Contestation in multi-level party systems with institutional constraints: A look at ethnically divided countries in Central and Eastern Europe

First draft
Daniel Bochsler*

Contestation is one of the main dimensions of democratic representation. Mainly, research has focused on contestation at the national level, however the concept equally applies for regional and for local politics. This paper discusses the effect of restrictive national-level institutions on political plurality in elections at the subnational level. Its argument is two-fold: firstly, the effect of restrictive political institutions spans over different levels of elections, and therefore restrictive national institutions also restrict political competition in subnational elections. This effect might hamper political contestation at the local and regional level if restrictive national institutions meet territorially structured political conflicts. Secondly, where free and politically relevant elections are fought, there is a genuine need for political contestation. Where the multi-level logic of party systems restricts party plurality at the local or regional level, non-partisan candidates and groups will emerge. Hypotheses are tested, looking at the political representation and plurality of representation in minority regions in Central and Eastern Europe, investigating ethnic minorities in Romania, Slovakia, Moldova, and Macedonia. The effect of national electoral laws in these countries allows for substantial variation in its degree of restrictiveness.

1 Introduction
Contestation has been dealt with as one of the key dimensions of the quality of democracy (Dahl 1971). While previous empirical research has focused on contestation mainly at the level of national politics (Coppedge et al. 2008), contestation is also one of the key requirements in order to make a democracy function at all at whether supranational, regional, or local. This paper deals with problems of contestation arising in multi-layered party systems with institutional constraints. It investigates how restrictive national institutions limit political plurality, and how this affects political choice in subnational elections.

* NCCR Democracy, University of Zurich, daniel.bochsler@uzh.ch, www.bochsler.eu.
† I am grateful for helpful research assistance by Daniel Zollinger and Istvan Szekely, and for careful proofreading by Kirsty Weiler.
This question becomes particularly salient in ethnically divided countries, where subnational governments are crucial for providing minority groups with some degree of political autonomy. Our model shows that restrictive electoral laws at the national level, in conjunction with an ethnoregionally structured party system imply dominance of a single party at the local and regional level, and undermine the electoral choice in such political contexts. We are interested however, in the reaction of political actors to such constraints. Our study of a set of ethnically divided post-communist countries in Europe conforms to our expectations, and provides a first insight into political strategies to allow electoral choice at the local and regional level, in situations where political plurality is restricted.

Theoretically, we rely on two effects; firstly, there is a spill-over of national institutional effects from national politics down to the local level. National political institutions affect the structure of the party system. Political parties are organised not only at the national level, but they also cover other levels of government, and therefore compete in elections at the national level, where it exists at the regional or provincial level and at the local level. Therefore, also institutional effects are transmitted across levels of government. Secondly, the logic of democratic control, elite turnover and electoral accountability give way to political plurality at the local level. Depending on the structure of the social divides, both effects can either complement or contradict each other. We investigate the consequences for the organisation of parties and for representation at the local level – especially there where the national institutional effects and the local logic of politics are contradicting each other. More precisely, we expect that contradicting impacts of the national institutions and of the local logic of politics promote the emergence of non-partisan local groups and independent candidates – a form of representation that is only very rarely looked at in studies of representation and party systems (Moser 1999).

Empirically, we focus on the representation of ethnic minorities in post-communist countries in Europe. Ethnic cleavages are particularly salient in this region, and decentralisation of political decision-making to local and regional governments is used a means to give minorities political autonomy. The political organisation and representation of minorities varies considerably across countries and minority groups. Despite a growing academic interest in representation in multi-level systems, research on the representation of ethnic minorities who do not rely on their own political parties at the national level is sparse. For our study, we select multi-ethnic countries with different national political institutions, and compare the consequences for representation in multi-ethnic municipalities and regions. Methodologically, we employ aggregate electoral data from local and regional elections in several post-communist countries. Results of quantitative models of minority representation are compared across countries.

2 Previous studies
Federalism and decentralised structures of administration play a major role in the constitutional models that are discussed for multi-ethnic societies (Sisk 1996; Lijphart 1968, 1994b, 2004; Elkins and Sides 2007, and many others). Decentralisation is often used as a means to provide
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autonomy to minority groups, and it also matters for the creation of political parties in multi-ethnic societies, especially if ethnic divides follow territorial lines (Grofman and Stockwell 2003; see also Caramani 2004). Despite a recent interest in political parties and party systems in polities with multiple levels of administration, most of the literature on party systems focuses solely on the national level (Deschouwer 2006). In contrast, the growing literature on multi-level party systems has studied the link between elections at different levels of government (Abedi and Siaroff 1999; Lancaster 1999), and it has investigated party organisation in multi-level systems (Chandler and Chandler 1987; Deschouwer 2006; Thorlakson 2007, 2009; Hopkin 2009, etc.). Both Western Europe and the post-communist countries of Central and Eastern Europe have experienced the emergence of regional parties which are pervasive only in one or some regions, and mainly connected to ethnic or ethno-regional identities (Keating 1998; Tronconi 2006; Heller 2002; De Winter and Türsan 1998; Bochsler 2010, ch. 4). Little attention has been paid to local political actors. The connection of the national and the subnational levels of administration plays a crucial role for the study of party politics in ethnically divided countries.

One widely neglected aspect of multi-level institutions is the interaction of electoral systems at different levels of election. Since parties are organisations that compete at different levels of the state, electoral systems have cross-level effects. While electoral systems and party laws are often similar across different levels of administration (Weaver 2006, 65-6), the effect of electoral rules might differ if the party system is not territorially homogeneous. In such a case, the electoral institutions might exert cross-pressure effects, across different levels of elections.

2.1 Electoral system constraints and party competition in a multi-level setting

We are interested in contestation in a multi-level setting. Political plurality is needed at all levels to allow for democratic choice. We assume that, wherever free elections are held, the existence of a relevant political power alone is reason enough for an opposition to emerge. The possibility of political plurality is, however, restricted by institutional constraints, and we argue that in a multi-level setting, institutional effects travel across levels of government: national institutions also affect electoral competition for regional and local governments, and vice-versa. These two propositions might in specific constellations lead to contrary effects: national institutions might limit political plurality to an extent that a single party dominates the political scene at the regional or local level. In contrast, if the assumption that free (and relevant) elections are contested holds,

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1 The literature has discussed the notion of “second order elections”. Instead of expressing their policy preferences, voters use elections that appear less important to express their non-satisfaction with the incumbent government at a different level of administration. The elections to the European parliament are addressed as second order elections (Reif and Schmitt 1980; Carrubba and Timpone 2005, and many others), but local and regional elections only occasionally (Heath et al. 1999; Jeffery and Hough 2003).

such institutional effects will be in conflict with the logic of contestation. This paragraph looks at the emergence of such contradictory situations and at possible solutions to them.

Political competition can be modelled around two constraints. The logic of contestation requires that there is competition for political power, and is a key element of the quality of democracy and free elections (Dahl 1971)(Vanhanen 1990, 1997). Competition between several political options makes them responsive to the voters' demands, and is essential for political change and elite alternation. The demand for political plurality emerges equally in elections at all level, at least if relevant political power is connected to them. Political forces might differentiate around a multitude of conflicts, which are present at any level of government. We apply a very open definition of “conflicts”, which includes those of an ideological nature, issue- or interest-based conflicts, also for instance conflicts that are based on local economic interests in a traditional society organised around extended family clans. Note that political actors do not become active in a political party solely due to their ideological orientation, but also due to self-interest in getting involved in a political office, or because of particular (private or public) interests or issues that matter to them, and for which they expect to find support from a political party.

To understand the limits of political contestation, we base our argument on three key elements; institutional constraints, the territorial structure of the (main) political conflicts, and strong linkages in the multi-layered structure of party organisation.

Political institutions set limits to electoral competition, the most important of which are party rules and electoral laws. To be successful in elections, political parties need to attract a sufficiently large basis of voters in order to pass institutional hurdles. The most important institutional rules that might limit the electoral success of parties are legal electoral thresholds and the magnitude and geography of electoral districts. However, in democracies, political institutions are permissive enough to allow a plurality of political parties to run in elections; all other cases would be considered to fall short of arguably the key democratic feature.

But then, how do institutions in democratic countries manage to get in conflict with the logic of contestation? Firstly, we expect the effect of institutions to spill over at all levels of elections. Party linkage plays an important role in multi-level systems. In institutionalised party systems, political parties are more than fluid, ad-hoc electoral committees, limited in time, and to one or few electoral districts. They rely on an organisational structure and voter linkages, and they use their brand and their organisational strength to link across territorial units. This allows them to compete repeatedly in national and sub-national elections across the territory where they are organised. Being present at different levels of government also enables a stronger political impact, as cross-level political contacts within the party might be prove valuable for exerting
effective political power, and it is needed for political recruitment, as careers often start at the local level, and continue in national politics. This is also a view shared by actors themselves. For instance, in our interview with a local politician, he characterised a local party with no national representation as ‘not even being a real party, as it is only present locally’. Parties that restrict themselves to one area of representation face the risk that their membership and their voters turn their support to another competitor, and might be lost in the long-run.

Given the strong linkage of political parties across levels, we expect that institutions have effects across different levels of government. A national party will also run in local elections, and a party that is active at the local level will also seek mandates in national elections. Therefore, the impact of political institutions spans all levels of governance. Thus, a high electoral threshold at the national level of elections will not only reduce the party system to a few large parties running in national elections, but reduce also the local party landscape to the very same political parties.

Secondly, the territorial structure of party support and territorial features of the electoral system affect how effects of national institutions are translated into local and regional politics (and vice-versa). The strength of a political party often differs among regions and among municipalities. We distinguish functional from territorial cleavages. Functional cleavages are not connected to territory, implying that groups defining the cleavage are similarly present throughout the country (high party nationalisation). Territorial cleavages lead to territorially structured support for a political party (low party nationalisation) (Caramani 2004). If cleavages in a country are organised functionally, then the political landscape in a region and in a municipality should be the same as at the national level, and political plurality at the national level implies plurality at other levels too. In contrast, in a country with strong territorial cleavages, the political landscape at the local or regional level is reasonably different from the national one. All territorially based parties add to plurality in the national party system, but in the regions and municipalities, we mainly (or only) find parties within their relative electoral strongholds. If elections at different levels are closely linked, this implies that the political plurality at the national level is much larger than at the local or regional level (Chhibber and Kollman 1998; Cox 1999).

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3 Author’s interview with a party president in the Serbian municipality of Prijepolje, January 2011.
4 Apart from this, there might be voters who split their vote in different elections, even if their own party runs in elections at all levels. Certain voters perceive sub- or supranational elections as less important, or as second order elections, and use them to give a warning sign to the incumbent national government (Marsh 1998; Carrubba and Timpone 2005; Reif and Schmitt 1980, etc.). Other explanations, focusing for instance on the differences in electoral systems between different elections, have mainly remained absent. However, the difference in the electoral strength of regional parties in the same area in elections at different levels are usually not very substantial (but see for Scotland and Wales, Jeffery and Hough 2009; Trystan et al. 2003).
If we combine restrictive national institutions with strong territorial cleavages, this limits the plurality of political competition at the local and regional level (Bochsler 2010). Given the restrictive institutions, there are only very few parties that are competitive in national elections and which can satisfy their members and supporters in the long-run, and these few parties become dominant in their relative strongholds. Hence, while restrictive institutions at the national level reduce the fragmentation of the party system (Duverger 1951; Rae 1967; Taagepera and Shugart 1989), combined with territorial cleavages, they might lead to one-party-dominance and challenge the democratic requirement of contestation at the regional and local level.

Earlier studies have identified two main features of electoral systems that limit party competition: legal electoral thresholds and small electoral districts (Lijphart 1994a). Legal thresholds apply usually at the national level, and therefore are insensitive to whether a party has territorially structured electoral support or not. The impact of district magnitude is, however, a local or regional one. Small districts allow only the strongest parties from the district to enter parliament. Therefore, despite low district magnitude, small parties with a territorially clustered electorate might enter national parliament if they happen to be one of the larger party in their stronghold. Hence, if combined with territorial cleavages, district-based systems with no legal thresholds present no massive constraint at the national level, on the contrary, no matter how small the districts are, they always allow regional or local competition.

Figure 1: Institutional constraints in a multi-level model of electoral competition

At the national level of representation, there are three types of voters; two groups (○△) can establish their own political parties (A & B), while the third type of voters (□) cannot so, due to institutional constraints.

At the subnational level, a similar picture prevails in municipalities 1 to 3, where voters of party A & B dominate (○△), but voters of the third type (□) are concentrated in municipality 4, so that there is a strong electoral potential for their own political representation.
Figure 1 illustrates the consequences of this situation. In a country with restrictive national institutions and territorially based conflicts, the electorate of party A is mainly concentrated in municipalities 1 and 2, whereas party B has its stronghold in municipality 3. Most voters in municipality 4 adhere to a social group which is not large enough to be represented in national institutions (marked with a question mark). The reduction of the national political scene to the largest major parties, combined with a territorial structure of conflicts, implies that each of these actors becomes politically extremely dominant in its stronghold. Local politics in municipalities 1 to 3 are dominated by parties A or B.

In brief, after considering the links between different levels of elections, the structure of political conflicts and the different mechanisms of restrictive national institutions, we can summarise that high legal thresholds for political parties at the national level, combined with territorial cleavages, might substantially limit political plurality in regions or municipalities where a political minority is concentrated. This might hamper the democratic principle of contestation in regional and local elections in those areas.

We can summarise these expectations in a first set of hypotheses, which look at contestation and the cross-level effects of institutions:

1. Local and regional elections are contested.
2. In countries with more restrictive national institutions, the level of competition at the local or regional level is lower than in countries with permissive national institutions.
3. In countries with more restrictive national institutions, the level of competition decreases especially in those municipalities where a political minority is strongly concentrated. This effect is stronger than in countries with permissive national institutions.

2.2 Alternative ways of offering contested elections
Based on our first set of hypotheses, for countries with restrictive national institutions, we expect dominance of a single party in areas with territorially concentrated political minority clusters. This creates a conflict between the logic of institutional effects across levels of elections and the logic that each relevant election is contested.

There are ways how this apparent contradiction might be resolved. More precisely, in cases where the implications of multi-level elections conflict with the need for contestation, the following alternative channels of electoral competition might become relevant.

- If different constraints apply in elections at different levels, the same parties might organise in different alliances. Hence, local and regional parties that are in competition against each other in local and regional elections form an alliance in national elections in order to cope with the high hurdles imposed by national institutions to become elected. However, such a
strategy will create difficulties in the long-run: parties that run jointly in elections at one level find it difficult to compete credibly against each other at another level of elections. As a consequence, alliances of different local or regional parties in national elections would lead, in the long run, to close cooperation or mergers.

- Noticing the political vacuum and the demand for an opposition group at the local or regional level, a national party, which is so far not present in a region or municipality, might be interested in taking root there, and bring the scattered local opposition into the fold of its party organisation. However, such an option is very limited. If the main national political conflict has a territorial structure, such a party would need to try to compete in regions where it is considered the main political adversary. As a consequence, this option is only viable if the conflict is not too intense, and if the national party offers its local branches substantial programmatic and organisational autonomy, so that they can represent the local claims.

- If the party system is incapable of offering political choice to organise local/regional conflicts and to allow for elite turnover at the local or regional level, then non-partisan groups or candidates might fill the political vacuum. Many electoral laws allow the candidacy of independent candidates or of local (non-partisan) groups of citizens. These non-partisan forms of representation are expected to be particularly important if national parties do not offer the adequate plurality to represent local conflicts.

As a consequence of the conflicting nature of cross-level institutional constraints and the logic of contestation, we hypothesise the following:

4. Under restrictive national electoral laws, there will be more non-partisan candidates running in subnational elections.

5. In countries with restrictive institutional rules at the national level and a territorially concentrated social group, the number of local non-partisan groups increases with the size of this social group in a region or municipality.

6. Particularly in municipalities with a clearly dominant minority, there is need for alternation and competition which will be reflected in local groups / non-partisan candidates.

3 Design for empirical analysis

Our empirical analysis looks at countries with strong ethnically determined political behaviour, and compares different institutional configurations. We select a set of post-communist countries in Europe for our analysis.

Ethnically based political conflicts appear to be particularly suited for our analysis. Ethnic divides are particularly fruitful, as they often have a territorial character. Therefore, the
distribution of voters along the main political conflict dimension and party sizes vary between municipalities and regions. This design does not only offer us the needed variance, but in such a context, restrictive institutional rules at the national level will also create situations of single-party dominance in minority-dominated regions or municipalities. Previous research has shown that if the ethnic conflict becomes politicised – and this is the case for most ethnic conflicts in Central and Eastern European countries – then ethno-regional cleavages dominate the electoral competition (Caramani 2004; Bochsler 2010, ch. 4). While ethnic identities tend to be fluid in some cases, most ethnic divisions in this region are quite clear-cut.

Some of our hypotheses are suitable for cross-country comparison, while others have a multi-level character, implying that the comparison between municipalities yields different results in countries with restrictive national institutions to those with permissive national institutions. For this reason, we run country-wise subnational comparisons of municipalities, and compare the effects across countries. While some of our hypotheses do not have a more precisely specified form (we assume linearity), others have a curvilinear character. Our hypothesis 5 states that non-partisan candidates are not solely a phenomenon of the presence of the ethnic minority (hypothesis 5) – which would entail a linear function – but we also hypothesise that non-partisan candidates are particularly frequent in minority-dominated municipalities, which entails a quadratic effect of the share of the minority. Tests are carried out using Goodman regressions for aggregated data, including quadratic terms to measure the interaction of group and context-specific effects (Grofman and Handley 1995), as described in the appendix A to this paper.

3.1 Selection of cases and institutional rules
We test our model using a set of countries with a sufficiently large (>4%) ethnic group which is territorially concentrated, in order to allow for some variation between minority-dominated, majority-dominated and mixed municipalities. We select a set of countries for which our main explanatory variable (the degree of restrictiveness of institutions) varies at the national level, and where municipalities are the relevant institutional level that offers political representation at the subnational level. While we have argued that small district magnitude has only limited effects on the party system if political conflicts are territorially based, national legal thresholds are expected to be restrictive.

Political conflicts with large ethnic minorities that match these criteria and exist in countries with relevant national thresholds are the Hungarian minorities of Slovakia and Romania, eastern Slavic and the Gagauz minorities in Moldova, and the Turkish minority in Bulgaria. A similar
minority, but with no strong national legal threshold, are the Albanians in Macedonia. For Bulgaria, we could not (yet) find suitable data on local elections, and only rudimentary data from elections from regions, which constitute too few cases for our analysis. At this stage, we do not include the case of Georgia, where parties of minorities are generally banned, but see Zollinger & Bochsler (2011) for a similar analysis. Generally, we focus on local elections and municipalities, as this gives a sufficiently large number of cases for our sub-national comparison. To control for size-related effects on the political plurality and to control rudimentarily for the difference between (usually large) urban and (usually smaller) rural municipalities, we further introduce the logarithm of the size of the local population in our models.

The first case of our analysis, Romania, employed a proportional electoral system (PR) for its national elections until 2008, where the relevant seat allocation occurred at the national level (districts were irrelevant for the seat allocation on parties). The 5% national legal threshold was quite threatening for its Hungarian minority, as it constitutes a mere 6-7% of the population. The threshold implies that the Hungarian minority can only be represented with one political party in the national parliament, and if ethnic Hungarians do not vote uniformly, their parties might lose their representation. Almost the entire ethnic Hungarian population of Romania lives in the North-Western region of Transylvania, and many of them in the two districts Covasna and Harghita, where Hungarians are the dominant local majority. Especially in those provinces and in Hungarian-dominated municipalities, we expect that the dominance of a single Hungarian party (the Democratic Alliance of Hungarians in Romania, UDMR) implies that the plurality of locally active parties is restricted, and the logic of contestation is questioned. A differentiated threshold in the national elections – electoral alliances need to gather more votes than a single party – eliminates the possibility that minority parties might run separately in local elections and united in national elections. Local council elections, as national elections, are held by PR. Our analysis is based on data from local elections and county elections from the some 2900 municipalities, in 2000 and 2004. Election results are matched with the ethnic structure according to the 2000

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5 The selection is driven by the availability of well-suited data to analyse the ethnic structure of the electorate, the territorial clustering of the minorities, and the clearly structured ethnic boundaries. Therefore, we exclude the Russian minority of Ukraine, as in this case it is difficult to clearly identify the boundaries of the conflict. We further do not include Serbs in Kosovo or Serbs or Croats in Bosnia and Herzegovina, as no recent and reliable census data is available. We do not include Russophones in Latvia and Estonia, as they only have partial citizenship and voting rights (which would further complicate our analysis), and we do not consider Roma minorities, as they are not territorially settled and the ethnic distinction between members of the majority and Roma is often controversial.

6 The largest party or organisation of each minority group is guaranteed a reserved seat in parliament (Alionescu 2004).
census.\textsuperscript{7} Given some 200 splits of municipalities by 2004, the match is perfect for the 2000 elections, but there might be measurement errors for 2004. From Romania, we also could gather data at the municipal level for the election of the district councils.

The situation is quite similar in Slovakia, which also applies PR, and allocates the seats at the national level, with a 5% national legal threshold, but with a 10% requirement for party alliances. As the Hungarian minority constitutes solely 9.7% of the population, only one Hungarian minority party can be represented in parliament. For many years, the Slovak Hungarian coalition (SMK) dominated, but after a split in 2009, the declared multi-ethnic (but the de-facto mainly Hungarian) Most-Híd ('bridge') party took over this role, and the future of SMK is uncertain. The election of local councils is only partly comparable to the other cases, as fairly small councils, constituting just five seats in most municipalities, are elected by a plurality vote system in a single electoral district, which is arguably one of the most concentrating electoral systems (Taagepera and Shugart 1989). We could only access seat shares of parties in the 2006 local elections (instead of vote shares as in the other cases), and match them with information about the ethnic structure of the population.\textsuperscript{8} It is likely that under those election rules, seats are concentrated on the strongest local parties, and we find considerable less plurality among the elected members, which doesn't indicate whether elections were competitive or not. However, our expectations about the emergence of non-partisan candidates or lists in minority areas still hold.

Moldova is an ethnically very diverse country with numerous Eastern Slavic minorities (8.3% Ukrainian, 5.9% Russian), the Gagauz minority (4.4%), and smaller groups of Bulgarians and Roma (2% each).\textsuperscript{9} Party legislation requires parties to be represented throughout the territory of Moldova. The case is interesting for our analysis, as there are no explicit minority-based parties, but parties standing close to minorities, but also because the effect of the electoral law is not the same for the different minority groups. The 6% national threshold, which applies in elections prevents potential parties which are supported solely by the Gagauz minority (concentrated in an autonomous region in the South) from entering parliament (OSCE ODIHR 2001), while parties supported by Russian and Ukrainian voters (geographically spread) would meet this threshold. Supposedly due to the conflict about the geopolitical orientation of Moldova – towards Romania and the European Union or towards Russia – the Eastern Slavic minorities tend to support the

\textsuperscript{7} I am grateful to Istvan Szekely for sharing the datasets of the elections results with me. Census data (2000) from the National Institute for Statistics have been eletronically provided by the Ethnocultural Diversity Resource Center (www.edrc.ro).

\textsuperscript{8} Data was obtained from the Statistical Office of the Slovak Republic (http://app.statistics.sk/osd_2006/angl/index.jsp) and the ethnic structure was taken from the 2001 population census.

\textsuperscript{9} Census of 2004 numbers include the territory under the control of the central government, while the census was not conducted in the separatist region of Transnistria.
Communist Party of Moldova, which was the dominant party at the time of investigation, and are well represented within the party elite (Protsyk and Osoian 2010). Eastern Slavs (Ukrainians, Russians) have fairly similar political claims. Two blocs, *Patria-Rodina* and *Ravnopravie* address minority issues (OSCE ODIHR 2005). They have not been successful in meeting the 6% threshold in national elections, but thanks to the co-existence of the Communist Party, *Patria-Rodina* and *Ravnopravie*, there is some plurality in the organisation of Eastern Slavs. Until 2005, the Communist Party was patronising the leaders of the Gagauz community, but then this connection broke (Botan 2006).

Macedonia votes by PR with 20-seat districts and no legal threshold at the national level. As ethnic Albanians (25% of the population) live mainly in the North and the West of the country, in two out of six electoral districts for the national elections, the national institutions do not constitute a relevant hurdle (Friedman 2005). Consequently, several Albanian minority parties have been running in national parliamentary elections – a plurality which is also reflected in the local elections of 2005. The implementation of the Ohrid Framework agreement, which in 2001 stopped the violent conflict in Macedonia, has lead to an empowerment of municipalities, and changes to the municipal borders, which was also done in order to create new municipalities with an ethnic Albanian majority. Our analysis includes 84 municipalities at time of the 2005 local elections.11

### 3.2 Dependent variables

In our context, contestation relates to the competition of parties in elections. This is captured by the effective number of vote-winning parties (Laakso and Taagepera 1979).12 Every distinction between contestation and a lack of contestation needs to be arbitrary, but we believe that it is fair to say that an effective number of vote-winning parties below 1.5 indicate a lack of contestation. This implies that the dominant party gets more than 79% of the votes. We treat electoral alliances of several parties as single parties, as several parties united in an electoral alliance do not leave any choice to the voters to vote for an alternative.

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12. The measurement should not be confused with the presence of these parties in assemblies. The measurement is derived from the Hirschman-Herfindahl index applied on the fractionalisation of votes in elections. The measurement amounts to 2 if there are two equally strong parties or competitors and is more than 2 if the votes are split among three or more competitors. Measurement between 1 and 2 indicate that one party dominates the competition. We include independent candidates and local non-partisan groups as a single entity: they also contribute to the contestation dimension. We do not know whether they are politically linked to each other or not, but our data only allows us to count them as a single group. However, given the low share of non-partisan, this should not heavily affect our results.
We study the strategy of local actors in cases with single-party dominance. Therefore, we look at the popularity of non-partisan candidates or non-partisan local groups of candidates. Similar to tiny political parties, non-partisan candidates can emerge for various motives, with some of them not even being seriously intended candidatures. To capture just the sincere candidates, and to measure their political relevance, we calculate the cumulated vote share (Slovakia: seat share) of non-partisan candidates and non-partisan local lists.

4 Empirical results
4.1 Contestation of elections at the local level

We find that in Romania, Macedonia and Moldova, elections at the local level are contested in almost all cases (hypothesis 1). Only some 1%-3% of the municipalities, rather smaller ones, have non-contested elections with less than 1.5 effective vote-winning parties. In Slovakia, we find a quite larger number of such municipalities, 23.5%. Bearing in mind the fact that numbers in Slovakia are based on seat shares rather than vote shares, which is likely to slightly reduce the number of parties, we nevertheless find it astonishing that more than 20% of municipalities have no relevant opposition.

This affects minority-settled municipalities more strongly than those inhabited by the majority. Especially in Romania the difference is very strong, where non-contested elections are ten times more frequent in minority-dominated municipalities (more than 50% of the local population belong to the minority). In Moldova, there are 11 Ukrainian-dominated villages where the Communist Party is dominant, and a Gagauz village, where an independent group wins 93% of the votes. Also in Macedonia, elections in two minority municipalities (with a 96% or 98% Albanian population) are not contested. In Slovakia, results are only partly comparable, as our calculation relies on the seats won under a plurality vote system, which might distort the results. Still, we find that local councils which lack political plurality are much more frequent in minority areas (33.8%) than in majority-dominated municipalities (26.4%). Hence, the trend of non-contested elections being more frequent in minority areas seems to be a general one for the countries under investigation, and not specific for restrictive national electoral laws.
4.2 The consequences of institutional restrictions at the national level

We expected that in countries with restrictive national legislation, there would be more uncontested elections in municipalities with large minority populations, especially in those municipalities where the minority dominates (hypotheses 2, 3). Figures 2-8 explore the degree of relation between the presence or absence of competition in local elections and the ethnic structure of municipalities, after accounting for differences in the size of municipalities. The level of competition (effective number of elective parties) is plotted with a dotted line, and relates to the right-hand scale.

In all investigated elections, the degree of competition is considerably larger in majority areas than in minority areas, but we find that the most competitive elections occur in mixed-ethnic municipalities (except for Slovakia), as in those areas, parties of the majority and of the minorities compete. In Romania, the difference between minority and majority areas is particularly clear-cut: we count 3 to 5 times more effective parties running in majority areas. This difference is more moderate in our control case, Macedonia, with a permissive electoral system (about 3 effective parties in majority areas, compared to 2 effective parties in minority areas), and in the Republic of Moldova, where the electoral institutions limit the access of Gagauz parties, but not of Eastern Slav supported parties. We also included the numbers from district elections in Romania, which show a similar pattern. The effect is considerably weaker in Slovakia, where the plurality voting system reduces political plurality in local assemblies.

Evidence for hypotheses 2 and 3 is mixed. The stronger effect that we detected in Romania, compared to Macedonia, perfectly corresponds with the expectations about restrictive electoral systems, but also Moldova – with its restrictive electoral system – seems to show rather weak effects: in Gagausia, where the Gagauz minority that is restricted by the national 6% threshold lives, independent candidates are very strong, and they compensate for the lack of competitive national parties (see below). Slovakia does not fit into this pattern, but this is due to the fact that the plurality vote system in multi-seat constituencies heavily restricts political plurality in local assemblies, regardless of the context.

4.3 The alternative to political parties at the local level

In a next step, we investigate how local political actors react to the restrictive nature of the electoral system. Particularly, we expect to see more non-partisan candidates running in local elections, and especially in minority-dominated areas, and finally, we expect to observe a curvilinear pattern, as minority concentration might increase the demand for intra-minority plurality.
Results of our regression analyses are reported in the same figures 2-8. They show the vote shares of relevant minority parties (of ethnic Hungarians in Romania/Slovakia, of ethnic Albanians in Macedonia and of the Gagauz minority and Eastern Slavs in Moldova) and the share of votes cast for non-partisan candidates or lists. In Romania, the only Hungarian minority party getting relevant support in elections until 2007 was UDMR, in Slovakia it was SMK. The landscape of Albanian minority parties in Macedonia keeps changing, but in 2000, PDP and PDPA-NDP were the relevant competitors, while 2005, this changed to the DUI and the alliance of DPA and PDP. In Moldova, there were no minority parties, but the Communist Party and Patria-Rodina-Ravnopravie were to different degrees representing the demands of the Eastern Slav minorities.

The electoral results of these minority parties (for Moldova: minority-friendly parties) are plotted for municipalities, depending on their ethnic structure, after controlling for the size of municipalities. It is not surprising that the vote shares increase, as the local size of their ethnic groups increases. What is more noteworthy is the curvilinear nature of this function in all elections in Romania and in Slovakia, but not so in Macedonia: as the size of the minorities increases, the marginal effect on party votes decreases. In Romania and in Slovakia, minority parties attract almost all ethnic minority votes in those municipalities where they compete against the parties of the ethnic majority, but this is not the case in municipalities where the minority is concentrated. There, we find more political plurality within the minority, and this is essentially due to non-partisan candidates and parties. In Moldova, the effect varies by minority group: in municipalities with strong Eastern Slav communities, the Communist Party is the strongest party, but in Romania and Slovakia, the plotted vote share of minority parties has a curvilinear shape. In Moldova, in municipalities with a Gagauz majority, independent candidates are strongest.

In all countries, a respectable number of votes in local elections went to independent candidates. While in Macedonia, their average vote share remains below 10%, regardless of the ethnic context, in minority areas of Romania and Slovakia, they receive more than 20% of the votes, and in Gagauz municipalities in Moldova even 40%-50% of the votes. In Romania, Slovakia, and in Moldova, independent candidates are much more frequent among ethnic minorities (hypothesis 5). In all three countries, (Moldova: only Eastern Slavs, effect is statistically non-significant), we find an accentuated effect in municipalities which are clearly dominated by ethnic minorities, with the marginal effect increasing as the size of the minority

---

13 In the 2004 elections, candidates of split-off groups of the Hungarian minority party in Romania were running as independent candidates, or under the label of an irrelevant Romanian party; People’s Action Party, cf. http://www.divers.ro/focus_en?wid=37645&func=viewSubmission&sid=8234 [last accessed on 28 February 2010]. The party is not included in our analysis, as even in municipalities with more than 80% ethnic Hungarians, it remained around 1% of the votes.
increases. This is the effect of contestation: in municipalities where a single ethnic minority party dominates, there is the most obvious conflict between the logic of multi-level party systems and of contestation. Whereas the national electoral threshold allows only one ethnic minority party to run in elections, the logic of contestation also requires some plurality in municipal elections. This demand is reflected in a high share of independent candidates and local groups, do not generally emerge due only to the presence of ethnic minority voters, but rather when the ethnic minority vote dominates the local elections.

Hypotheses 5 and 6 state that the increase of non-partisans in local elections, and the curvilinear effect should be particularly pronounced in countries with restrictive national institutions. This corresponds to the results of our cases. In Moldova, where restrictive electoral laws have more pronounced consequences for the Gagauz minority (no own party possible) than for Eastern Slav (can reach the threshold with own parties), independent candidates are much more frequent for the Gagauz minority.14 Also, the comparison of the Romanian and Slovak figures with our contrast case, Macedonia, does not dismiss the hypotheses. Different from the cases with restrictive institutions, in Macedonia, independent candidates are not more frequent in Albanian majority areas, compared to ethnic Macedonian areas. Independent candidates (here in the form of local citizen groups running in elections) are generally very weak, and they are present to the same degree, in Macedonian-majority and in Albanian-majority areas. Other minorities (4% Turks, 3% declared Roma, 2% Serbs) vote less consequentially than ethnic Albanians for their own parties, but in one Turkish-language municipality, we find a considerably strong local non-partisan group.15

Our expectation to find a curvilinear effect in all cases with restrictive national institutions (hypothesis 6) fits well for the case of Romania and Slovakia (statistically significant curvilinearity), is weaker and not statistically significant for Eastern Slavs in Moldova (but there are not clearly restrictive laws here), but does not work for Macedonia (no curvilinearity – due to permissive institutions). The pattern of Gagauz minorities in Moldova deviates, as there, instead of a minority party, non-partisan groups and candidates are politically dominant, so the effect is inverted.

14 The effect is statistically significant. To measure this, we have estimated a model (not reported here) for the difference of the effect between all minorities (simple and squared term) and the Gagauz minority (simple and squared term), not reported here.
15 Plasnitsa – ethnic Turk. The political situation in Plasnitsa has been heated, and the struggle between the two locally relevant groups has resulted in violent struggles. A Turkish minority party, which is affiliated to the ethnic Albanian parties of Macedonia has been trying to get control over the municipality (author's interviews with minority experts in Skopje, November 2009).
Figures 2-6: Competition in local assembly elections in Romania (2000*, 2004), Slovakia (2006), and Macedonia, by share of ethnic minorities (Hungarian minority / Albanian minority): effective number of vote-winning parties**, vote shares** of main minority parties and of independent candidates or non-partisan local groups.

Mean estimate (lines) and 95%-confidence interval (shadowed area, based on robust standard errors). Result of regression models based on aggregated data (models see appendix B) for some 2900 municipalities in Romania and Slovakia, and for 84 municipalities in Macedonia. Statistic controls introduced for the population size of municipalities (logarithm); reported results are for municipalities with 10.000 inhabitants (which is close to the mean).


... continued on next page
Contestation in multi-level party systems with institutional constraints (Daniel Bochsler)
5 Conclusions
In multi-layered systems of governance, political parties are linked across different levels, and elections at different levels of government are tied to each other. Interestingly enough, the growing literature so far mostly addresses the electoral behaviour of voters and the organisation of parties across elections, whereas studies of institutional effects remain rare.

This paper puts an accent on institutional spill-over effects across levels of elections, and on the consequences of institutional spill-over for political choice in local elections. As parties try to win political offices in all relevant elections at all levels, party systems are shaped by institutions at different levels, so that national institutions will affect electoral competition not only in national elections, but also in regional and local elections, and vice-versa.

This view, however, conflicts with a contrary expectation that all relevant elections, if they are free and fair, are contested, so that we expect at least a minimal degree of electoral competition in elections at all levels. If our central argument is correct that parties can survive if they are successful in winning seats in elections at all levels of government – if national institutions are restrictive, and if the basis of party support is territorially concentrated, then we would expect to find single-party dominance in areas where a political minority lives. This however, would be in contrast to the contestation view.

Our empirical analysis finds confirmation for both views, and shows how the dilemma is resolved. To study the multi-level effect of institutional constraints, we look at local party competition in four post-communist democracies with sizeable ethnic minorities; Romania, Slovakia (Hungarian minorities), Moldova (Eastern Slavs and Gagauz minority) and Macedonia (Albanian minority). Both Romania and Slovakia have institutions that restrict minority representation to a single political party, in Moldova these institutions are strong enough to fully exclude representation for the parties of the Gagauz minority, but not so for Eastern Slavs, whereas Macedonia has permissive institutions allowing for a plurality of Albanian minority parties.

We find on the one hand, that restrictive institutions in Romania do not only limit party competition at the national level, but also limit competition in local elections, especially in areas where the Hungarian minority lives. As Hungarian representation is limited to a single party, contestation in elections is not evident in many Hungarian-majority municipalities. While a similar effect exists in Macedonia and in Moldova, it is considerably weaker, and in the Gagauz autonomous region in Moldova, party competition is replaced by strong independent candidates and non-partisan local groups.

We also argue, more generally, that non-partisan candidates and groups resolve the conflict between institutions and the logic of contestation. Very few studies have dealt with reasons why
non-partisan candidates or local non-partisan groups emerge in elections (such as Moser 1999; Zollinger and Bochsler 2011). We argue that non-partisan candidates try to fill the political vacuum that emerges at the local and regional level, if party competition is so restricted through national institutions that elections are not contested. Concerning ethnic minorities, this is particularly the case in minority-majority areas, where as the area is almost homogeneously composed of the ethnic minority – the single minority party is unchallenged, while the national institutions do not allow for intra-ethnic competition (cf. Bochsler 2007). This is particularly visible in local elections in Hungarian-settled areas in Romania and in Slovakia. In line with our expectations, the same is not the case in Albanian municipalities in Macedonia, as the national institutions there allow a plurality of Albanian parties, so that political diversity is guaranteed even in ethnic Albanian municipalities.

Our results give also some evidence that the effects hold regardless of the electoral system that is applied for local elections. The plurality vote system in multi-seat constituencies in Slovakia substantially reduces political plurality and leads to more non-contested elections compared to the other cases, but the key findings are consistent with the other countries, where PR systems apply in local elections. Under restrictive national institutions there is less competition in minority areas. Non-partisans attempt to fill this vacuum in order to enable contestation, especially in areas where the minority is a clear majority.

It is debateable whether non-partisan candidates are a viable alternative to political parties in contexts where political institutions restrict the emergence of parties representing diversity within minority groups. Independent, non-partisan candidates and groups are not institutionally linked to the national political power, and because elections and re-elections are solely based on trust in individual persons, rather than in stable organisations (parties), this might also have negative consequences for key concepts such as electoral accountability.

This paper might not only offer a first explorative insight into the logic of contestation in multi-layered systems of elections, but will hopefully also inspire further research which might help to generalise our results further, using for instance data from other contexts, looking at other (non-ethnic) types of territorial conflicts, at countries in other regions, or at cases (similar to Gagauzia) where despite a territorial conflict no specific (ethno-)regional party have emerged (Bogaards et al. 2010; Moroff 2010).16

16 Zollinger and Bochsler (2011) have reported that if parties of ethnic minorities are suppressed, independent candidates are an important means of ethnic minorities to get represented in politics.
References


Bochsler, Daniel. 2007. Local politics and intra-ethnic party competition: Multi-party systems among ethnic minorities in Central and Eastern Europe. Paper read at 4th ECPR General Conference, 6-8 September, at Pisa.


Contestation in multi-level party systems with institutional constraints (Daniel Bochsler)


Appendix A: Goodman regression models for aggregated data

Our empirical tests investigate two types of effects:

1. Does the presence of a social group affect electoral outcomes? This can be either a group-specific effect (members of this social group behave differently than members of other groups), which would result in a linear function of the population share of the specific social group $p_{\text{min}}$ (assuming equal turnout). Or, it might be a context effect (at the presence of a specific group, all citizens behave differently – regardless whether they belong to the specific group or not). Assuming that the context effect is linear, it can only be distinguished from the group-specific effect using individual-level data (King et al. 2004). For this paper, the difference between these two effects is negligible as it is interested in the political consequences of territorial cleavages, rather in individual-level explanations of cleavages.

$$y = \beta_1 \cdot p_{\text{min}} + \beta_2 \cdot \text{controls} + \varepsilon$$

2. Does the concentrated presence of a social group affect electoral outcomes? This might be the case if there is a context-specific group effect. Hence, voters of a certain social group behave differently in a specific social context. In this case, do we find different effects of a social group if members of this group live concentrated. As $p_{\text{min}}$ is the population share of the social group, and $c$ is the context, this would result in the interaction term $c \cdot p_{\text{min}}$. However, we have defined that the context is the presence of the social group, so $c = p_{\text{min}}$, and the function results to be quadratic (cf. Grofman and Handley 1995).

We expect that if minority parties are restricted, minorities are doing better in ethnically homogeneous districts (hypothesis 1). In mixed-ethnic districts, minorities are represented (far) below their actual population share, whereas in homogeneous districts, minorities are represented (almost) according to their share of the population. This leads to a quadratic equation that explains the seat share of the minority in the PR elections – where they solely compete within the mainstream parties,

- depending on their share of the population $p_{\text{min}}$ (the higher the share of the minority in the population, the higher their expected vote share and seat share);
- and depending on their squared share of the population $p_{\text{min}}^2$ (the higher the share of the minority in the population, the better their representation).

Further, we hypothesised that competition between mainstream parties helps minorities to increase their representation within the mainstream parties in the PR elections (hypothesis 2). We operationalise electoral competition in the PR part as the fractionalisation of the seat share in
parliament \( \text{comp} \),\(^{17}\) and we test whether higher competition helps the ethnic minorities to win a higher share of the seats on the UNM lists.\(^{18}\) We include competition in an interaction effect \( \text{comp} \cdot p_{\text{min}} \), since we expect that competition increases minority representation in those municipalities where the minority is present.\(^{19}\) As minorities mainly live in rural municipalities, we control for differences between urban and rural municipalities.

\[ y = \beta_1 \cdot p_{\text{min}} + \beta_2 \cdot p_{\text{min}}^2 + \beta_3 \cdot \text{comp} \cdot p_{\text{min}} + \beta_4 \cdot \text{comp} + \beta_5 \cdot \text{controls} + \varepsilon \]

Calculation with Goodman regressions, including a quadratic term for the minority share (cf. Grofman and Handley 1995), weighted by number of inhabitants per municipality.

\(^{17}\) Due to data availability, our index instead of votes relies on seats, which given the PR electoral system should not widely deviate. Also, we count the overall number of seats won by opposition parties (which, given the low seat percentage of the opposition, only leads to a minor bias). 1 indicates maximal possible competition. Empirically, the index varies from 0 (all 10 seats held by UNM, measured in nine municipalities) to 0.96 (6 seats held by UNM, 4 by the opposition, in the municipality of Dusheti).

\(^{18}\) This avoids concerns about endogeneity. If employing the share of elected PR candidates from all lists as dependent variable, then any positive effect would reflect an inverse causality (in municipalities where the opposition runs with ethnic minority candidates, minorities vote for the opposition, and hence increase both the index of competition and the representation of minorities in the PR tier).

\(^{19}\) In models with interaction effects, one should also to test for the simple effect of competition, in order to be certain that competition affects minority representation in interaction with the structure of the population. (Braumoeller 2004)
Appendix B: Regression models

a) Seemingly unrelated regressions (Goodman regressions with quadratic terms)
Dependent variables: vote shares for minority parties and for non-partisan (independent) candidates

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| N       | 893 |      | 893 |      | 893   |      |
| R²      | 0.206| 0.466| 0.431|      |       |      |
| \( \chi^2 \)| 231.87| 779.60| 676.02|      |       |      |

Note, Moldova: Type of municipalities. 1 (reference) urban; 2 urban with included villages; 3 rural.
b) OLS regressions; dependent variable: effective number of vote-winning parties

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Moldova, 2007, local assemblies

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Note, Slovakia: Population not available. Moldova: Type of municipalities. 1 (reference) urban; 2 urban with included villages; 3 rural.