage of the BDP include reporting about high levels of citizen dissatisfaction with the government on issues of gender equality (Ndebele, 2023), criticism over the government's handling of crime in Botswana (Ndebele, 2022), and failures of the BDP to address the budget deficit in the country (Botswana Now Sees Higher Budget Deficit, 2022). However, the language issue of these sources not being in Setswana but rather English limit the overall reach of these foreign media sources. Even though access is widely available, these sources are not utilized to the same degree as the government run sources that are available in Setswana. Thus, international media does help create a more level media landscape that opens opportunities for opposition parties, but there are still limitations to international media that lead to the overall level of media penetration across the country to be skewed towards state owned sources that are generally more positive towards the BDP. But media ownership is only one part of the media landscape to judge for independence. I now turn to several organizations that study press freedom and other watchdogs to see how they evaluate Botswana and what reporting of a potential biased media landscape they find.

One way the media may not be independent is if there are threats or adverse actions towards journalists. Throughout the history of Botswana's one-party dominance there have been a few reports of journalists being subjected to various intimidation measures, but these are exceedingly rare. In the 1980s a few foreign journalists were expelled from the country on ground of "national security" as these were South African journalists during the Apartheid Era (Parsons, 2022). However, it is believed that the main reason these journalists were removed from Botswana was due to their critiques of the national government (Parsons, 2022). The International Press Institute (IPI) notes only one other period in which a person was removed from the country due to critiques of the government. In 2005 a political science professor at the

University of Botswana was expelled to his home of Australia due to a speech he gave at the university that was critical of the current president and vice-president (International Press Institute, 2005). It is worth noting that the same press release from the IPI which condemns Botswana for the deportation also identifies Botswana as one of Africa's freest countries for the press (International Press Institute, 2005). These are the only two instances of reporters being expelled from the country that have been reported during the 56 years of the BDP's electoral dominance. On the other hand, the Committee to Protect Journalists (CPJ) identifies Botswana as one of the major host countries for exiled journalists from other countries in their report on journalists in exile from 2001-2007 (Witchel and Phillips, 2007).

The CPJ also tracks statistics for journalists murdered, imprisoned, or who have disappeared. As of September 1, 2022, Botswana does not have journalists who have been murdered, imprisoned, or gone missing (Botswana – Africa, 2022). However, there have been instances of journalists being arrested. In June 2020 two journalists were arrested for filming a building tied to the government's intelligence agency (Journalists Arrested, Charged with 'Nuisance', 2020). Additionally, in 2021 and 2022 the head of the news organization *Moeladilothoko News Boiler*, which operates on Facebook, was arrested. In 2021 he was arrested for trespassing, but the charges were ultimately dropped (Botswana Police Charge Moeladilothoko News Boiler, 2021). The 2022 charge falls under a law concerning "alarming publications" related to posts by the media company about a missing child. The 2022 case is still pending in court and the head of the organization was released on bail (Botswana Journalist Tshepo Sethibe criminally charged, 2022). Incidents of charging journalists can potentially create barriers for reporters due to work disruptions from the arrests, potential monetary loss if they end up paying bail, and the psychological aspects of being arrested for performing their

work. Yet the small number of incidents has caused the Electoral Integrity Project to rate Botswana with a middle score (three out of five) on the question of journalists providing fair coverage (Garnett, et al., 2022). Thus, government action against journalists is one area where there is room for improvement, but not a factor that on its own would indicate a highly uneven playing field given the limited number of instances and those often leading to dismissal of charges.

One other area in which reporters may face barriers to a level playing field is gender discrimination. There are organizations that monitor global press freedom as either their main mission or as indicators of their larger measures. The organization *International Women's Media Foundation* (IWMF) monitors and reports upon barriers to women reporters and photographers, as well as instances of discrimination or harassment (About – IWMF, 2022). As of September 2022, there have been no instance of discrimination based upon gender in Botswana reported by IWMF, thus highlighting one area where Botswana appears to excel on press freedom (IWMF, 2022).

There are a few laws that have been viewed as harmful to press freedom in the country. The first of these was a law passed in 2008 that requires all journalists to be registered and accredited with the country's Media Council (Motseta, 2009). While the government asserts the requirement is to ensure media standards, critics of the law point to the harsh prison penalties for violating the law as a deterrent to journalists (Motseta, 2009). There have been consistent calls for the law to be overturned due to its repressive nature, but no further action has been taken (Motseta, 2009).

More recently, two new laws have put further restrictions in place on journalists in the country. The first of these new laws passed during the COVID-19 pandemic and restricted

reporting about COVID-19 to information from the World Health Organization (WHO) or the director of public health (Botswana – RSF, 2022). The government claims the regulation is an attempt to prevent misinformation about COVID-19, but RSF views this COVID-19 law as a violation of media independence (Botswana – RSF, 2022). Numerous countries have passed similar laws in the region and used them liberally to silence journalists. While there is no evidence of the law being used in that way in Botswana presently, the existence of the law still gives monitoring organizations and journalists cause for concern.

An additional law that is viewed a threat to journalistic independence was introduced in January of 2022 when the government pushed for a bill that would allow warrantless surveillance of communication in cases where the head of an investigation deemed that delaying a warrant would jeopardize the investigation (Carolan, 2022). The government did receive substantial amounts of public pressure both locally and internationally to withdraw the bill from Parliament (Carolan, 2022). In the end the bill was amended to require judges to oversee covert law enforcement actions and to prohibit the warrantless collection of communications (Rozen, 2022). While this change to allow for judicial oversight was seen as a much better bill for journalists, international observers such as the CPJ note that the technology to intercept communications is still in place and that the technology can be used at any time and in an expedited manner due to the judicial oversight (Rozen, 2022). As such, the oversight law may impede the ability for journalists to find anonymous sources due to fear of communication collection by law enforcement (Rozen, 2022). While both laws have not been directly used to target journalists and the media, their presence does make it easier for an administration to do so and can negatively impact domestic media through that fear.

Finally, certain administrations have been more friendly to the media than others. The presidency of Ian Khama (2008-2018) was known for being less friendly to the media than his predecessors (Makati, 2021). Khama famously never held a single press conference during his term, something his successor, current President Mokgweetsi Masisi, has rectified (Makati, 2021). Due to the reinstatement of press conferences between 2019 and 2021 Botswana rose 10 spots in the “World Press Freedom Index” compiled by Reporters Sans Frontières (RSF) from 48 out of 180 countries to 38 in 2021 (Makati, 2021). In the most recent report from RSF Botswana has seen a sharp decline in press freedom from 38 out of 180 countries to 95 (Botswana – RSF, 2022). The reason for the decline is attributed to the new COVID-19 reporting law discussed above. Additionally, while there are several independent papers both in localities throughout Botswana and nationally circulated, several are owned by the same company which limits the diversity of viewpoints internally (Botswana – RSF, 2022). Finally, RSF notes that while the state-owned media does present information on opposition parties and coalitions, overall coverage in those sources are skewed towards the dominant BDP (Botswana – RSF, 2022).

Overall, these data show that Botswana has a mixed, but relatively positive record concerning a level media playing field. The recent backslide in press freedom from international monitors comes from a few laws that are cause for alarm, yet overall have not been used to actively oppress journalists. Their existence alone is enough to create some pressure though. Additionally, while there are a handful of instances of journalists being targeted by the government throughout the over 50 years of BDP dominance, these are rare, and often fall short of the greatest abuses seen against the media across the globe. Finally, complicating the media landscape is the size and location of Botswana. Due to its proximity to South Africa, most if not all citizens have regular access to international news sources as well, which curtails some of the

effects of the few laws in place that can potentially hinder the media, but as has been mentioned above international media has difficulty in reaching the large numbers of people who consume primarily state-owned media due to language barriers. As such, the media landscape in Botswana cannot be called fully level. There is indeed an unevenness to it; however, due to the options for alternative news sources within the country not controlled by the government, international news sources, and the worrisome laws not being implemented in such a way that currently impacts journalists to a severe degree, the media can still be considered a tool that is fairly independent and can be used effectively by opposition parties to get their message out to the public. As such there is not clear evidence that the media is used in the country as a tool to dictate or heavily influence the outcomes of elections, and thus while there is room for improvement, there is not enough to say definitively from an analysis of the media landscape that Botswana does not deserve its classification as a democracy in the measures of democracy. Further analysis of media independence will be performed in Chapter Seven where the media landscape for each of the case studies are compared against each other. Due to the evidence thus far, local reporting can be used as supporting evidence of the findings; however, due to slight unlevel playing field any local reports used as evidence would need to be corroborated with multiple news outlets reporting the same issues, or international media also corroborating the findings. I now turn to the next entity that requires independent functioning for a level playing field necessary in a democracy.

H2b: The Electoral Commission

While election laws are of vital importance to a democracy, these laws would be impotent without the proper actors in place to support and enforce them. An electoral commission, or other similar entity, is the body responsible for conducting elections and

implementing election laws fairly. If the electoral commission is biased towards one party, then election integrity is called into question since this organization needs to be impartial and independent to properly conduct free and fair elections. In Botswana the organization responsible for election implementation is the Independent Electoral Commission (IEC).

An amendment to the constitution in 1997 established an IEC responsible for all election practices, including the implementation of the standards described in the Electoral Act described in the previous section (Const. of Botswana amend. Sec. 65A, 1997). The IEC consists of seven individuals, all appointed by the Judicial Service Commission (Const. of Botswana amend. Sec. 65A, 1997). Five of these individuals are nominated by the All-Party Conference and then confirmed by the Judicial Service Commission, indicating that all political parties in Botswana have a say in who is upholding election integrity (Const. of Botswana amend. Sec. 65A, 1997). The final two members are a legal practitioner appointed directly by the Judicial Service Commission, and a current judge from the High Court who acts as the chair of the IEC (Const. of Botswana amend. Sec. 65A, 1997).

The IEC came about as the result of a referendum that occurred in 1997. Voters were asked three questions, all of which passed, concerning electoral laws in the country. One of these was the creation of the Independent Electoral Commission which passed with 73 percent of the vote (Botswana: 1997 Referendum Results, 2022). The other two questions on the ballot at that time were to allow Botswana living abroad to vote, which passed with 70 percent of the vote, and to lower the voting age from 21 to 18, which passed with 59 percent of the vote (Botswana: 1997 Referendum Results, 2022). All three of these changes would first come into effect during the 1999 election. Prior to this referendum, elections were under the authority of the “Supervisor of Elections” which was an independent position that was appointed by the president (Const. of

Botswana Sec. 66, 1966). Opposition parties viewed the Supervisor overseeing elections as potentially biased in favor of the dominant BDP since the president appointed the Supervisor and calls for change to this arrangement resulted in the creation of the IEC (Sebudubudu, 2008).

While the results of elections will be discussed later in this chapter, it is important to note that evidence from the results of the elections prior to the IEC's inception did not show that elections conducted under the Supervisor of Elections were inherently biased towards the BDP.

Additionally, an analysis of the performance of the IEC following its first 10 years of operating showed that elections conducted by the IEC saw zero claims of irregularities or fraud filed in the court system (Lekorwe, 2006). Yet questions remain as to whether the IEC is truly independent and capable of maintaining a level electoral playing field.

One charge against the IEC is that in addition to its seven commissioners, there is also a Secretary of the IEC that helps carry out its functions. The Secretary is appointed by the president and as such there have been questions at times about the independence of the commission (Mogalakwe, 2015). The president also has the power to dismiss or suspend the Secretary from duty (Mogalakwe, 2015). However, there are some safeguards in place that ameliorate this potential conflict of interest. First, the Secretary of the IEC is answerable to the entire commission and the position takes its direction from the members of the commission (Sebudubudu, 2008). Additionally, while the president can remove the Secretary, he is only capable of doing so upon the recommendation of a Tribunal of individuals who have held positions in the judicial branch (Sebudubudu, 2008). Finally, the constitution states that the position of Secretary is only legally allowed to be questioned about their activities by the IEC and not the president (Mogalakwe, 2015). Thus, the concern about the independence of the Secretary of the IEC can be assuaged with the safeguards in place.

The funding of the IEC is a second criticism that has been levied against the institution. The budget and monetary allocations process for the IEC follows along the same governmental processes as other ministries which means the IEC is reliant on the current government and the executive for that funding (Sebudubudu, 2008). Historically the IEC has always received the funding requested for carrying out its functions (Sebudubudu, 2008). Yet, for a safeguard and the appearance of more independence, one of the recommendations is that the budgetary process changes to have the IEC receive funding directly from Parliament as opposed to the executive. (Mogalakwe, 2015). However, it is unclear if changing the funding source would enhance the independence of the IEC. Since Botswana has a Parliamentary system, whatever party is controlling the executive would have control in Parliament as well, so while there would be some more potential input on the budget from opposition parties, decisions would ultimately still rest with the dominant party. The consistency of funding historically has helped ameliorate this concern over the funding source. Additionally, numerous international organizations and outside governments partner with the IEC and provide financial support, granting the IEC more independence than the budgetary process would suggest (Sebudubudu, 2008). These partners include the British High Commission, the Embassy of the United States, and the International Institute for Democracy and Electoral Assistance (IDEA) to name a few (Sebudubudu, 2008). Thus, while there is the potential step of changing funding to be done directly by the legislature, the historic trend of funding from the government without issue alongside the international partners also providing financial assistance does create financial independence for the IEC.

Another component for the independence of an electoral commission is having adequate staff to carry out its functions. One critique of the IEC is that operations on the day of the election causes the IEC to be reliant on civil service employees and local community officials to

help administer the election (Mogalakwe, 2015). While some of the local community officials are members of opposition parties, the majority of election workers from the civil service are members of the BDP which is the basis of this critique of relying on other government employees to help administer elections. Yet the IEC does employ over 100 individuals in election supervision roles to oversee the function of the civil servants and local officials who aid the process on election day (Sebudubudu, 2008). In the 2022 election Botswana had 490 unique polling districts that all require staffing (Types of Elections – IEC, 2022). Due to the need for personnel the IEC would have to employ thousands of people directly just for the management of election day to not need any assistance from other segments of the civil service. Yet most countries rely on temporary staff, volunteers, or civil servants to aid with election day operations with oversight from permanent staff in those roles. As such, while having more dedicated staff could improve the independence of the IEC, having people in place for supervision over the election process and having the opposition involved in the vote count gives credence to a level electoral playing field.

One final area where there have been calls for greater independence of the IEC concerns setting election dates. Currently, the president is the one who issues the Writ of Elections for parliamentary seats and the Minister of Local Government performs this function for local races (Mogalakwe, 2015). It is argued that issuing the writ can give the dominant party an advantage since they would know the date of an upcoming election prior to the announcement of the date which is when opposition parties would learn of the election date and thus give the dominant party more time to plan. Changing the issuing of the Writ of Elections to the IEC would be a way to ensure greater electoral fairness.

While there have been concerns raised about the IEC, safeguards that are in place mollify each concern. In fact, the biggest electoral concern, the Writ of Elections, would actually be improved by expanding the responsibilities of the IEC. There are a few steps that have been recommended by parties in Botswana to improve the appearance of impartiality of the IEC, but in terms of functionality there has not been evidence found of these issues causing the IEC to be incapable of carrying out its functions in an impartial manner. International monitoring agrees with this assessment that the IEC conducts their affairs in a balanced manner. The Electoral Integrity Project contains an indicator asking if “election officials were fair,” and the organization finds that the IEC is fair in the way they handle elections (Garnett, et.al., 2022). Thus, the IEC has been established and functions in a manner which is consistent with a level playing field.

H2c: The Judiciary

In addition to the IEC the judiciary must also be independent to ensure a level playing field. This is for two reasons. First, the head of the IEC is a member of the judiciary. Thus, if that branch of government is not independent then by design the IEC is incapable of independence as well. Second, if there are charges of electoral fraud, improper application of electoral laws, or other issues concerning election integrity brought forth by any party or candidate, these charges can be fairly arbitrated only by an independent judiciary.

The Constitution of Botswana does call for judges to be impartial and independent of outside influences (Dingake, 2010). This independence means not only freedom from outside influences, but also that judges are protected from political retribution from their decisions just because they may be unpopular with the dominant party. There are a few personal protections in place that help safeguard judicial independence. Justices are permanent positions until retirement

at age 70 which helps protect them from political retribution; however, there are provisions for the Parliament to remove justices for gross misconduct (Dingake, 2010). Another protection for judges from political retribution is that salaries may not be reduced which helps guard against livelihoods being threatened due to the political will of the dominant party (Dingake, 2010).

One potential critique of judicial independence is that judges are appointed to their positions by the president (Dingake, 2010). Yet for this there are also several safeguards in place that help prevent too much power consolidated in the president. All judicial appointments are required by law to be done according to recommendations by a Judicial Service Commission which includes the Chief Justice, members of the Law Society, Attorney General's Office, and members of the public (Dingake, 2010). This process has gone an additional step in terms of transparency where judicial postings are advertised in the news and candidates are invited to apply (Dingake, 2010). All finalists are then interviewed on camera with records kept and accessible to the public by the Judicial Service Commission (Dingake, 2010). These interviewees who make it to the interview stage are chosen by the Judicial Service Commission and interviewed by them as well (Dingake, 2010). Thus, while still having judges appointed by the president, the application and selection process is widely public with a large degree of transparency which all helps to ensure independence of the judiciary.

There have been two recorded instances of the president attempting to wield undue influence over individual members of the judiciary. The first was during the term of President Ian Khama who rejected a candidate to the bench proposed to him by the Judicial Services Commission (Botswana's Judicial Independence, 2022). The Law Society of Botswana ended up bringing a case to court against President Khama and won the case, resulting in the appointment of the rejected candidate (Botswana's Judicial Independence, 2022). The other instance also

occurred under President Khama when he suspended four members of the judiciary following their critique of the Chief Judge (Botswana: Suspension of Judges, 2015). Following domestic pressure from members of the judicial branch, the Law Society, and international pressure from organizations such as Amnesty International a settlement was reached to overturn the suspension (Reinstatement of Suspended High Court Judges, 2017). As has been shown by these examples and earlier when talking about the media, President Khama has had a more fraught relationship with both the media and the judiciary than his predecessors and the current president. Yet in these cases safeguards against the consolidation of too much power in the executive have prevailed in helping preserve media and judicial independence.

The judiciary has also heard a case of potential election violations in a local election in the town of Gumare in 1979. The case was filed in challenge to a candidate that was alleged to have received certain required nominating signatures from individuals who lived outside of the district (Tshosa, 2006). This case could have been an opportunity for the court system to highlight what measures are in place for local elections, but by the time the challenged was filed and heard by the courts, the election had already occurred and the candidate in question lost the election, thus the court rendered the decision moot (Tshosa, 2006). While not as strong a piece of evidence for independence of the judiciary as the high-profile struggles with President Khama, this final case does highlight a respect for the rule of law consistent with how numerous democratic courts around the world treat cases where the outcome would be moot.

The World Bank includes in its World Economic Forum dataset a Judicial Independence indicator which can be utilized to corroborate the findings above by international monitors. These data were last published in 2017 for 137 countries. Botswana received a score of 4.2 on a seven-point scale (Judicial Independence, 2017). This earned Botswana a spot at 57 out of the

137 countries (Judicial Independence, 2017). The World Economic Forum does not include thresholds for what score ranking would be considered independent. For comparison though, the United States ranks 25 out of 137 countries with a score of 5.5 on the seven-point scale (Judicial Independence, 2017). Botswana's ranking will be compared with the other case students to evaluate judicial independence across the cases in Chapter Seven. In other words, the World Economic Forum data indicate Botswana has room to improve its judicial independence, but the situation in Botswana is not one where the judicial system does not have independence.

Together, these data and news reports highlight a similar trend as was seen concerning media independence. No state is perfect in any area, and Botswana is no exception. There are ways in which Botswana can improve its judicial independence, but the country has institutions that maintain a strong adherence to the law and principles of an independent judiciary. Furthermore, there have been instances under former President Khama where judicial independence was tested, and the safeguards in place demonstrated their robustness and ability to uphold judicial independence. In other words, it can be confidently asserted that despite some avenues for improvement, judicial independence in Botswana is a well-respected and enacted principle.

Thus far it has been shown that for the first two hypotheses while there are some areas where Botswana can improve, nothing that has been demonstrated would be able to completely explain the ability for the BDP to be as dominant as they are. Election laws and election implementation are done in a way that does not exorbitantly favor a dominant or incumbent party. The necessary institutions for democracy of the media, IEC, and judiciary can maintain independence to carry out their functions. Therefore, with the underlying mechanisms in place that are necessary to carry out free and fair elections, I now turn to an analysis of election results

in Botswana and the performance of the BDP compared to opposition parties to see if any other issues that may inhibit a level playing field arise.

H3: Opportunities for Opposition Party Victories

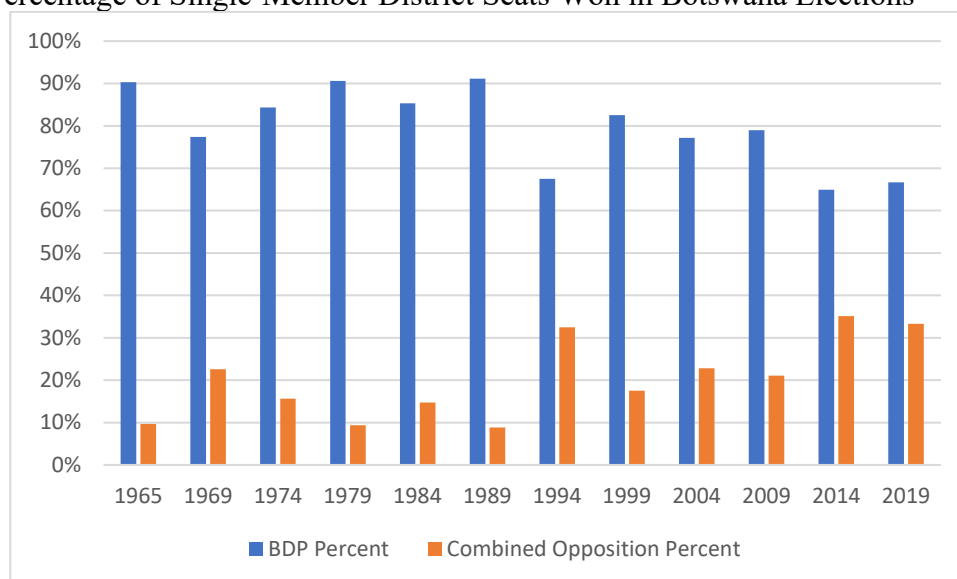
The final test to see if there is a level electoral playing field is to see if there are avenues to where an opposition party can achieve victory, and to analyze what potential barriers not previously identified may impede opposition party victory. To fully grasp the avenues for opposition party victory, a quick explanation of the election system in Botswana must be undertaken. Elections in Botswana for national offices occur every five years, with the first taking place one year before full independence as part of the transition to an independent state and the most recent occurring in 2019. Botswana has a Parliamentary system where the people elect the members of Parliament (named the National Assembly in Botswana) from single-member districts in a first past the post system of elections, and then the Parliament appoints the President. The National Assembly consists of 65 members with 57 of them being members elected in the single-member districts, six members being appointed by the President after that position is elected by the 57 members of the National Assembly, and two ex-officio members in the President and Speaker of the National Assembly who is also appointed by the 57 elected members. Since the appointed members are not appointed to their seats until after the election of the President by the 57 single-member districts representatives, to ensure a majority in government a political party would need 28 of those single-member district seats. Thus, to see if avenues for victory are possible for opposition parties, it is necessary to analyze election outcomes from the 12 elections that have occurred since one-party dominance began.

The size of Botswana's National Assembly has changed over time as the population has grown. In the first two elections of 1965 and 1969 there were only 31 single-member districts.

The following two elections of 1974 and 1979 contained 32 districts. The number of districts grew again to 34 single-member districts in 1984 and 1989. In the 1994 and 1999 elections 40 single-member districts were up for grabs. And finally, the four elections which have occurred since 2004 have had 57 contested single-member districts. Due to this increase in the number of districts, an analysis of the outcomes and chances for victory for opposition parties will occur in two phases. First, the overall percentage of seats won by each party in every election will be tracked. Second, a more detailed analysis of the four most recent elections to see if changes occurred in each of the 57 single-member districts will be undertaken.

Throughout Botswana's electoral history the dominant BDP has been a fixture of electoral politics. No other political party has run in all 12 elections. The next party to be most consistently represented is the Botswana National Front (BNF) which has run as a solo party in 9 elections and then as one of the parties under the multi-party coalition of the UDC in the two most recent elections. Overall, 21 parties have taken part in at least one election in the country, with the chart on the next page showing the electoral outcomes comparing the performance of the BDP to the percentage of total seats won by the combined opposition parties. A second chart in the appendix breaks down the number of seats won into all different opposition parties that have run in each election.

As Figure 2 shows, there is fluctuation in the percentage of seats the BDP has held in the National Assembly compared to opposition parties. The ebbs and flows highlight that the election structures do allow for opposition parties to increase their share of the vote more broadly and win more seats in the National Assembly. However, the BDP has still held an overall dominant position that indicates there is some barrier that is holding back the efforts of opposition parties. The question is, do the potential barriers create an uneven playing field?

Figure 2. Percentage of Single-Member District Seats Won in Botswana Elections¹

The main factor impeding the opposition parties is that there are so many of them. With single-member districts and a first past the post electoral system, each seat in the National Assembly can be won with a plurality of votes as opposed to needing an absolute majority. In first past the post systems with single-member districts, like in the United States, the trend is for two main parties to emerge with little to no electoral prospects for third parties. In Botswana, the opposition to the BDP has not coalesced around a major opposition party, but instead remains fragmented.

Two major reasons underpin this lack of unity amongst the opposition: ideological differences and organizational issues, particularly around finance. Ideological disputes among the opposition date back prior to Botswana gaining independence from Great Britain. The first major opposition party, the Botswana People's Party (BPP), started to fragment in 1962 due to differing views on how closely to align with the African National Congress (ANC) political party in South Africa. The concern aligning with the ANC was over concerns from some party members over taking the BPP in a more socialist direction that the ANC was heading (Selolwane

¹ Source: Created from "General Election Parliamentary Results" from 1965-2019 by the IEC.

and Shale, 2006). This division led to the BDP running against a very fragmented opposition in the very first election which set the stage for electoral dominance.

The BPP did reorganize into the BNF soon after and set out to contest every election since then either individually or as part of a coalition of parties. However, the BNF failed to unite the opposition to the BDP due to continuing disagreements over socialism as the party itself has faced internal dispute between factions more committed to traditionalism and some committed to socialism (Osei-Hwedie, 2001). One issue faced by the opposition is that the dominant BDP has positioned itself as a center/center-right political party and thus the opposition is trying to cater to individuals from the left side of the ideological spectrum, the farther right and still appeal to some more centrally located voters in terms of ideological to create a winning coalition. In practice, trying to bring a coalition with so many divisions together have led to a repeated pattern of party splits with smaller parties emerging from parts of the BNF that splinter off, attempts for unity talks, and the subsequent failure of these talks (Selolwane and Shale, 2006). In each round of talks the parties could not agree on a cohesive strategy between two options: formally merging into one united party, or a non-compete agreement under an umbrella organization of parties (Selolwane and Shale, 2006). The BNF has been resistant to acquiesce to the demands of these smaller parties as the BNF was still the main opposition to the BDP and the only party to consistently win seats in the National Assembly (Selolwane and Shale, 2006). Additionally, as these disputes between parties are carryovers from internal disputes from members that used to be part of the BNF, BNF leadership has felt justified in rebuffing the demands of the other parts of the opposition since they claim their greater electoral outcomes compared to the splinter groups show that the BNF should not be pushed away from its platform (Osei-Hwedie, 2001).

The BNF would finally start to join in opposition coalitions and was more willing to compromise after another splinter party, the Botswana Congress Party (BCP), managed to siphon off large percentages of the BNF vote in the 1998 elections and even win several seats in the National Assembly formerly held by the BNF (Osei-Hwedie, 2001). Attempts at unity were made in a 2005 by-election for one Parliamentary seat in a former BDP stronghold where the opposition parties united behind one candidate and won (Molefhe and Dzimbiri, 2006). However, the subsequent talks for a broader united opposition stalled once again due to the ideological split of how far right or left to position party candidates and thus in the subsequent election there was no united opposition against the BDP.

While the 2009 elections did not see a united opposition, the small bit of unity in the 2005 by-election eventually paved the way for the formerly intransigent BNF to unite with other parties formally in a coalition for the 2014 elections. However, due to their recent electoral success and continued animosity with the BNF, the BCP chose not to join the coalition in 2014, thus keeping the ideological divide alive and the opposition divided in Botswana. The 2014 election will be analyzed in greater detail below as this was a crucial election where the BDP was at its weakest electorally.

Following the 2014 election the UDC expanded with coalition talks and now includes the BCP. Internal leadership disputes in the Botswana Movement for Democracy, another party under the UDC, along with former President Khama starting his own party following his time in office and disagreements with the BDP still led to multiple parties running in elections in 2019, once again splitting the opposition vote. It should be noted though that in the 2019 election, the BDP recovered a share of the total popular vote they had lost in 2014 and as a result fewer of the single-member districts were close races with the potential to change from one political party to

another if only two candidates had been running. This is the reason for the 2014 election being a major point of analysis in this study compared to the 2019 election.

One final challenge remains to be addressed for opposition unity, which is the BDP itself. The BDP has been able to capitalize on opposition disunity in the past by adopting popular parts of the platforms of various opposition parties into its own lawmaking, such as lowering the voting age and creating the agency that is seen as responsible for ensuring the low level of corruption in Botswana's government (Poteete, 2014). By adopting policies that some of the smaller parties were making major parts of their platform, the BDP has created an opening for those members who were part of the opposition but also dissatisfied with other major opposition parties such as the BNF to view the BDP in a more favorable light and thus weaken the opposition. Appealing to popular parts of the opposition platforms also helps highlight why the BDP can bounce back from some inroads made by the opposition since the party is actively incorporating at least some of the demands of the opposition to cater to those constituents.

There are some signs of positive development for opposition unity in recent years though. The UDC party coalition has held together now for two elections and is poised to work together again in the 2024 elections which shows signs of progress for the ideological divide that has plagued the opposition to the BDP. In terms of assessing opposition disunity as a barrier for democracy, the ability for parties to emerge and coalesce around ideological similarities is a sign of a strong democracy and thus these issues of ideological divides hindering party unity is not an aspect of an uneven playing field. While lack of unity amongst the opposition may be a poor strategy to win elections, it does not necessarily make a state undemocratic, but it could be an indicator of further issues for democracy in Botswana.

However, there is another aspect to opposition party unity that needs to be addressed, which is the organizational challenges faced by the opposition. Most opposition parties simply do not have the funds to nominate candidates in every district election. The 1994 election is a prime example of funding issues as the election with the single highest number of opposition parties fielding at least one candidate. Despite the crowded field in terms of parties, only the BNF was able to field candidates in 38 of the 40 total districts while the other parties fielded candidates in fewer than half of the available districts (Osei-Hwedie, 2001). The lack of candidates was due to a lack of party infrastructure. In the following election, the BCP was not able to even afford a central permanent office for its campaign apparatus despite their strong showing in 1994 (Osei-Hwedie, 2001). And all opposition parties lack the regional level offices that the BDP have in every electoral district (Osei-Hwedie, 2001).

Underdeveloped political organization amongst the opposition continues to the present day. As recently as September 2022 it was reported that the Botswana Patriotic Front (BPF), which was founded by former President Khama, is now in financial trouble after the former president has cut off his funding and support for the party (BPF Swimming in Debt, 2022). The issue has gotten to the point where the BPF can no longer afford their office space in the capital, Gaborone, or pay several of their staffers, thus further highlighting the level of disorganization and lack of financing that is still plaguing the opposition parties and by extension aiding the BDP (BPF Swimming in Debt, 2022).

One thing that complicates the funding and organization issue is the law identified in the first section of this chapter that does not limit spending by a political party, but only candidates. With their strong established record, the BDP can drive political donations to a much greater extent than the opposition and is able to wield that financial advantage and turn this financial

advantage into an organizational advantage. These advantages give the BDP a strong electoral edge over opposition parties. Laws that limit the amount allowed to be spent by political parties, mirroring those that exist for candidates, would help ameliorate this advantage. There are other potential factors that limit opposition party effectiveness beyond the ones presented in this study, such as the number of campaign offices, the number of donors to each party, and candidate recruitment. These factors do not relate directly to formal laws that may hinder opposition parties, and thus are not included in the analysis. However, these challenges will be discussed in Chapter Seven as they can apply to all three cases and highlight avenues for future research.

While all elections have been plagued by lack of opposition unity, two elections in particular highlight the outcome of the lack of cohesion amongst the opposition and how it is the major obstacle for ending the BDP's dominance in Botswana. In the 1994 election the BDP only won 54.72% of the popular vote nationwide but won 67.5% of the seats in the National Assembly (Lodge, Kadima, and Pottie, 2002). As was already mentioned, the 1994 election is unique in that it had the highest number of opposition parties running, with eight different parties running against the BDP. Yet in the end only the BNF was able to win any seats besides the BDP (Lodge, Kadima, and Pottie, 2002). The seven parties that won no seats did earn nine percent of all votes cast, which while not enough to prevent the BDP from remaining dominant, would have made the allocation of seats in the National Assembly much more closely divided (Lodge, Kadima, and Pottie, 2002). The lack of cohesion among the political opposition to the BDP has hindered the efforts of these parties to oust the BDP from government control.

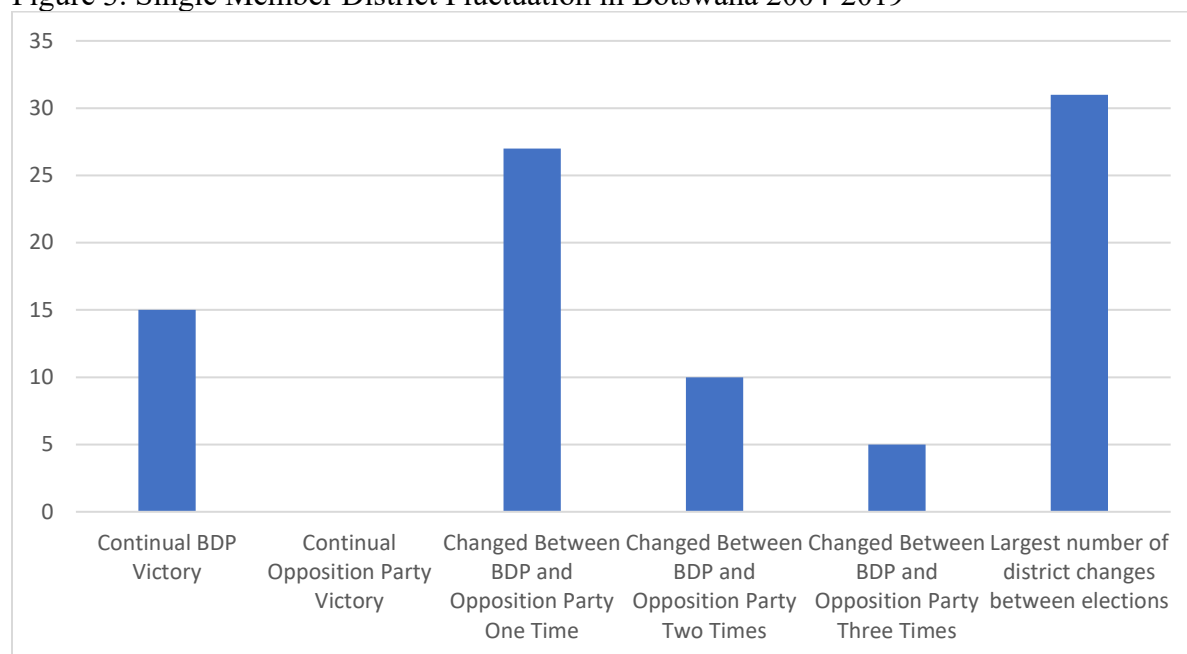
The election of 2014 further highlights how a lack of cohesion has kept the BDP in power. In that election, for the first time several parties came together under the UDC, a coalition of multiple parties that vowed not to run candidates against each other and if they gained a

majority in the National Assembly would form a coalition government. The coalition ended up fielding candidates in all but 5 districts (General Elections, 2014). The UDC was spearheaded by the BNF, the most popular opposition party and was joined by all but one opposition party, the BCP who ran candidates in all but 3 constituencies across the country (General Election, 2014). Between both major oppositions, the UDC and BCP running candidates, and 26 districts where independents also ran, only three of the 57 Parliamentary seats that are directly elected were a race between only two candidates (General Election, 2014). 33 out of 57 races saw three candidates on the ballot (General Election, 2014). Meanwhile 18 seats had four different candidates and three seats had five candidates (General Election, 2014). In no district did an independent win a seat in the National Assembly, and in fact in most districts they received very few votes, but there were some districts where an independent received a large share of votes, even upwards of 35% of the total vote as in district 19 in 2014 (General Election, 2014). In fact, in the 2014 election the BDP only won 46.45% of the popular vote yet retained 37 of the 57 single member districts (General Elections, 2014) due to the split between the UDC, BCP, and some independent candidates. The UDC and BCP won a majority of votes nationwide when you combine their two percentages, but due to the electoral system only gained 20 seats in the National Assembly between them (General Elections, 2014). If the opposition had been united, an avenue would have existed for the BDP to lose its electoral dominance in the 2014 election. The most recent election did see the BDP regain a majority of votes nationwide, but only by a small margin. Several new parties ran that did not join the UDC as they wanted to get their name out there in their first election and not be part of a coalition. Opposition disunity again limited the ability of opposition efforts to defeat the BDP electorally. The lack of a cohesive opposition effort to the BDP is indeed the largest hurdle that is faced in attempts to defeat them at the ballot

box. But this inability of the opposition to defeat the BDP is not an indicator of an uneven playing field since the opportunity for victory for opposition parties indeed does exist, just the lack of unity in their efforts is what is preventing their efforts.

A closer look at the 57 district results in the four most recent elections also highlights the effect of this disunity. This analysis also brings to light the competitiveness of elections in Botswana which speaks directly to the fifth hypothesis (increasing vote share for opposition). Figure 3 shows how competitive the 57 seats in the National Assembly were in the last four elections.

Figure 3. Single Member District Fluctuation in Botswana 2004-2019²



These data show that, despite BDP national dominance, the majority of the 57 seats in the National Assembly are competitive. Only 15 seats have not seen at least one alternation of power between the BDP and opposition parties. The bulk of seats in the National Assembly are competitive, with 27 seats changing between the BDP and the opposition once, 10 seats alternating twice, and 5 seats seeing a transfer of political representation three times, or in every

² Source: Created from “General Election Parliamentary Results” from 2004-2019 by the IEC.

election since 2004. The high number of competitive districts is further highlighted by the most recent election in 2019 which saw the single largest partisan change of seats in the National Assembly with 31 of the 57 seats changing between the BDP and the opposition parties. These data illustrate that political parties can reach the public with their messages and platforms and have realistic opportunities to get their candidates elected.

Yet despite competitive districts the BDP still continues its electoral dominance. Once again, the answer to this conundrum lies with the lack of cohesion amongst the opposition to the BDP. Persistent factionalism amongst the opposition has long been thought to be one of the keys to the continued success of the BDP (Poteete, 2012). The election data presented above already highlights how the competitiveness of elections is undercut by the disorganized opposition, but further? some hypothetical scenarios of some of the most recent elections further prove that point. Within each election, several districts are competitive, and have a chance of switching between political parties if there were only two parties running candidates as opposed to the BDP and several opposition parties. Using data from the 2004, 2014, and 2019 elections highlight how the electoral landscape could change with a united opposition. Unfortunately, data limitations prevent this analysis from being conducted for the 2009 election.

To conduct these hypotheticals, I took the results from each election for the 57 single-member districts in the National Assembly and created hypothetical outcomes based on if there were only two candidates. For each district I reduced the candidates from all candidates down to the BDP candidate and then the opposition party member that had the most votes. The votes that were cast for other candidates were then divided between the BDP candidate and the opposition candidate with four potential outcome scenarios. In two of the scenarios, I have envisioned a slight preference for either the BDP or the opposition, which I have manifested as a 60/40 vote

split among those votes that were cast for the candidates that were not the top two vote earners. In the other two scenarios I decided upon a 75/25 vote split indicating a strong preference among those voters that did not vote for the top two candidates. The two outcomes that favor the opposition candidate either to a minor or major degree are most likely to occur, since due to extended BDP dominance voters are aware of what political outcomes they will get if they support the party that has been in power for so long. Voting for an opposition candidate indicates dissatisfaction with the current government policies and direction, and thus those voters are more likely to support other opposition candidates. While there is reason to assume that those who support the opposition currently would continue to support opposition candidates, in the interest of all potential outcomes I also ran scenarios where voters would also support the BDP more than opposition candidates. These hypotheticals do have a blind spot if those who voted for one of the other candidates besides the top two would abstain from voting, or if it was an even vote split, but in those scenarios the winner would not have the potential to change party hands in the first place, so the outcomes of those scenarios would be moot. The table below shows the outcomes of these hypothetical voting scenarios when only two parties are running in each district.

Table 3. Botswana Single-Member District Change Potential with Only Two Parties 2004-2019³

	2004	2014	2019
Seats gained by BDP with 60/40 vote split for BDP	1	2	2
Seats gained by opposition with 60/40 vote split for opposition	3	5	2
Seats gained by BDP with 75/25 vote split for BDP	5	4	5
Seats gained by opposition with 75/25 vote split for opposition	8	10	5

³ These data are created using election results housed by the Government of Botswana and the IEC. Squares highlighted in yellow indicate a potential change in dominance of the National Assembly could occur.

In each of these elections, several of the seats are competitive, and some highly competitive. This competitiveness has already been shown in how many seats have changed between an opposition party and the BDP in the last four elections, but this chart highlights how many seats could have changed hands if the opposition parties were united under one banner which is a more common outcome in a first past the post system of elections. 2014 highlights how competitive these seats are, with the potential for the opposition to gain control of Parliament in a scenario where the multiple opposition parties were united against the BDP instead of fragmented. 2014 and the potential for opposition control coincides with the first time the BDP has ever gotten less than a majority of the overall popular vote during an election. While the BDP enjoys some election advantages, particularly around the incumbency advantage, the opportunity for opposition parties to gain majority control of the government does exist. Yet lack of cohesion amongst opposition parties continuously stands in the way.

Taken together, the electoral laws, institutional independence, and potential avenues for opposition party victory all indicate that Botswana, despite not having seen partisan transitions of power, has the opportunity for these transitions to occur with minimal barriers. There are a few areas that can be improved upon in terms of structural advantages for the BDP, particularly the issues of incumbency advantage, more media diversification, and spending by political parties being unlimited, but overall, the playing field is level to the point where the opposition can win but gets in its own way due to its lack of unity. Several institutions of a level playing field: the media, the IEC, the judiciary, and the electoral laws all show a commitment to free and fair elections with some minor areas for improvement. And even when those have been tested at times, the safeguards in place to uphold a level electoral landscape have prevailed. Recent elections highlight that with these safeguards in place the possibility for electoral change

occurring if the opposition had been fully united is possible, especially in the 2014 election. And continued collaboration of the opposition to the BDP under the UDC can pave the way for a partisan transition of power to occur in Botswana. Thus, when it comes to Botswana the concept of a state dominated by one political faction does not appear to be at odds with democracy since there are structures in place to safeguard free and fair elections, and the opportunity for those transitions is not impeded by an uneven playing field, but rather electoral strategy of the opposition parties. However, further comparison will be done in Chapter Seven to see if there are indeed distinct differences between one-party dominant states.

CHAPTER FIVE

TANZANIA

This chapter analyzes the case of Tanzania, which is universally and consistently classified as a hybrid regime by the measures of democracy discussed in the second chapter to see what distinctions, if any, exist between Tanzania and the other cases along the hypotheses concerning an even electoral playing field. The country has seen elections dominated by the ruling Chama Cha Mapinduzi (CCM) since 1961. However, one party dominance (one party consistently winning in multiparty elections) has only occurred since 1995. Prior to a change in the constitution in 1992, Tanzania did not allow the formation of political parties opposed to the CCM (Political Parties Act, 1992). From 1961 until 1995 Tanzania was thus a one-party state since only one political party was allowed to exist and there were no legal avenues for political opposition. Despite formal opposition running in elections since 1995, the CCM has continuously won elections for both the presidency and a majority of seats in the legislature, making Tanzania a one-party dominant state today. Elections in Tanzania occur every five years for both the executive and legislature, which means there has been five electoral cycles of one-party dominance to evaluate concerning Tanzania.

H1: Electoral Laws and Election Management

The current constitution of Tanzania was first enacted in 1977 and has received a few amendments since that time with the latest amendment, and thus most recent constitutional change occurring in 2000. Elections in Tanzania happen once every five years for the National Assembly (legislative branch) and the President (executive branch) with the most recent

elections occurring in 2020. Elections for the President are done by a popular vote of the entire country (Const. of Tanzania 2000, Art. 38). The National Assembly is a mixture of elected and appointed positions. Currently there are 264 single member districts that each elect one member of the National Assembly in a first past the post style system that just need a plurality of votes to win (Const. of Tanzania 2000, Art. 67). Additionally, another 113 seats are reserved for women members of Parliament, and are allocated to each party proportionally to appoint these members based on the number of seats they win out of the 264 elected seats (Const. of Tanzania 2000, Art. 67). Finally, there are a few de facto positions, such as the Attorney General, that bring the grand total of seats to 393 seats (Const. of Tanzania 2000, Art. 67). Other main features of note are that the President appoints a Prime Minister to act as the head of the National Assembly from among all members of the National Assembly (Const. of Tanzania 2000, Art. 51). All Cabinet members likewise are also required to be selected from members of the National Assembly (Const. of Tanzania 2000, Art. 55).

Finally, the island of Zanzibar is treated as a semi-autonomous state with the island having its own internal government structure including an executive and legislature (Const. of Tanzania 2000, Art. 102). Like the rest of the country, the CCM has dominated elections on the island. Zanzibar has independence for any political decisions that affect just the island, but for any laws that impact both Zanzibar and the rest of Tanzania, authority is vested in the national government (Const. of Tanzania 2000, Art. 102). The House of Representatives in Zanzibar is a unicameral legislative body that has a similar system with a mixture of first past the post single member districts and several seats allocated proportionally to parties for women representatives (Const. of Tanzania 2000, Art. 106). Executive power is vested in the “Head of the

Revolutionary Government” and is elected in the same system via a popular vote as the President of Tanzania (Const. of Tanzania 2000, Art. 103).

As mentioned above, Tanzania did not have its first multiparty election until 1995 with the adoption of the Political Parties Act three years prior. Multiparty elections were the necessary step to be considered a one-party dominant state by this study, but it is only the first step in assessing the openness of elections in Tanzania. It is important to look at any law that may inhibit participation, activities of political parties, or other ways of influencing elections.

Tanzania has few formal limits on who can vote. Anyone over the age of 18 can register to vote (Const. of Tanzania 2000, Art. 5). The Constitution does limit the right to vote for some individuals. Anyone who is a citizen of another state, is mentally infirm, or who has committed felony level crimes is not allowed to vote (Const. of Tanzania 2000, Art. 5). Outside of these limitations if individuals register to vote and are of legal age, they are capable of casting votes in elections. These laws are similar to those in most countries around the world with elections and thus on their own are not enough to pass a value judgement on whether the playing field is level.

H1a: Election Laws for Parties and Candidates

There are some limits on who is eligible to run for office for both the executive and legislative branches that may create greater hurdles for opposition parties compared to the dominant CCM. The first is that any candidate for either president or the National Assembly must be nominated by a political party (Const. of Tanzania 2000, Art. 41, and Art. 67). Needing the nomination of a political party immediately limits who can run since it prevents any candidate from running who is a registered independent. There are no limits though on political parties collaborating or former blocks to coordinate efforts, which can help make a more level playing field between dominant parties and opposition. A further limitation on presidential

candidates, but not the legislature, is a provision in the Constitution that states, “a person shall not be validly nominated save only if his nomination is supported by such number of voters and in such manner as shall be prescribed by an Act of Parliament” (Const. of Tanzania 2000, Art. 41). Essentially, this part of the constitution gives the legislature the power to decide on popularity thresholds for presidential candidates that require them to have set levels of support before they can appear on the ballot. The current level is 200 signatures for a candidate to run for office which is easily achievable by all candidates and thus as it is presently implemented not a barrier to a level playing field (Const. of Tanzania 2000, Art. 39). Another provision in this part of the constitution does restrict people who are able to run as candidates to those with well above median wealth or significant outside financial backing. A deposit of one million Tanzanian shillings, which is currently around eight percent of the median yearly salary for individuals in Tanzania, is needed to be an eligible candidate (Const. of Tanzania 2000, Art. 39). This does create limits to candidate registration to Botswana where there are needed deposits, but no minimum amount required.

The ability to set limits on who can run for president gives the dominant party, which wrote the Constitution that granted these powers, an additional tool to suppress opposition since the CCM has majority control of the legislature to set these limits. Additionally, since the CCM had nearly 30 years of being the only legal party in the country prior to 1992 and have been the dominant party controlling the legislature since multiparty elections started, they have a significant advantage in reaching whatever support level is decided upon by the legislature since they have decades of time building a party organization compared to the opposition parties. Beyond these issues of needing a political party supporting a candidate for all offices and a threshold of support for the presidential candidates that can be changed by the legislature there

are similar restrictions in terms of age and residency as there are for voters. However, none of these limitations currently impact the electoral playing field since the signature thresholds are low enough that all candidates and parties can easily meet these goals which is like the results of the Botswana case. Thus, it appears that laws for ballot access for candidates have some skew that favors the dominant CCM.

Further compounding ballot access for potential candidates is any restriction placed upon political parties since there is the requirement for candidates to be nominated by parties. Political parties have some protections in the Constitution following the 1992 amendment that allowed for the formation of parties beyond the CCM. No political party can be banned from forming and operating solely for ideological reasons (Const. of Tanzania 2000, Art. 20). However, there are some constitutional limits on the formation of parties in several circumstances. Unlike in Botswana where there are no restrictions on demographics or region for political parties, in Tanzania political parties are not allowed to be formed if they promote any segment of the population-based religion, race, gender, or geographic subset of the population (Const. of Tanzania 2000, Art. 20). Additionally, political parties are banned from advocating for the break-up of the country into smaller units or advocate for the use of force as a political tool (Const. of Tanzania 2000, Art. 20). Finally, political parties are also not allowed to form if they are only planning to carry out their activities in one part of the country and not the entire country (Const. of Tanzania 2000, Art. 20).

Some of these restrictions create an uneven landscape between opposition parties and the dominant CCM. In particular, the two restrictions on advocating for sub-national parts of the population or carrying out political activities in sub-national sections of the country can severely limit the activities of opposition parties. Since Tanzania had decades of only allowing the CCM

to exist as a political party, it is easier for the CCM to operate with these constraints since they already have an existing national infrastructure. Newly emerging opposition parties do not often have the resources to set-up a nationwide organization and could benefit from competing exclusively in a particular region to both build support and focus their limited organizational capacity. This is a barrier to opposition party building that is not present in Botswana, and the comparison between the two and Azerbaijan will be explored further in Chapter Seven.

Beyond the constitutional provisions, there are other barriers to the registration of political parties in the Political Parties Act of 1992 that allowed for multiple parties to exist. These barriers surround the position of Registrar of Political Parties who is responsible for facilitating the approval of new parties as well as cancelling their registration. The Registrar of Political Parties is both appointed by and answerable to the president (Political Parties Act, 1992). While it is described as an autonomous office, being answerable to the existing president does give an advantage to the dominant party and casts aspersions on the true independence of the position. All parties wishing to register need to have that registration approved by the Registrar, which means that to some degree all new opposition parties can only be formally created with the consent of the CCM since the Registrar of Political Parties is answerable to the dominant party via the executive (Political Parties Act, 1992).

The biggest issue with the Registrar of Political Parties is the ability to cancel the registration of political parties. There are some limitations on the cancelation of parties based on proximity to elections and that parties must have violated some portion of the Political Parties Act as deemed by the Registrar of Political Parties (Political Parties Act, 1992). The vague language around cancelation of political parties leaves much open to the interpretation of the law which is vested in an individual who is responsible to the executive and thus the CCM.

Additionally, any cancelation of a political party by the Registrar of Political Parties is final and is not legally allowed to be appealed to the court system (Political Parties Act, 1992). The large lack of oversight on the Registrar of Political Parties creates the potential uneven landscape benefiting the dominant party. As of 2022 there have not been any reported instances of the Registrar of Political Parties using this power and thus no current threat to the political playing field. Yet the lack of oversight on the Registrar is an area that needs to be corrected to create safeguards for election integrity.

Yet the laws surrounding party activity and ballot access for candidates are only part of what makes the playing field uneven when it comes to the ability to run campaigns. How these laws are implemented, along with any instances of attempts to silence opposition parties or candidates also matter. There have been numerous instances of opposition leaders being silenced or impeded in their ability to rally their supporters. The dominant CCM government has used a variety of tactics to weaken the opposition. At least four major opposition candidates were imprisoned prior to the 2000 election (Baregu, 2003). These four candidates were part of a larger group of 18 individuals all from the Civic United Front (CUF) party and were formally charged with treason and attempting to overthrow the government (Amnesty International, 2001). However, international monitors have decried the move as “trumped up charges” and that the individuals were arrested because of their non-violent political opinions and would not be given a fair trial in Tanzania (Amnesty International, 2001). These individuals were released after being held in prison for over three years with charges dropped, lending credence to the claims from observers that charges were manufactured by the government (Amnesty International, 2001). Before the 2010 election there were numerous reported instances of opposition parties, particularly the Chama cha Demokrasia na Maendeleo (Chadema), being denied permits to hold

some rallies in the months leading up to the election citing security concerns (Human Rights Report: Tanzania, 2010). CCM candidates did not have trouble being issued permits during the same period (Human Rights Report: Tanzania, 2010). In fact, during the 2010 election the government implemented a rule that opposition party and candidate rallies can only be held until 6pm citing security concerns; however, the dominant CCM was still allowed to hold election related rallies until 8pm (Human Rights Report: Tanzania, 2010). These are just a few examples of how the implementation of election regulations around campaigning and candidate intimidation have a long-established presence and creates an uneven playing field in favor of the CCM.

The most recent election in 2020 witnessed these various oppression measures by the CCM reach new heights. These oppressive measures began soon after the election of former President Magufuli in 2015. In 2016, President Magufuli banned political protest and rallies by the opposition and his security forces used methods such as tear gas to stop these events from occurring (Ng'wanakilala, 2016). Another action of President Magufuli soon after being elected in 2015 was to stall the ongoing talks for a new constitution that had undergone years of negotiation due to the current constitution being viewed as favorable towards the CCM, with the look at electoral laws thus far in this chapter confirming the previous assessment of the constitution (Kombe, 2021).

Yet banning opposition parties from meeting and preventing the constitutional talks from moving forward were only part of the actions undertaken by President Magufuli to silence the opposition. Violence, imprisonment, and even killings have been used since Magufuli came to power to prevent opposition party candidates and leaders from operating in a safe environment. One example of violence and intimidation is a failed assassination attempt on opposition leader

Tundu Lissu in 2017 (Kombe, 2022). The failed assassination and further threats to his life have led Lissu to live in exile in Belgium since then with only a brief return to Tanzania to challenge Magufuli for the presidency in the 2020 election (Kombe, 2022). These intimidation tactics continued against opposition leaders up to the 2020 election. The day prior to the 2020 election an opposition party candidate for president, Maalim Hamad, was jailed before being released the following evening. Hamad was arrested while participating in early voting in retaliation for members of his party protesting government officials who they claimed were dropping off ballot boxes at polling places pre-stuffed with votes for the dominant CCM (Tanzania Votes, 2020). And the morning of the election another opposition party leader, Freeman Mbowe, shared video surveillance of armed local officials waiting for him outside of his hotel (Tanzania Votes, 2020). These instances show that historically there have been infrequent actions taken to limit the ability of opposition parties to perform, such as those surrounding the 2000 and 2010 elections. These actions were also typically less violent and more procedural such as blocking permits. The most recent election has shown an increase in not only frequency of actions taken by the government to limit opposition candidates, but also the more frequent use of violent tactics to inhibit opposition parties and their supporters.

Violence has not only been limited to political leaders of the opposition. The day prior to the 2020 election, police killed at least 11 individuals who were attending opposition rallies (At Least 11 Shot Dead, 2020). A large, armed police presence was also evident throughout the election in the communities where these deaths occurred at police hands just a day prior (Tanzania Votes, 2020). Coupled with the violence and intimidation against opposition leaders, the CCM has engaged in a coordinated effort to minimize the effectiveness of the opposition parties under the leadership of President Magufuli. Based on the comparison to previous

elections such as the sporadic anti-opposition party actions in 2000 and 2010 it appears that President Magufuli is an outlier compared to previous CCM administrations.

The current president, Samia Hassan, who took over the office upon the death of former President Magufuli in 2021 has made some strides towards rectifying the abuses of office in terms of silencing the opposition that happened under the Magufuli regime. First, Hassan released 23 of the political opposition members that had been jailed under the Magufuli presidency (Quinn, 2021). Additionally, in February of 2022 President Hassan traveled to Brussels and during that trip met with opposition leader in exile, Tundu Lissu (Kombe, 2022). These actions have given the opposition some optimism for the playing field to become more even in the country.

However, there are two areas where President Hassan has favored practices and priorities put in place by her predecessor when it comes to the political opposition. Despite Hassan being part of the drafting committee for a new constitution before the talks stalled out and were stopped in 2015, she has not made a new constitution a priority for her current government citing the need to stabilize the economy first (Kombe, 2021). Opposition leaders assert that these two issues of democracy and the economy need not be tackled at different times and can run concurrently, but thus far the talks on the issue have not resumed (Kombe, 2021). Additionally, while as has been seen some opposition leaders have been released, in July of 2021 several members of the opposition were arrested under charges of an unlawful gathering due to COVID-19 protections put into place only a day prior to a conference discussing constitutional reform (Quinn, 2021). These actions not only further highlight the lack of commitment to a new constitution, but also a willingness to still jail and silence opponents even after releasing some earlier in her term. Opposition leader Freeman Mbowe who was jailed as part of these arrests

was released after nearly a year in prison with the charges dropped (Ombour, 2022). While the release is a positive development in this case, the fact that an opposition leader was jailed for nearly a year without charges being brought does still have an effect of intimidating those opposed to the dominant CCM. Thus, while President Hassan has made some strides to improve conditions for the opposition following the immense backslides which occurred during the Magufuli presidency, there is still much work to be done and some negative actions undertaken by her administration as well. These actions by current President Hassan also lends further credence to the claim that Magufuli is an outlier in terms of adverse actions against opposition parties. But the fact that outliers such as Magufuli can exist and wield such power without repercussion indicates a need for improved safeguards when it comes to laws surrounding parties and candidates.

Altogether, these laws and actions paint a bleak picture of a level playing field when it comes to the ability of the opposition to successfully challenge the dominant party in elections. Electoral laws around registration are skewed towards the dominant party. And various issues over the years that have limited the ability of opposition parties to organize, including the severe recent events of banning rallies and jailing opposition, have created an electoral landscape that is uneven. Yet the laws are only a part of the first hypothesis discussing an even playing field for election laws and implementation. A second area to fully understand the levelness of the playing field is fraudulent behavior during elections.

H1b: Fraudulent Election Behavior

Fraudulent election behavior in Tanzania has been happening for many elections. However, election fraud has been a difficult issue for the opposition to prove. The opposition regularly charges that fraudulent electoral behavior has occurred, but due to the laws surrounding

the Registrar of Elections analyzed previously, there has been no investigation by internal, independent entities into these claims since the decisions of the Registrar are not legally allowed to be challenged in court. The inability to challenge election decisions also applies to the National Election Commission (NEC) which will be analyzed at length later in this chapter. Together, having the main entities responsible for elections immune from having their decisions challenged means that allegations of election fraud are regularly ignored by the CCM government.

Every election since multiparty elections were instituted has seen allegations of fraud from either Chadema or the CUF. The CUF alleged fraud in 1995 due to delays in vote counting and a lack of transparency in counting the votes (Tanzania General Elections, 2010). In 2000, Zanzibar had over one-third of its polling places closed, results annulled, and the election rerun at a later date chosen by the CCM which again led to allegations of fraud (Tanzania General Election, 2010). In 2005 many polling places refused to release counts in a published results sheet again leading to assertions of fraud (Tanzania General Election, 2010). In 2010 several of the polling places in Zanzibar did not follow election procedures for counting votes at local polling stations, instead opting to simply scan votes and send them to a central location, again causing claims of fraud to emerge (Tanzania General Elections, 2010). When results in the 2015 election came out with a significantly higher than expected victory for the CCM, the opposition alleged that election voting machines used to tally the vote were compromised (Allison, 2015). And allegations of ballot box stuffing, the inability for opposition party observers to monitor vote counting, and the issues with violence previously identified also marred the 2020 elections with claims of fraud (Odula, 2020).

These allegations of fraud cast a pall on elections in Tanzania. Some of these allegations, such as the actions in 2000, 2005, and 2010 mentioned above have been observed by international elections monitors such as the Commonwealth Observer Group, lending more credence to these allegations. However, due to the lack of systems in place for election challenges to be litigated and investigated since the decisions of the NEC and the Registrar of Elections are immune from their decisions being challenged, proving every instance of fraud allegations becomes an impossible task. Yet for the purposes of evaluating a level playing field, the lack of transparency is enough to say that the playing field is not level concerning election fraud. The ability of the government to take actions that go against election laws with no legal recourse, even if there is no fraud occurring from these actions, is still enough to assert that the electoral landscape is not equal and there are not safeguards in place to prevent fraud.

H1c: State Resources Used in Elections

The final portion of hypothesis one, electoral laws and implementation surrounding campaign finance, also has issues with both the laws and their implementation that lead to an uneven playing field. The Registrar of Political Parties, the position appointed by and answerable to the president and thus the dominant CCM, is also in charge of oversight of campaign finance laws. These laws have changed over time but have always been skewed to benefit the dominant party. Originally, all registered parties were eligible for public financing, but following an amendment to the Political Parties Act only parties with representation in the legislature were eligible for public funding (Political Parties Act, 1992). During the time this law was in place the dominant CCM would thus be most likely to receive public funding and any new, emerging opposition would not be eligible for public funding, thus skewing the playing field towards the CCM. After only one election though the law was undone and no parties were eligible for public

financing due to budget constraints by the government and thus all parties became reliant on donations, which again helps a dominant party as it has a greater organizational reach to gather donations compared to opposition parties.

In addition to regulating funding and donations, the Registrar of Elections also dictates how much money political parties are allowed to spend on campaigns. For each election the Registrar will publish in national newspapers the maximum amount of election expenses allowed to be spent by a party in an electoral district, with all parties being subjected to the same limit and individual candidates spending counting as part of party spending (Election Expenses Act, 2010). On one hand, mandating spending limits helps level the electoral playing field since they can equalize the campaign resources available to different parties. However, since the power is vested in a government position who is answerable to the president with no judicial oversight as has already been established, this power can be abused to set upper limits only reachable by the dominant party with their more established fundraising, or limits so low that no opposition candidate could successfully compete with incumbency advantages. Currently spending limits have not been a major issue since all parties have been able to reach the maximum spending amounts. However, while this is not currently an issue for a level playing field, the lack of safeguards does need to be addressed since they are not administered by a position that lacks independence.

In practice, abuse of state resources by the CCM has been seen in elections. For example, the 2010 election witnessed the CCM not only utilize public vehicles for campaign activities but even have public officials from within the administration campaign openly for the CCM by speaking at events (Election Observation Mission to Tanzania, 2010). Both these behaviors are supposed to be banned via an electoral code of conduct; however, this code of conduct is

enforced by the NEC which has been mentioned briefly as lacking independence and will be explored in-depth later in the chapter. Another example is the 2015 election in which the CCM regularly used public stadiums and sports grounds for campaign events that were not made available to opposition parties, thus giving the CCM an advantage (Final Report, 2015). While these are just some highlighted examples, they illustrate the extent to which the CCM has gained an electoral advantage over opponents using state resources thus further indicating an uneven playing field in the country.

These issues with a level playing field are corroborated by numerous instances of monitoring and reporting. Tanzania has a history of both internal, domestic monitors and external international monitors. The main organization for domestic election monitoring is the Tanzanian Election Monitoring Committee (TEMCO). TEMCO was formed by 22 non-governmental organizations in 1994 and quickly grew to 62 member organizations represented in the 2000 election (Makulilo, 2011). The organization has regularly relied upon international funding for its operations, from partners such as the European Union, Denmark, and Sweden (Makulilo, 2011). However, as early as the 2005 election, the third since multiparty elections were instituted, TEMCO's status as an impartial monitor has been called into question. In TEMCO's reports on the first two elections in 1995 and 2000, the organization identified numerous areas where the elections were "free, but not fair" primarily surrounding issues with the NEC and its independence (Makulilo, 2011). Yet in their report on the 2005 election, TEMCO declared the election "clean, free, and fair" despite the issues previously identified with the NEC and its management of elections not having changed (Makulilo, 2011). These issues and TEMCO's early assessment of the NEC will be evaluated later in this chapter when focusing on the NEC as an institution. Due to the seemingly arbitrary changing evaluation of elections and

the NEC, TEMCO's reputation has been called into question and this study will not be relying on data from the organization, instead opting to utilize reports from international election monitors.

Turning to the international election monitors, these entities were present in the very first election in Tanzania and have reported on issues with elections since the first multiparty election in 1995. The International Foundation for Electoral Systems (IFES) was one of the first international monitors that witnessed the 1995 election. While their report notes that opposition parties and the public were invested in the process of multiparty elections, the CCM government operated elections in such a way that eroded public trust and cast doubts on the reliability of the outcome (Reeves and Klein, 1995). Polling stations were closed with dates rescheduled due to poor administration, secrecy over every step of the process from ballot printing to ballot counting created lack of trust, and improper storage of ballot boxes resulting in missing votes led to fraud allegations that were never investigated due to the laws about preventing legal challenges to the decisions of the NEC (Reeves and Klein, 1995). Thus, it seems from the very beginning of multiparty elections that there have been issues causing an uneven playing field that have been corroborated by international monitors.

The IFES also observed the 2000 election in Tanzania. In their report, the IFES states that they found similar issues of polling place irregularity, secrecy around vote counting, and other issues like the ones present in the 1995 election in the 2000 election (Bayer and Cooper, 2001). The report concluded with the statement that the IFES could not confirm that the declared results truly represented the will of the people (Bayer and Cooper, 2001). These irregularities are primarily occurring in Zanzibar, the semi-autonomous island, but as Zanzibar held 55 of the 295 total seats in the National Assembly in 2000, irregularities in such a major area casts a negative

light on the election overall. These reports lend further credence to charges of fraud and an uneven playing field beyond just the initial 1995 election.

Another organization, the Commonwealth Observer Group, observed the 2000, 2005, and 2010 elections. Their 2010 observation of the election not only shines light on issues with that election, but also includes summaries of issues they uncovered in the previous two elections of 2000 and 2005. The Commonwealth Observer Group has corroborated the behaviors of the CCM that were in violation of election law, such as not counting ballots locally but moving them to a central location in the 2010 election and closing polling places without notice in the 2000 election that led to claims of election fraud (Tanzania General Elections, 2010). These monitoring reports lend more evidence to some of the election fraud charges made by the opposition parties in Tanzania against the CCM and further highlight an uneven playing field in elections through the 2010 elections.

The European Union Election Observation Mission (EU EOM) was on-hand for the 2010 and 2015 Tanzania elections. In 2010 the EU EOM, much like the Commonwealth Observer Group, noted that there were issues with vote security, primarily that in 12 percent of the polling stations the EU EOM observed the secrecy of casting a ballot was not guaranteed, thus opening individual voters up for undue influence in how they voted (Election Observation Mission to Tanzania, 2010). The EU EOM also echoed the concerns about transparency given the immunity of the NEC and Registrar of Political Parties to judicial challenges (Election Observation Mission to Tanzania, 2010). The EU EOM also noted several concerns about the 2015 election. First, it did echo the same concerns about transparency from previous elections (United Republic of Tanzania - Final Report, 2015). The EU EOM also identified two other major issues with the 2015 election. The elections in Zanzibar were nullified following voting and rerun months later

with no transparency from election officials as the reasons for the nullification, leading numerous opposition parties to boycott the rerun elections (United Republic of Tanzania - Final Report, 2015). Additionally, offices of opposition party Chadema and domestic observation groups which had election data were raided by the police the day after the election to confiscate those materials which led to further secrecy than even previous elections on the tabulation of results (United Republic of Tanzania - Final Report, 2015).

Finally, the 2020 elections saw the least amount of international election monitors than any election since multiparty elections were instituted. The limit on monitors was coupled with the increased limitations on political parties, increased arrests, violence, and murders of the opposition and its supporters leading up to the election. The CCM worked to limit election monitors by freezing assets of domestic organizations that monitor elections and denying credentials to several international election monitors (Final Observations Report, 2021). However, the Electoral Institute for Sustainable Democracy in Africa (EISA) was able to have observers in the country for the 2020 election. The EISA report following the 2020 election notes that the election took place in a political environment marked by reduced democratic norms, increased human rights violations and an inaccessible NEC that lacked transparency (EISA International Election Observer Mission Report – United Republic of Tanzania, 2021). Overall, international election monitors have provided significant evidence of an uneven electoral playing field in the country.

The most recent data from the Electoral Integrity Project supports the findings in this section as well. Their indicators for electoral laws favoring the dominant party and for election laws restricting citizens' rights both show "agreement" with those statements further providing evidence for an uneven playing field (Garnett, et.al., 2022). When it comes to election

management the Electoral Integrity Project neither agrees nor disagrees with the statement that “elections were well managed” (Garnett, et.al., 2022). Additionally, the Electoral Integrity Project indicates that some opposition candidates were prevented from running and those that were running had limitations on their campaign rallies (Garnett, et.al., 2022). Together, these indicators provide more evidence for an uneven playing field in elections in Tanzania.

Beyond the election laws and management, the Electoral Integrity Project also indicates that the national voter registry was inaccurate with instances of ineligible people included and those who should be registered not on the register (Garnett, et.al., 2022). Additionally, their data shows that some voters were threatened at the polls or prevented from voting (Garnett, et.al., 2022). Finally, the Electoral Integrity Project could neither agree or disagree with the statements that ballot boxes were secure or that election monitors were restricted which both shed further doubt on election integrity in Tanzania (Garnett, et.al., 2022). Together these indicators provide further evidence for the chance of election fraud to occur.

Finally, the Electoral Integrity Project includes indicators that also corroborate the data concerning unequal access to state resources for campaigning. The data shows disagreement with the statement that all parties had equal access to donations and political subsidies (Garnett, et.al., 2022). This index also asserts that the dominant CCM improperly utilized state resources for campaigning (Garnett, et.al., 2022). These indicators provide more evidence to corroborate the data shown earlier asserting that another way in which the electoral landscape is skewed is through the improper use of state resources.

Taken together, the lack of legal recourse and oversight for the Registrar of Elections and NEC, numerous allegations of fraud, uses of state resources by the CCM, and the violence, arrests, and general intimidation of the opposition present in Tanzania prevent it from having an

even electoral playing field. These numerous issues are all corroborated by international reporting and monitoring that highlight the severe disadvantage that the opposition to the CCM finds itself in the country. The lack of an even playing field does lend support for the first hypothesis since Tanzania is widely considered a hybrid regime and not a democracy; however, a final judgement can only be made after comparing the same electoral laws and implementation aspects between Botswana, Tanzania, and Azerbaijan which will occur in Chapter Seven.

H2: Independent Institutions

Moving forward, the next major area that needs to be investigated for a level playing field is the institutions in a country. As with the case study on Botswana in the previous chapter, this analysis will focus on three institutions necessary for a level electoral landscape. First, the media will be analyzed due to its unique role in campaigning. Second, the NEC will be evaluated as the main body that runs elections in Tanzania. And finally, the judiciary will be discussed due to its role of hearing legal challenges.

H2a: The Media Landscape

Tanzania has a diverse media landscape. As of 2022 the country boasted 257 newspapers, 200 radio stations, 46 television stations, 474 online television channels, and approximately 100 news websites (Reporters sans Frontières, 2022). While not all of these are focused on news reporting, particularly several of the radio and television channels, the wide variety of content sources in the country in theory provide numerous options for Tanzanian media consumption. However, with so many competing outlets, only a few have a very broad, national reach, which allows for the state-owned Tanzania Standard Newspapers (TSN) to be one of the larger competitors (Media Innovation Centre, 2021). TSN does not command the largest market share

of consumption which belongs to the privately owned Mwananchi Communication Limited (MCL) that runs numerous newspapers and television channels (Media Innovation Centre, 2021).

On face value the varied media sources, with the most viewed sources being privately owned would indicate a more independent media; however, numerous issues complicate the media landscape in the country. First, while there are indeed numerous online sources for people to get information from, only 37.6 percent of the country has regular internet access, which makes newspapers the primary mechanism by which people are kept informed (Media Innovation Centre, 2021). However, this is mitigated to a large degree by cell phone use in the country which over 70 percent of the country has (Media Innovation Centre, 2021). Due to laws surrounding media ownership and finance, newspapers are limited in how much foreign ownership and how much private sector financing and advertising are allowed (Media Innovation Centre, 2021). Due to these laws, almost all privately owned media companies are reliant on the government for between 40 to 80 percent of all their advertising revenue depending on the paper (Reporters sans Frontières, 2022). The ability to cut off funding creates a media environment where the CCM can hold large sway over the media and its reporting which has happened several times in the country (Reporters sans Frontières, 2022). Additionally, when it comes to elections individual reporters see almost all their travel expenses covered by political parties which can lead to bias in reporting depending on which party is funding the journalist at the time (Reporters sans Frontières, 2022).

Beyond these funding issues there are three major laws passed within the past 10 years that limit media independence. The first of these is the Cybercrimes Act of 2015. There are numerous provisions in the law covering a wide range of illegal online behavior but concerning the media section 16 prohibits any individual or news outlet from publishing false information

with penalties including fines, closing of news sites, and even imprisonment (The Cybercrimes Act, 2015). The Cybercrimes Act has been enforced several times leading to arrests, with most of the uses occurring under President Magufuli. Numerous news outlets were forced to close due to enforcement of this provision of The Cybercrimes Act (Tanzanian Journalist Arrested for Publishing ‘False’ News, 2019). Additionally, individual journalists were arrested and jailed due to their critiques of the government under section 16 banning “false information” (Tanzanian Journalist Arrested for Publishing ‘False’ News, 2019).

Former President Magufuli is not the only one to make use of the Cybercrimes Act. Current president, Samia Hassan, originally was lauded for her removal of bans on several media outlets that were enacted by her predecessor (Kombe, 2022). However, President Hassan also signaled to the media in July 2021 that reporting critical of the government would be met with legal ramifications (Quinn, 2021). The following August the newspaper *Uhuru* was suspended under the false information provision of the Cybercrimes Act and *Raia Mwema*, another publication, was subjected to the same fate just one month later in September 2021 (Tanzania Shuts Down Newspaper, 2021). Actions such as these taken by the government create a sense of fear in the media over potential repercussions for critical reporting of the government which leads to bias in the media landscape that favors the dominant CCM over opposition parties.

The second major law impacting the media landscape in Tanzania is the Access to Information Act of 2016. This law is primarily designed to create a freer information landscape by setting up the provisions by which anyone can requisition information from the government. However, there are numerous caveats for what is protected information that cannot be disseminated. Some of these are standards found in most countries such as any information into ongoing investigations or that would threaten national security (Access to Information Act,

2016). Yet some provisions have been used to block significantly more, including a provision that allows the government to restrict any information that will “hinder or cause substantial harm to the government to manage the economy” (Access to Information Act, 2016). As has already been seen above the government under the CCM has related numerous issues, however tenuous, to managing the economy even using the economy as an excuse against resuming a rewrite of the Constitution. Since the government has shown repeated willingness to cite the economy as a reason against taking certain actions, this provision in the law shows how the government has a tool to prevent information dissemination and thus create more unequal conditions when it comes to a media landscape of free and fair reporting.

The final major law is the Media Services Act of 2016. This law gives the government numerous tools for controlling the media. The first of these tools is that any news outlet, whether government owned or privately owned, is required to publish, or broadcast “news or issues of national importance as the government may direct” (Media Services Act, 2016). Additionally, the law states that media outlets are not allowed to disseminate any information that could potentially hinder the actions of the government to manage the economy or any proceedings of the Cabinet (Media Services Act, 2016). These content provisions give the government immense ability to control the flow of information within Tanzania, and in any situation where there is a dominant party present, the ability to control information flow greatly benefits the dominant party and disenfranchises any opposition party.

The Media Services Act also requires all media to be licensed with the power to approve and revoke licenses held by the Director of Information Services (Media Services Act, 2016). While licensing can help ensure other regulations are being followed, the ability to allow and prevent outlets from even existing does give the dominant party more tools to silence opposition

which is a tactic that has already been utilized by the CCM related to other media laws as seen above with the Cybercrimes Act. These powers of licensing also move beyond media outlets to individual journalists with the Media Services Act establishing an accreditation board (Media Services Act, 2016). The government also has the power to prevent the dissemination of any publication that is deemed “contrary to the public interest” (Media Services Act, 2016).

Violations of any of these provisions carry harsh penalties. The typical penalty is a jail sentence between a minimum of three years and a maximum of five years (Media Services Act, 2016). These laws all highlight the ability of the dominant CCM to influence heavy control over the media even though the most popular media is privately owned. The government’s willingness to close publications and jail journalists also can create a culture of fear that limits critical reporting about the government from being disseminated. Together, these issues present a media landscape that appears to be unevenly skewed towards the dominant party. To confirm these findings, data from international media monitors needs to be analyzed.

One such organization is the Electoral Integrity Project. While this organization evaluates more than just the media, it does include a section with several indicators that speak to media independence. The finding from this organization states that newspapers in the country do not provide balanced coverage and that TV news is skewed towards the dominant CCM (Garnett, et.al., 2022). Furthermore, the Electoral Integrity Project asserts that opposition parties and candidates do not have equal access to political advertising compared to the CMM (Garnett, et.al., 2022). These pieces of data support the assessment that media in the country is skewed towards the dominant party.

In 2019 the International Press Institute (IPI) sent a fact-finding mission to Tanzania to assess media independence in the country. The report from this mission held both positives and

negatives for media independence. The IPI noted that the robust amount and reach of private media is a positive for creating a fair and equal media landscape in the country (Report on the April 2019 IPI Press Freedom Mission to Tanzania, 2019). However, the report also noted that numerous provisions in the Media Services Act have made it impossible for true press freedom to exist within the country (Report on the April 2019 IPI Press Freedom Mission to Tanzania, 2019). Additionally, the organization tracked 10 distinct cases of either individual journalists or media outlets being punished due to their reporting with penalties ranging from fines to imprisonment (Alerts – Tanzania, 2022). The IPI is thus another international monitor attesting to the uneven playing field concerning media in Tanzania.

The Committee to Protect Journalists (CPJ) also monitors press freedom in Tanzania, albeit with a greater emphasis on individual journalist freedoms and liberty. Since 2019 the CPJ has reported on and tracked cases where eight individual news stations have been banned or had their licenses suspended for various periods of time (Tanzania, 2022). Additionally, in the same time frame there have been six reporters jailed, three others that have faced hefty fines, and one reporter beaten (Tanzania, 2022). Finally, the CPJ also notes that in 2022 one journalist in Tanzania was murdered and another is missing (Tanzania, 2022). These data from the CPJ are yet more evidence of a culture of media intimidation in Tanzania that prevents a fair media landscape from existing.

One positive for Tanzania's media environment is that there does not appear to be a gender bias in the way these laws are implemented. The International Women's Media Foundation which tracks the safety of female journalists in terms of harassment, violence, and imprisonment across the globe does not have any instances of these incidents occurring in

Tanzania. While the lack of gendered discrimination is one positive sign for Tanzania when it comes to media independence, it does not counteract the evidence from the other organizations.

Finally, Reporters sans Frontières (RSF) is one of the major organizations that evaluates media independence across the globe. In the most recent data, RSF ranked Tanzania as 123rd out of 180 countries with a score of 48.28 out of 100 for their media independence scale (Reporters sans Frontières, 2022). The organization does not include a categorical ranking in terms of a free or not free descriptor, but in Chapter Seven there will be comparisons of the three one-party dominant state scores alongside a few other democracies that are acting as benchmarks which will help highlight how this score of 48.28 compares with established democracies. The organization cites issues such as the private media reliance on funding from the government, the government jailing journalists and banning critical media, and the level of violence journalists face in assessing this score and its verdict that the media landscape in Tanzania is not free and fair (Reporters sans Frontières, 2022).

Numerous factors have come together to create a media landscape in Tanzania that favors the dominant party. Various laws regulating content and licensing restrict media presence in the country. A reliance on the government for advertising revenue further skews content to be more positive and less critical of the dominant CCM. And numerous instances of fines, suspensions, imprisonments, and violence all cultivate an environment where the media is not free to be completely independent. These findings give support to hypothesis IIa that one-party dominant regimes that are not considered democratic, which Tanzania is widely considered a hybrid regime, should see a less free media landscape. These findings will be further evaluated in Chapter Seven when comparing the three case studies of Botswana, Tanzania, and Azerbaijan.

Yet the media is only one of three institutions necessary for democracy, the next being the electoral commission of a state.

H2b: The Electoral Commission

In Tanzania, the NEC has primary responsibility for managing elections. There are a few areas that are under the purview of the Registrar of Political Parties that have already been discussed in the previous section; however, most election regulations and management of elections fall to the NEC. While some issues with the NEC have been previously alluded to, this section provides an in-depth analysis of the institution and the level of independence it has in Tanzania to manage elections.

The NEC was first created in 1985, prior to multiparty elections with the National Elections Act. This body has broad powers to oversee elections including the registration of voters, create districts for legislative elections to the National Assembly, setting election sites and dates, running elections on the day of the election, and managing any election offenses (National Elections Act, 1985). Due to the large amount of power vested in the NEC, it can shape electoral outcomes in the country if it does not act in an independent manner.

The National Elections Act states that the NEC is an independent body; however, the structure of the body reveals that its level of independence is much less than stated in the law. The NEC consists of seven members that are all appointed by the president and serve five-year terms (National Elections Act, 1985). While there are some limitations on who can be appointed, for instance the chairperson and vice-chairperson must both be federal judges and the members of the NEC cannot be members of a political party, having all positions appointed by the president without any oversight threatens the independence of the institution (National Elections Act, 1985). The president is also capable of dismissing and replacing members of the NEC

(Makulilo, 2011). If the members of the NEC are beholden to the president, which is more likely to occur due to these positions being solely answerable to the president, that would give the dominant CCM a direct way to control most election aspects (Marwa, 2022).

In fact, the ability of the president to remove the NEC members has shown to create an environment where NEC staff have acted in ways that support the CCM due to the insecurity of their positions (Bukuku, 2020). Evidence presented in the previous section shows how this insecurity has manifested in actions that support the CCM. Numerous election monitors have noted that laws surrounding the counting of ballots have not been followed and that polling stations have been abruptly closed in multiple elections since 1995. Evidence from international monitoring organizations has already shown that voters who have not been eligible to vote have voted, and those who should be registered have been improperly purged from voter rolls in the past, both causes of fraudulent elections. And in some elections the dominant CCM had different rules surrounding their campaign activities that gave the party an unfair advantage over opposition parties. All these actions previously seen have been enabled by the NEC. These repeated instances of election irregularities can be traced back directly to the fact that the NEC is not truly independent due to its structure and thus helps enable CCM dominance in elections.

The power to administer elections only tells part of the story of how strong the NEC is when it comes to controlling elections. This body also dictates what election offenses are and is the entity responsible for enforcement of these offenses. Numerous rules are set down concerning fraudulent voting, such as using an identity card belonging to another person, or for fraudulent behavior from election officials, such as tampering with voting equipment or ballot boxes (National Elections Act, 1985). Most of the offenses regulated by the NEC carry jailtime or fines as the primary penalties, with the typically prescribed jail term being between one and

four years (National Elections Act, 1985). All these powers give the NEC immense sway over the management of elections in Tanzania, but one provision takes the power given to the NEC to even greater levels of dominance. “No court shall have power to inquire into anything done by the Electoral Commission in the discharge of its functions” (Const. of Tanzania, 2000, Article 74). These various provisions create an environment where the NEC is free of oversight by other branches of government and the only check on its power is that the president appoints and removes the members of this body.

Domestic monitor TEMCO notes that the various issues described above prevent the organization from being independent as described in the National Elections Act (Makulilo, 2011). In their assessment TEMCO cites the selection of the NEC members by the President, the organization relying on funding from the executive branch, and the fact that the NEC has no lower-level staff and relies on civil servants beholden to elected CCM officials as reasons for the NEC not being independent (Makulilo, 2011). While TEMCO has been less forceful in its view of the NEC in recent elections, it still notes that the independence of the NEC is “open for debate” (Makulilo, 2011).

International election monitoring organizations also agree with TEMCO’s assessment. As was seen in the previous section, international election monitors have repeatedly in their reports indicated election management practices that have created an uneven playing in Tanzania. And as the NEC is the institution responsible for implementation of these unbalanced practices, there is doubt that its actions are not fair or impartial. A final piece of evidence about the independence of the NEC comes from the Electoral Integrity Project. In their data, the Electoral Integrity Project includes an indicator that evaluates the impartiality of election officials. The organization finds that election officials in Tanzania are not impartial and favor the CCM which

is in line with the problems inherent with the appointment of NEC officials and their lack of judicial oversight (Garnett, et.al, 2022).

From its very inception, the NEC has never been an independent institution. The way its members are selected, and the lack of a firm budget create a reliance on the presidency. The lack of oversight from the judiciary means that the NEC has been free to act with impunity when it comes to election management. And the various election abuses that have occurred throughout this analysis of Tanzania's elections can be laid at the feet of the NEC and demonstrate the willingness to abuse its power to create an electoral landscape that favors the dominant CCM. The analysis of this institution supports hypothesis IIb since Tanzania is not considered a democracy by the measures of democracy and thus would be expected to have institutions that are not fully free and fair. The true degree of difference between Tanzania, a hybrid regime according to the measures of democracy, and other regime types concerning electoral commissions will be determined in Chapter Seven.

H2c: The Judiciary

There is one more institution that is vital for an even electoral landscape, the judiciary. The judicial branch is established by the constitution of Tanzania and supposed to be free of all outside influences and only bound by rules explicitly stated in the constitution (Const. of Tanzania 2000, Art. 107). Judicial salaries are high enough that they are not dependent on other parts of the government, which does help their level of independence. National level judges are appointed by the president in consultation with the Judicial Services Commission (Const. of Tanzania 2000, Art. 109). However, there is no vote of the legislature to approve the presidential nominees and the constitution does not dictate what role the Judicial Services Commission plays in this advisory process. Additionally, the removal of judges can only be performed by a tribunal

that needs to be convened at the behest of the president (Const. of Tanzania 2000, Art. 110).

Thus, there are few if any checks on the president's power to influence the composition of the judiciary.

The one check that seems to exist is the Judicial Services Commission that can advise the president on judicial appointments. However, this institution is also reliant on the president. It is composed of the current Chief Justice of the courts, the Attorney General of the government, a Justice of Appeal appointed by the president, and two other members appointed by the president (Const. of Tanzania 2000, Art. 112). All five members are either directly appointed by the president or part of the president's cabinet. Furthermore, while the Judicial Services Commission does have advisory power, the constitution explicitly states that is where their power ends and the "powers of appointment, confirmation, disciplinary, and removal" are to be held exclusively by the president (Const. of Tanzania 2000, Art. 113). Together, these constitutional provisions surrounding appointments, oversight, and removal of the court, being vested solely in the president and the only advisory body also being comprised of people only appointed by the president cast a pall over the concept of true judicial independence in Tanzania.

Despite this lack of independence there have been several examples of the judiciary ruling in ways that contradict the whims of the government and dominant CCM. However, in some of these incidents there has been retaliation from the executive which resulted in the detainment of the judge who ruled in ways contrary to the views of the executive branch (Peter and Wambali, 1988). In other cases, the executive and the legislature, both dominated by the CCM, have simply passed new laws to override court verdicts that the party has found unappealing (Tripp, 2012). Cases such as these indicate that not only is judicial selection framed in a way that can create an unequal judiciary, but the dominant party is not above using

intimidation or simply ignoring the judiciary to get their way. These incidents paint a clearer picture of an uneven playing field in Tanzania without a truly independent judiciary although one with some potential room for improvement and independence.

International monitoring organizations that evaluate judicial independence corroborate these findings of a judiciary that has attempted to be independent but has structural features that other aspects such as incidents of intimidation that hold it back from being truly independent. The World Economic Forum data from The World Bank includes an indicator on judicial independence. Tanzania is ranked nearly directly in the middle of all countries evaluated. Out of 137 countries Tanzania ranks 68th for judicial independence with a score of 3.8 on a one to seven scale (Judicial Independence, 2017). This score appears to corroborate the middle of the road view when it comes to judicial independence in the country.

However, in the end the independence, or lack thereof in the case of Tanzania, of the judicial branch matters little when it comes to evaluating a level electoral playing field. That is because the judiciary does not perform the necessary function for a level electoral landscape of adjudicating challenges to election results or charges of fraudulent behavior during elections. The insulation of both the NEC which manages elections and the Registrar of Political Parties which approves which parties are allowed to form and function from judicial review of their decisions prevents the judiciary from having a real role when it comes to elections. The inability to hear certain cases has led to an environment where there is little government accountability without an entity that can hold the government accountable (Gloppen, 2010). Even if the judiciary was truly independent, it would not matter unless the laws preventing judicial oversight on election matters and other institutions are repealed. The lack of independence and oversight

fits with the expectations of hypothesis IIc for a nondemocracy, but further comparison on this point between all three cases will occur in Chapter Seven.

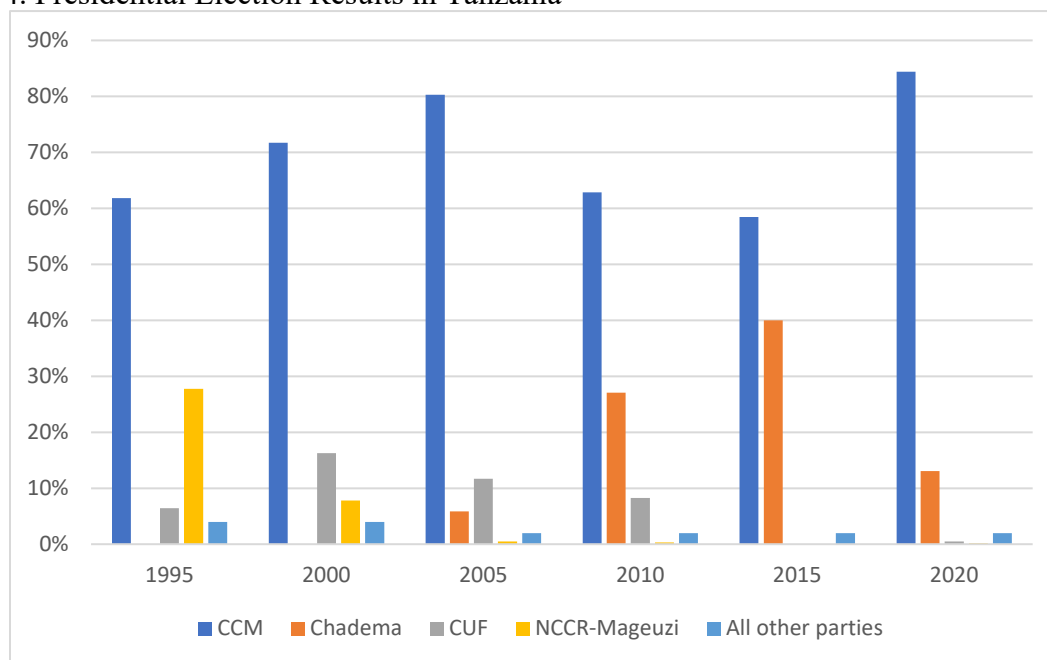
H3: Opportunities for Opposition Party Victories

The structural problems analyzed in the first two sections of this case study surrounding electoral laws and independent institutions already indicate that the electoral playing field is skewed against opposition parties. Looking at election results since 1995, the first election with multiparty elections, further confirms that opposition parties and candidates have little to no chance of gaining a majority in the government, or even a sizable minority of elected officials. While there is an aspect of opposition party unity that can affect election outcomes, which will be discussed further below, the difficulties of funding and registration for opposition parties, the biased media landscape favoring the dominant CCM, the lack of oversight over the NEC which administers elections, and the limitations placed on and violence against opposition parties in the most recent election are the primary reasons why opportunities for opposition party victories are non-existent.

Tanzania has a presidential system with separate elections for the president and National Assembly. Due to the nature of the system, the analysis for opposition party victories will proceed first by looking at presidential elections and then move to the National Assembly. Since the first multiparty election in 1995 there have existed 21 different political parties, including the dominant CCM, which have competed for the office of the president (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). In the first two elections, 1995 and 2000, there were only four parties that competed for the office, but by 2020 there were 15 different parties that competed (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). However, only four political parties have ever earned more than 10

percent of the vote in any of the six multiparty elections (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). These parties are the CCM, Chadema, CUF, and the National Convention for Construction and Reform – Maguezi (NCCR-Maguezi). One other party earned approximately four percent of the vote in 1995 and 2000 before ceasing to run presidential candidates (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). And the 16 other parties that have contested presidential elections have never earned more than one percent of the votes cast (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). The table below focuses primarily on the four more popular parties and their performance in presidential races, with the results from the smaller opposition parties combined into one category.

Figure 4. Presidential Election Results in Tanzania¹



¹ These results are compiled using the “Report of the National Electoral Commission on the Presidential and Parliamentary Elections” by the National Electoral Commission for elections in the following years: 1995, 2000, 2005, 2010, 2015, 2020.

These results highlight that there has been no path for any opposition candidate to win the presidency in Tanzania. Since a nationwide popular vote is needed to win the presidency, the fact that the CCM candidate has never received less than 58 percent of the vote means they have never been in real danger of losing the presidency to the opposition (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). However, the three most recent elections of 2010, 2015, and 2020 warrant further analysis since these have seen significant changes in the level of support for the CCM candidate during those elections and the number of candidates running for office.

These recent elections have seen the rise of Chadema as the largest opposition party to CCM and a decline in support for CUF and NCCR-Mageuzi. The 2010 election witnessed a sharp decline in support for the CCM from the previous 2005 election, which helped precipitate a change in the opposition parties to try and increase their effectiveness (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). In October 2014, one year prior to the 2015 election, the CUF, NCCR-Mageuzi, and Chadema signed an agreement where they would not compete against each other and agree to only field one candidate between the parties based on who was strongest in the polls (Minde, 2015). The unity agreement also applied to legislative elections to the National Assembly where only the party that was strongest in each district would field a candidate (Minde, 2015). The results of this agreement come into focus in the 2015 election which is the only time the CCM presidential candidate dropped below 60 percent and the opposition had united to earn 40 percent of the vote for one candidate as opposed to previous splits.

While opposition unity through a noncompete agreement was still not enough to provide a complete path to victory, it did show a potential path forward. Yet these results also highlight

the degrees to which the CCM will go to retain power. This study has already discussed numerous actions taken by the CCM under President Magufuli before the 2020 election, and the strong performance, at least at the presidential election level, of the opposition help explain these actions. The results of the 2020 election illustrate how successful the CCM was in stopping the progress of the opposition. Faced with limited campaign rally permits, shorter hours for campaigning, violence and murders against supporters, the jailing and failed assassinations of candidates that all impacted the opposition and not the CCM, the opposition had their worst election in the history of multiparty elections in terms of presidential vote share in 2020. Additionally, greater enforcement of the laws surrounding political parties needing to run national level campaigns forced the parties in the unity agreement to all run candidates in 2020. Yet it is clear from the results that the CUF and NCCR-Mageuzi did not truly attempt to push for their candidate compared to Chadema, keeping with the spirit of the unity agreement but under the limitations of the restrictive political party registration law.

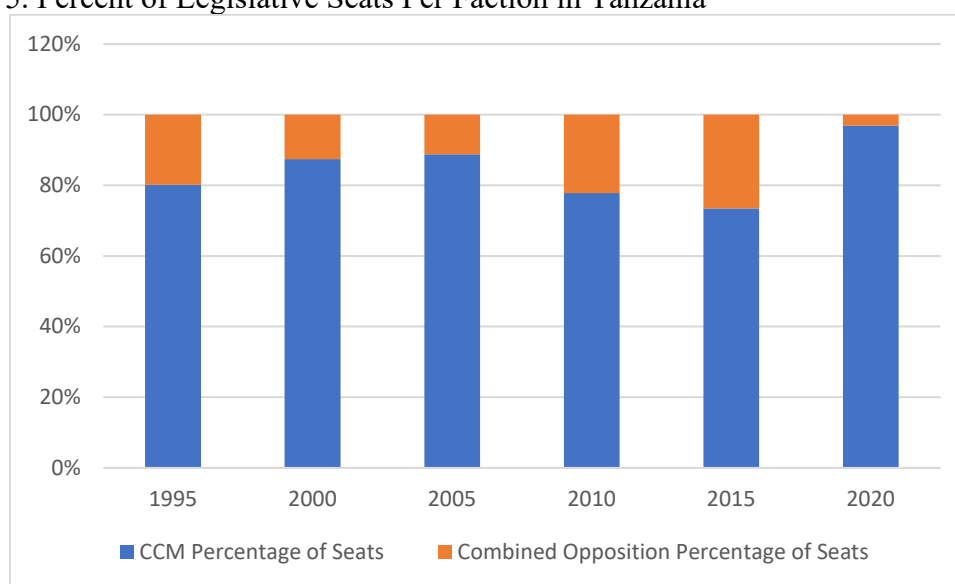
The results of the presidential elections since 1995 thus paint a bleak picture of the ability of the opposition to gain control of the executive branch. The seeming progress that had been made was quickly met with a repressive response from the CCM to secure their power over the executive, thanks to the uneven playing field. A turn to the legislative branch, the National Assembly, yields similar results. Elections for the National Assembly and its single member districts occur at the same time as the presidential election, once every five years. These first-past-the-post elections simply need a plurality of votes for one candidate to win the seat. There are also numerous seats that are proportioned for women candidates beyond the single member districts, but these are done in proportion to the number of districts each party wins. Thus, the results from the single member districts will dictate which party controls the National Assembly.

The total number of single member districts has changed over time. The 1995, 2000, and 2005 elections all had 232 districts up for grabs (Report of the National Electoral Commission, 1997, 2001, and 2006). The 2010 election saw the National Assembly expand to 239 seats (Report of the National Electoral Commission, 2011). And the 2015 and 2020 elections witnessed further growth to 264 single member districts with representation in the National Assembly (Report of the National Electoral Commission, 2016 and 2021). The number of political parties vying for these seats in the National Assembly has also fluctuated. Over the six multiparty elections there have been 26 different political parties that have contested for seats in the legislature (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). The 2020 election saw the least number of parties run, only five (Report of the National Electoral Commission, 2021). The election prior, the 2015 election, witnessed the largest number of parties running for seats in the National Assembly at 22 different parties (Report of the National Electoral Commission, 2016).

Despite the large number of competitors only four parties (CCM, Chadema, CUF, and NCCR-Mageuzi) have fielded candidates in all six elections (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). Only seven of the 26 parties have ever won any of the single member districts (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). Chadema and the CUF are the only two parties to ever win more than 20 seats in a single election (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). And only six of various political parties have ever earned more than two percent of the total votes cast for the National Assembly across the country (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). Thus, most political parties that have run are often receiving only a few thousand votes out of millions,

or just a fraction of a percent. This backdrop provides the starting point for analyzing the results of the National Assembly elections for all elections since multiparty elections began. The chart below shows the percentage of seats won by the CCM and the percentage won by the combined efforts of all opposition parties. A chart with the breakdown of seats by each individual party is included in the appendix.

Figure 5. Percent of Legislative Seats Per Faction in Tanzania²



These results have numerous similarities to the results of the presidential elections. The first multiparty elections witness a decent result for the opposition which is followed by a surge in victories for the CCM (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). These elections were followed by the best performance to that date for the opposition in 2010 and then an even larger percentage of seats won in 2015 following the noncomplete agreement between the opposition parties (Report of the National Electoral Commission, 2011 and 2016). And then finally, after the repressive measures of the CCM on the opposition, the 2020 election witnessed the worst performance of the opposition out of any

² These results are compiled using the “Report of the National Electoral Commission on the Presidential and Parliamentary Elections” by the National Electoral Commission for elections in the following years: 1995, 2000, 2005, 2010, 2015, 2020.

election since multiparty elections were instituted (Report of the National Electoral Commission, 2021). The trends for the opposition in the National Assembly are thus very similar to their outcomes in the presidential elections. The same differences emerged and can be traced back to the same causes of pushing for party unity through noncompete agreements, and then the subsequent repressive measures of the CCM undid the progress the opposition had been making.

The major point of difference however is the absolute value of seats won compared to the vote percentage in the presidential elections. In every election the opposition parties earned a higher percent of the total vote in the elections for the National Assembly than in the presidential elections (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). Yet the performance of seats won in the National Assembly does not follow along with this strong performance due in part to the nature of the single member district political system. In 2015, the best election for the opposition, opposition parties won a combined 45 percent of all votes cast for National Assembly districts, yet they only won 27 percent of all seats in the legislative body (Report of the National Electoral Commission, 2016). The disparity between the vote percentage and percentage of seats won is a consistent event in all multiparty elections. In every single election since 1995 the opposition has had a significant difference between the total percent of the vote the parties combined have earned and the percentage of seats won, with the percentage of votes always being greater.

At first glance, the fact that more than two parties are running in elections with a first-past-the-post system might be a factor. However, the 2015 election demonstrates otherwise. The combined opposition won 45 percent of that vote, and all but two percent was won by the parties that were in the noncompete unity agreement (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). In fact, the combined vote total of 17 of the smaller

parties in the 2015 election still falls nearly 60,000 votes short of the 183,952 votes earned by NCCR-Mageuzi (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021). NCCR-Mageuzi only accounted for 1.24 percent of the total votes in the election, making it the worst performer out of the parties in the unity agreement by far (Report of the National Electoral Commission, 1997, 2001, 2006, 2011, 2016, and 2021).

Thus, while numerous parties are running, they do not appear to be splitting votes that are cast against the CCM in a significant way that would impact the outcome of different single member districts. While all political systems with single member districts are less representative of the general population than proportional representation systems, this alone is not the reason why the opposition has failed to oust the CCM in elections. As with the case of Botswana, publicly available data on more recent elections, in this case the two most recent elections, allows for some hypotheticals of what election results may look like with only two parties running as opposed to several. These hypotheticals model potential election outcomes with only one CCM candidate and one opposition candidate running per single member district. To achieve this, the CCM candidate and the opposition candidate with the highest vote total in the election retain their votes, and then any votes cast for other candidates are split between the CCM and remaining opposition candidate. These hypotheticals are at levels of a minor split in favor of either side, 60 percent to 40 percent, and a major split, 75 percent to 25 percent.

Table 4. Potential Change in Single-Member Districts with Only Two Parties - Tanzania³

	2015	2020
Percentage of seats gained by CCM with 60/40 vote split for CCM	1%	0%
Percentage of seats gained by opposition with 60/40 vote split for opposition	1%	0%
Percentage of seats gained by CCM with 75/25 vote split for CCM	3%	1%
Percentage of seats gained by opposition with 75/25 vote split for opposition	4%	0%

³ These hypotheticals were created using the “Report of the National Electoral Commission on the Presidential and Parliamentary Elections” by the National Electoral Commission for 2015 and 2020.

These hypotheticals illustrate that while opposition party unity could translate to a small percentage of additional seats in the legislature, at least in 2015, that increase would not be nearly enough to offset the dominance of the CCM. In the case of Botswana, these hypotheticals saw at least 5 percent of seats in the legislature switch between the dominant party and the opposition two-thirds of the time. In Tanzania, even the most generous vote split of these hypotheticals does not reach the level that most of the Botswana hypotheticals did. In fact, in the Botswana case one of the hypotheticals would have even resulted in a shift in majority control in the legislature, an outcome that is out of reach for the opposition here. The 2020 hypotheticals also illustrate yet another outcome of the increased government repression on the opposition during that time, with significantly worse outcomes in these hypotheticals which are in line with the poor electoral performance of the opposition in that election.

The answer appears to lie in the way the votes against the CCM are distributed throughout the country. Tanzania is divided into 31 administrative districts, and a look at the presidential vote in 2015, the best year for the opposition, sheds light on the issue. In 2015 the CCM candidate for president won seven of 31 administrative districts with between 50 and 60 percent of the vote, 10 of 31 districts with between 60 and 70 percent of the vote, and six districts with over 70 percent of the vote (Morse, 2015). There were only eight administrative districts where the CCM did not win an outright majority for president. (Morse, 2015). These results highlight that the opposition to the CCM is highly concentrated in some parts of the country, and not robust in many areas which can explain the higher percent of votes to seats in the National Assembly due to the concentration of opposition voters in fewer districts.

A comparison of single-member districts which have changed party between elections also highlights the concentration of CCM opposition. Data presented in the previous chapter on

showed that over 75 percent of the single-member districts in Botswana which shows that opposition to the dominant party in that country is widespread enough to the point that increased campaigning in a region can switch a legislative seat. However, in Tanzania less than 25 percent of single-member districts changed political hands which indicates that the opposition is not as widely dispersed. Regional and ethnic group cleavages may compound this issue for the opposition. Most of the districts where the opposition candidates for president receive a higher share of the popular vote are geographically contiguous and contain higher percentages of minority populations. Yet since Tanzania's law on political parties discussed in the first section prevent political parties from forming on geographic or ethnic lines, the political opposition is unable to take advantage of this built in voter base. Without that restriction in the law opposition parties could work on further build bases of support along these cleavages they already perform better with and use that as a launching pad for greater diffusion. But due to the ban on parties forming along these ethnic and geographic lines the opposition cannot specifically target these areas for fear of having their party disbanded. Issues surrounding ethnic homogeneity and one-party dominance would be an avenue for future research in this topic area as it may be an explanation for opposition party growth issues alongside the resource disadvantage already identified in both case studies.

Once again, the structural factors that have been seen throughout this chapter help explain the inability of the opposition to have a clear path to an electoral victory in the legislature. The laws requiring a party to run national campaigns at a clear funding disadvantage to the CCM makes it more difficult to build a broad base of support, instead leading to the concentrated pockets that currently exist. Furthermore, government crackdowns and restrictions on rallies and even shorter times for the opposition when rallies are allowed minimize campaign effectiveness

and prevent growth for a party. And even when progress seems to be being made for the opposition, the government has demonstrated a willingness to resort to violence and intimidate to erase those gains as is seen in the 2020 National Assembly results.

These voting results provide support for the third hypothesis. In a democracy there would be avenues for opposition parties to increase their vote share with the end goal of eventually gaining a majority at least in one branch of government. In the case of Tanzania, while there have been instances where the opposition has gained electoral ground, the end goal of a majority in the National Assembly and winning the presidency have remained out of reach. And the dominant CCM has retaliated against these gains by increasing limitations on the political opposition. As Tanzania is considered a hybrid regime by the measures of democracy used, it is to be expected that there is some potential for increases in the overall vote share or seats in the National Assembly, but not that there is a path to an overall victory.

All three hypotheses tested in this chapter support the conclusion that there is an uneven playing field in Tanzania making it nearly impossible for an opposition party of opposition coalition to win control of the presidency or the legislature. The legal framework that political parties and candidates operate under in Tanzania is clearly skewed towards the dominant party. The process of party registration, the lack of secure funding, recent laws limiting the ability of the opposition to organize, instances of fraudulent election activity, and even violence and imprisonment against opposition supporters and candidates all coalesce to create an uneven electoral landscape. The necessary institutions in the country to facilitate democracy do not operate with independence. The media is heavily reliant on government advertising for revenue. Individual outlets have been suspended for extended periods and reporters have been jailed for critical stories about the CCM. The NEC and Registrar of Elections are all beholden to the

executive in terms of nomination, dismissal, and funding. These positions are also immune to judicial oversight which hinders their credibility in managing elections. In addition to being prevented from key electoral oversight, the judiciary is also shown to be under government influence in both criminal and civil justice, and all federal level judges along with the Judicial Review Board are heavily influenced by the executive due to the nomination and dismissal process. The outcome of all these previously mentioned factors can be seen in the inability for the opposition to the CCM to make any true headway in defeating the CCM at the ballot box and stopping their electoral dominance. Thus, it is clear the playing field in Tanzania is uneven, and these findings will be compared against the other two case studies of Botswana and Azerbaijan in Chapter Seven to evaluate the differences amongst cases of one-party dominance.

CHAPTER SIX

AZERBAIJAN

The previous two chapters have analyzed cases of one-party dominant regimes that are widely considered a democracy and a hybrid regime by most measures of democracy. This chapter now completes the democracy to authoritarian spectrum with an in-depth look at a one-party dominant state that is widely considered authoritarian, Azerbaijan. Following this case study, the findings from the three cases of Botswana, Tanzania, and Azerbaijan will be compared in the next chapter.

The Republic of Azerbaijan is located on the boundary between Eastern Europe and Western Asia in the Caucasus region. While the country had a few years of independence from 1918 to 1920, for much of the 20th century it was a part of the Soviet Union (King, 2006). The modern Republic of Azerbaijan emerged in 1991 when the country broke off from the United Soviet Socialist Republics (USSR) shortly before its collapse (King, 2006). The first multiparty elections happened during the 1992 election for president. The current dominant party, the Yeni Azərbaycan Partiyası (YAP), was founded in 1992 and has been a major political force in the country ever since, although YAP has seen more success in presidential elections than legislative elections. Unlike the previous two case studies, elections for the executive and the legislature, the unicameral Milli Məclis (Milli Majlis), happen on separate cycles. Thus, for a party to be considered dominant in Azerbaijan by the definition of one-party dominance established in Chapter Two, that party would need to win an absolute majority in the legislature and the

presidency for at least three consecutive elections for each branch of government. All elections in the country are administered by the Central Election Commission (CEC), whose role as a necessary institution for democracy will be evaluated later in the chapter.

It is easy to establish the dominance of YAP concerning the presidency. Originally, the President of Azerbaijan was elected for a five-year term; however, the term was extended to seven years following a constitutional amendment in 2016 (Const. of Azerbaijan 1995, Article 101 amended in 2016). The extended term went into effect with the most recent election in 2018 meaning there will not be another presidential election in the country until 2025. This will also mark the first time that a presidential and legislative election will occur at the same time in Azerbaijan. There are currently no limits to how many terms an individual may serve as president after term limits were removed following a public referendum in 2009 that went into effect beginning with the 2013 election (Guliyev, 2009).

The YAP has held the presidency since 1993, the first presidential election since the party's founding (Presidential Elections of the Republic of Azerbaijan, 1993, 1998, 2003, 2008, 2013, and 2018). In fact, not only has the YAP been dominant in the presidential elections, but one family has held this office since 1993. Heydar Aliyev was the first YAP president and served two terms, leaving the office following the 2003 election (Presidential Elections of the Republic of Azerbaijan, 1993 and 1998). At this time his son, Ilham Aliyev has been the head of the YAP and has held the office of president ever since due to the constitutional changes mentioned above that removed term limits (Presidential Elections of the Republic of Azerbaijan, 2003, 2008, 2013, and 2018). The entrenched position of one family has led to numerous allegations of fraudulent elections, which will be analyzed in the next section, and an in-depth discussion of all presidential election results will be done in the last section of this chapter. Having one family

control the executive for over 30 years further complicates electoral prospects for the opposition since it introduces longer term incumbency effects and personalistic elements to the presidency.

YAP has had a slightly more difficult time maintaining full dominance in the legislature. The members of the Milli Majlis, which is a unicameral legislature, are elected every five years (Const. of Azerbaijan, 1995, Article 84). There are 125 seats in the legislature which are all single member districts with first-past-the-post elections (Const. of Azerbaijan 1995, Article 83 amended in 2005). Prior to 2005 there were only 100 single member districts, and 25 seats were allocated by proportional representation, but a 2005 amendment to the constitution changed this system to entirely comprised of single member districts. Despite the changes to the system, the number of seats has remained constant at 125. There are no limits to how many terms an individual may serve in the Milli Majlis.

With 125 seats, for one party to have an absolute majority in the Milli Majlis, they would need to win 63 of those seats. Since 1995, the first legislative elections with the YAP as a party, YAP has won a plurality of seats in every election (Election to Milli Majlis Republic of Azerbaijan, 1995, 2000, 2005, 2010, 2015, and 2020). In 1995 and 2005 YAP only secured a plurality of seats, not a majority, which required the party to work with several independents that won seats to form a majority (Election to Milli Majlis Republic of Azerbaijan, 1995 and 2005). In all other elections YAP won an absolute majority of seats, giving them full control of the government without the need for independents, although the independent members of the legislature regularly work with YAP (Election to Milli Majlis Republic of Azerbaijan, 2000, 2010, 2015, and 2020). Independent candidates have consistently been the one of the two largest political factions in the Malli Majlis (Election to Milli Majlis Republic of Azerbaijan, 1995, 2000, 2005, 2010, 2015, and 2020).

With independents consistently working with them, YAP has been the primary political force in the country since 1993. However, considering the strict definitions for one-party dominant states in this study, Azerbaijan can only be considered a one-party dominant state since the 2010 election since that would mark the beginning of three consecutive legislative elections of YAP dominance. Thus, the elections from 2010 onward for the Milli Majlis will be of particular importance in the final section of this study analyzing paths for increasing vote shares for opposition parties, but all legislative elections since 1995 will still be discussed in that section since while not dominant, YAP was still the primary political actor. I begin with a look at election laws in the country and if they are followed appropriately by the government.

H1: Electoral Laws and Election Management

The first major way in which an electoral playing field may be unevenly skewed towards a dominant party is through electoral laws, and how well those laws are upheld. In Azerbaijan, the various legal provisions surrounding elections are found in the constitution, the “Law of the Republic of Azerbaijan on Political Parties,” and the “Election Code of the Republic of Azerbaijan.” Laws that can create an uneven playing field include voting restrictions, party or candidate registration, any campaign restrictions placed on political parties, and campaign finance laws. Several of these can also be confounded by instances of violence or intimidation designed to curtail the activities of a party or candidate. The regulations within these laws pertaining to the electoral playing field will be analyzed below. There is a major portion of the election code dedicated to the establishment, structure, and powers of the Central Election Commission (CEC), which is the institution that oversees elections in the country. The CEC will be analyzed in depth later in this chapter, and sections of the election code pertaining to the CEC will be discussed at that time.

H1a: Election Laws for Parties and Candidates

Most of the provisions in the constitution relating to elections have already been discussed above: term limits, length of positions, and the number of members of the Milli Majlis.

However, there are two more pieces of the constitution, which depending on how well they are enforced, can impact the electoral landscape. The first the right of assembly which is guaranteed in the constitution (Const. of Azerbaijan 1995, Article 49). This allows for people to peaceably gather, protest, and most importantly for elections, to attend rallies in support of political candidates. This is a vital right to be upheld for opposition parties to have the ability to build support and disseminate their message.

The other provision in the constitution that can impact elections is the right of association (Const. of Azerbaijan 1995, Article 58). Per the constitution people are free to organize as they wish, including joining political parties. However, the actual act and regulations surrounding political party formation is not in the constitution. Thus, this provision is only important to the electoral playing field depending on what the regulations surrounding party formation and operation are. These regulations are laid out in the “Law of the Republic of Azerbaijan on Political Parties.” There is also a newer law on political parties that passed the Milli Majlis passed on December 6, 2022, after months of debate (Azerbaijan’s Parliament Adopts Law on Political Parties, 2022). As no elections have been held under this law yet, it is necessary to focus on the laws surrounding political parties with the “Law of the Republic of Azerbaijan on Political Parties” which has been in effect since 1992; however, important changes in the new law that will impact future elections will be discussed if they will significantly alter the systems currently in place.

One of the first provisions in the law on political parties pertains to their formation. A political party is not legally recognized in Azerbaijan and cannot be registered unless the party has over 1,000 initial supporters (Law of the Republic of Azerbaijan on Political Parties 1992, Article 4). Prospective political parties have only one month from the formal adoption of their charter to secure these members and submit their signatures for registration of the party to be validated by the government (Law of the Republic of Azerbaijan on Political Parties 1992, Article 14). These charters must also be on record with the state. This is because of another provision in the act that allows for the Ministry of Justice to pursue legal action against parties that partake in any action that is contrary to their own charter (Law of the Republic of Azerbaijan on Political Parties 1992, Article 15). The first offense as deemed by the Ministry of Justice is a formal warning for the political party, and a subsequent action that also is deemed to be contrary to a party's charter can result in the party being dissolved under a court ruling (Law of the Republic of Azerbaijan on Political Parties 1992, Article 16).

Needing a certain level of support for a party to initially form via the 1,000-signature threshold is a significantly larger number of signatures than what was seen in the Botswana and Tanzania case studies, but this threshold is still achievable by all parties. Similarly, while there is a monetary deposit to appear on the ballot like the other two cases, the amount is low enough to be achievable for all candidates. On the other hand, the provisions about dissolution of a party being vested in the Ministry of Justice gives the dominant YAP significant power over the opposition. Allowing a government official, and therefore a member of the dominant party, to decide what actions they think goes against an opposition party's own charter is a situation that has the potential for abuse by the dominant party to silence growing opposition parties. There is the potential safeguard of needing a court ruling to dissolve a party, so the full impact of this

provision of the political party's law will depend upon the level of independence of the judiciary, which will be analyzed later in the chapter.

The formation and survival of political parties has gotten stricter under the new political party's law passed in 2022. The YAP dominated government has raised the supporter threshold significantly from 1,000 supporters to 5,000 supporters (Azerbaijan Softens Requirements in Draft Law "On Political Parties", 2022). Existing parties are also facing new restrictions on the number of members, needing to maintain at least 4,500 members or a party can be dissolved by the courts (Azerbaijan Softens Requirements in Draft Law "On Political Parties", 2022). Additionally, all parties must have at least 50 founding members, in other words 50 party leadership members and staff, to be formally recognized by the state (Azerbaijan Softens Requirements in Draft Law "On Political Parties", 2022). The YAP attempted to put in further restrictions into an earlier draft of the law, such as requiring 200 party founders that had lived uninterrupted in Azerbaijan for at least 20 years and dissolved parties that do not participate in two elections in a row, but these were removed before final passage of the bill (Natiqqizi, 2022). These increased limitations, and the desire of the YAP to initially make them even more restrictive, highlight both the large amount of the YAP controlled government over opposition parties and a willingness to push the electoral playing field to be even more uneven than it has been with the previous restrictions.

One more set of regulations exist in the Law of the Republic of Azerbaijan on Political Parties, all pertaining to party financing, donations, and spending. No political party is allowed to receive donations from charities, trade unions, mass movements, or state organizations (Law of the Republic of Azerbaijan on Political Parties 1992, Article 19). The law also notes that all functions of political parties are to be financed by those parties without any state resources (Law

of the Republic of Azerbaijan on Political Parties 1992, Article 17). However, these provisions only apply to non-campaign activities as the Election Code contains provisions around campaign financing and requires separate funds to be established specifically for campaigns (Election Code of the Republic of Azerbaijan 2003, Article 90). For instance, there are no trade unions bans in the part of the election code that includes donation limits (Election Code of the Republic of Azerbaijan 2003, Article 90). The lack of a ban allows trade unions to donate to both candidates and parties.

The Election Code of the Republic of Azerbaijan contains several other provisions related to campaign financing. It sets limits for spending on campaigns for the presidency and Milli Majlis that are not allowed to be exceeded by both candidates and parties (Election Code of the Republic of Azerbaijan 2003, Articles 156 and 191). The law also sets donation limits that can be given to candidates and parties (Election Code of the Republic of Azerbaijan 2003, Articles 156 and 191). These provisions could potentially yield an even playing field. Having donation and spending limits for both candidates and parties creates a system where one party cannot spend more than other parties, since all parties have the same maximum amount of money for a political campaign. However, if these provisions place the maximum amount of money spent so high that only an established dominant party can hope to reach that level, or if the laws are simply not followed, then an uneven playing field would occur. Additionally, since the law only applies to campaign related activities, political parties can still spend an unlimited amount if they claim that certain spending is not directly campaign related, which creates a loophole that would benefit the party with the most resources.

Political parties are also eligible for public funding, yet how funding is allocated leads to an uneven distribution of these public funds. All public funding is based on representation, or

lack thereof, in the Milli Majlis. There is a pool of 2.5 million manats that are divided up between political parties each year. (Law of the Republic of Azerbaijan on Political Parties 1992, Article 17). Any party that receives over three percent of the total votes cast for the seats in the Milli Majlis but does not win any of the 125 single member districts is entitled to up to 10 percent of the total funds which is divided amongst all parties that meet this criterion (Law of the Republic of Azerbaijan on Political Parties 1992, Article 17). No party has ever received more than three percent of the total vote and not also earned at least one seat, and thus those funds have always gone back to the state budget. Forty percent of the 2.5 million is divided equally between any party that has representation in the Milli Majlis (Law of the Republic of Azerbaijan on Political Parties 1992, Article 17). And the final 50 percent is divided proportionally between parties with representatives in the legislature based upon how many seats each party holds (Law of the Republic of Azerbaijan on Political Parties 1992, Article 17). These provisions make it impossible for new parties to get public funding but skew the bulk of public funding towards the coffers of the dominant YAP, thus creating a situation where the dominant party gains greater resources from the state in terms of publicly financing parties.

The public funding for political parties not currently represented in the Milli Majlis did change with the new law on political parties passed in December 2022. After the adoption of the law, any political party not winning seats in the Milli Majlis, but that participated in elections, is able to receive up to 2.5 percent of the funding set aside for public financing of parties (Azerbaijan Softens Requirements in Draft Law “On Political Parties”, 2022). While the new law will not help a party in its first election, the move does help equalize the playing field somewhat from the previous law, but still makes it possible for the dominant party to continue to receive the most public funding of any political party. Thus, in terms of public funding the new law has

been a step towards a more level playing field, while in other areas as previously shown the law has created further restrictions on parties.

Azerbaijan currently has over 50 political parties, and due to the first-past-the-post system, several of these parties coordinate their activities in blocks. The ability to form blocks, or groups, of political parties working together is established in the election code. These blocks must formally register with election authorities to be recognized (Election Code of the Republic of Azerbaijan 2003, Article 50). Parties are still treated as individual entities in terms of the public financing discussed above as opposed to the financing being considered as a block. Thus, it benefits parties without representation in the Milli Majlis to form blocks with those that have representation to boost their chances as part of a block by coordinating with a party with greater funds. The ability for political parties to coordinate their efforts does potentially help create a more level playing field; however, there are restrictions that still create a slightly uneven playing. Any political party joining one block cannot officially coordinate with any party outside of that block (Election Code of the Republic of Azerbaijan 2003, Article 50). Additionally, once that block is registered it is not allowed to add any new members in that election (Election Code of the Republic of Azerbaijan 2003, Article 50). While this article of the election code gives parties the ability to coordinate, it limits their ability to increase that level of coordination during an election and thus adapt to a shifting political landscape in a timely manner.

The timing of elections is another area that can create an uneven playing field. The date of elections for the Milli Majlis are determined by the current president, while presidential elections have a set date of the third Wednesday of October of the current president's final year in the office for that election (Election Code of the Republic of Azerbaijan 2003, Article 145 and Article 178). This system is like many parliamentary systems where the current prime minister

can call for elections, and indeed is akin to the case of Botswana where the president issues the writ of elections. Yet as the Tanzania case shows, there are some states where the electoral commission is empowered to set election dates which can be seen more equal provided the electoral commission is independent of the government.

While the above sections of the election code, constitution, and laws on political parties create some instances of an uneven playing field, there are sections of the electoral code that support a level playing field, provided they are upheld as written by the law. The nomination of candidates and signature requirements in terms of the number of supporters and the residency requirements of those supporters does not place any undue burden on an opposition party compared to a dominant party (Election Code of the Republic of Azerbaijan 2003, Articles 53, 54, 56, and 57). Independent candidates can run for office without needing support from a party which opens the process for political participation compared to if those limits existed (Election Code of the Republic of Azerbaijan 2003, Article 53). Mass media is required by laws to charge all political parties the same amount to advertise which can help alleviate resource disparities between parties (Election Code of the Republic of Azerbaijan 2003, Article 78). The court of appeals is legally allowed to handle any charges of violation of the election code that are levied against election authorities, creating a measure of oversight (Election Code of the Republic of Azerbaijan 2003, Article 112). At face value, these laws are designed to help uphold a level playing field.

Yet laws are only worthwhile if they are upheld. There have been numerous instances in recent years highlighting that the right of assembly is not well respected in Azerbaijan which relates to several of the laws discussed above. Following a well-attended opposition rally in 2019, the government stopped approving permits for opposition party rallies (Azerbaijan

Country Report, 2022). By not issuing permits for rallies the government essentially has banned political activities designed to improve opposition party support which clearly undermines both the freedom of assembly and a level electoral playing field.

Not issuing permits for rallies did not fully stop them from occurring but has led to government repression of public demonstrations. On October 19, 2021, hundreds of people were arrested at a rally for an opposition party in the city of Baku (Azerbaijan: Government Must Respect Freedom of Assembly, 2019). Despite the rally being peaceful, due to its location in the center of the city, the police dispersed the gathering using violent tactics, including beating several of the people detained (Azerbaijan: Peaceful Rallies Dispersed Violently, 2019). A separate protest for women's rights just a day later was also violently dispersed by police (Azerbaijan: Government Must Respect Freedom of Assembly, 2019). On March 20, 2021, women were arrested during a peaceful march to commemorate International Women's Day (Azerbaijan 2021, 2021). Another rally in Baku in 2021 was violently dispersed and opposition figure Tofiq Yagublu was arrested (Isayev, 2021). He was released several hours later after police had beaten him to the point where he was unable to open his eyes and dropped over 70 kilometers outside of town (Isayev, 2021). Finally, a new law on political parties passed in December 2022 bans any political gathering that is not sponsored by a recognized political party, which restricts the ability of citizens to coalesce and advocate for issues without party support and permits (Azerbaijan Softens Requirements in Draft Law "On Political Parties", 2022). These are just some recent instances that highlight the lack of respect for the freedom to assemble in Azerbaijan. By violently breaking up gatherings, especially rallies for opposition parties, these actions by authorities lead to an environment where people do not have the safety to express their political will or lend the support to the opposition. Not having the ability to freely assemble

without fear of reprisal, including violence, an uneven playing field is established where opposition parties, who need more opportunities to rally supporters due to not having incumbency advantages, are disenfranchised.

One of the main ways of assessing if an electoral playing field is uneven is via international election monitors. Azerbaijan has had their elections monitored by international observers since the Milli Majlis elections of 1995. However, as the 2013 election shows not all election monitors have had the same resources for adequately assessing elections in the country. In the 2013 presidential elections 50 different international organizations had election monitors in place, yet only the Office for Democratic Institutions and Human Rights (ODIHR) had more than short-term observers (Disgraced, 2013). ODIHR, which is part of the Organization for Security and Co-operation in Europe (OSCE), had not only enough short-term observers to monitor a statistically significant number of polling sites, but also included a team of long-term observers and experts who were on hand in the weeks leading up to and following the election, giving ODIHR the most complete picture of all election monitors in Azerbaijan (Disgraced, 2013). ODIHR has observed 10 elections since 1995, including both presidential and parliamentary elections, which is why this study utilizes their reports as an election monitor to corroborate the findings in this section.

Four of the elections ODIHR has observed in Azerbaijan are during the period of one-party dominance. These elections include the 2010 and 2020 Milli Majlis elections and the 2008 and 2018 presidential elections. These reports provide a consist outside view of elections in Azerbaijan throughout the period of one-party dominance by the election monitor best equipped to evaluate elections in the country. The results of these observations have described the playing field in Azerbaijan as uneven which support the information presented above concerning election

laws and the restrictions placed on opposition parties and candidate shown by media reporting. All four reports have found numerous issues with elections that skew them in favor of the dominant YAP, and these issues tend to persist throughout all elections that have been monitored.

One issue that has marred elections is the use of military bases and buildings as polling places. While these are supposed to be rare exceptions per the election code, they are instead a commonly used resource (OSCE/ODIHR Election Observation Mission Final Report, 2008). Because of military rules and regulations, the CEC does not have full control and oversight over these polling places which creates opportunities for fraudulent activity (OSCE/ODIHR Election Observation Mission Final Report, 2008). The issue of using polling places lacking adequate oversight such as these military bases is a continuous feature in elections per ODIHR observers.

Beyond the polling places, the districts themselves have been a problem in the most recent 2020 Milli Majlis elections. The CEC, which is responsible for setting electoral districts, did not create the districts in a fair manner in the 2020 elections. Out of 125 districts, 29 of them contained 15 percent more people than the national average for an electoral district (OSCE/ODIHR Election Observation Mission Final Report, 2020). Essentially the CEC divided voters in wildly disproportionate ways to help ensure the YAP maintained a majority of seats in the Milli Majlis.

Candidate registration has consistently been a problem as well. In 2008, two of the potential candidates for president were blocked from running with the government citing inadequate signatures as the reason (OSCE/ODIHR Election Observation Mission Final Report, 2008). The opposition decried the blocked candidates as a political maneuver to prevent opposition from running since all the remaining candidates besides the incumbent president were

politically aligned with the YAP and several of the candidates never conducted any campaign activities (OSCE/ODIHR Election Observation Mission Final Report, 2008). During the 2010 Milli Majlis elections opposition parties saw over half of their candidates blocked for signature issues that were not substantiated by outside experts while the dominant YAP did not have a single candidate that was barred from running in the election (OSCE/ODIHR Election Observation Mission Final Report, 2010). The 2018 presidential elections also witnessed two candidates prevented from being registered (OSCE/ODIHR Election Observation Mission Final Report, 2018). Once again, signature issues were cited but again, as with 2008, affected only parties that were strongly ideologically opposed to the dominant YAP with the resources to run campaigns (OSCE/ODIHR Election Observation Mission Final Report, 2018). The remaining candidates either were politically supportive of the current government or had no resources to conduct campaign activities thus preventing any real challenge (OSCE/ODIHR Election Observation Mission Final Report, 2018). ODIHR notes in all of their observation missions that the signature verification process done by the CEC is not held to the technical standards for signature verification performed in most other countries, and thus, coupled with the fact that in many cases this removed all real opposition and only allowed candidates that were aligned with the dominant party from running, there is significant doubt as to whether candidates should have been blocked (OSCE/ODIHR Election Observation Mission Final Report, 2008, 2010, 2018, and 2020). The lack of robust checks on the process casts further doubt that the laws are being upheld and enforced adequately, which creates another instance of an uneven playing field for candidate registration.

Candidate registration issues go beyond the signature verification process though. In the 2010 Milli Majlis election the ODIHR international monitors received numerous reports of

intimidation against opposition candidates to try to get them to withdraw their candidacy (OSCE/ODIHR Election Observation Mission Final Report, 2010). Intimidation tactics by YAP extended to voters as well in the 2010 election by intimidating and pressuring many supporters to withdraw their signatures supporting opposition party candidates or to attend YAP rallies to boost the perceived popularity of the party (OSCE/ODIHR Election Observation Mission Final Report, 2010). YAP has also leveraged its power to force schools to close during campaign events and have all teachers and students attend rallies in support of the dominant party as another way of boosting the image of the party (OSCE/ODIHR Election Observation Mission Final Report, 2008). Data from the Electoral Integrity Project and their Perceptions of Electoral Integrity Index. The Electoral Integrity Project asserts that some opposition parties and candidates were blocked from running in elections and restricted from holding rallies, both of which limit the ability to grow a strong opposition (Garnett et al., 2022).

Finally, the 2010 election for the Milli Majlis, and all subsequent elections, faced a new issue that contributed to an uneven electoral landscape. Amendments to the electoral code were passed earlier in the year leading up to the election that shortened the sanctioned election period (OSCE/ODIHR Election Observation Mission Final Report, 2010). Shorter election periods help the dominant party since it gives less opportunity for opposition parties to hold rallies, disseminate their message and platform, and build a broad base of support. The 2020 Milli Majlis elections highlight the importance of this shorter campaign season. In the only 22-day official campaign season most candidates did not hold any events or present any alternative views to that of the dominant YAP (OSCE/ODIHR Election Observation Mission Final Report, 2020). These issues do not impact the dominant party to the same degree since their governance is familiar to the public and thus having shorter election periods favor YAP. 2010 is also the first

election where the Milli Majlis entered the period of one-party dominance of three consecutive electoral victories, and the change to a shorter campaign can easily be seen as contributing to that dominance since prior to this change there were instances where YAP did not win an absolute majority in the legislature but have not lost the majority since.

These findings of the analysis of election laws and reporting from international election monitors are further corroborated by data from the Electoral Integrity Project. The index contains numerous indicators that all deal with election laws and their implementation. In one indicator the Electoral Integrity Project finds that elections are not conducted according to the law, indicating the laws are not followed well (Garnett et al., 2022). Additionally, the organization also finds that electoral laws are skewed to be unfair to opposition parties (Garnett et al., 2022). These broad categories of laws not being followed and in favor of the dominant YAP apply to numerous areas as has been seen above with other reports from election monitors, indicating an uneven playing field when it comes to electoral law implementation.

H1b: Fraudulent Election Behavior

Another area relating to how closely election laws are followed is incidents of fraudulent electoral activity. Fraudulent activity can be instigated by voters in instances of multiple voting or voting without proper identification required by law. Election fraud can also occur from actions of election officials in terms of ballot box stuffing or votes not being fairly counted. A look at reporting on elections in Azerbaijan finds that every election since one-party dominance began has seen numerous instances of election fraud alleged.

The 2010 Milli Majlis election was subject to numerous allegations of fraud by the opposition. These charges of fraud came after video evidence of voters casting votes in one polling place then being bussed to another polling place to vote again (Blua, 2010). During the

2013 presidential election the main opposition candidate alleged fraud in the vote due to similar issues of video evidence of people voting multiple times (Azerbaijan's Ilham Aliyev Claims Election Victory, 2013). The CEC also released results of the presidential election a day before voting began, which increased charges of fraud in the race (Clinch, 2013). The CEC argued it was simply a test using previous election results; however, the percentages released early matched no previous election and the early results used the current opposition candidates who had not run previously for president (Clinch, 2013). Police also arrested the head of a domestic election monitoring agency soon after the election in 2013 after the organization charged elections were unfair (Azerbaijan: Prominent Election Monitor Arrested, 2013).

The most recent presidential election in 2018 and Milli Majlis election of 2020 were also riddled with alleged fraud. In the 2018 presidential election video evidence again shows people voting multiple times by voting at different polling stations and ballot boxes at some stations being replaced with other boxes previously filled with votes (Greer, 2018). Several polling places during the 2018 election also blocked registered election observers from entering polling places, limiting their ability to conduct their work (Kocharyan, 2018). The 2020 Milli Majlis elections were marred with reporting of individuals voting multiple times, ballot box stuffing, and people voting without being registered (Kucera, 2020). These actions led to leader of the opposition Musavat party, Arif Gadjily, openly claiming election fraud in 2020 (Azerbaijan Ruling Party Wins Polls, Opposition Cries Fraud, 2020). These numerous incidents of fraudulent behavior, many repeating across elections, instances of intimidation, and blocking or arresting of election monitors all portray an uneven playing field concerning election fraud in Azerbaijan. The banning of monitors and ballot box stuffing were undertaken by election officials working under the direction of the CEC and per ODIHR monitoring these actions occurred in districts that

all ended up being won by the dominant party (OSCE/ODIHR Election Observation Mission Final Report, 2020). The independence of the CEC will be discussed in the next section on independent institutions, but allegations from the opposition party, the limited international reporting, and the reports of election monitors all attest that these actions are for the benefit of the dominant party, and if the CEC is shown to lack independence, then at the behest of the dominant party as well.

As one of the premier election monitors in the state, the ODIHR has witnessed election fraud in every election they have observed since one-party dominance began, supporting the claims of election fraud seen in media reporting. During the 2008 election ODIHR noted instances of ballot box stuffing, people not being able to vote in secret, and instances of multiple voting (OSCE/ODIHR Election Observation Mission Final Report, 2008). They also noted that reconciliation procedures for vote counting were not followed in numerous polling stations and most stations refused to release vote totals leading to a lack of transparency which can enable election fraud (OSCE/ODIHR Election Observation Mission Final Report, 2008). It is again worth noting that all these actions occurred in districts ultimately won by the dominant party and thus appear to be tools utilized by the YAP and its supporters in the CEC to guarantee election victory. Several of these actions, such as ballot box stuffing, were observed by ODIHR to be performed by election officials working the polls, indicating that the government is complicit if not directly supportive of these efforts.

The ODIHR observation of the 2010 Milli Majlis elections witnessed widespread fraud. Out of 152 voting stations where the vote count was observed by election observers following voting, ODIHR observed fraudulent behavior in 32 percent of those stations where more ballots were found in the ballot boxes than voters who turned out to vote (OSCE/ODIHR Election

Observation Mission Final Report, 2010). ODIHR also observed over 1,000 locations during voting. In 100 of the polling stations identical voter signatures were found in lists and in 63 locations ballot box stuffing was directly observed, both indicating large scale fraud (OSCE/ODIHR Election Observation Mission Final Report, 2010). These lists are maintained by the CEC, and it is their responsibility for maintaining accurate records. That identical voter signatures were found at such a level indicates a systemic subversion of election law by these officials either by ignorance or a desire to tip the scales, again all in districts won by the dominant party, towards a particular outcome.

The 2018 presidential and 2020 Milli Majlis elections both witnessed similar issues and were both remarked to have widespread voter fraud. In 2018 the ODIHR representatives noted issues with ballot box stuffing, multiple voting by individuals, and identical signatures in 12 percent of all polling places observed (OSCE/ODIHR Election Observation Mission Final Report, 2018). Over half of all vote counts at the end of voting observed by ODIHR members did not follow proper procedures for vote counting as prescribed by the election code of Azerbaijan (OSCE/ODIHR Election Observation Mission Final Report, 2018). Issues with ballot box stuffing and other fraudulent voting activities were slightly less in 2020, with eight percent of all polling places observed having noted issues (OSCE/ODIHR Election Observation Mission Final Report, 2020). Yet vote count issues were still present in over half of all polling stations monitored at that time (OSCE/ODIHR Election Observation Mission Final Report, 2020). Once again, all districts in the presidential election were won by the incumbent YAP president and in the Milli Majlis these single-member districts were all won by either the YAP or registered independents who formally coordinate with the dominant party. Independent candidate coordination with the YAP will be discussed in the final section of this chapter. These reports

from ODIHR indicate widespread election fraud patterns affecting large percentages of polling stations and the same issues being used election after election to secure a victory for YAP and thus create an uneven electoral playing field.

There are two sets of indicators in the Electoral Integrity Project data that corroborate the information already presented, indicators on individual voters and indicators concerning administrative electoral abuses. Concerning citizens' right to vote the organization notes that electoral registers in Azerbaijan were incorrect and excluding citizens (Garnett et al., 2022). Additionally, the Electoral Integrity Project finds that some individuals were met with violence and intimidation at the polls, which is in line with results from election monitors presented here (Garnett et al., 2022). Finally, the index also agrees with the ODIHR monitors that fraudulent votes were cast in elections (Garnett et al., 2022). Thus, citizens in Azerbaijan are often casting votes in situations where they cannot be guaranteed that their votes are free to cast, will be equal to the votes of other citizens, and may even face intimidation and violence.

On the administrative side of electoral abuses and fraud the Electoral Integrity Project also includes multiple indicators. They find that ballot boxes were not secure, votes were not counted fairly, and there was undue delay in releasing results which are all either direct indicators of fraud or in the case of delays releasing results generate greater opportunities for fraud to occur (Garnett et al., 2022). Additionally, beyond all the indicators of fraud the Electoral Integrity Project found that challenges to election results due to these instances of fraud were not resolved through the proper legal channel but instead ignored by both the CEC and the judiciary (Garnett et al., 2022). The ignoring of election challenges by officials will be discussed further in the sections later in the chapter on the CEC and the judiciary.

These various reports from international media, election monitoring agencies, and data from the ODIHR election monitors show a widespread and systematic use of election fraud practices in Azerbaijan. These various actions of multiple voting, busing voters to multiple locations, ballot box stuffing, and more are repeatedly used as tools to undermine elections in the country and assure victory for the dominant YAP. Yet there is one more area where the way laws are written or if they are not adequately followed can create an uneven playing field, the use of state resources for campaigning.

H1c: State Resources Used in Elections

Even as far back as the 2003 presidential election, before one-party dominance was officially established in Azerbaijan, there have been allegations that YAP utilizes state resources in political campaigns (Heinrich, 2010). This improper use of resources has been seen above in multiple ways. Government run military bases are regularly used as polling stations. The government has paid for and used its large vehicles to transport numerous voters to multiple polling places the cast fraudulent votes. Even the way money is allocated to political parties within the confines of the law for publicly financing political parties gives an unfair edge to YAP compared to opposition parties. Country reports from Freedom House during election years, such as the 2020 Milli Majlis election, also assert that state resources are used improperly to benefit YAP (Azerbaijan – Country Report, 2020).

In two of their election observation missions since one-party dominance began, ODIHR has also noted the improper use of state resources for campaigning. The president used the lead-up to the 2008 election day to inaugurate numerous new facilities (OSCE/ODIHR Election Observation Mission Final Report, 2008). These actions dominated news coverage and official activities in several districts which created an environment where numerous districts did not have

any official campaign activities and the opposition had no room for campaigning due to these government sanctioned events (OSCE/ODIHR Election Observation Mission Final Report, 2008). The president's actions created an environment in the 2008 presidential election where there were not equal opportunities for opposition candidates to increase their name recognition or tout their viewpoints compared to the incumbent. The 2018 presidential election witnessed similar issues with the incumbent president blending official duties into campaign appearances, creating a scenario where the dominant YAP thus has greater resources that are not available to opposition parties (OSCE/ODIHR Election Observation Mission Final Report, 2018). Finally, in the 2018 election ODIHR observers noted that there were numerous campaign events for the incumbent president that public-sector employees were coerced to attend, thus using government resources to boost campaign numbers and support (OSCE/ODIHR Election Observation Mission Final Report, 2018).

Data from the Electoral Integrity Project reinforce these reports that state resources are improperly used in campaigns to benefit YAP at the detriment of opposition parties. The organization agrees with the statement that “some state resources were improperly used for campaigning” (Garnett et al., 2022). Additionally, the Electoral Integrity Project asserts that both parties and candidates had unequal access to political donations and government political subsidies (Garnett et al., 2022). Together, these data from the Electoral Integrity Project compliment the reporting from organizations such as Freedom House and the monitoring from ODIHR, demonstrating that concerning state resources in elections there is once again an uneven playing field.

These results all support the premise of the first hypothesis of this study. Azerbaijan is commonly considered an authoritarian state by the measures of democracy, and as such an

uneven electoral playing field would be expected in the country. An analysis of election laws, media reporting, international election monitoring reports, and data from organizations such as the Electoral Integrity Project all point to this result. Some electoral laws in the country are designed to favor the dominant YAP, and those that are supposed to be neutral are not enforced properly, thus tilting the playing field further in favor of the dominant party. Election fraud is rampant across elections both in terms of fraudulent voting behavior from individuals and from the administrative side with numerous instances of fraudulent vote counting and ballot box stuffing. Finally, state resources are utilized by YAP to give the party an unfair advantage, particularly in presidential elections with a blurring between official state activities and campaign activities. These results support the first hypothesis, but a greater comparison between all three case studies will occur in the next chapter to see what distinctions exist between them and if they are great enough for some one-party dominant states to be classified as democracies and others as nondemocracies.

H2: Independent Institutions

The second major way a country can have an uneven electoral playing field is if institutions necessary for democracy are not independent. Three main institutions all need to maintain independence for an electoral playing field to be level. An independent media is vital for all parties to have opportunities to campaign effectively as accurate reporting is one major way for parties to disseminate their message. An election commission, the CEC in the case of Azerbaijan, is responsible for administering elections in the country and therefore its independence is vital for a level playing field. Finally, the judiciary is typically responsible for arbitrating cases and allegations of fraudulent behavior in elections and needs independence to fairly uphold the law. The second hypothesis in this study asserts that the more democratic a

country is, the more likely these institutions are to be independent. Therefore, in the case of Azerbaijan for the expectations of the hypothesis to be born out these institutions should lack independence since Azerbaijan is an authoritarian state. The first institution to be tested under this hypothesis is the media.

H2a: The Media Landscape

Media in Azerbaijan during most of one-party dominance has been under the confines of a law on mass media which came into effect in December of 1999. The law was replaced with an updated law in 2022. The two laws are similar with most provisions of the 1999 law appearing in the new law. However, there is one media restriction that is unique to the 2022 law that will be addressed as well. These laws will be analyzed first, followed by data from the ODIHR election monitors and numerous international organizations that evaluate media independence to see if the media landscape in Azerbaijan is independent.

Certain parts of the 1999 law do support media independence, provided they are upheld. The law calls for free media and for media to be free from government censorship or other interference (Law of the Republic of Azerbaijan on Mass Media 1999, Articles 1 and 7). However, there are several provisions that give the executive branch immense power over the media. The executive is responsible for issuing or revoking licenses (Law of the Republic of Azerbaijan on Mass Media 1999, Article 43). The new 2022 law contains one new restriction to media outlet ownership and which individual reporters are allowed to have their work disseminated in the country. All media outlets must be owned by citizens of Azerbaijan who permanently reside in the country (Law of the Republic of Azerbaijan on Media 2022, Article 26). Additionally, all journalists for these media outlets must be citizens who permanently reside in the country as well (Law of the Republic of Azerbaijan on Media 2022, Article 26). These

restrictions apply not only to print news sources but also to all online journalism. Not meeting these restrictions can cause websites to be blocked in the country or if the media source is disseminated physically, it can be banned from being distributed.

Content that is published is another way in which the government maintains control over the media. The state can seize and take control of any media outlet that publishes information that “threatens the security or integrity of the state” (Law of the Republic of Azerbaijan on Mass Media 1999, Article 27). Both news organizations and individual reporters are also prevented from publishing information which promotes hate, reveals government secrets, or constitutes slander (Law of the Republic of Azerbaijan on Mass Media 1999, Articles 10 and 47). Again, these provisions all apply to online, print, television, and radio as means of disseminating news. The harsh nature of these laws has caused international observers, such as the Council of Europe, to decry the media landscape as one characterized not by creating conditions necessary to be an independent watchdog, but rather the landscape focuses on restricting the activities of media outlets and reporters (Azerbaijan Media Law: Overregulation in an Already Restrictive Environment, 2022). Provisions to shut down or suspend media platforms or block reporting from individual reporters have been used extensively and coupled with the laws above requiring owners and reporters to be based in Azerbaijan has created a media landscape that is dominated by state-owned sources.

Many print news sources have been closed throughout the years citing pressure from the government as the primary reasons for closing (Bayramova and Goyushzade, 2022). Media pressure has been both in terms of content moderation and by withholding funds for various independent news sources (Bayramova and Goyushzade, 2022). The closure of news outlets applies to television and radio as well. There are no independent television and radio stations

broadcast from within the country (Azerbaijan – Central Asia, 2022). Having most independent print newspapers cease circulation has led to an increase in online reporting to fill the gap (Bayramova and Goyushzade, 2022). Over time, the media landscape within Azerbaijan has gotten more restrictive when it comes to the number and ideological variety of outlets available in the country.

Media outlets are not the only ones feeling government pressure, with individual journalists also on the receiving end of actions by the government to prevent negative stories. Numerous individual reporters have been arrested and beaten over the years by police (Wesolowsky, 2022). Police often use aggressive tactics to stop reporters from covering stories critical of the government. In February 2022 multiple reporters covering a protest by families of soldiers killed in the 2020 conflict with Armenia were beaten by police to stop them from reporting on the protest (Bayramova, 2022). The prison terms reporters received would last for months with multiple bloggers beaten and imprisoned for extended periods of time due to posts that were critical of the government per Amnesty International (Azerbaijan 2021, 2021).

Abuses against reporters and closing critical media outlets has caused essentially all media friendly to the political opposition to head into exile abroad, such as major outlets Abzas.net, Azadliq newspaper, Azadliq Radio, Gununsesi, Kanal 13 TV, and Meydan TV (Azerbaijan – Freedom on the Net, 2022). By forcing these independent outlets abroad, the government is then able to use the other laws passed surrounding owners and reporters residing in Azerbaijan to ban these television, radio, print, and online sources from being able to reach people in Azerbaijan, thus preventing any media that is critical of the government from existing (Azerbaijan – Central Asia, 2022).

The media laws also provide the government with another means of controlling the flow of information relating to campaigning. All media that is licensed in the country is required by law to immediately and freely disseminate any official government information from any of the three branches of government (Law of the Republic of Azerbaijan on Mass Media 1999, Article 40). There is also a law within the election code that requires media to provide free coverage to all parties and candidates running in elections (Election Code of the Republic of Azerbaijan 2003, Article 155). Yet requiring media to cover official government activities has been used to circumvent the law requiring free airtime for opposition parties and candidates by forcing media outlets to preempt coverage of candidates running in favor of spending airtime and newspaper space discussing official government actions and information. ODIHR election observers have noted the importance of these laws on the media landscape in their election reports and how media coverage has been skewed towards the dominant YAP. While the election code provides for free airtime on state-owned television, there is no obligation for that time to be equal amongst all parties nor for coverage to be unbiased (OSCE/ODIHR Election Observation Mission Final Report, 2008). In the 2008 and 2018 presidential elections, as well as the 2010 Milli Majlis elections, requirements to report on official government activities meant that YAP candidates received as much three times the amount of airtime than all other candidates combined during the campaign season (OSCE/ODIHR Election Observation Mission Final Report, 2008, 2010, and 2018). The coverage was unequal not only in terms of quantity, but also quality with nearly all coverage of the dominant party portraying them in a strictly positive light (OSCE/ODIHR Election Observation Mission Final Report, 2008, 2010, and 2018). These laws and the way they have been implemented, including violent pressure and suppression, has created an uneven electoral landscape in Azerbaijan, which is supported by data from international media monitors.

As part of their index, the Electoral Integrity Project includes a category with multiple indicators all relating to media independence. The organization asserts that newspapers did not provide balanced election coverage between the various political parties, and that television news was heavily skewed to favor the dominant YAP (Garnett et al., 2022). The Electoral Integrity Project also notes that reporters did not provide fair coverage to all parties and candidates, and that opposition candidates did not have the same access to advertising that the dominant party did (Garnett et al., 2022). These data from the Electoral Integrity Project coincides with the reporting seen above concerning the media landscape.

Media institutions and overall freedom are not the only aspects tracked by international press monitors. Several are dedicated to the rights and freedoms of individual journalists. The International Press Institute has been tracking multiple cases of journalists in Azerbaijan arrested over reporting critical of the government, specifically the government's handling of the COVID-19 pandemic (Azerbaijani Journalist Mirsahib Rahiloghlu Arrested over Critical COVID-19 Reporting, 2020). The Committee to Protect Journalists also follows data on the mistreatment of journalists, including death of journalists. They note multiple cases where independent journalists, such as Elmar Huseynov and Novruzali Mamedov, who were critical of the government were murdered seemingly in response to their critical reporting (Elmar Huseynov Killed, 2005 and Novruzali Mamedov Killed, 2009). The Mamedov murder occurred in prison where the journalist was serving a 10-year sentence of fabricated charges of treason for his reporting (Novruzali Mamedov Killed, 2009).

The unfair laws giving favorable and increased coverage to the dominant party, attacks on individual reporters, silencing of critical voices, and shuttering of media outlets that do not tow the party line all come together in the Reporters sans Frontières (RSF) assessment of

Azerbaijan. RSF ranks Azerbaijan very poorly when it comes to media independence, with the country being 154th out of 180 countries in 2022 (Azerbaijan – Central Asia, 2022). RSF notes that the legal landscape for media has gotten increasingly repressive in Azerbaijan. They cite the continuous jailing of journalists, government repression of independent media, and the fact that all media is either directly or indirectly state-controlled as reasons why Azerbaijan scores very poorly in their measure of media independence (Azerbaijan – Central Asia, 2022). In short, the media landscape in the country is uneven and skewed in favor of the government and thus the dominant party. An uneven media landscape in Azerbaijan is an expected outcome of hypothesis two since the expectation is that there would be less media independence in an authoritarian state.

H2b: The Electoral Commission

As mentioned in the section analyzing election laws, the CEC is the established body for conducting elections in Azerbaijan, for both the Milli Majlis and presidency. There are two main ways in which an election commission in any country, and the CEC is no exception, can lack independence and lead to an uneven electoral playing field. The first is through the structures of the election commission and how the body is established. The second is with the powers allocated to the commission and if the CEC implements those powers in accordance with the law.

The structure of the CEC is laid out in the Election Code of the Republic of Azerbaijan. The CEC is empowered to conduct and supervise all presidential, legislative, municipal, and nationwide referendums that occur in Azerbaijan (Election Code of the Republic of Azerbaijan 2003, Articles 26). The law establishes multiple levels of election commissions including the CEC, Constituency Election Commissions, and Precinct Election Commissions, but all other

commissions are under the supervision of the CEC (Election Code of the Republic of Azerbaijan 2003, Article 18). In fact, the members of lower-level commissions are appointed by the CEC, so the independence of the CEC is what is truly vital for ensuring a level electoral playing field (Election Code of the Republic of Azerbaijan 2003, Articles 30 and 35).

Yet the CEC is designed by law to favor the dominant YAP. The CEC consists of 18 members, all of which are appointed by the Milli Majlis (Election Code of the Republic of Azerbaijan 2003, Articles 24). These 18 members are to be divided between political factions with six representing the current majority party, which has always been YAP, six representing minority parties in the Milli Majlis, and six representing independents (Election Code of the Republic of Azerbaijan 2003, Articles 24). While in theory the division could create balance in the CEC, since the independents in the Milli Majlis caucus and cooperate with the dominant YAP, the composition of the CEC skews towards the dominant party by a two to one proportion. ODIHR election monitors have agreed in all their election monitoring missions that the CEC membership structure gives the ruling party, in this case the YAP, de facto control over the CEC (OSCE/ODIHR Election Observation Mission Final Report, 2008, 2010, 2018, and 2020).

Additionally, the Chair of the CEC is required to represent whichever political party is the majority in the Milli Majlis (Election Code of the Republic of Azerbaijan 2003, Article 19). Thus, not only does the party control the commission de facto through the composition of membership, but YAP control of the CEC is also in fact de jure by the leadership of the body representing the dominant party. Due to these structural factors, opposition parties have routinely criticized the government for not allowing equal representation on election commissions (Walker, 2008). While the opposition has decried the CEC as a biased body, the bias is built into

the law that established the CEC. Without changes to the structure of the CEC there is never going to be an opportunity for elections in Azerbaijan to be managed by a neutral organization.

The structure of the CEC is just one way it is biased in favor of the dominant YAP. Throughout its time managing elections, the CEC has repeatedly worked in favor of the dominant party, thus creating an uneven electoral landscape. Several pieces of evidence have already been presented above to show the bias of the CEC. All the fraudulent electoral activities such as multiple votes, improper and illegal counting procedures of votes, busing of people to multiple polling places, and more happened under the watch of the CEC. In fact, some of the fraudulent behavior, such as vote counting issues, was performed by the CEC itself or CEC appointed officials to other election commissions. The fraudulent behavior and lack of consequences for breaking election law by the CEC already presents significant evidence of an uneven electoral playing field. Yet there are more actions of the CEC that show how the institution has shaped elections to favor the YAP.

Even from the very first election the CEC oversaw, in 1995, the commission has lied about voter turnout. For instance, the 1995 election included approval of constitutional provisions and thus required a high level of turnout for the results to be binding. Election monitors estimated that between 15 to 30 percent of the voting age population voted, but the CEC released numbers that put turnout at 80 percent (Heinrich, 2010). By exaggerating election turnout, the CEC lent greater credibility to the victories of the YAP that are maintained through fraudulent election activity.

Another duty of the CEC is to oversee the candidate and party registration process. The CEC regularly bars numerous candidates and parties from running, which has already been detailed above. However, the high degree to which the CEC blocks candidates bears repeating

since it is one of the main ways in which the CEC uses its authority to create an uneven playing field. In some elections, the CEC has used their power to bar over half of all candidates and one-third of all political parties trying to compete in elections (Heinrich, 2010). By preventing the opposition from even running there is no way in which the electoral playing field in Azerbaijan can be considered even, and the YAP has orchestrated an uneven playing field in the country. While it is officially the CEC that is undertaking these actions, as has already been discussed the dominant party controls the CEC and ultimately government directives from the YAP that is preventing any real opposition from forming.

Those parties and candidates that are approved by the CEC face difficulties in campaigning due to other decisions that are made. The media landscape has already been shown to be uneven and favors the dominant party, but one piece of that puzzle is due to the powers allocated to the CEC. The CEC sets the timeline for the campaign season, and the free media time that is allocated to candidates can only be utilized during official campaign seasons. The CEC often puts short limits on campaign seasons, frequently a month or less, which means that all candidates and parties have less than a month to reach out to voters with their message (Nichol, 2008). While all candidates and parties officially have the same time to campaign, with such a short period parties and candidates that are already established have an electoral advantage. Voters have years of hearing about the political goals of the YAP, but less than a month to hear from all the opposition candidates. The imbalance of time is due to the actions of the CEC creating such a short campaign season and providing yet another advantage to the dominant party.

The CEC regularly ignores requirements for oversight by election monitors and the public, which is yet another factor creating an uneven playing field. From the time votes are cast

to the time results released, the CEC does not allow outside observers to monitor its activities (Heinrich, 2010). While not allowing observers is not proof itself of election fraud or the CEC directly acting to favor the dominant party, the lack of transparency during the critical time of finalizing the results creates an opportunity for voter fraud. Considering the fraudulent election behavior observed when observers are allowed in the room, the likelihood of fraudulent behavior continuing behind closed doors to benefit the YAP is high.

In addition to preventing oversight at key times, the CEC also neglects to follow the law concerning challenges to election procedures. All challenges to elections, both before voting concerning issues such as blocking candidates or after voting concerning fraudulent activity, need to occur at open meetings that the public can attend (Election Code of the Republic of Azerbaijan 2003, Article 28). At these meetings the candidates or parties that are alleging improper election management can state their case before the CEC with the public in attendance. The CEC does have these open meetings, but regularly fails to comply with the law requiring them to inform those with election challenges about the time and place of the meeting (ODIHR, 2010). The 2010 election witnessed the most egregious examples of failing to notify election challengers about these meetings with only one in over 200 cases having the actual challenger in attendance (ODIHR, 2010). By not complying with the law to inform those bringing election challenges about the meetings the CEC is able to dismiss these cases without hearing their merits, which disenfranchises opposition parties that bring these challenges.

The structure of the CEC and the abuses of power by not following the law all work together to ensure an uneven electoral playing field in Azerbaijan. There have been numerous protests against the CEC from the public due to their bias towards the dominant YAP, but those protests have often seen police violence in retaliation (Sødergren, 2004). Due to the CEC not

following the law and tilting elections to favor the YAP, the Electoral Integrity Project gave their worst possible score for an indicator evaluating where election officials operated in a fair manner (Garnett et al., 2022). The analysis of the CEC shows that the body responsible for elections in Azerbaijan creates an uneven playing field favoring the dominant party. Part of the reason for the assessment lies in the structure of the CEC itself, but the commission also undertakes numerous actions designed to disenfranchise the opposition. These results are the expected outcome of hypotheses 2b. Since Azerbaijan is considered an authoritarian state, this study would expect the country to not have a truly independent election commission that acts in accordance with a level playing field. Comparison of the CEC with the commissions of Botswana and Tanzania will occur in the next chapter to evaluate what differences, if any, exist between the countries concerning their election commissions and the magnitude of those differences.

H2c: The Judiciary

The Court of Appeals, the Supreme Court, and the Constitutional Court comprise the upper-level courts in Azerbaijan. All three of these courts have their appointment procedures detailed in the constitution. For each court the President of Azerbaijan nominates individuals to fill vacancies and then the Milli Majlis votes to approve and appoint the nominees (Const. of Azerbaijan 195, Articles 130, 131, and 132). The nomination system is like the one used in numerous countries that are considered democracies, such as the United States, and in theory would be a first step towards ensuring judicial independence. Having multiple parts of the government responsible for different aspects of judicial appointments can create a check on the process. Yet, with both the executive and legislative branches controlled by the same party, there are opportunities for judicial independence to be compromised.

While the appointment of top judges is set up to be balanced between two branches of government, other concerns skew the judiciary to be under the control of the president. Outside of the three courts listed above, there is no legislative oversight of the approval process, and the president unilaterally appoints all other judges (Heinrich, 2010). The ability to remove a judge is also removed from a system of checks and balanced. Judge removal is a power vested in the presidency which tilts the balance of power between branches of government towards the presidency which can undermine an independent judiciary (Kamrava, 2001). Judges in Azerbaijan are reportedly paid low salaries (Azerbaijan: Nations in Transit, 2013). These low salaries have opened the door for the president to bribe even high-level judges with money the government receives from oil revenue, which further places the judiciary under the thumb of the executive (Azerbaijan: Vulnerable Stability, 2010). These factors show that while there are some attempts at safeguards for judicial independence via the method of appointing judges to the top courts, the structure of the judiciary gives the executive considerable levels of control which threatens judicial independence. Therefore, one party dominance has allowed the YAP to control judicial appointments at all levels.

The reports from international monitoring organizations and election monitors show that these structural limitations on judicial independence have led to a corrupt institution that favors the executive to which the judiciary is beholden and thus the dominant party. In a 2015 survey of five countries in the region, Transparency International noted that the budget for the judiciary and low pay for judges leads to significant control of the judicial branch by the executive (The State of Corruption, 2015). ODIHR mentions the judiciary in some of their electoral monitoring. In the 2010 election the Court of Appeals in the capital of Baku and the Supreme Court rejected every single appeal challenging election results (OSCE/ODIHR Election Observation Mission

Final Report, 2010). Not only did they dismiss all challenges, but in most cases the courts did so without undertaking any investigation into the election fraud claims brought before the court (OSCE/ODIHR Election Observation Mission Final Report, 2010). And it has already been shown through reporting and election monitoring in the previous section that evidence of fraudulent election behavior was readily available.

Additionally, the Constitutional Court, which partners with the CEC to validate final election results, validated the results of the 2010 election even while cases were pending and legal deadlines for appeal were still open (OSCE/ODIHR Election Observation Mission Final Report, 2010). The judiciary also extended its support to the Aliyev administration (in power from 2003 to the present) by doling out harsh penalties, including significant jailtime, for political dissidents and opposition party leaders (Chayes, 2016). By not allowing the legal process to play out, either through properly investigating challenges or by cutting short the time allocated by law for these challenges to be brought, and by jailing political opponents, the judiciary has demonstrated it will take extraordinary measures to support the dominant party. These actions show how the judiciary in Azerbaijan has skewed elections to favor the dominant YAP and not acted in a manner that upholds a level playing field which would be required of an independent body.

The data from the World Economic Forum concerning judicial independence supports these findings. In their judicial independence indicator, Azerbaijan receives a score of 4.4 out of seven, which is slightly above a middle of the road score, and indeed above the median country in the total rankings of countries. (Judicial Independence, 2017). This score at face value seems high considering the flaws already discussed in the judiciary in Azerbaijan. But the World Economic Forum data primarily focuses on structural features for evaluating judicial

independence. Structurally, there are some potential safeguards due to multiple branches of government having input on judicial appointees. However, since the YAP has maintained dominance for an extended period, and there is no ability for outside input on the appointments, such as the Judicial Services Commission in the case of Botswana, these structural features do not translate to safeguards of independence.

All these data from analyzing the structure of the judiciary to election monitoring reports indicate that the judiciary in Azerbaijan lacks independence. The World Economic Forum data does give Azerbaijan a better rating than the other evidence presented in this study, but the focus of its measure primarily on government checks on judicial appointments may miss some of the uniqueness of one-party dominant states and how government safeguards may not be effective on their own. These results are again keeping with expectations for this part of the second hypothesis, but further comparison between the three case studies on the dimension of judicial independence will occur in the subsequent chapter.

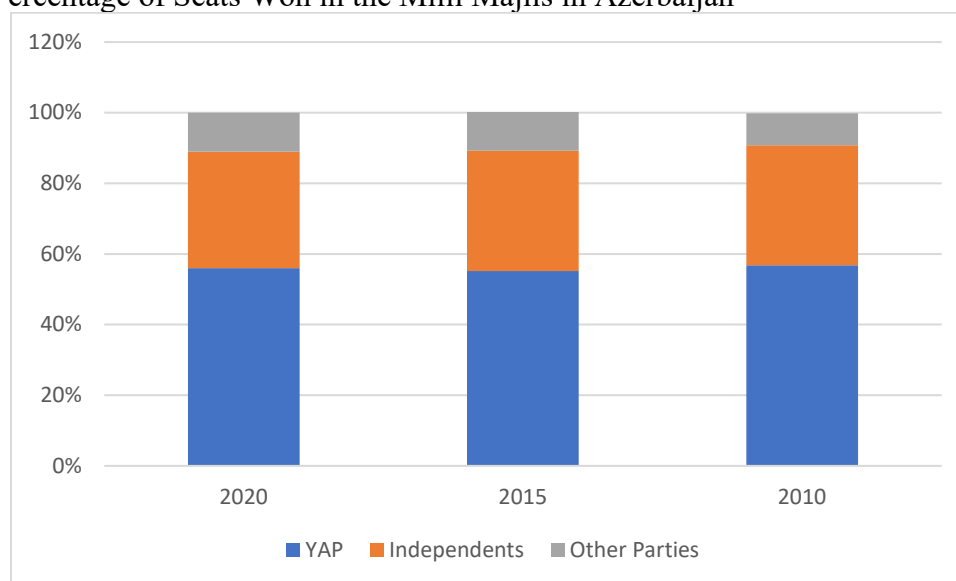
H3: Opportunities for Opposition Party Victories

The evidence from the previous two sections already provides an indication that the electoral playing field is highly uneven. Yet despite the structural factors, election fraud, and institutions favoring the dominant YAP, the party has only held complete one-party dominance since 2010 due to not having a majority in the Milli Majlis consistently since the party's founding. YAP has maintained a plurality in the Milli Majlis, and a closer look at the sizable number independent candidates, which will occur later in this section, will help explain why the YAP has in some years not maintained an absolute majority but never was truly out of power with independents not siding with the opposition. Election results from both the Milli Majlis and the presidential elections will be analyzed to see if there is any opportunity for the opposition to

win control of a branch of the government despite the barriers faced by the opposition that have already been discussed.

The Milli Majlis consists of 125 single-member districts that all are elected via a plurality vote. During the 2000 and 1995 elections, the chamber only had 100 single-member districts and 25 proportional representation seats allocated to parties specifically for female legislators, but the structure was changed prior to the 2005 election, and thus the entire time of one-party dominance has been under the 125 single-member district system. Data from the CEC allows for an analysis of the three elections since one-party dominance with a look at the percentage of seats won by the dominant YAP, all other political parties, and by independents. A similar chart showing the percentage of seats won by all individual political parties can be found in the appendix.

Figure 6. Percentage of Seats Won in the Milli Majlis in Azerbaijan¹



The first major point of note is that there is little to no change to the results over subsequent elections. YAP regularly has won around 55 to 57 percent of all 125 seats, around 30 percent of all seats have been won by independent candidates, and the remaining small number of seats, approximately 10 percent, by other political parties. Static election results such as these

¹ These data are from the “Elections to the Milli Majlis Republic of Azerbaijan” reports held by the CEC for the following years: 2010, 2015, and 2020.

show that the path to victory for the political opposition is incredibly narrow. Seats in single-member districts fluctuate infrequently, and the few changes that do occur are not enough to significantly alter the balance of power. The evidence seen previously in this chapter concerning the actions of institutions that undermine a level playing field, including fraudulent election activities, is the likely culprit for these static electoral outcomes for the Milli Majlis. The lack of true competition leads to elections where the same outcome occurs with such frequency with very few seats ever changing political hands.

Unfortunately, the CEC does not release comprehensive data on elections, such as the vote share for each candidate in a single-member district, which limits some analysis on the results which have occurred in previous case studies. The fact that the CEC obscures election results is expected. The CEC has already shown itself willing to ignore election fraud and block independent election observers from monitoring the vote counting process in many ways. By releasing summary results which only include the seats won by each party, and the total popular vote by each party, the CEC can obscure potentially fraudulent activities that occur during the counting process. Now, since the counting process is not observed there is no direct evidence of election fraud happening, but since every other stage of elections in Azerbaijan contains election fraud that is either ignored or encouraged by the CEC, obscuring election data and processes leads to greater distrust in the system.

While the Azerbaijan case does not allow for the election hypotheticals to show what could occur if only two candidates ran, there are reasons to assume the results would not change much if at all. First, election fraud has been shown to be a regular occurrence in Azerbaijan. In the 2020 hypothetical on Tanzania in the previous chapter, the election with significant levels of fraud and intimidation, only an exceedingly small percentage of single-member districts changed

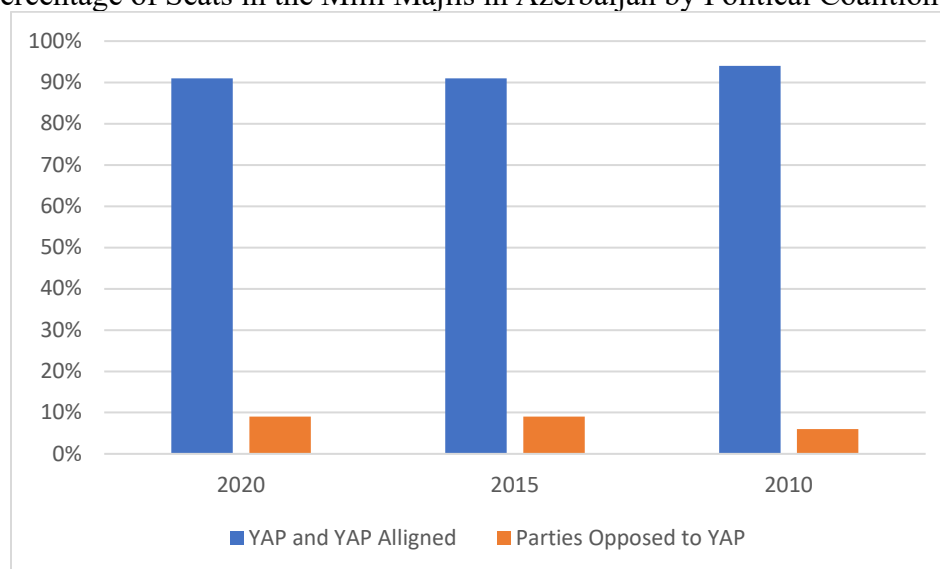
party hands, and those would have been exclusively to the benefit of the dominant party in the most favorable of the hypothetical scenarios. It would be reasonable to assume that similar outcomes might be likely in the case of Azerbaijan if these hypothetical scenarios could occur. Second, the dominant party has shown a willingness to extensively use election fraud to maintain power in elections. In a scenario with only two candidates running there is no reason to assume the government would stop these fraudulent behaviors to assure their victory. Finally, in most of the hypotheticals the two-candidate matchup would likely be between the YAP candidate and an independent candidate. Further exploration of these independent candidates, a feature unique to this case out of the three case studies in this analysis, illustrates why head-to-head matchups between the YAP and independent candidates would likely not lead to changes of power in the government.

The existence of these independent candidates helps to explain both the regularity of election outcomes and why the YAP, which has regularly engaged in fraudulent election behavior to secure its dominance, does not enact more stringent practices to dissuade the victory of independent candidates in many races. Independent candidates in Azerbaijan are independent in name only. All independent candidates that win election in the Milli Majlis formally work with and support the YAP. These candidates are often even officially members of the YAP but run as independents (Ismayilov, 2005). These candidates, while being formally registered as independents for the election, benefit from support from the dominant party as the YAP funds not only their own, official candidates, but also these independents who are in fact members of the YAP (Ismayilov, 2005). The benefit of having multiple independent candidates run alongside a formal candidate of the YAP is that each registered candidate is entitled to election monitors at polling places (Ismayilov, 2005). By packing polling places with monitors from candidates that

all have a united goal of supporting the dominant party it creates less space for opposition monitors which can help facilitate the election fraud seen at the sites in the previous section (Ismayilov, 2005). In effect, the presence of these independents means that the biggest competitor for the dominant party for legislative power is not actually a competitor at all, but rather assists the YAP in maintaining their hold on power.

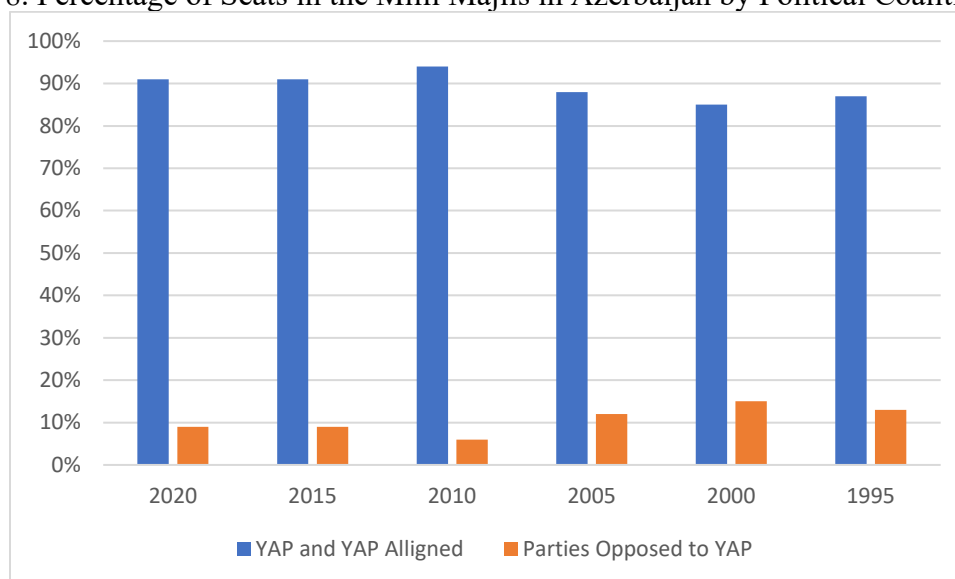
These on-paper independents are not the only political faction to work with the dominant party. The Motherland Party and the Civic Unity Party also formally work with the dominant party, further increasing the control the YAP has over the political system. Unity between the dominant party, independents, and a few smaller parties helps explain why there are so many seats in the Milli Majlis not held by the dominant party. YAP does not see these legislators as a threat to their rule since they are in fact helping enable said rule. There is no need to engage in the type of fraudulent election behavior seen in some districts against candidates that are aligned with the dominant party, even if those candidate are not technically members. Having these politically aligned independents and smaller party members gives the dominant YAP even more de facto power than their de jure power suggests. The chart below shows the balance of power in the Milli Majlis by the percentage of seats held by the dominant party and its formal allies, compared to the percentage of seats held by the actual opposition.

Figure 7. Percentage of Seats in the Milli Majlis in Azerbaijan by Political Coalition since 2010²



During the entire period of one-party dominance, YAP has never dipped below 90 percent of all seats being aligned with their party goals. The concentration of power helps reinforce itself, since there is not a sizable political coalition opposed to YAP that would have the power to hold the dominant party accountable for the electoral abuses, election structural issues, and lack of independent institutions that enable a large degree of control. These political coalitions, especially between YAP and independent candidates, also explains how Azerbaijan has only been a one-party dominant state by the definitions in this study since 2010, despite the country following YAP rule for much longer. In both the 2005 and 1995 elections, YAP earned a plurality of votes, but not an outright majority, in the Milli Majlis. Yet due to the dominant party working with independents and some smaller parties, the de facto balance of power is continuously skewed towards YAP. The chart below shows the percentage of seats in the Milli Majlis held by YAP and its allies compared to the percentage of seats held by the opposition for all elections since 1995, the first election YAP competed for the legislature.

² These data are from the “Elections to the Milli Majlis Republic of Azerbaijan” reports held by the CEC for the following years: 2010, 2015, and 2020.

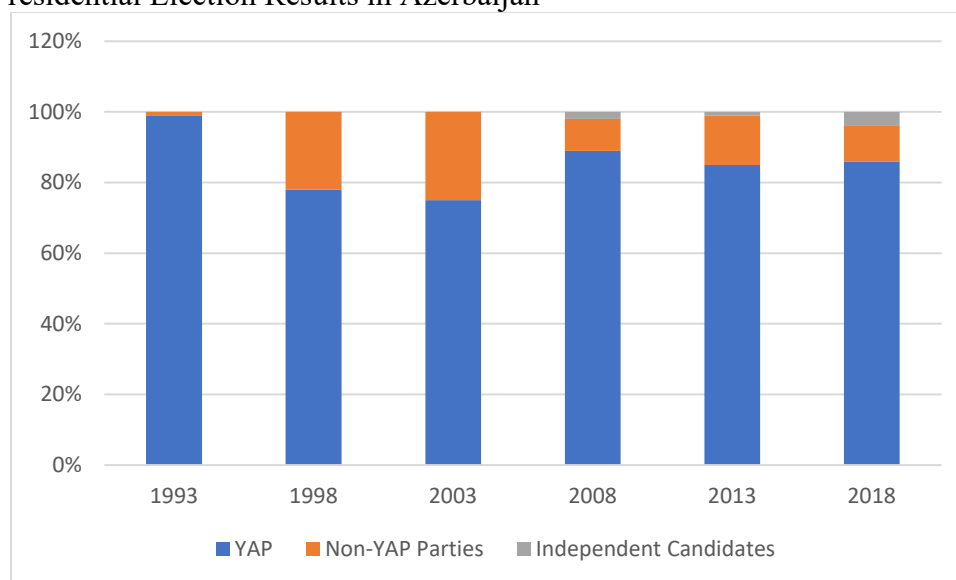
Figure 8. Percentage of Seats in the Milli Majlis in Azerbaijan by Political Coalition since 1995³

As these data show, while YAP did not officially have one-party dominance by the strict definitions in this study until 2010, the party has maintained a firm hold on politics in Azerbaijan for much longer. There has essentially never been a viable opposition to YAP since the party emerged prior to the 1993 presidential election. The information already presented above about institutions and election laws and management explains why a political opposition has never been able to successfully emerge in the country. And understanding of how independents and some smaller parties formally align with the dominant party explains why election results for the Milli Majlis on the surface appear to be competitive with only a slight majority for YAP, but in reality, mask a system where no political opposition is viable. The effect of political coalitions for one-party dominance is a further question that will need to be explored in later work on one-party dominance, since arguments can be made to extend the definition of one-party dominance to coalitions in certain cases as is seen with the 1995-2010 period for Azerbaijan.

³ These data are from the “Elections to the Milli Majlis Republic of Azerbaijan” reports held by the CEC for the following years: 1995, 2000, 2005, 2010, 2015, and 2020.

Yet the Milli Majlis is only one of two political bodies that is necessary for one-party dominance in Azerbaijan. The presidential election results in Azerbaijan further highlight how there is a lack of a strong opposition in Azerbaijan. While one-party dominance for the entire political system has only existed since 2010, YAP has dominated presidential elections since their first election in 1993. Looking at all presidential elections since YAP began winning provides even more evidence for some of the analysis presented above concerning the Milli Majlis elections.

Figure 9. Presidential Election Results in Azerbaijan⁴



The first thing that is abundantly clear is that there is no real competition for the presidency in Azerbaijan. The position has been held by the dominant party since they formed and ran candidates in 1993. During that time YAP has never dipped below 75 percent of the total vote for the presidency. The evidence of fraudulent election behavior including people voting multiple times and ballot box stuffing help explain why the dominant party has held the position

⁴ These data are from the “Presidential Elections of the Republic of Azerbaijan” reports held by the CEC for the following years: 1993, 1998, 2003, 2008, 2013, and 2018.

with such large margins. There simply is no way for the opposition to have a chance of winning the position due to the uneven electoral playing field in Azerbaijan.

Yet there is one significant difference between elections for the presidency and the Milli Majlis, the performance of independent candidates. Independent candidates have only run in three presidential elections, and in each of those only one independent candidate ran. Unlike the multitude of independent candidates for the Milli Majlis, those running for president are not part of the election strategy of packing the field with supporters, and hence do not have the resources of the dominant party behind them like the legislative independent candidates do. The performance of independents never surpasses a few percentage points of the total vote due to this. In presidential elections the dominant party does not have an incentive to work with independents as they have been in Milli Majlis elections, since there is only one position to be filled. Whereas in the legislature the dominant party works with independents and thus does not consider them threats and therefore targets of election fraud and using institutions against independents, that dynamic does not apply for the presidency. Additionally, the major opposition candidates that would potentially be viable to compete for the presidency are often subjected to imprisonment due to judicial overreach as has been mentioned previously in the section on the judicial branch.

Finally, it should be reiterated that presidents in Azerbaijan have a large incumbency advantage. Not only has the YAP held the position since 1993, but the same family has. In fact, the election with the lowest percentage of votes for the YAP candidate was when the position passed from the former president, Heydar Aliyev, to his son and current president, Ilham Aliyev. Since then, Aliyev has engaged in numerous structural changes such as removing term limits for the presidency and increasing the length of the president's term which have led to stronger

margins of victory for the YAP in presidential elections since 2003. This incumbency advantage compounds the other issues that plague elections in Azerbaijan to create an environment where there is no realistic chance for the opposition to ever gain control of any branch of government, especially when accounting for the de facto power of YAP in the Milli Majlis by working with independents.

These election results and the lack of opportunity for opposition parties are an expected outcome of hypothesis three. Azerbaijan contains skewed election laws that disenfranchise the opposition. Those laws that would work toward a level electoral playing field are regularly ignored by institutions that lack impartiality and act in ways that help ensure continuous control for the YAP. These factors coalesce to create an electoral playing field that regularly sees instances of election fraud occurring without any consequences for those using these methods to remain in power.

Together, the three case studies of Botswana, Tanzania, and Azerbaijan show that there are indeed differences in the levelness of the electoral playing field between one-party dominant states. The remaining question though is if those differences are significant enough to allow for these political systems that see concentrations of power in one party to be classified as different regime types. And if they can be considered different regime types, do any one-party dominant regimes meet the standards of a democratic state? The next chapter seeks to address these final issues by comparing the results of the three case studies presented here alongside benchmark cases of a country ranked as a weak democracy and a country widely considered a hybrid regime but that have transitions of power between parties to see if their electoral landscapes are indeed comparable.

CHAPTER SEVEN

A NEW CLASSIFICATION SCHEME

The previous three chapters have highlighted significant differences in the political playing field in the different one-party dominant states studied. These differences can be found across all three hypotheses in the study. This chapter assesses the magnitude of these differences to answer the questions presented at the beginning of the study: are there significant differences between one-party dominant states to warrant them being classified as different regime types, and, more importantly, can any one-party dominant state be considered a democracy? A primary goal of the Playing Field Balance Classification Scheme is to complement the measures of democracy via the meso-level analysis for one-party dominant states and explore these differences in-depth for greater understanding. The increased focus on the level playing field in the classification scheme compared to the measures of democracy helps achieve this goal.

In this chapter, data from the previous three case studies has been distilled into the Classification Scheme. The classification scheme also includes Ghana, Guyana, and Sri Lanka. As mentioned at the end of Chapter Three, these countries are considered democracies by the measures of democracy used in the study but have the distinction of being considered weak democracies, with democracy scores consistently close to the lower end of the democracy range. As weak democracies these three states provide a benchmark cluster of scores that a state would need to reach to be considered democratic. The average score of the three benchmarks is presented in the subsequent sections alongside the three case studies, but individual results by benchmark state will be discussed as appropriate when analyzing the results. For any one-party

dominant state to be classified as a democracy it would have to outperform the benchmark democracies in all three hypotheses. Only then can we conclude, even if tentatively, that some hegemonic party systems can be classified as democratic.

The scheme includes a total of 41 individual indicators split between the three hypotheses. As with the case studies in the previous chapters, the classification scheme is divided into categories which correspond with the three hypotheses, and categories one and two include three subcategories each that correspond to the sub hypotheses. Each individual indicator in the scheme will be explained in sections which correspond to the sections of the case study prior to the results for the case studies and benchmark democracies being analyzed. For each hypothesis or sub hypothesis the corresponding indicators will be explained, along with their evaluation criteria towards the beginning of each corresponding sections or subsections.

The Playing Field Balance Classification Scheme scores countries on a scale from zero to 90, with a score closer to 90 indicating a more level playing field and thus a more democratic playing field. Each hypothesis has been equally weighted to assign a score of 30 available points for each category in the measure. The points available for each indicator will be shown alongside the evaluation criteria found in the sections below. Data from election laws, constitutions, international reporting and monitoring organizations, Reporters Sans Frontières (RSF), the World Bank, and others presented throughout the case studies were used to generate the scores in each indicator for the one-party dominant state case studies.

The scores in the scheme for the three benchmark cases were arrived at in the same way as the scores for the case studies. The constitution, election laws and regulations, laws concerning the media, judiciary, and electoral commission were all utilized as a first step in assigning values to the benchmark cases included in the classification scheme. As with the three

case studies of Botswana, Tanzania, and Azerbaijan, these laws and regulations were supplemented using data from international election monitors (reports from the Electoral Institute for Sustainable Democracy in Africa for Ghana, the Carter Center for Guyana, and the Diplomatic Service of the European Union for Sri Lanka), the Electoral Integrity Project, RSF, and the World Bank's World Economic Forum dataset. Utilizing the same types of resources that were harnessed in the case studies for these benchmarks creates rankings in the Playing Field Balance Classification Scheme that are consistent in scoring methodology with the one-party dominant state case studies.

Point values are assigned throughout for ease of classification. Yet the main goal is to differentiate between one-party dominant states more effectively on a democracy to authoritarian spectrum. As such, it is necessary to assign categorical distinctions between the cases in this study and the average of the benchmark democracies. This study proposes five classification categories concerning the electoral playing field: Democratic Playing Field, Leaning Democratic Playing Field, Hybrid Playing Field, Leaning Authoritarian Playing Field, and Authoritarian Playing Field.

A Democratic Playing Field is one that creates few to no barriers to participation and contestation, has independent institutions to uphold a level playing field, and has no major legal obstacles to opposition parties being able to win control of the government. A Leaning Democratic Playing Field may contain a small number of barriers to participation and contestation, or have some threats to institutional independence, but still allow for the opportunity for opposition party victory albeit with more challenges than in a state classified with a democratic playing field. A Hybrid Playing Field has a moderate degree of barriers to participation or contestation and threats to institutional independence that call into question

whether an opposition party can truly compete as shown by lackluster competition in elections, thus indicating missing features needed for democracy. A Leaning Authoritarian Playing Field would be one where there are significant and frequent barriers to participation and contestation as well as severe threats to institutional independence that prevent the opportunity for opposition parties to win elections. And finally, an Authoritarian Playing Field is one where participation, contestation, and institutional independence do not exist, and thus democratic principles are fully undermined.

As each category of the proposed classification scheme is designed to equally capture aspects of the level playing field, hence why all are worth an equal value of 30 points, all will be weighted equally when assigning the final descriptive classification for each case study's playing field and propensity for democracy. With five categories and 90 points available in the classification scheme, this project equally divides the points into the five categories. States scoring between zero and 18 points total will be considered to have an authoritarian playing field. A leaning authoritarian playing field will be between 19 and 36 points. The hybrid playing field is between 37 and 55 points. The leaning democratic playing field is between 56 and 72 points. And finally, a democratic playing field would be between 73 and the maximum score of 90 points. These ranges are designed to be equal in-line with how several of the measures of democracy discussed in Chapter Three have nearly or completely equal ranges for their categories.

The point values assigned throughout the analysis of each exploratory hypothesis will help expedite the classification and thus will be utilized during the next three sections. The categorical classifications presented here will be revisited at the end of the chapter to classify the case studies with these categories. I now turn to an analysis of the first hypothesis of this study,

electoral laws and implementation, which will present the first third of the total available points in the Playing Field Balance Classification Scheme to see how the one-party dominant states compare not only to each other, but also to the benchmark democracies.

H1: Electoral Laws and Election Management (30 Possible Points)

The first main area of the Playing Field Balance Classification Scheme concerns electoral laws, how those laws are implemented, and election management. The indicators within this category, which correspond to the first hypothesis, comprise one third of the total scheme with 33 total points available, with higher scores indicating a more level playing field. Within the electoral laws and implementation category there are three subcategories, each corresponding to one of the three sub hypotheses in the study. Each of these subcategories will be analyzed first prior to the complete results for the electoral laws and implementation category.

H1a: Election Laws for Parties and Candidates (7 Possible Points)

Throughout the course of the case studies, multiple legal issues surrounding candidates and parties came to light. Signature thresholds, monetary deposits to appear on ballots, banning individual candidates or political parties from running as a form of political retribution, banning independent candidates not affiliated with a political party, spending limits during campaigns, spending limits outside of campaign activities, and restrictions or bans on political party blocks are all ways that the playing field can be uneven. These various mechanisms for creating an unfair playing field between political factions were used as the criteria for evaluating part one of the first hypothesis. The following table explains each individual indicator and the criteria that were used to evaluate and assign scores to each case. Immediately after the table the chart that shows how each case study country and benchmark country ranked in the election laws aspect of the Playing Field Balance Classification Scheme.

Table 5. H1a – Electoral Laws for Parties and Candidates Indicators and Evaluation Criteria

Signature thresholds	0 - Signature thresholds for ballot access prevent all but the dominant party from reaching the, 1 - Signature thresholds are low enough that they are attainable by all parties
Monetary Deposit to Appear on Ballot	0 - Monetary deposit amounts prevent all but the dominant party from reaching the, 1 - Monetary deposit amounts are low enough that they are attainable by all parties and candidates or there are no monetary deposit amounts
Banning Parties or Party Candidates	0 - Most opposition parties and candidates are banned from running by the dominant party for reasons not relating to signature thresholds, 1 - There is no evidence of banning parties or candidates outside of those that do not reach signature thresholds for ballot access
Banning Independent Candidates	0 - Independent candidates not nominated by a political party are banned, 1 - Independent candidates not nominated by a political party are allowed
Campaign spending limits	0 - There are no limits on how much candidates and parties can spend on campaigns and there is a resource disparity between dominant and opposition parties, 1 - There are limits on how much candidates and parties can spend on campaigns and limits are at a level that all major parties can reasonably reached by all parties, or there are no limits on spending, but all parties have parity in resources
Other party spending limits	0 - There are no limits on how much parties can spend on non-election related activity and there is a resource disparity between dominant and opposition parties, 1 - There are limits on how much parties can spend on non-election related activity and limits are at a level that can reasonably reached by all parties, or there are no limits on non-election spending, but all parties have parity in resources
Political Party Blocs	0 - Blocs among political parties are banned by law, 1 - There are no legal restrictions against blocs of political parties

The first two indicators of signature thresholds and monetary deposits serve a similar function concerning ballot access for parties and candidates. Thresholds for signatures in a country can be a restriction to an even playing field if they are high enough that only certain parties can acquire them due to resource differences. Yet these can also be low enough that any party can realistically reach these to place candidates on the ballot. Similarly, monetary deposits to appear on ballots is a common trend in the case studies, but these can be low enough that all parties can easily reach them. However, if these deposit amounts are set to a high threshold, then it could be a deterrent to some opposition parties that have fewer resources and thus contribute to an uneven playing field.

The next two indicators deal with blocking candidates from running or political parties from forming. While some of reasons for blocking ballot access or party formation are already captured by the indicators on signature thresholds and monetary deposits, the case studies have shown that in some states candidates and parties are hindered for other reasons, often as a form of political retribution or repression. The degree to which other parties are banned, or candidates from opposition parties and independent candidates are barred from running for office can contribute to an uneven playing field.

Spending limits, both during campaigns and outside of campaign activities, can be used to either create a more level playing field or exacerbate an uneven one. Spending limits that are achievable by all parties equalize the playing field since it prevents resource advantages from benefiting a dominant party. Inversely, if there are high maximums for campaign and other party spending, or no limits at all, and each party does not have parity in resources that would contribute to an uneven playing field benefiting those parties with greater resources, since it would clearly benefit the hegemonic party.

Finally, the ability for parties to coordinate their efforts can be a means by which some issues surrounding resource disparities can be overcome. If the opposition is legally allowed to form political blocs, then they will have a better chance of competing with dominant parties in elections. The banning or limiting of political blocs would be a final way under the electoral laws and implementation subcategory that the playing field could be uneven. Together, these indicators comprise the score the subcategory corresponding to the first sub hypothesis.

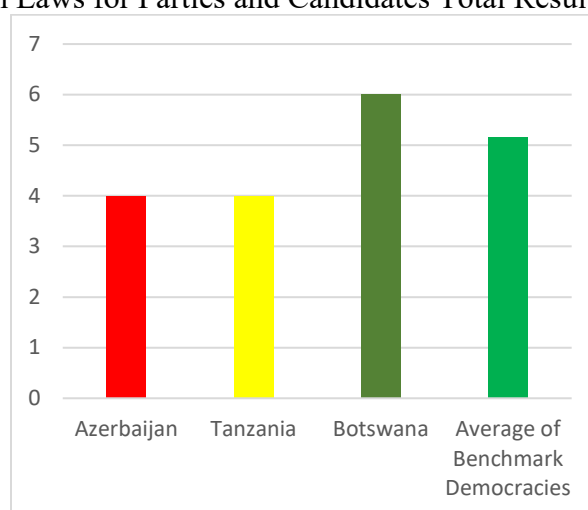
Table 6 shows the score for each indicator for each case study and the average of the benchmark democracies and the subsequent figure, Figure 10, displays the total score for the H1a subcategory. In each of the figures in this chapter, the average score of the benchmark

democracies is presented in green. If any of the one-party dominant states ties or outperforms the average of the benchmarks it will be presented in a darker green to indicate its more level playing field. Outside of these instances Azerbaijan will be presented in red, Tanzania in yellow, and Botswana in light green. The tables throughout the chapter will show only the average of the benchmark democracies, but a full table of all indicators in the classification scheme with the scores for each individual benchmark democracy can be found in the appendix.

Table 6. H1a - Election Laws for Parties and Candidates Indicator Results¹

	Azerbaijan	Tanzania	Botswana	Average of Benchmark Democracies
Signature thresholds	4	4	6	5.166666667
Monetary Deposit to Appear on Ballot	0.5	1	1	1
Banning Parties or Party Candidates	1	0.5	1	0.833333333
Banning Independent Candidates	0	0.5	1	1
Campaign spending limits	1	0	1	0.666666667
Other party spending limits	1	1	1	0.333333333
Political Party Blocs	0	0	0	0.333333333

Figure 10. H1a - Election Laws for Parties and Candidates Total Results



¹ The data for Table 6 and Figure 10 were generated from constitutions, election laws, international election monitor reports, local and international reporting, and data from the Public Integrity Index for each country.

The first main point to note from these data is that Botswana outperforms the other one-party dominant states. Out of seven possible points, Botswana received a score of six. Tanzania and Azerbaijan both tie with a score of four highlighting the differences in one-party dominant states concerning election laws for parties and candidates. Additionally, with an average score across the three benchmarks of 5.2, the first set of indicators shows that a one-party dominant state can have a playing field level enough to outperform weaker democracies.

Botswana has less stringent legal restrictions for ballot access than Tanzania and Azerbaijan. All three states also have signature threshold requirements for a candidate to be placed on the ballot, and while these are low in both Botswana and Tanzania, these are significantly higher in Azerbaijan. While all the states include a monetary deposit to get on the ballot, the deposit level in Tanzania is significantly higher than the minimum deposits required for both Azerbaijan and Botswana. In both Tanzania and Azerbaijan these issues are not enough to fully exclude a candidate from running for office, but they do represent increased barriers to entry. These are two ways in which the playing field in Botswana is shown to be more equal than in other one-party dominant states. And the behavior of Botswana concerning these indicators is in-line with the behavior of the benchmark democracies.

Botswana stands out from other one-party dominant states around issues of candidate bans. In Tanzania, there have been instances of some candidates for office banned for reasons of political retribution, and in Azerbaijan banning opposition candidates is a regular occurrence. Tanzania further restricts candidate access by blocking independent candidates from running for office while no such restrictions exist in Botswana and Azerbaijan. Once again, these results highlight the differences between one-party dominant states.

The benchmark cases typically perform at the same level as Botswana concerning candidate bans. The one exception is that Guyana, like Tanzania, includes a restriction that prevents independent candidates from running for office. The consistent performance of Botswana matching the election laws and regulations of the benchmark democracies lends further evidence to the assertion that a one-party dominant state can be classified as democratic.

Botswana's only deficiency for a level playing field in the first sub hypothesis concerns party spending limits. There are no limitations on party spending outside of campaigns which is one aspect that creates a slightly less level playing field since parties with more resources, which a dominant party is likely to have, will be able to increase their name recognition and presence compared to other parties. Botswana is not alone in not meeting the criteria for a more level playing field regarding spending outside of campaigns. In fact, only the benchmark case of Guyana has a restriction on that spending, the other two benchmarks of Ghana and Sri Lanka, as well as the case studies of Tanzania and Azerbaijan have no laws limiting spending outside of campaigns. On the other hand, all three one-party dominant cases include spending limits on campaign activities, creating a more level playing field in that regard. Yet two benchmark cases, Ghana and Sri Lanka, do not, which help account for why Botswana has a more level playing field than the average of the three benchmark democracies as seen in Figure 10.

Finally, Azerbaijan has regulations that limit, but not ban, coordination between parties as political blocs while Botswana and Tanzania have no restrictions on political coordination. The benchmark democracies likewise do not have any limits on political party blocs putting Botswana and Tanzania in line with the benchmarks on this indicator. These data highlight that there are still certain indicators where a one-party dominant state may have a more uneven playing field, such as party spending limits, but also a more even playing field than the weaker

benchmark democracies, such as bans on independent candidate. While there may be some fluctuation on the level of individual indicators, overall Botswana consistently performs in a way that suggests a more level playing field than the other one-party dominant states and the average of the benchmark democracies.

H1b: Election Fraud (15 Possible Points)

Yet election laws surrounding candidates and parties are only part of the first category on election laws and management. The next subcategory that needs to be addressed is fraudulent behavior in elections. Some of these election fraud actions occur at the individual level, such as multiple voting, while others occur at the systemic level, such as blocking election monitors. Overall, the subcategory on election fraud contains seven unique indicators with a total possible score of 15 points, with a higher score indicating a more level playing field. In addition to the indicators already mentioned, this subcategory includes measures of ballot box security, bribery of voters, violence or intimidation of voters, mechanisms for reporting fraudulent behavior, and mechanisms for challenging election results. The following table explains the indicators and evaluation criteria, and the subsequent chart shows how each one-party dominant case study and the three benchmark cases perform in the Playing Field Balance Classification Scheme.

These indicators all deal with the integrity of voting in a country. Without a secure and fair election that prevents fraud from occurring there cannot be an even playing field in a political system. The first indicator on multiple voting captures threats to election integrity on the individual level. The subsequent indicators on ballot box security, violence against citizens, or bribery of people trying to vote all capture systemic ways that election fraud can occur. Any activity outside of regular campaigning that attempts to unduly influence a voter's behavior, or

that aims to falsify the results of election, creates a more uneven playing field in a country which is not indicative of a democracy.

Table 7. H1b – Election Fraud Indictors and Evaluation Criteria

Multiple voting	0 - There are regular instance of multiple voting 1 - There are irregular instances of multiple voting, 2 - There are rare to no instances of multiple voting, and these are prosecuted in accordance with the law
Ballot box security	0 - There are regular instances of ballot box stuffing, 1 - There are irregular instances of ballot box stuffing, 2 - There are rare to no instances of ballot box stuffing, and these are prosecuted in accordance with the law
Violence or threats against citizens	0 - There are regular instances of violence or threats against citizens trying to vote, 1 - There are infrequent instances of violence or threats against citizens trying to vote and these are not prosecuted, 2 - There are infrequent instances of violence or threats against citizens trying to vote but these are prosecuted, 3 - There are rare to no instances of violence or threats against citizens trying to vote
Bribery of voters	0 - There are regular instances of bribery of voters, 1 - There are infrequent instances of bribery of voters, 2 - There are rare to no instances of bribery of voters
Avenues for reporting fraudulent behavior	0 - There are no legal avenues for reporting fraudulent election behavior, 1 - There are legal avenues for reporting fraudulent election behavior, but these are not followed by law, 2 - There are legal avenues for reporting fraudulent election behavior and these are followed by law
Avenues for challenging election results	0 - There are no legal avenues for challenging election results, 1 - There are legal avenues for challenging election results that are not followed by law, 2 - There are legal avenues for challenging election results that are followed by law
Observers allowed to monitor voting	0 - All election observers are banned, 1 - Election observers have access to monitor only some party of the election process, 2 - Election observers have access to monitor all aspects of the election process

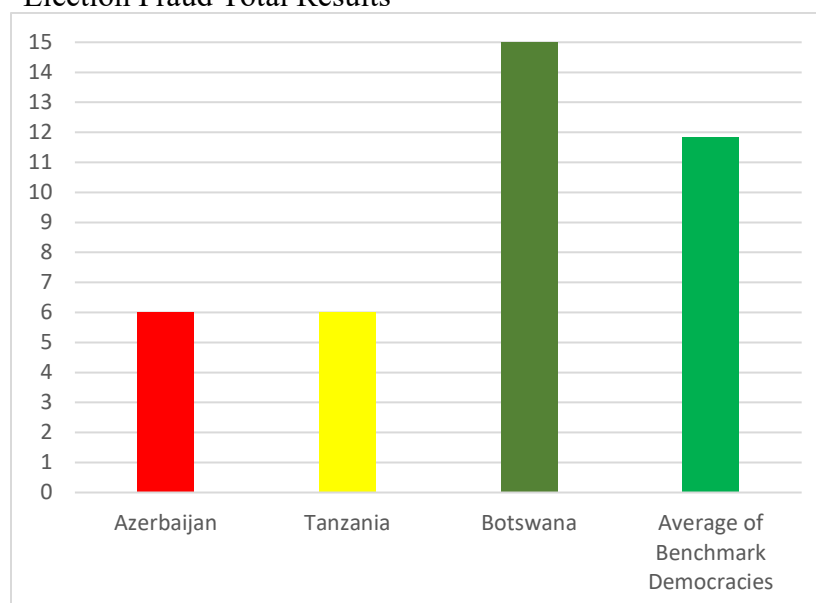
Additionally, monitoring of elections and avenues for legally challenging instances of individual fraud or election results themselves due to systematic fraud need to be in place as safeguards for a level playing field. Election monitors are a necessary resource for a fair campaign since they would be the ones to observe and report election fraud in many cases. There also needs to be legal avenues to hold people who engage in election fraud accountable to have a secure election. Without secure elections, the evenness of the electoral playing field is called into question since there is no guarantee that true competition, a necessary feature of democracy, is occurring.

Together, these indicators comprise the 15 total points available in the second subcategory of the first hypothesis. A score closer to 15 indicates a more even electoral playing field in the scheme. Table 8 shows the score for each indicator for each case study and the average of the benchmark democracies and the subsequent figure, Figure 11, displays the total score for the H1b subcategory.

Table 8. H1b – Election Fraud Indicator Results²

	Azerbaijan	Tanzania	Botswana	Average of Benchmark Democracies
Multiple voting	0	0.5	2	1
Ballot box security	0	0.5	2	1.5
Violence or threats against citizens	1	1	3	2
Bribery of voters	2	2	2	1.666666667
Avenues for reporting fraudulent behavior	1	1	2	2
Avenues for challenging election results	1	0	2	1.666666667
Observers allowed to monitor voting	1	1	2	2

Figure 11. H1b – Election Fraud Total Results



² The data for Table 8 and Figure 11 were generated from constitutions, election laws, international election monitor reports, local and international reporting, and data from the Public Integrity Index for each country.

While there were differences between Botswana and the other one-party dominant states in the previous subcategory, those differences are even more pronounced here. Based on the evidence presented during the case studies Botswana has garnered the maximum score of 15 out of 15 for a lack of evidence of fraudulent election behavior by either citizens or the government. On the other hand, this subcategory highlights the stark differences between one-party dominant states with Tanzania and Azerbaijan once again tying with a score of only six.

Both Tanzania and Azerbaijan had instances of multiple voting present, the only difference between the two being increased regularity of multiple voting in Azerbaijan. Issues of ballot box security were present in both of those cases as well, with Azerbaijan again having more prevalent issues. Tanzania and Azerbaijan had instance of violence and intimidation against voters that were not prosecuted as prescribed by law. Both states had repeated instances of blocking election monitors from part, but not all, of the voting day processes. And each of those two cases contain mechanisms for reporting fraudulent behavior, but as was seen in the case studies these reports are often ignored or dismissed without investigation. Finally, Tanzania has one further restriction where there are not legal avenues to challenge election results as the decisions of the election commission in that state are protected from judicial challenges. In fact, the only area where all three one-party dominant states witnessed the same performance was a lack of available evidence of voter bribery in the three cases.

These consistent issues that manifest in some one-party dominant states, but not all, lend further evidence to the claim that there are differences in the levelness of the playing field between one-party dominant states. While Botswana outperformed the other case studies in the first subcategory of hypothesis one, the area of election fraud truly highlights the distinctions between these cases. Preventing election fraud is one of the key responsibilities of a state

concerning a level playing field. Botswana's ability to maintain an even playing field compared to the Tanzania and Azerbaijan shows how one-party dominant regimes act differently and in ways where some can be considered more democratic than others.

Yet even more striking is the fact that Botswana outperforms not only the average of the benchmark democracies, but also the individual score all three. Sri Lanka, the best performing of the benchmark countries in this subcategory, had rare instances of multiple voting and intimidation of votes. Ghana witnessed infrequent instances of voter bribery, intimidation of voters at the polls, and multiple voting. And elections in Guyana saw instances of multiple voting, intimidation of voters, and concerns of ballot box security. Together, these issues led to the average score of the benchmark democracies to be 11.8. These instances of fraudulent election behavior amongst the benchmark cases, while rarer than Tanzania and Azerbaijan, provide further evidence that Botswana upholds a level playing field to a seemingly greater degree than the weaker benchmark democracies.

Thus far Botswana has shown across two subcategories of the first hypothesis that in terms of a level playing field the country has more in common with democracies with partisan transitions of power than it does with the other one-party dominant state case studies. While the data presented thus far illustrate a potentially positive outlook for a one-party dominant state being considered democratic, there are still several more sections and subsections of the Playing Field Balance Classification Scheme. I now turn to the final subcategory left in the first hypothesis.

H1c: Government Resources in Campaigns (8 Possible Points)

The final component of the first hypothesis, and thus category, for the classification scheme is the use of government resources in campaigns. The chapters on the three case studies

explained four indicators present in the subcategory on how government resources in campaigns can manifest to create an uneven playing field that benefits a political party. The use of two types of government resources in campaigns can create an advantage for dominant parties. There also needs to be legal avenues to hold officials who abuse these government resources accountable. Finally, government funding of political parties, if provided, needs to be equal to have a level playing field.

Table 9. H1c – Government Resources in Campaigns Indicators and Evaluation Criteria

Government funding of parties	0 - Government funding levels are unequal across political parties, 1 - Government funding (if granted) is equal across some parties but not all, 2 - Government funding levels (if granted) are equal across all political parties
Use of government workers for campaigning	0 - Government workers are regularly utilized for campaign events for the dominant party, 1 - Government workers are infrequently utilized for campaign events for the dominant party, 2 - Government workers are never utilized for campaign events for the dominant party
Use of government or military travel vehicles	0 - Government or military transport are regularly utilized for campaign event travel, 1 - Government or military transport are infrequently utilized for campaign event travel, 2 - Government or military transport are never utilized for campaign event travel
Enforcement mechanisms to prevent abuses of government resources in campaigns	0 - There are no legal avenues to hold government officials accountable for engaging in campaign activities to benefit a party in their official capacity as a government employee, 1 - There are legal avenues to hold government officials accountable for engaging in campaign activities to benefit a party in their official capacity as a government employee but these are infrequently enforced, 2 - There are legal avenues to hold government officials accountable for engaging in campaign activities to benefit a party in their official capacity as a government employee which are regularly enforced

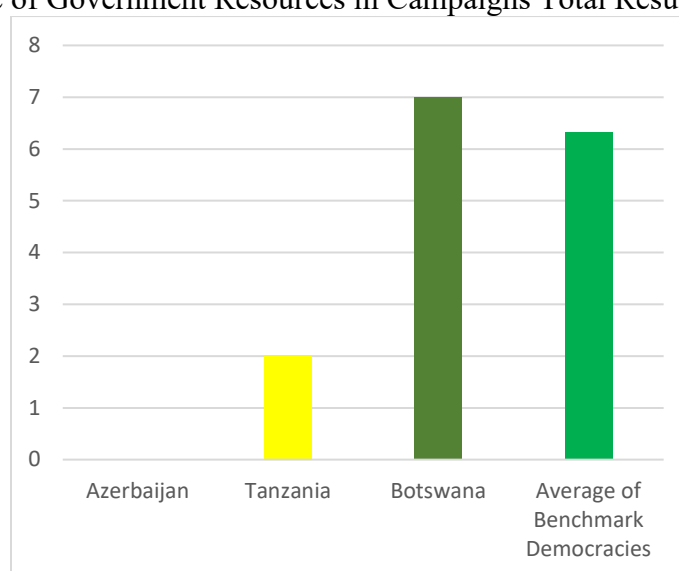
One way in which an uneven playing field can manifest concerning government resources is if there is public financing for campaigns, but each political party is not entitled to the same level of resources. Additionally, if a party currently controlling the government utilizes government workers to help with campaign activities or events an unfair advantage would exist that is only accessible by the party in power. The same logic would apply to using government or military transport for campaigns as these resources would likely only be available for current incumbents and not challengers. Finally, if there are no legal structures in place to hold

individuals who abuse government resources accountable that would further perpetuate an uneven playing field. These four indicators allow for a total score of eight for the final part of the first hypothesis. Table 10 shows the score for each indicator for each case study and the average of the benchmark democracies and the subsequent figure, Figure 12, displays the total score for the H1c subcategory.

Table 10. H1c – Use of Government Resources in Campaigns Indicator Results³

	Azerbaijan	Tanzania	Botswana	Average of Benchmark Democracies
Government funding of parties	0	1	2	1.333333333
Government workers for campaigns	0	0	2	1.666666667
Government/military vehicles use	0	0	1	1.666666667
Enforcement mechanisms to prevent abuses of government resources in campaigns	0	1	2	1.666666667

Figure 12. H1c – Use of Government Resources in Campaigns Total Results



Consistent with the previous two subcategories under hypothesis one, Botswana outperforms the other one-party dominant states to a significant degree. In fact, the only point Botswana loses here is due to infrequent usage of government vehicles by the president during

³ The data for Table 10 and Figure 12 were generated from constitutions, election laws, international election monitor reports, local and international reporting, and data from the Public Integrity Index for each country.

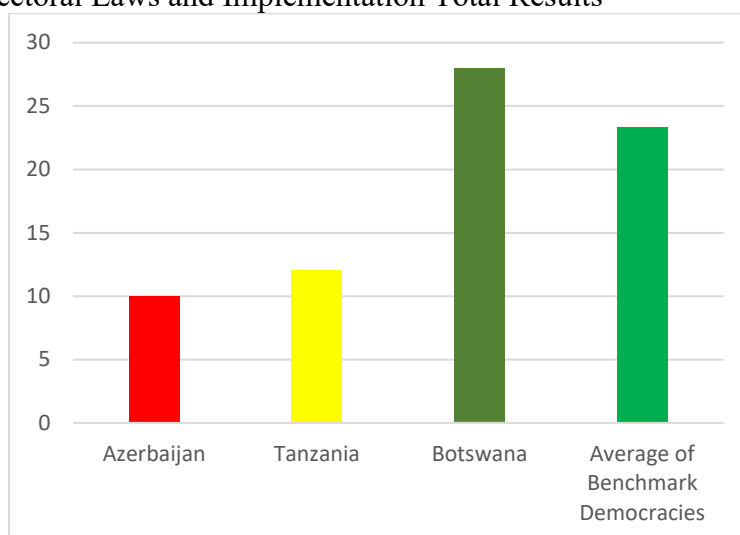
reelection campaigns. Otherwise, there is no evidence of improper use of government resources and there are legal avenues for holding government officials accountable if these abuses occur. Finally, there is no imbalance concerning funding from the government for political parties. Overall, Botswana once again garners an overall high score in the subcategories under the first hypothesis.

Azerbaijan witnesses its worst performance in any batch of indicators thus far in the Playing Field Balance Classification Scheme. Unequal levels of public funding that favor the dominant YAP, regular abuses of government resources, and no legal avenues to address these issues all coalesce into a score of zero for Azerbaijan. Tanzania does have public funding available that is equal across some parties, but not all parties. Additionally, there are numerous instances of the dominant party utilizing government resources. While Tanzania does have legal avenues for addressing abuses of government resources in campaigns, these are regularly ignored and not followed by the legal system. Together these factors lead to a final score of two for Tanzania. These data provide the final evidence for the first hypothesis showing that there are significant differences between one-party dominant states. Botswana consistently maintains a more level playing field than the other one-party dominant states in this study, proving that for the first of the three hypotheses that there are significant distinctions between one-party dominant states where not all should be classified as the same regime type.

The performance of the benchmark democracies also provides more evidence to answer the question of if a one-party dominant state can be a democracy. Botswana once again outscores the average of the benchmark democracies. However, with a score of seven compared to the benchmark democracy average of 6.3 the comparison is quite close. Individually, two of the benchmark countries, Ghana and Guyana, outperformed Botswana by one point due to not

having similar issues with using government vehicles for campaign travel. On the other hand, Sri Lanka has public financing for parties that are not equal amongst all parties, sees occasional government worker and vehicle use in campaigns, and has infrequent enforcement of these provisions which lowers the average score of the benchmark democracies to the point that Botswana still outperforms them as a group. Botswana's ability to uphold provisions around government resources in campaigns to a higher degree than one of the three benchmarks, and to a nearly identical degree to the other benchmarks, provides yet more evidence that a one-party dominant state can have a playing field that is as level or even more even than weaker democracies. Having analyzed each individual part of the first category of the Playing Field Balance Classification Scheme, the chart below shows the results for each one-party dominant state and the average of the benchmark democracies across this part of the measure.

Figure 13. H1 – Electoral Laws and Implementation Total Results⁴



As can be seen in these data and has been shown throughout each subcategory in this part of the scheme, Botswana outperforms not only the other one-party dominant states by a significant degree but also all the average of the benchmark democracies. Across all aspects of

⁴ These data were generated from constitutions, election laws, international election monitor reports, local and international reporting, and data from the Public Integrity Index for each country.

election law and management Botswana scores 28 points out of 30 possible points, Tanzania less than half of that at 12 points, and Azerbaijan even lower with 10 points. The significant faults in election laws and management present in Tanzania and Azerbaijan identified in the case studies and analyzed in the Playing Field Balance Classification Scheme that prevent a level playing field are not present in Botswana. Additionally, Botswana shows that a one-party dominant state can have election laws and management that generate a level playing field consistent with other democracies by outperforming the 23.3 average of the benchmark democracies.

All three parts of the first hypothesis on election laws and election management have shown similar results for the two main questions of this study. Election laws, the prevention of election fraud, and a minimal use of government resources in campaigns all present a playing field in Botswana that is significantly more level than that in the other one-party dominant cases studied. And the inclusion of benchmark democracies provides evidence that a one-party dominant state can uphold a playing field that is as level or even more even than weaker democracies along the first main category of the Playing Field Balance Classification Scheme due to Botswana's consistent performance outranking the average of the benchmarks. I now turn to the second hypothesis concerning institutions to see if the results from the scheme find similar results in that category.

H2: Institutions (30 Possible Points)

The second hypothesis evaluates the role of institutions in upholding a level playing field. Three institutions were identified as needing independence as a necessary component of an even playing field and thus a democracy. Media independence is essential for parties and candidates to have opportunities to spread campaign messages. Additionally, independent media is how citizens in a country can learn information that is critical of the current government due to its

role as a watchdog on government activity. An electoral commission conducts and monitors elections in a country, so independence of that body is vital for a fair playing field. If election officials are biased towards any party, then it would compromise the integrity of elections in the country. Finally, the judiciary is identified as the third institution vital to democracy. The judicial branch is the instrument that would hear challenges to election integrity. Independence of the judiciary is also essential to democracy since the playing field cannot be considered even if the safeguard against abuses is biased. Together, these three institutions each comprise a subcategory of hypothesis two. A total of 30 points, like the first hypothesis, are available in the Playing Field Balance Classification Scheme for the category on institutions. An analysis of each indicator that goes into the score for the second hypothesis will now be discussed in subsections concerning each of the three institutions, alongside the performances of each case at the subcategory level.

H2a: The Media (11 Possible Points)

Throughout the case studies, several threats to media independence were analyzed. These threats focused first on the viability of the media, including indicators for the existence of media outlets that were not owned or controlled by the government, whether media outlets were reliant on government funding, and how much of the market share government owned media commanded compared to other outlets. The independence of the content media reports in terms of bias towards the government and laws requiring reporting on all political parties was also addressed. Finally, legal repercussions against individual journalists through fines, imprisonment, or violence, as well as threats to media outlets via fines or being forcibly closed were also discussed. These issues have been distributed into the indicators in the table below which describes the indicators and explains the evaluation criteria.

Table 11. H2a – Media Independence Indicators and Evaluation Criteria

Are there independent media outlets?	0 - There are no independent media outlets in the country, 1 - There are independent media outlets in the country
Do independent media rely on government funding?	0 - Independent media outlets rely on government funding for a majority of their budget or there are no independent media outlets, 1 - Independent media outlets do not rely on government funding
If there is state-owned media, how much of the market share do they command?	0 - State-owned media commands a supermajority or all the market share, 1 - State-owned media commands less than a majority of the market share, or there is no state-owned media
Does state-owned media coverage favor the dominant party?	0 - State-owned media coverage is exclusively positive of the dominant party, 1 - State-owned media does not appear to favor the dominant party in its coverage or there is no state-owned media
Does independent media coverage favor the dominant party?	0 - Independent media coverage is exclusively positive of the dominant party or there is no independent media, 1 - Independent media does not appear to favor the dominant party in its coverage
Are there laws requiring media coverage of all parties and candidates?	0 - There are no laws requiring media coverage of all parties and candidates, 1 - There are laws requiring media coverage of all parties and candidates
Are there limits on media coverage preventing critique of the government?	0 - Media coverage is limited by law from providing critique of the dominant party, 1 - Media coverage has no limits on critical content
Are journalists subjected to adverse actions due to critical coverage of the government?	0 - Journalists are victims of violence, imprisonment, or death based upon critical coverage of the government, 1 - Journalists routinely face fines or other civil penalties for critical coverage of the government, 2 - Journalists never face fines or other civil penalties for critical coverage of the government
Have media outlets critical of the government been subjected to adverse actions?	0 - Media outlets are subject to being suspended or dissolved due to critical coverage of the government, 1 - Media outlets are subject to fines or other civil penalties for critical coverage of the government, 2 - Media outlets have not historically been subject to adverse action due to critical government coverage

The existence of non-government-controlled media outlets is the first step in creating a media landscape that is fair to all sides of the political spectrum in a country. These media outlets must also be free of government control through means such as relying on government funding.

If independent media does not have a significant market share and most of the public is getting their information from sources skewed towards a dominant party, it would contribute to an imbalance in the media landscape and thus the playing field. Coverage of opposition parties and candidates needs to be balanced and not skewed in the direction of the dominant party. That coverage balance needs to occur both in terms of quantity, the political opposition receiving coverage and airtime, and quality, where the information is unbiased. Laws that limit critical reporting on the government would also create a more uneven playing field. Restrictions such as these would create a media landscape that does not truly allow for critique of the government and thus skew the playing field unfairly toward the dominant party.

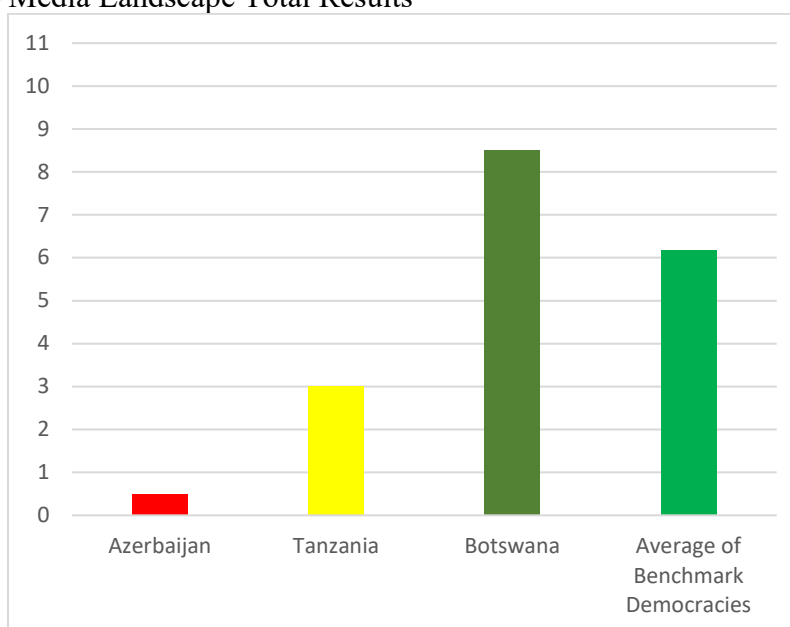
Another key aspect of media independence is that both journalists and the media outlets themselves must have protections to insulate them from retribution from the government based on their reporting. If journalists can be arrested, or media outlets closed due to their reporting then the media landscape would again be skewed to unfairly supporting the government. Finally, even if media outlets are set up and able to provide unbiased coverage, they also need to be consumed by the public. Together, these media independence indicators comprise 11 total points in the classification scheme. Table 12 shows the score for each indicator for each case study and the average of the benchmark democracies and the subsequent figure, Figure 14, displays the total score for the H2a subcategory.

Table 12. H2a – Media Landscape Indicator Results⁵

	Azerbaijan	Tanzania	Botswana	Average of Benchmark Democracies
Are there independent media outlets?	0	1	1	1
Are independent media reliant on government funding?	0	0	1	0.5
If there is state-owned media, how much of the market share do they command?	0	1	0.5	0.666666667
Does state-owned media coverage favor the dominant party?	0	0	0.5	0.333333333
Does independent media coverage favor the dominant party?	0	0.5	1	0.833333333
Are there laws requiring media coverage of all parties and candidates?	0.5	0	0.5	0.833333333
Are there limits on what media is allowed to cover preventing critique of the dominant party?	0	0.5	0.5	0.5
Are journalists subjected to adverse actions due to critical coverage of the government?	0	0	1.5	0.5
Have media outlets critical of the government been subjected to adverse actions?	0	0	2	1

⁵ The data for Table 12 and Figure 14 were generated from constitutions, media laws, international election monitor reports, data from Reporters sans Frontières, and data from the Public Integrity Index for each country.

Figure 14. H2a – Media Landscape Total Results



Comparing the results of each case and benchmark to the total possible score of 11 highlights that more work needs to be done concerning media independence across the board. Out of every subcategory thus far, this one concerning the media sees the largest gap between the total possible score, and how the highest-ranking countries have performed. Yet despite the room for improvement in media independence, the two trends that have been apparent in every previous subcategory are once again present here.

Botswana outperforms both Tanzania and Azerbaijan to a large degree. These results lend more proof to the statement that one-party dominant states should not all be considered the same regime type. Botswana has some deficiencies concerning media independence, scoring only 8.5 out of 11. While there are independent media outlets and they are not reliant on government funding, they do command less of the market share than government owned media due to many not being disseminated in Setswana but only English. The market share imbalance is compounded by state owned media having a coverage imbalance both in terms of content being overall favorable to the dominant party, and with state owned media providing more coverage of

the BDP than other parties. There are laws that require airtime and coverage for all candidates, but these are prescribed minimum amounts, and due to BDP government control, the dominant party receives lopsided amounts of coverage. Finally, there have been some restrictions on journalists that have been primarily centered around fines for violating a law on appropriate sources when reporting information about COVID-19 which does somewhat limit the potential for critical coverage of the government, but only on that issue.

While Botswana has some areas to improve media independence, the problems faced by Tanzania and Azerbaijan are much more significant. Non-state-owned media in Tanzania is reliant on government funding for significant portions of their budget which limit their independence. These funding issues have caused independent media to be less critical of the government and favor them with more positive coverage while state-owned media is exclusively positive. Journalists have been victims of violence and imprisonment for critical reporting and some media outlets that have been critical of the government have been forced to close. Tanzania also has similar media restrictions to Botswana in issue areas like COVID-19, but the increased repression of journalists and greater reliance of the entire media apparatus in the country place Tanzania with a score of three, well below Botswana for an independent media.

Yet the problems for media independence in Azerbaijan are even worse than in the other two cases. Violence against journalists has caused all non-state-owned media to flee the country. Persistent violence prevents any critique of the dominant YAP in the country. The only area where there is some semblance of creating a level playing field in the media is through laws that require coverage of all candidates. However, these laws have been ignored in favor of other laws that require media to report on actions of the government, which ends up giving all the airtime to the dominant party. These substantial media restrictions and violence against journalists

highlight the differences between one-party dominant states with Azerbaijan scoring only half a point in this part of the classification scheme.

Furthermore, Botswana once again outperforms the average of the benchmark democracies with their score of 6.2 concerning media independence. Individually, Botswana scores only one point behind Guyana due to Guyana having greater protections for all candidates getting equal media coverage during campaign seasons. Botswana outperforms Ghana by one and a half points since there have been journalists in Ghana who have been subjected to violence due to their critical reporting. Finally, Sri Lanka has numerous issues with media independence. State-owned media dominates nearly the entire market share due to violence against reporters and the government closing media outlets as punishments for critical coverage. Botswana overperforming in media independence compared to two of the three benchmarks, and ranking just below the third benchmark democracy, is what leads to the one-party dominant state outperforming the average of the benchmark democracies once again. These data provide even more evidence in the Playing Field Balance Classification Scheme that a one-party dominant state can uphold a level playing field to the same degree as weak democracies.

H2b: The Electoral Commission (11 Possible Points)

The second institution necessary for democracy is the electoral commission as it is the body responsible for implementing elections in each country studied. Throughout the case studies numerous issues that threaten the independence of the electoral commission were explored. The number and variety of stakeholders involved in the selection of members of the electoral commission can contribute to bias in the institution. Additionally, these members need to be protected from potential political retribution to ensure they can perform their task of administering elections fairly. Finally, they need to be empowered to perform functions such as

setting election dates and have the resources necessary to adequately oversee elections across the country. Together, these criteria comprise the indicators related to the election commission in the classification scheme. The table below details the indicators and evaluation criteria.

Table 13. H2b – Electoral Commissions Indicators and Evaluation Criteria

Is there a national electoral commission established by law?	0 - There is no national election commission established by law, 1 - There is a national election commission established by law
Is the appointment of members of the electoral commission subject to oversight by multiple branches of government?	0 - Appointments to the election commission fall solely under the purview of one branch of government, 1 - Appointments to the election commission see stakeholder input from multiple branches of government, 2 - Appointments to the election commission see input not only from multiple branches of government, but also opposition members in the legislature
Does the appointment of members of the electoral commission allow for equal input from all political parties?	0 - Only members of the dominant party have input on members of the electoral commission, 1 - Opposition parties have input on some members of the electoral commission, but an unequal number compared to the dominant party, 2 - All parties have equal input on members of the electoral commission
Is the electoral commission protected from government interference?	0 - There are no safeguards for the electoral commission from government interference, 1 - There are safeguards for the electoral commission from government interference, but these are not followed, 2 - There are safeguard for the electoral commission from government interference that are followed
Does the electoral commission have adequate resources to oversee elections?	0 - The electoral commission is reliant on other government bodies to oversee elections, 1 - The electoral commission has some resources to oversee elections, but not enough to properly manage all voting sites, 2 - The electoral commission has adequate resources to oversee elections
Does the electoral commission set dates for elections?	0 - The electoral commission does not have input for setting election dates, 1 - The electoral commission has input, but not final decision-making power for setting election dates, 2 - The electoral commission makes the final decision for setting election dates

The first major concern for electoral commissions is if they exist as independent entities outside of other parts of government. Further indicators then evaluate the independence of the electoral commission. The integrity of electoral commissions can be compromised if the appointment process for individuals serving on it does not include multiple stakeholders such as multiple branches of government or input from multiple parties. Members of the electoral

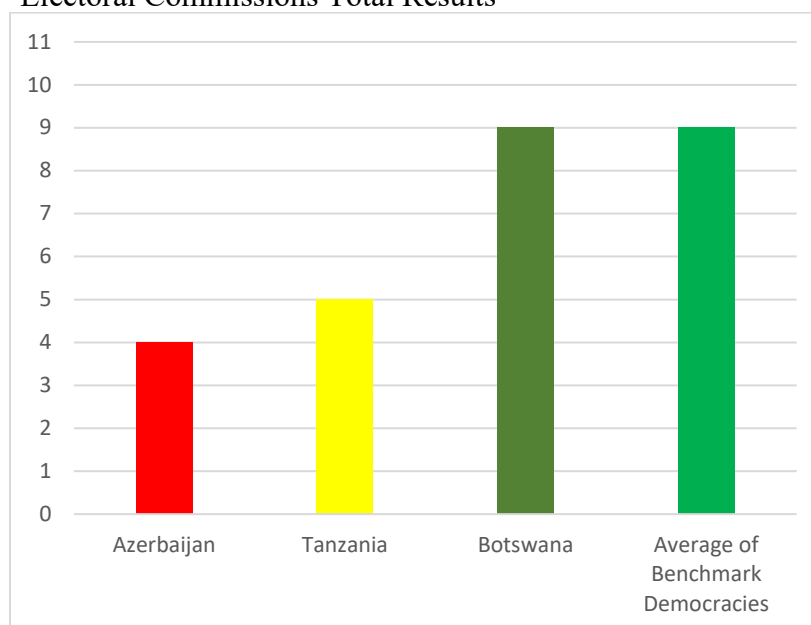
commission also need to be protected from political retribution from the government such as by fines or removal from the position to ensure fairness in their decision making. These commissions need to have both adequate resources to properly oversee elections in a country in terms of both staff and monetary resources. Finally, for the greatest degree of independence possible electoral commissions should be empowered to set dates for elections as opposed to those being dictated by the president which is common in some countries. Together, these indicators total 11 possible points in the Playing Field Balance Classification Scheme with a score closer to 11 indicating a more even playing field. Table 14 shows the score for each indicator for each case study and the average of the benchmark democracies and the subsequent figure, Figure 15, displays the total score for the H2b subcategory.

Table 14. H2b – Electoral Commissions Indicator Results⁶

	Azerbaijan	Tanzania	Botswana	Average of Benchmark Democracies
Is there a national electoral commission established by law?	1	1	1	1
Is the appointment of members of the electoral commission subject to oversight by multiple branches of government?	0	0	2	1
Does the appointment of members of the electoral commission allow for equal input from all political parties?	1	0	2	1.666666667
Is the electoral commission protected from government interference?	0	0	2	2
Does the electoral commission have adequate resources to oversee elections?	2	2	2	2
Does the electoral commission set dates for elections?	0	2	0	1.333333333

⁶ These data were generated from constitutions, media laws, election commission laws, international election monitor reports, and data from the Public Integrity Index for each country.

Figure 15. H2b – Electoral Commissions Total Results



The trends from all previous subcategories continue when evaluating the performance of states concerning the electoral commission. Botswana, with a score of nine, outpaces both Tanzania, with a score of five, and Azerbaijan, with a score of four. The only blemish against Botswana is that the president, and not the electoral commission, is the one who issues the Writ of Elections setting election dates in the country. Otherwise, members of the National Election Commission (NEC) are appointed with input from multiple branches of government and meetings of the All-Party Conference which allows every political faction to have a say on the members. The evidence from the Botswana case study shows that the country upholds a mostly even playing field regarding the electoral commission.

Comparing Botswana to Tanzania and Azerbaijan highlights the issues with election commissions in those countries. The election commission in Tanzania does outperform Botswana on the individual indicator of election commissions setting election dates. However, the appointment and removal of the members of the election commission is a power solely vested in the president without any form of oversight which compromises the independence of

the body. Azerbaijan's election commission does allow for opposition parties to have a say on some members of the commission, but only one-third of the members which creates a power imbalance that favors the dominant party. Furthermore, the election commission in Azerbaijan is not free of government interference and are not empowered to set election dates. These factors highlight the key differences between one-party dominant states when evaluating election commissions. Yet again, this is another subcategory that shows clear differences between one-party dominant states and thus more evidence that not all one-party dominant states should be considered the same regime type.

With an average of nine this is the first time the average score of all benchmark democracies performs ties Botswana. Guyana faces similar issues to Botswana by not having the election commission set election dates, so Botswana ties the score of that benchmark democracy. Meanwhile, Botswana performs one point better than Ghana. While the election commission in Ghana can set election dates, a less open appointment process for members of the electoral commission leads to the score of eight. Sri Lanka is the only benchmark that ranks higher than Botswana with a score of 10 due to appointment power only allowing for recommendations from other branches of government, but not approval, yet perfect performance in the other indicators.

These results highlight that not all countries will perform the same across each category as it is one of only two times Sri Lanka has been the highest ranked benchmark democracy among those in the averages. Yet it also shows that by tying the average of the benchmark democracies Botswana once again makes the case that a one-party dominant state can be uphold a level playing field to the same degree as other democracies. There is only one institution now left to evaluate in the second category of the classification scheme, the judiciary, which I turn to now.

H2c: The Judiciary (8 Possible Points)

Throughout the case studies, several concerns for judicial independence were addressed. The judicial appointment process needs to be free of corruption to ensure impartial membership in the judiciary. Once judges are in place, they also need to have safeguards against political retribution in terms of removal from office or facing salary issues that would make them reliant on the government. Finally, to act as arbiters of election disputes, the judiciary needs to be empowered to hear cases surrounding election fraud. As with the previous subsections, the table below explains the indicators included in the Playing Field Balance Classification Scheme for judicial independence as well as the evaluation criteria of these indicators.

Judges need to feel secure in their office to be fair arbiters of the law. If judges are subject to removal from office for political retribution or have salaries that are either not guaranteed by the constitution or high enough to where they do not rely on other government funding, then they are subject to government interference in their rulings. In such a situation the independence of the judiciary would be compromised and be a threat to a level playing field. The appointment process similarly needs to have safeguards built in that allow for the input of multiple stakeholders to prevent the party currently in power from simply packing the courts with judges that would be beholden to them. Finally, as was seen in the case of Tanzania, the judicial branch needs to be empowered to rule on election concerns. If the judicial branch does not have oversight over challenges to election results, arbitrating cases alleging election fraud, or other election issues then it cannot act as an independent institution for maintaining a level playing field.

Table 15. H2c – Judicial Independence Indicators and Evaluation Criteria

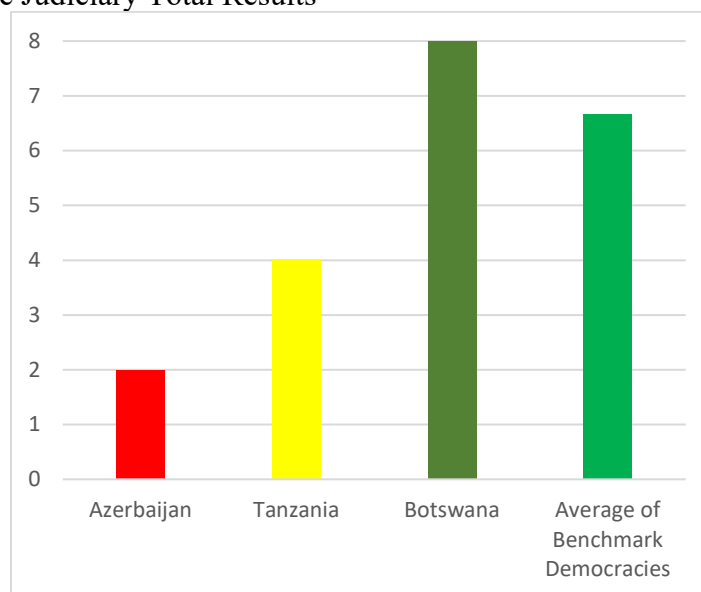
Are judges free of political retribution by removal from office?	0 - There are no safeguard for judges against retribution by removal from office, 1 - There are safeguards for judges against retribution by removal from office, but these are not followed, 2 - There are safeguards for judges against retribution by removal from office that are followed
Are judicial salaries high enough to not rely on other branches?	0 - Judicial salaries are too low for judges to live on without additional assistance from the government, 1 - Judicial Salaries for some positions, but not all, are high enough that they do not need additional assistance from the government, 2 - All judicial salaries are high enough that they do not need additional assistance from the government
Are there safeguards against corruption in judicial appointments?	0 - Judicial appointments are centralized in one branch of government with no safeguards against corruption, 1 - Judicial appointments receive input from multiple branches of government, or from only one branch of government with outside entities advising, 2 - Judicial appointments receive input from multiple branches of government and outside entities representing the public
Is the judicial branch empowered to hear cases about election concerns?	0 - The judicial branch is not empowered to hear cases about election concerns, 1 - The judicial branch is empowered to hear cases about election concerns but does not consistently follow the law prescribed in these cases, 2 - The judicial branch is empowered to hear cases about election concerns and does consistently follow the law in these cases

Most of these indicators concern the appointment and removal of judges. Judges do also need to be empowered to hear cases about election concerns. While the power of the judicial branch concerning elections is reactive to cases and allegations brought before it, they need independence from their appointment and freedom from retribution to impartial rule on these cases. The judicial subcategory has a total of eight points available with scores closer to eight indicative of a more even playing field. Table 16 shows the score for each indicator for each case study and the average of the benchmark democracies and the subsequent figure, Figure 16, displays the total score for the H2c subcategory.

Table 16. H2c – The Judiciary Indicator Results⁷

	Azerbaijan	Tanzania	Botswana	Average of Benchmark Democracies
Are judges free of political retribution by removal from office?	0	1	2	2
Are judicial salaries high enough to not rely on other branches making them free of other retaliatory measures?	0	2	2	2
Are there safeguards against corruption in judicial appointments?	1	1	2	1.333333333
Is the judicial branch empowered to hear cases about election concerns?	1	0	2	1.333333333

Figure 16. H2c – The Judiciary Total Results



The final subcategory of the second hypothesis continues Botswana's elevated performance compared to the other two one-party dominant cases. In fact, based on the indicators in the classification scheme, Botswana does not currently have issues achieving the

⁷ These data were generated from constitutions, international election monitor reports, data from the World Bank, and data from the Public Integrity Index for each country.

judicial independence needed to help uphold a level political landscape scoring the maximum value of points, eight. Judges have appropriate safeguards from political retribution and are empowered to hear cases alleging election irregularities and consistently follow the law as prescribed. What makes Botswana stand out is the appointment of judges. As detailed in the case study, Botswana not only has approval process from both the executive and legislature, but all judicial nominees must be approved by the Judicial Services Commission which is an outside entity that evaluates a potential judge's fitness to hold that office. The Judicial Services Commission also records, and makes publicly available, all interviews with potential nominees given the public both insight into the process and a mechanism to make their voice heard to the Judicial Services Commission. These safeguards help guarantee judicial independence in Botswana.

The other one-party dominant states see significant flaws compared to Botswana concerning judicial independence. Tanzania does have safeguards prescribed by law to prevent retribution against judges by the government, but these are irregularly followed leading to some political retribution taking place. Judges also do not have the same degree of varied stakeholders having input on the nomination of judicial appointees which leads to a score of one in that indicator, showing some room for improvement. Yet the biggest issue for Tanzania are laws surrounding elections. The judicial branch is simply not empowered to hear cases about election irregularities as the decisions of the election commission are by law not subject to judicial oversight. Lack of oversight severely compromises the ability of the judicial branch in Tanzania to help maintain a level playing field which is why the country only scores four points out of eight for judicial independence.

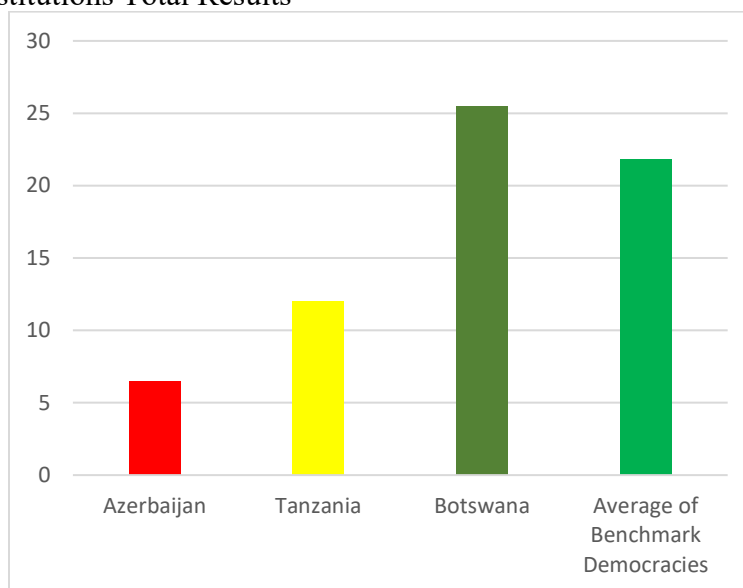
Azerbaijan also is host to a multitude of problems for judicial independence. Judicial salaries are so low that judges are reliant on other funds provided by the government. There are few to no mechanisms to protect judges from political retribution by the party in power. There is some input from multiple stakeholders for judicial appointments, but again, not to the same degree witnessed in Botswana. Finally, while Azerbaijan's judiciary is empowered to hear election related cases, it regularly ignores these cases or does not follow the law by alerting claimants when their case will be heard and subsequently dismissing those cases. The lack of safeguards and disregard even for its own laws demonstrate that the judicial branch in Azerbaijan does not act in a way that helps uphold a level playing field resulting in a score of two out of eight for judicial independence.

Botswana once again outperforms the average of the benchmark democracies which is 6.7 out of eight. Out of the three benchmark democracies Ghana ties Botswana with a similarly perfect score for judicial independence. Guyana ranks just lower with a score of seven a smaller amount of input from multiple stakeholders on judicial appointments. Meanwhile, Sri Lanka also does not have as much stakeholder input on judicial appointments and has similar laws to Tanzania that prevent the judicial branch from having oversight on election cases and the electoral commission leading to a score of five. The variance among the benchmarks leads to Botswana overperforming their average, and once again by ranking among or above the scores of the individual benchmark countries Botswana suggests that a one-party dominant state can uphold an even playing field.

Independence of the judiciary comprised the final part of the Playing Field Balance Classification Scheme concerning independent institutions. Having now analyzed all parts of the second main category in the classification scheme, a comparison of case studies and average of

the benchmark democracies can be made. Figure 17 shows the total score for each of the one-party dominant states and the average of the benchmark democracies for all three institutions in the second main category of the classification scheme.

Figure 17. H2 – Institutions Total Results⁸



The overall performance for the institutions category further highlights the differences between one-party dominant states. In the first category Botswana scored twice as high as Tanzania and slightly under three times higher than Azerbaijan concerning a level playing field. Here Botswana exceeds both of those margins with a score of 25.5 out of 30, while Tanzania only achieves a score 12 and Azerbaijan just 6.5 points. Once again, the differences in the level playing field between one-party dominant states is very high.

Similarly, Botswana once again outperforms the average score of the benchmark democracies which is 21.8. The benchmark with the highest score for institutional independence, Guyana, which is just a half point behind Botswana with a score of 25.5. Ghana falls behind with a score of 22.5. And finally, Sri Lanka is even lower with a score of 18. The institutions category

⁸ These data were generated from constitutions, media laws, election commission laws, international election monitor reports, data from Reporters sans Frontières, data from the World Bank, and data from the Public Integrity Index for each country.

in the Playing Field Balance Classification Scheme does see slightly more parity between Botswana and the benchmark democracies. There are less than four points between Botswana and the average of the benchmarks in this category compared to the 4.7-point difference in the election laws and election management category. Botswana's ability to maintain institutional independence to the same or greater degree than the benchmark democracies included in the Playing Field Balance Classification Scheme, suggests that, in the second hypothesis, a one-party dominant state can uphold principles of a level playing field. With two of the three categories in the classification scheme supporting the assertion that a one-party dominant state can have a level playing field, I now turn to the final hypothesis, and category in the scheme, opportunities for opposition party victory.

H3: Opportunities for Opposition Party Victory (30 Possible Points)

The final hypothesis focuses on the ability of the opposition to have a reasonable chance of increasing their vote share and level of representation. The first two hypotheses analyzed election laws and management and institutions to understand the structures in the playing field, and the final hypothesis captures the performance of political factions to see if there is a reasonable chance for power to change hands politically. Throughout the case studies election results from each country were analyzed, along with potential hypothetical scenarios where data allowed, to show the possibility for opposition party growth.

From the analysis several indicators were identified for this final hypothesis. These include looking at if the opposition has increased their total popular vote share as a means of growing their political party or parties and if the opposition has been able to increase their number of seats in the legislature. Additionally, coordination between opposition parties was analyzed in the case studies as another indicator that can create a more even playing field.

Finally, resources available to the opposition for building a national campaign, both in terms of financing and infrastructure, were identified as a key factor in maintaining a level playing field.

These various factors are reflected by the indicators that make up the final category of the Playing Field Balance Classification Scheme. The table below details each indicator and the evaluation criteria for those indicators.

Table 17. H3 – Opportunities for Opposition Party Victory Indicators and Evaluation Criteria

Are there barriers that prevent opposition parties from increasing their representation in the legislature?	0 - There has been no increases in opposition party representation since one-party dominance began or legislative seats changing hands between parties, 2 - There has been limited increases in opposition party representation since one-party dominance began or limited legislative seats changing hands between parties, 5 - There have been significant increases in opposition party representation since one-party dominance began, 8 - There have been significant increases in opposition party representation since one-party dominance began and a majority of all legislative seats changing hands between parties
Are there barriers that prevent opposition parties from increasing their popular vote share?	0 - Opposition parties have had little to no success increasing their share of the popular vote, 2 - Opposition parties have had some success increasing their share of the popular vote, 4 - All opposition parties combined have won a majority of the popular vote, 6 - One opposition party or a formal coalition of opposition parties have won a majority of the popular vote
Do opposition parties coordinate their efforts to oust the dominant party?	0 - There is no coordination among opposition parties, 2 - Some opposition parties coordinate their efforts but not most opposition parties, 5 - Most opposition parties coordinate their efforts but not all, 8 - All opposition parties coordinate their efforts to oust the dominant party
Do any opposition parties have adequate resources to field a national strategy?	0 - No opposition party has adequate resources to field a national campaign strategy, 2 - Some opposition parties have adequate resources to field a national campaign strategy, 5 - All major opposition parties have adequate resources to field a national campaign, 8 - All opposition parties have adequate resources to field a national campaign strategy

Utilizing the results of elections in one-party dominant states helps evaluate if there are further formal or informal barriers to opposition parties in these countries. A one-party dominant state where the opposition is unable to increase their vote share or their number of representatives in the legislature would indicate some further issue that limits opposition parties which warrants further exploration. Additionally, coordination between opposition parties is a

common feature in many countries, especially those with single-member districts and first-past-the-post elections as these systems typically encourage the formation of broader coalitions into a two-party system. Thus, if there is evidence of opposition parties coordinating their efforts this would be an expected outcome, since all the case studies have single-member districts. If there are no instances of cross-party coordination that would indicate a more uneven playing field with some barrier, whether formal or informal, contributing to the imbalance. Finally, to have fair elections, opposition parties need to have adequate resources to contest all races for national office with strong campaigns. If these are lacking, it would once again indicate a more uneven playing field.

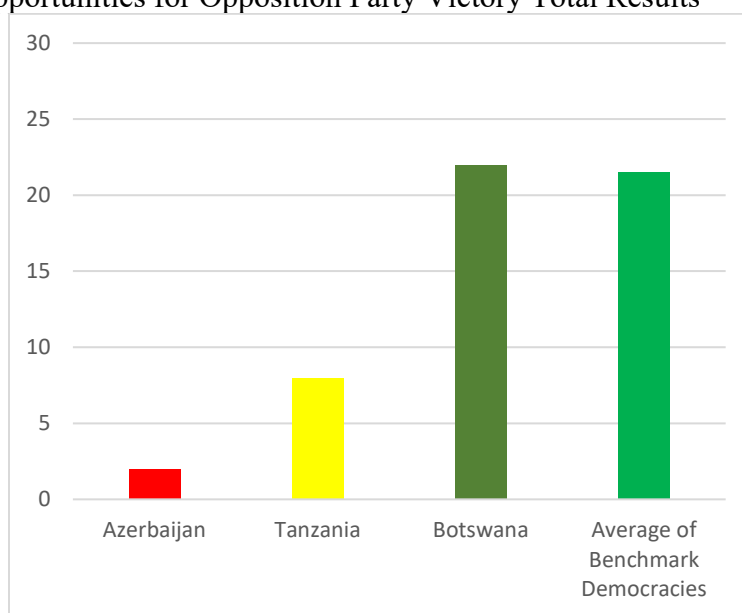
Together these indicators comprise the final piece of the Playing Field Balance Classification Scheme. As with the other two hypotheses, there are 30 points available in this aspect of the scheme with scores closer to 30 indicating a more level playing field. Table 18 shows the score for each indicator for each case study and the average of the benchmark democracies and the subsequent figure, Figure 18, displays the total score for the H3 category.

Table 18. H3 – Opportunities for Opposition Party Victory Indicator Results⁹

	Azerbaijan	Tanzania	Botswana	Average of Benchmark Democracies
Are there barriers that prevent opposition parties from increasing their legislative seats?	2	2	8	8
Are there barriers that prevent opposition parties from increasing their popular vote share?	0	2	4	6
Do opposition parties coordinate their efforts to oust the dominant party?	0	2	5	4.5
Do any opposition parties have adequate resources to field a national strategy?	0	2	5	3

⁹ These data were generated from official election results and international election monitor reports for each country.

Figure 18. H3 – Opportunities for Opposition Party Victory Total Results



Consistent with the other hypotheses, Botswana outperforms both Tanzania and Azerbaijan to a significant degree. Out of a possible 30 points Botswana receives a score of 22 compared to Tanzania's score of eight and Azerbaijan only earning two points in the final hypothesis. Hypothesis three does mark the largest area of the Playing Field Balance Classification Scheme for improvement for Botswana, but several factors coalesce to still mark significant differences between the one-party dominant states.

Elections in Botswana show that opposition parties have been able to substantially increase their representation in the legislature. There have been multiple elections where the opposition eroded at the electoral dominance of the BDP and over three-fourths of all legislative single-member districts have changed hands between the BDP and the opposition at least once in the last four elections. The large degree of fluctuation in each single-member district illustrates that the opposition is competitive. In fact, as the election hypotheticals in Chapter Four demonstrated, there have been elections where if the opposition had fully coalesced behind one

candidate per district there was the possibility of the BDP losing majority control of the legislature.

The opposition has also made significant strides in the popular vote total in Botswana. While the BDP has never lost a plurality of votes, it has witnessed the loss of an absolute majority in at least one election. These gains by the opposition in the popular vote further demonstrate the ability of the opposition to improve their vote share and thus an opportunity for electoral victory. Botswana does see inter-party coordination amongst the opposition, but not all parties partake in these electoral coalitions which does hinder Botswana from having an even more competitive playing field. Finally, one of the major barriers Botswana still has in the Playing Field Balance Classification Scheme is that historically few major opposition parties have had the resources to effectively run a national campaign. However, currently most major opposition parties do now have those resources, especially as broader coalitions have started to become more popular in recent years. Currently, Botswana scores at five out of a possible eight on that indicator, but if the current trend of the last two elections continues regarding resources and coalitions then the playing field in Botswana would get even more even and thus fair.

Tanzania on the other hand has only seen marginal success for the opposition improving both their share of the popular vote and single-member district seats in the legislature. There have been some gains in past elections for the opposition, but not to the same degree as Botswana. Additionally, these gains were wiped out following repressive actions of the CCM government in Tanzania. The election hypotheticals performed in the Tanzania case also highlight that very little electoral change would have occurred if there was a unified opposition compared to Botswana where the opposition could have taken majority control of the legislature in similar hypotheticals. Finally, Tanzania sees more significant barriers in resources for

opposition parties and in coalition building with only a small number of parties having the resources for national campaigns and political coalitions being small and not including many of the different opposition parties.

As for Azerbaijan the third hypothesis is the worst category of the Playing Field Balance Classification Scheme for the country. There has been marginal growth in the Milli Majlis (the legislature) for opposition parties in Azerbaijan, and that is the only hint of opportunities for opposition party growth in the country. Yet the opposition in Azerbaijan saw even more limited growth in single-member district seats than Tanzania which already had marginal growth. There has been very little to no growth in the popular vote for the opposition as well. No opposition parties truly have the resources to mount national campaigns due in part to the funding restrictions and violence against the opposition that was evident in the case study on the country. Finally, political coalitions of different opposition parties do not appear to form in Azerbaijan which limits their electoral potential even further.

Together, these data and evidence from the case studies suggest that there are significant differences in one-party dominant states when it comes to electoral opportunities for opposition parties. Some one-party dominant states, as evidenced by Botswana, maintain a playing field that is much more competitive even to the degree that opposition parties have opportunities to wrest political control from the dominant party via elections. These results indicate that concerning the third and final hypothesis not all one-party dominant states should automatically be considered the same regime type concerning democratic status which has been a common occurrence amongst many scholars of democracy.

The third category of the classification scheme also marks one of the closest performances comparing Botswana and the average of the benchmark democracies across any

category or subcategory. With a score of 21.5 the average of the benchmarks is just half a point lower Botswana. Here, Botswana ranks behind the individual scores of Ghana (22.5) and Guyana (24), but ahead of Sri Lanka (18) which provides explains how Botswana barely outperforms the average of the benchmarks.

All three benchmarks receive the maximum number of points for the first two indicators. Since there are already partisan transitions of power in these countries, it is clear the political opposition to the party currently holding the government can substantially increase its vote share and representation. However, looking into the other two indicators highlights some of the distinctions as to why Botswana is barely able to pass the average of the benchmarks.

Concerning political coalitions Ghana sees stronger coalitions with more parties than in Botswana. Political coalitions in Guyana have been essentially equivalent to those in Botswana with most major parties coalescing with some holdouts. Yet in Sri Lanka political coalitions appear weaker than those in Botswana with more parties refusing to coordinate their efforts. Additionally, in terms of resources necessary for national campaigns Guyana ties Botswana while parties in both Ghana and Sri Lanka tend to have fewer resources available than major opposition parties in Botswana.

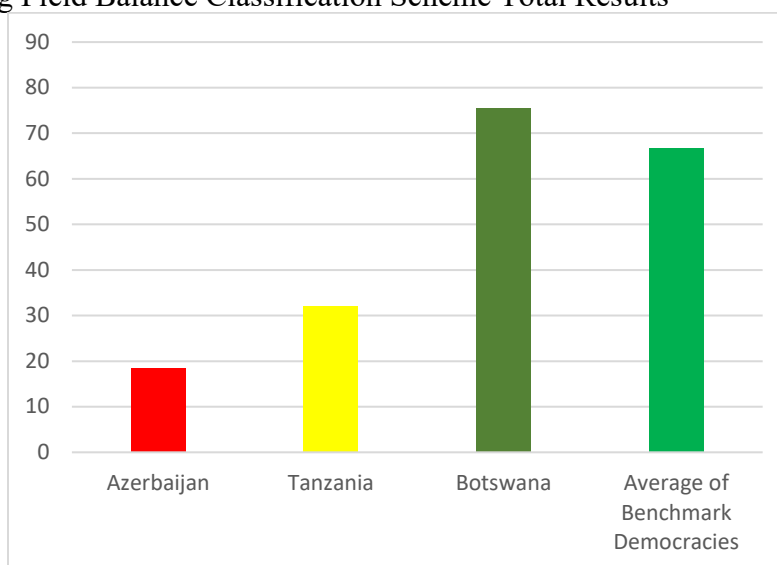
Overall, these factors lead to the result of Botswana performing better than Sri Lanka, and slightly below both Ghana and Guyana, and thus barely above the average of the benchmark democracies. Thus, while the results for the third hypothesis are much closer between Botswana and the average of the benchmarks, once again these results show that a one-party dominant state can uphold a level playing field to the same degree as weaker democracies.

All parts of the classification scheme have now been explored. Each indicator in the scheme focuses on the fair and competitive aspect of democracy. And the results from the case

studies highlight that while one-party dominant states may have free elections with political contestation from multiple factions, the level and fairness of that contestation varies widely. The final comparison left to make is across the entire Playing Field Balance Classification Scheme.

Figure 19 shows the total ranking for each case study and the average of the benchmark democracies out of the total 90 points possible.

Figure 19. Playing Field Balance Classification Scheme Total Results



These results highlight two major points about the playing field in one-party dominant states. As was evidenced throughout the previous categories and subcategories, there are significant differences between the one-party dominant state case studies. Out of a total possible score of 90, indicating the most level playing field possible in the scheme, Botswana received a score of 75.5. This score for Botswana places it within the “Democratic Playing Field” category proposed by the classification scheme. Botswana has very few legal limits on participation or contestation, primarily upholds the institutional independence, and there are opportunities for opposition party victory per the items assessed in the classification scheme. Meanwhile the other two one-party dominant states received significantly lower scores, as expected, with Tanzania under half of Botswana’s ranking with a score of 32 and Azerbaijan even lower at 18.5. These

scores place both states within the same category, “Leaning Authoritarian Playing Field.” It is important to note though that they are at quite different ends of the spectrum on this category with Azerbaijan barely above a fully authoritarian playing field and Tanzania failing to reach the hybrid playing field category by four points. Both states have significant issues with allowing true participation and contestation in elections, there are significant threats to institutional independence, and the likelihood of an opposition party winning an election seems practically non-existent. However, these challenges are far greater in Tanzania than Azerbaijan as reflected by occupying different ends of the classification category. None of the case studies had a playing field that was uneven enough to be considered a completely authoritarian playing field. This is not surprising since the playing field classification scheme proposed here is designed to focus on aspects of participation and contestation, and due to all one-party dominant states needing to have at least some features of these two aspects to be considered one-party dominant and not a one-party state, the likelihood of any falling into the lowest category was low.

Botswana not only outperforms the other two case studies to a large degree in the overall classification scheme but did so also across every single hypothesis and subcategory within the hypotheses. In the three cases studied, Botswana has stronger election laws and implementation, institutions necessary for democracy, and electoral performances that demonstrate a more level playing field. These results indicate that there are significant differences between one-party dominant states to where they cannot all be considered the same regime type on a democracy to authoritarian scale.

Additionally, the results from the Playing Field Balance Classification Scheme indicate that a one-party dominant state can uphold a fair playing field to the same degree as weak democracies, and thus can be considered democratic. The average score of the benchmark

democracies in the scheme total 66.7, which is not only 8.8 points lower than the total score of Botswana, but also places the average in the “Leaning Democratic Playing Field” category. Individually, Botswana outperforms each of the benchmark democracies individually with Ghana scoring 70 points (high end of leaning democratic playing field), Guyana scoring 73.5 (democratic playing field), and Sri Lanka the lowest of the benchmarks at 56.5 (low end of leaning democratic playing field). In every single category and subcategory of the Playing Field Balance Classification Scheme Botswana either tied or outperformed the average of the benchmark democracies. While the comparison between Botswana and the benchmark average in some of these categories have been close, and a tie in the electoral commission subcategory, these data show that a one-party dominant state can uphold a level playing field to the same degree as a weaker democracy. As such, the case of Botswana illustrates that a one-party dominant state can in certain circumstances be considered a democracy. The final chapter will now explore what these results mean for the understanding of democracy, and future avenues of research on these questions.

CHAPTER EIGHT

CONCLUSION AND LOOKING FORWARD

This study set out to answer whether one-party dominant states should all be considered authoritarian countries or if some could be considered democratic. Chapter Two explored the disconnect in the literature on democracy on the issue of one-party dominance and democracy. These disconnects were explained by showing how while a few scholars considered one-party dominant capable of being democracies, many considered them authoritarian by default. And in some cases, scholars would run multiple sets of analyses, one set including these states and another removing them, due to difficulties in classifying one-party dominant states. This problem with classification is increasingly important since rather than going extinct, one-party dominant states show no signs of disappearing and have been increasing in number in recent years. Additionally, various measures of democracy had some instances of agreement on certain cases of one-party dominance but disagreement between the measures on others.

To address these disagreements on whether a one-party dominant state could be considered democratic a level playing field became the focus for analysis. The goal of this strategy is to see whether by measuring the levelness of the playing field it is possible to find weaknesses in the democratic characteristics of a hegemonic party system that are not identified by the standard measures of democracy. Alternatively, focusing on the playing field could demonstrate that one-party dominant states can have playing fields that are sufficiently level to be considered democratic. Three hypotheses were put forward that measured different aspects of the playing field. The first was concerned with election laws and management, the second with

independent institutions, and the final with opportunities for opposition party victories. These aspects were all identified as necessary for democracy thus were given equal weight in the classification scheme created by this study when discerning if a one-party dominant state could be democratic. By focusing on the playing field specifically many of the aspects of democracy used by different measures of democracy were accounted for, but it also included numerous features that other measures either undervalue or do not include.

The next step was to find ideal cases to test these hypotheses in relation to these questions. Using five measures of democracy, including both long established popular measures and newer emerging measures, three cases were chosen to test the hypotheses. Cases were selected to represent one-party dominant states that were currently considered democratic (Botswana), authoritarian (Azerbaijan), and hybrid (Tanzania) regimes. These cases were selected since they received the same regime type classification across all measures of democracy in this study and these rankings were consistent during the entire period of one-party dominance for each state. As ideal cases, these are the ones where differences should be the most apparent to help answer the first main question.

Additionally, three benchmark states (Ghana, Guyana, and Sri Lanka) were chosen to evaluate more finitely the question of whether one-party dominant state could be classified as a democracy. These three benchmarks are all considered democracies by the measures of democracies that were utilized to pick the ideal cases but are also states that consistently rank on the lower end of the democracy category in the measures. Having the cluster of three weaker democracies created a benchmark average that was used to see if a one-party dominant state can be considered democratic. If the ideal case of one-party dominant state that is considered more

democratic can have a playing field that is at least as level as the benchmarks, then we can conclude that a one-party dominant state can be classified as a democracy.

In-depth case study analysis of Botswana, Tanzania, and Azerbaijan shed light on the various ways in which a playing field can be upheld to encourage and allow competition or be comprised in a way that undermines its integrity. These data from the case studies were then compared using the Playing Field Balance Classification Scheme created for this study. Assigning the data from the case studies to the indicators in the classification scheme, as well as scoring the benchmarks using the similar data sources identified from the case studies, allowed for cross-country comparisons capable of answering questions about one-party dominance and democracy.

These comparisons using the Playing Field Balance Classification Scheme found positive results for both questions across all three hypotheses. The cases of Botswana, Tanzania, and Azerbaijan all showed significant differences in how each country maintains, or does not maintain, a level playing field. The differences were most pronounced when comparing Botswana with the other two one-party dominant states with Botswana more than doubling the other case studies with a score of 75.5 out of 90, landing it in the democratic playing field category. Meanwhile Tanzania, as the ideal case of a hybrid regime, scored 32 in the scheme and Azerbaijan, the ideal case of an authoritarian state, only scored 18.5.

Each score for the one-party dominant states in the Playing Field Balance Classification Scheme is in-line with the expectations of the measures of democracy used to select the cases. The country currently considered democratic by those measures, Botswana, significantly outperformed the other two cases. Additionally, Tanzania still performed better than Azerbaijan

in the classification scheme which would be expected considering their current evaluations by the measures as a hybrid regime and authoritarian state.

These findings have significant implications for how scholars theorize about democracy and how the proposed classification scheme can complement the measures of democracy. As was shown in the first chapter, most scholars of democracy assert that transitions of power need to occur for a country to be considered democratic. Botswana in fact is often cited as one of the hardest countries to classify by these scholars and the example used to point out where potential errors in classifying states as democracies or nondemocracies can occur. While many scholars classify all one-party dominant states as authoritarian to prevent the risk of mistaken classifications favoring democracy, they will run multiple versions of their analysis removing one-party dominant states due to classification difficulties. This solution of removing one-party dominant states from the analysis of democracy is not tenable as has been evidenced by over 10 percent of all countries currently being one-party dominant. These results also show that an in-depth focus on the level playing field can help understand some of the reasons why some one-party dominant states may be more democratic as asserted by the measures of democracy. This finite analysis on participation and contestation in the proposed classification scheme can provide a useful tool to supplement existing measures of democracy in understanding these difficult to classify states.

Additionally, the evidence from the Playing Field Balance Classification Scheme shows that not all one-party dominant states should be considered authoritarian which has been the other primary solution by scholars when classifying one-party dominant states. The classification scheme shows that Botswana outperformed all the benchmark democracies in the overall scheme with Ghana scoring 70, Guyana 73.5, and Sri Lanka 56.5 which leads to Botswana outpacing the

average of all three benchmark democracies (66.7). If Botswana is maintaining a level playing field to the same degree as established democracies and thus allowing for fair contestation of elections, then it should not be considered an authoritarian state. Even if Botswana is only one case study of one-party dominance, it does demonstrate that one-party dominant states have the potential to create a level playing field.

These findings open several avenues for research on democracy and one-party dominance. As was noted in the first chapter, there are 27 states that are one-party dominant as of January 2023. The Playing Field Balance Classification Scheme created by this study will be a useful tool in classifying these states in terms of their democratic status. The three case studies of one-party dominance included in this study have shown that the measures of democracy can account for extreme cases of one-party dominance. However, due to data availability and disagreements between the measures, only four of the 27 total current cases were ever considered as possible contenders for case studies. The classification scheme can assist in deciding on democratic classifications when there is disagreement amongst the measures of democracy which is true for most one-party dominant states.

Additionally, the scheme created in this study has a unique focus on the fairness of the political playing field. While some of the indicators in the Playing Field Balance Classification Scheme are currently captured by the existing measures of democracy, none have as focused of a commitment to the level playing field. Indicators concerning disparities in party resources, opposition party coalitions, and the focus on electoral commissions just to name a few are aspects in the Playing Field Balance Classification Scheme either not present or not present to the same degree as other measures of democracy due to the different foci of this classification scheme on meso-level analysis compared to the macro analysis of the measures of democracy.

Having clearer ways to treat the variations among one-party dominant states strengthens the overall understanding of democracy. Having these clearer distinctions can help ameliorate the issue of scholars being unsure of what to do with these states when studying democracy and remove the need for patchwork solutions such as running multiple sets of analyses with and without these states. The classification scheme can also be utilized to help assign democratic categorization in the numerous cases of one-party dominance where the traditional measures of democracy disagree on how to treat these cases. Greater understanding of the level of democracy in these one-party dominant states not only improves the understanding of what makes a democracy, but also any study that uses democracy as a dependent variable to measure other political phenomena will benefit from these clearer classifications. Thus, one of the first avenues forward in future research about one-party dominance and democracy is to use the Playing Field Balance Classification Scheme as a means of understanding how democratic or non-democratic each of the current, and historic, one-party dominant states are.

Yet this research project has room for improvement. All three cases of one-party dominance presented in the study have similar electoral systems concerning the legislative branch. All use single-member districts to elect members. While the lack of variation in electoral systems can be a boon for comparing cases due to similarities, it does potentially limit the Playing Field Balance Classification Scheme. It is likely that states with proportional representation systems will act differently on certain indicators. For instance, coordination between opposition parties will look very different in a single-member district system where the optimal means of coordination is all opposition parties uniting under single candidates as opposed to proportional representation systems where the optimal means of coordination would be forming coalitions of members elected to the legislature and aiming for coalition

governments. While the indicators themselves in the classification scheme would not need to change based on the type of electoral system, nuance could need to be added to some of the evaluation criteria for certain indicators that could become apparent when comparing one-party dominant states with different electoral systems. While this issue is a potential shortcoming of the study, it does open opportunities for future research concerning one-party dominant states and democracy to address issues present in different electoral systems.

Throughout the case studies, and especially the Botswana case study, issues of opposition party unity came to the forefront. The Playing Field Balance Classification Scheme was able to account for some of the issues that impact opposition party unity such as laws around political blocs and the resources available to all political parties. However, with the extensive focus on the legal avenues and institutions, it is possible the classification scheme may be missing some informal barriers that exist for opposition party collaboration in a country. While the Playing Field Balance Classification Scheme expands on the issues of opposition party cohesion compared to the traditional measures of democracy, that does not mean that this new classification scheme has fully captured every aspect that may help or hinder opposition parties. Considering opposition party unity has been identified throughout the case study of Botswana and in the cross-case comparison using the scheme in the previous chapter as one of the primary blemishes against Botswana's case for a stronger democracy, more work needs to be done. There is some evidence of party coalitions starting to occur in Botswana and Tanzania through political party blocs, but overall opposition party unity seems to be occurring at a slower rate in one-party dominant states with single-member districts than in states without a dominant party. Future research on one-party dominance and democracy needs to focus more in-depth on issues of opposition party collaboration to see if there are some identifiable indicators concerning

this question on why opposition parties struggle to coordinate that are not currently included in the Playing Field Balance Classification Scheme.

For example, future research can explore party capacity, which this study does not. The number of staff working for a party, the number of field offices, the geographic scope of those offices and other party efforts could all be ways that opposition parties may have a harder time building a national presence compared to a dominant party in a one-party dominant state. Additionally, issues surrounding funding beyond government funding, such as the number of unique donors to a party, the monetary disparity of private donations between a dominant and opposition party, and other aspects may also be ways that an opposition party could be disadvantaged compared to a dominant party. This study focused primarily on legal avenues and governmental actions, so the impact of party structures and resources from private entities or individuals would be a way to push the research on one-party dominant states forward and see if there are aspects concerning avenues for opposition party victory not included in here.

The focus on legal issues was settled on since they are a baseline that is needed for a level playing field. Without the legal ability to truly contest elections between competing political parties there cannot be true political contestation. The indicators used across all three exploratory hypotheses do capture these legal aspects of the level playing field. This does mean there are potentially missing indicators for other aspects of the playing field, such as those identified for hypothesis three on opposition party capacity. The indicators included in this dissertation do account for a state's capability to maintain a democratic playing field, but future research into these other factors outside can further explore distinctions between types of one-party dominant states. There are two other limitations in the study that will need further work to address. The classification scheme was designed to answer the question of if one-party dominant states can be

democracies. The classification scheme does identify and evaluate the quality of election laws, institutions, and other issues to help identify why some one-party dominant states may maintain a level playing field and thus be more or less democratic. But it does not answer what underlying factors may influence a one-party dominant state to adopt those measures that are necessary for democracy. Further work in the field of one-party dominance and democracy needs to be undertaken to address these concerns. And while the Playing Field Balance Classification Scheme can be used to identify cases where that work should occur, the research would need to move beyond it.

For example, the relationship between one-party dominant states, democracy, and colonialism needs to be explored. The indicators in the classification scheme would not change based on a country's colonial history. Just because a state was a former British colony, colony of another state, or never a colony would not mean that the state no longer needs the electoral laws and management, independent institutions, or avenues for opposition party victory identified by the Playing Field Balance Classification Scheme. Yet the colonial history of a state may be an underlying factor that helps explain why some states are capable of upholding these factors identified as necessary for democracy in the scheme. It has already been well documented that a history of British colonialism is positively associated with democratic outcomes (Bernhard, Reenock and Nordstrom, 2004, Lee and Paine, 2019 and Olsson, 2009). As has been shown from the beginning, one-party dominant states have unique characteristics that have made their democratic classification difficult. With a better understanding of the level of democracy in these one-party dominant states, it is necessary to see if the existing outcomes on democracy and colonialism hold for one-party dominant states.

Additionally, as noted from the beginning of the project microstates are historically understudied and underrepresented in the measures of democracy. Population size may be a third underlying factor that contributes to why some one-party dominant states are more capable than others of maintaining a level playing field. The impact of population size on democracy is one that has been studied to some degree, but there is a lack of consensus on whether population size is correlated with democracy (Anckar, 2008, Gerring and Zarecki, 2011 and Ott, 2018). Using the Playing Field Balance Classification Scheme as a tool to evaluate democracy in microstates will help not only broaden the literature on microstates, but also can lead to further analysis that goes beyond the scheme to the ongoing analysis of the impact of population on democracy.

In conclusion, this research project has improved the understanding of one-party dominant regimes. The classification scheme which has grown from the project is a new tool which helps push the understanding of democracy both as an outcome and as an independent variable when testing other political phenomena forward. It also enables numerous paths forward for future research to continue both in the areas of democracy and one-party dominant states, but primarily at the unique intersection of the two concepts.

APPENDIX
SUPPLEMENTAL TABLES AND CHARTS

Table 19. Freedom House Indicators and Averages¹

Freedom Indicator	Free (F) Averages	Partly Free (PF) Averages	Not Free (NF) Averages	Difference Between F and PF	Difference Between F and NF	Difference Between PF and NF
Were the current national legislative representatives elected through free and fair elections?	3.86	1.5	0.31	2.36	3.55	1.19
Was the current head of government or other chief national authority elected through free and fair elections?	3.71	1	0.23	2.71	3.48	0.77
Is there an independent judiciary?	3.57	1.5	0.31	2.07	3.26	1.19
Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	3.86	1.5	0.69	2.36	3.17	0.81
Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	3.29	1.25	0.15	2.04	3.14	1.10
Do the freely elected head of government and national legislative representatives determine the policies of the government?	3.43	1.5	0.31	1.93	3.12	1.19
Is there freedom of assembly?	3.71	1.25	0.62	2.46	3.09	0.63
Are the electoral laws and framework fair, and are they implemented	3.29	1	0.31	2.29	2.98	0.69

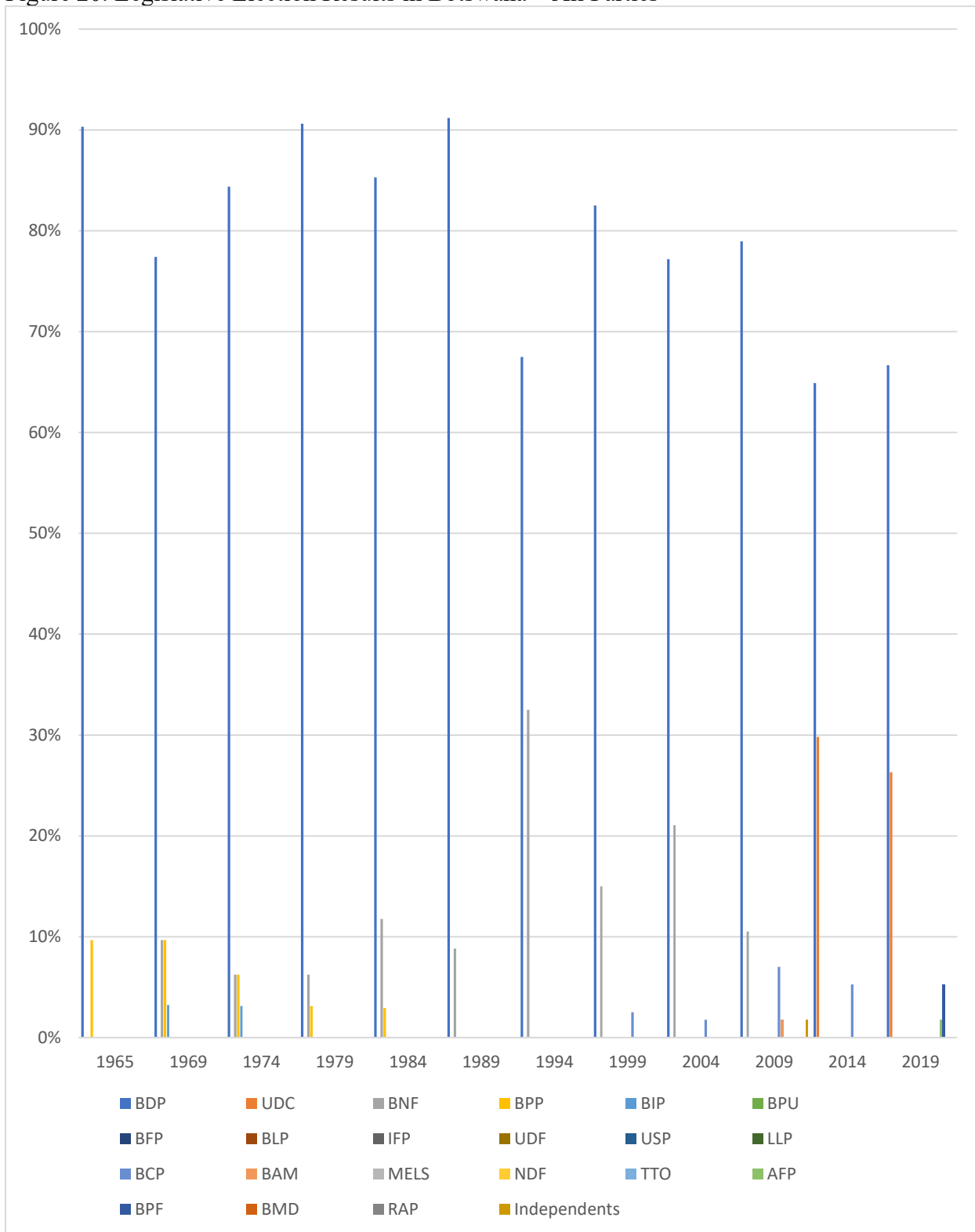
¹ All data comes from: Freedom in the World 2021. Indicators highlighted in yellow correspond directly to the concept of a level playing field as identified by the hypotheses identified in Chapter One. Indicators are sorted by greatest to least concerning the difference between the averages of the free one-party dominant states and not free one-party dominant states.

impartially by the relevant election management bodies?						
Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	3.29	1.25	0.39	2.04	2.90	0.86
Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	3.43	1.5	0.54	1.93	2.89	0.96
Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	3.43	1.75	0.69	1.68	2.74	1.06
Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	3.71	1.75	1.08	1.96	2.63	0.67
Are there free and independent media?	3	1.75	0.39	1.25	2.61	1.36
Is there academic freedom, and is the educational system free from extensive political indoctrination?	3.86	1.75	1.31	2.11	2.55	0.44
Is there freedom for trade unions and similar professional or labor organizations?	3.57	2	1.08	1.57	2.49	0.92

Does due process prevail in civil and criminal matters?	3	1.5	0.54	1.5	2.46	0.96
Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?	3	2	0.65	1	2.35	1.35
Are individuals free to practice and express their religious faith or nonbelief in public and private?	3.86	2.75	1.54	1.11	2.32	1.21
Does the government operate with openness and transparency?	2.57	1.75	0.31	0.82	2.26	1.44
Are safeguards against official corruption strong and effective?	2.71	1.75	0.54	0.96	2.17	1.21
Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	3.29	2.25	1.15	1.04	2.14	1.10
Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	3.42	2	1.31	1.42	2.11	0.69
Do laws, policies, and practices guarantee equal treatment of various segments of the population?	2.57	1.5	0.62	1.07	1.95	0.88
Do individuals enjoy equality of opportunity and freedom from economic exploitation?	2.86	2.25	0.920	0.61	1.94	1.33

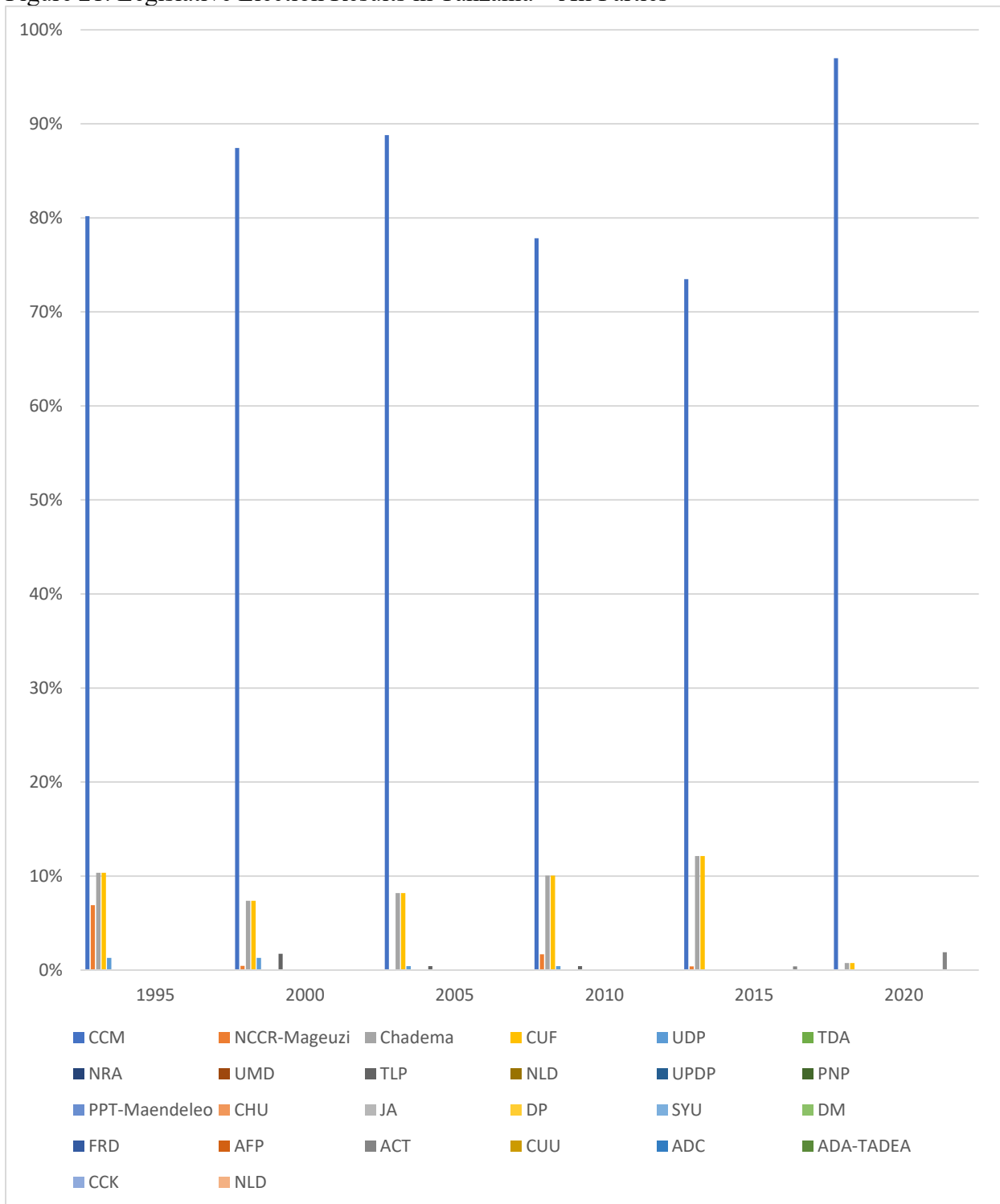
Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	2.57	1.75	1.23	0.82	1.34	0.52
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Figure 20. Legislative Election Results in Botswana – All Parties²



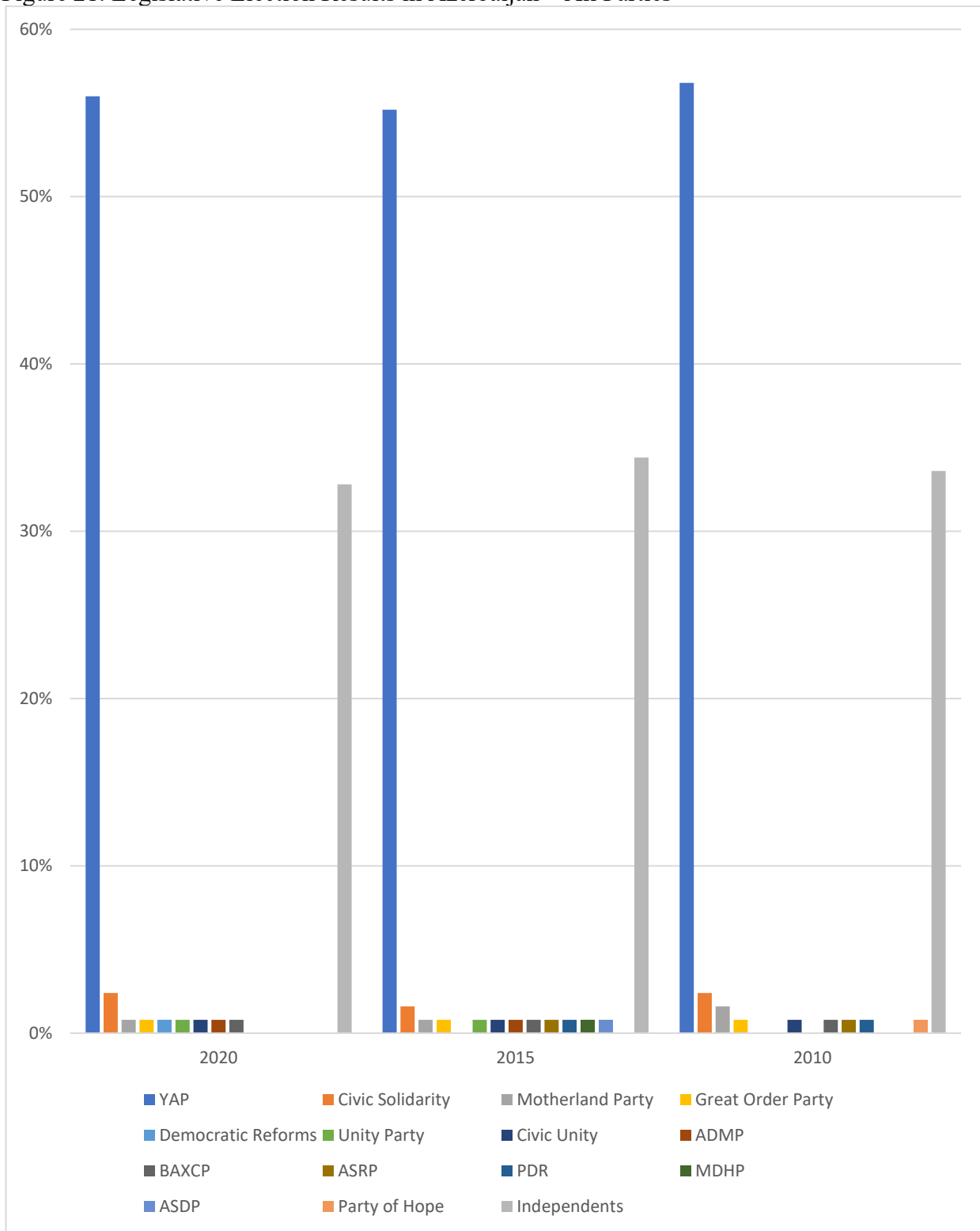
² These data are compiled by election results housed by the Government of Botswana and the IEC.

Figure 21. Legislative Election Results in Tanzania – All Parties³



³ These results are compiled using the “Report of the National Electoral Commission on the Presidential and Parliamentary Elections” by the National Electoral Commission for elections in the following years: 1995, 2000, 2005, 2010, 2015, 2020.

Figure 21. Legislative Election Results in Azerbaijan – All Parties⁴



⁴ These data are from the “Elections to the Milli Majlis Republic of Azerbaijan” reports held by the CEC for the following years: 1995, 2000, 2005, 2010, 2015, and 2020.

Table 20. Playing Field Balance Classification Scheme Indicator Results – Benchmark Democracies

	Ghana	Guyana	Sri Lanka
H1 - Electoral Laws and Implementation	25	24.5	20.5
H1a - Election Laws for Parties and Candidates	5	6	4.5
Signature thresholds	1	1	1
Monetary Deposit to Appear on Ballot	1	1	0.5
Banning Parties or Party Candidates	1	1	1
Banning Independent Candidates	1	0	1
Campaign spending limits	0	1	0
Other party spending limits	0	1	0
Political Party Blocks	1	1	1
H1b - Election Fraud	12	10.5	13
Multiple voting	1	1	1
Ballot box security	2	0.5	2
Violence or threats against citizens	2	2	2
Bribery of voters	1	2	2
Avenues for reporting fraudulent behavior	2	2	2
Avenues for challenging election results	2	1	2
Observers allowed to monitor voting	2	2	2
H1c - Use of Government Resources in Campaigns	8	8	3
Government workers for campaigning	2	2	1
Government/military vehicle use	2	2	1
Recourses for abuses of government resource use	2	2	1
Government funding of parties	2	2	0
H2 - Institutions	22.5	25	18
H2a - The Media	6.5	9	3
Are there independent media outlets?	1	1	1
Are independent media reliant on government funding?	0.5	0.5	0.5
If there is state-owned media, how much of the market share do they command?	1	1	0
Does state-owned media coverage favor the dominant party?	0.5	0.5	0
Does independent media coverage favor the dominant party?	1	1	0.5
Are there laws requiring media coverage of all parties and candidates?	1	1	0.5
Are there limits on what media is allowed to cover preventing critique of the dominant party?	0.5	0.5	0.5
Are journalists subjected to adverse actions due to critical coverage of the government?	0	1.5	0

Have media outlets critical of the government been subjected to adverse actions?	1	2	0
H2b - Electoral Commissions	8	9	10
Is there a national electoral commission established by law?	1	1	1
Is the appointment of members of the electoral commission subject to oversight by multiple branches of government?	0	2	1
Does the appointment of members of the electoral commission allow for equal input from all political parties?	1	2	2
Is the electoral commission protected from government interference?	2	2	2
Does the electoral commission have adequate resources to oversee elections?	2	2	2
Does the electoral commission set dates for elections?	2	0	2
H2c - The Judiciary	8	7	5
Are judges free of political retribution by removal from office?	2	2	2
Are judicial salaries high enough to not rely on other branches making them free of other retaliatory measures?	2	2	2
Are there safeguards against corruption in judicial appointments?	2	1	1
Is the judicial branch empowered to hear cases about election concerns?	2	2	0
H3 - Opportunities for Opposition Party Victory	22.5	24	18
Are there barriers that prevent opposition parties from increasing their representation in the legislature?	8	8	8
Are there barriers that prevent opposition parties from increasing their popular vote share?	6	6	6
Do opposition parties coordinate their efforts to oust the dominant party?	6.5	5	2
Do any opposition parties have adequate resources to field a national strategy?	2	5	2
Total Playing Field Balance Classification Scheme Score	70	73.5	56.5

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