

Compulsory Voting and Corruption in Latin America

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Abstract

Among modern democracies, compulsory voting (CV) is institutionalized most prevalently in Latin America. Latin American politics have a long, turbulent history, and governments in the region have some of the highest rates of political corruption in the world among democracies, especially electoral fraud. This study investigates the connection between these two phenomena. Secondary empirical quantitative and qualitative research of political and cultural behavior are analyzed according to a rational choice theory decision paradigm. Demographic, experimental, and theoretical data regarding the effects of CV laws are considered in light of possible incentives and disincentives for engaging in vote-buying. This study inductively argues that compulsory voting increases the prevalence of vote-buying in Latin American democracies due to the existence of regional clientelist networks that target poor and weakly opposed voters, the demographics among whom turnout is most increased when voting is made compulsory. These findings bear on the future of democratic practices and institutions in the West for the twenty-first century.

Compulsory Voting and Corruption in Latin America

The question of which members of a society ought to make authoritative decisions for the whole is as old as philosophy itself. Jurisdiction and political participation have always been issues of authority, legitimacy, practicality, and justice. Each consensus amidst the enduring debate gives rise to its own consequent governmental, societal, and economic manifestations. As successive waves of democracy have washed over the globe in the last two centuries, so have universal suffrage and stronger forms of direct democracy. A substantial component in this development is the adoption of mandatory political participation through the institutionalization of compulsory voting, most prevalently in Latin American democracies during the twentieth century.

Latin American politics have a long, turbulent history, and democracies in the region have some of the highest rates of political corruption in the world, especially electoral fraud. While there has been significant political science research devoted to both voting systems and corruption, research relative to correlating these two phenomena is scarce and insufficient. The string of new data that contradicts the prevailing opinion regarding the benefits of CV laws renders this research even more necessary for this emerging field of political science. In light of recent debates and countervailing laws regarding voter access in the U.S. as well as populist trends in Western democracies as a whole, an exploration of the interplay between decentralization, enforced political participation, and democratic ideals is highly relevant and may bring much understanding to the development of political systems in the twenty-first century. Drawing on existing empirical and qualitative research, this paper attempts to explore if and how institutions of sanctioned compulsory voting increase the frequency of electoral fraud, specifically in the form of vote-buying in Latin American democracies.

Compulsory Voting

Historically, compulsory voting (CV) laws have been adopted for a variety of reasons. In Latin America, many were passed along with packages of sweeping democratic reforms in response to the widespread perception of corruption and political illegitimacy. Additionally, the institutionalization of CV in Latin America seems to be the result of a tradition of formalizing democratic ideals.¹ There arose renewed interest in studying the institution of compulsory voting at the beginning of the twenty-first century. In 2015, U.S. President Barack Obama expressed support for a national CV law in the United States to counteract the influence of money in politics.² More recently, the abandonment of compulsory voting in Chile, multiple U.S. State laws either restricting or expanding voter access, and a general rise in nationalism across the globe have led to reassessments of many long-standing political practices.

Among modern-day democracies, those that enforce compulsory voting are predominantly found in the Western Hemisphere. In these nations, legal retribution for failing to provide verification of having voted in recent elections ranges from monetary fines to imprisonment and infringement upon citizens' civil rights.³ In Peru, citizens are required to vote in every election or face a fine. For the 2021 Peruvian General Elections, the Peruvian National Office of Electoral Processes (ONPE) announced the fines for failing to vote: 88 soles (\$22.72) for those living in non-poor areas, 44 soles (\$11.36) for those living in areas that are not

¹ Sarah Birch, *Full Participation: A Comparative Study of Compulsory Voting* (Manchester: Manchester University Press, 2009), 27, ProQuest Ebook Central.

² Jesse Byrnes, "President Obama Floats Mandatory Voting," TheHill, last modified March 19, 2015, <https://thehill.com/blogs/blog-briefing-room/news/236255-president-obama-floats-mandatory-voting>. President Obama intimated a version of the leveling argument, implying that a compulsory voting law would increase representation among lower-income, minority, and young voters.

³ "Compulsory Voting," International IDEA, <https://www.idea.int/data-tools/data/voter-turnout/compulsory-voting>.

extremely poor, and 22 soles (\$5.68) for those living in extremely poor areas.⁴ Unpaid fines are electronically tracked in conjunction with Peru's lauded electronic personal identity system. The National Document for Identification (DNI) is the only identification with which citizens can vote. Citizens' voting record is recorded and tracked via the DNI system, often through the use of a sticker to indicate participation in the most recent election.⁵ If there are any unpaid fines on a citizen's record or if they do not have a sticker,

Restricted services include registering a birth or marriage, doing any transaction at public or private banks, benefiting from the social security system or getting official documents from the registrar. The restrictions also extend to accepting a job in the public sector, taking part in any judicial or administrative process, signing a contract, or obtaining a passport or a driver's license, among others.⁶

In Argentina, citizens who do not vote and who do not submit a justification for are fined 50 pesos which can accumulate up to 500 pesos, and failure to pay the fine results in the inability to carry out civil procedures or access civil rights.⁷ Similar situations exist in Brazil, Bolivia, and Uruguay. The common sanction of fines tied to restrictions on access to public goods and state services is occasionally coupled with the loss of voting rights or other, stricter measures.⁸

⁴ "Elecciones Generales 2021," *ONPE*, accessed April 5, 2022, <https://www.onpe.gob.pe/modElecciones/elecciones/2021/EEGG/>. Soles to dollars conversion calculated from the average 2021 exchange rate according to "Peruvian Nuevo Sol to US Dollar Spot Exchange Rates for 2021," *Exchange Rates*, accessed April 5, 2022, <https://www.exchangerates.org.uk/PEN-USD-spot-exchange-rates-history-2021.html>.

⁵ Mariella Gonzales, Gianmarco León-Ciliotta, and Luis R. Martinez, *How Effective Are Monetary Incentives to Vote? Evidence From a Nationwide Policy*, SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, October 29, 2019), 9-10, <https://papers.ssrn.com/abstract=3304894>.

⁶ *Ibid.*, 9.

⁷ Micaela Cannataro, "Cuánto se paga de multa por no votar y cómo justificarlo," *Diario AS*, last modified October 26, 2019, https://argentina.as.com/argentina/2019/10/26/tikitakas/1572083703_938174.html.

⁸ "Compulsory Voting," International IDEA.

Table 1. *Compulsory Voting in Latin America*

Country	Year Introduced	Sanctioned?
Argentina	1912	Yes
Bolivia	1952*	Yes
Brazil	1932	Yes
<i>Chile</i>	<i>Practiced from 1925-2012</i>	<i>Yes</i>
Costa Rica	1959	No
<i>Dominican Republic</i>	<i>Practiced until 2010</i>	<i>No</i>
Ecuador	1947 for men, 1968 for both sexes	Yes
<i>Guatemala</i>	<i>Practiced until 2010</i>	<i>No</i>
Honduras	N/A	No
Mexico	1857	No
Panama	N/A	No
Paraguay	N/A	No
Peru	1933	Yes
Uruguay	1934 (Not practiced until 1970)	Yes
<i>Venezuela</i>	<i>Practiced from 1958-1993</i>	<i>No</i>

Source: adapted from “Compulsory Voting,” International IDEA, <https://www.idea.int/data-tools/data/voter-turnout/compulsory-voting>.

Theoretically, in Chile prior to the 2012 reforms, nonvoters could be imprisoned as a sanction, but the author is unaware of any documented cases.⁹

While some view mandatory voting and universal enfranchisement as a necessary step to diffuse power from political elites and private interests, these laws may undermine the very national ideals, democratic institutions, and egalitarian philosophies that they are intended to promote. Arend Lijphart, in his renowned 1997 Presidential Address to the American Political Science Association, argues that the benefits of compulsory voting laws far outweigh their consequences.¹⁰ According to Lijphart, unequal participation means systemic class bias in political influence: “low voter turnout means unequal and socioeconomically biased turnout.”¹¹ Coming from the position that low voter turnout results in undemocratic representation, Lijphart contends that implementing compulsory voting laws would greatly increase voter turnout, which would, in turn, increase political equality. However, Lijphart too hastily equates turnout with a true representation of the public’s interests, and since 1997 multiple studies have emerged detailing challenges to the democratic and progressive effects of compulsory voting laws. In her book *Full Participation* (2009), Sarah Birch undertakes a comprehensive review of both the normative and empirical academic literature published on CV before 2009. Of twenty-two measured variables, Birch finds that mandatory electoral participation has no significant effect or

⁹ Ibid.

¹⁰ Arend Lijphart, “Unequal Participation: Democracy’s Unresolved Dilemma,” *The American Political Science Review* 91, no. 1 (1997): 1-14.

¹¹ Ibid., 2.

unclear effects on fourteen, including political knowledge and quality of representation.¹² Birch also finds that CV had a statistically significant positive (desirable) effect on six variables and a negative effect on two variables, though all of her findings are limited by data availability, and “the bulk of the statistical analyses reported in [her] volume are cross-sectional in nature, and it is well-known that variations across states do not necessarily reflect the likely impact of an institution in a given polity.”¹³ Annabelle Lever likewise claims that “the evidence suggests that compulsory voting does nothing other than raise turnout.”¹⁴

Others have found evidence that compulsory voting may do more harm than good. In Brazil, Gabriel Cepaluni and F. Daniel Hidalgo found that nonmonetary sanctions for noncompliance with mandatory voting laws were found to increase voter turnout at a higher rate among the higher educated than among the lower educated.¹⁵ As previously discussed, nonmonetary sanctions often include access to state services, such as applying for a passport or taking a civil service exam. According to survey of Brazilian voters, voters who had at least a university-level education used on average almost twice as many state services that voters with

¹² Birch, *Full Participation*, 140. The thirteen variables in which no significant effect was found are as follows: political knowledge, political conversation and persuasion, propensity to contact politicians, propensity to work with others to address concerns, party identification, propensity to participate in campaign activities, likelihood of being contacted by a party of politician, quality of representation, electoral integrity, female representation, support for small parties, support for the left, and support for the right. The effect on the proportion of non-random votes cast was unclear.

¹³ *Ibid.*, 140.

¹⁴ Lever, *Compulsory Voting*, 905.

¹⁵ Gabriel Cepaluni, and F. Daniel Hidalgo, “Compulsory Voting Can Increase Political Inequality: Evidence from Brazil,” *Political Analysis* 24, no. 2 (2016): 273-80.

only a secondary-level education, and over three times as many as those with only a primary-level education.¹⁶ Cepulani and Daniel Hidalgo explain their findings by arguing that,

the cost to abstaining poor voters of being denied to state services is small when sanctioned state services are rarely used by low income voters, especially when the fine is low. For wealthier voters, lack of access to services generates incentives to comply even when the monetary sanction is trivial.¹⁷

At least in Brazil, these state services are disproportionately used by upper and middle-class voters that live in urban areas compared to lower-class and indigenous voters—those for whom compulsory voting laws are intended to increase representation. Keith Jakee and Guang-Zhen Sun find that compulsory voting may not result in a more accurate representation of community preferences and that the resulting increase in the number of random votes may lead to the election of the less popular candidate.¹⁸ The empirical research since Lijphart’s speech have cast doubt on the usefulness of compulsory voting, though the field has by no means arrived at a consensus. Moreover, normative arguments for and against the institution abound.¹⁹ It is clear that mandatory electoral participation is not as straightforward as once thought.²⁰ The current state of research leaves any aspect of the institution open to scrutiny.

¹⁶ Ibid., 274-275.

¹⁷ Ibid., 274.

¹⁸ Keith Jakee and Guang-Zhen Sun, “Is Compulsory Voting More Democratic?” *Public Choice* 129, no. 1/2 (2006): 61-75.

¹⁹ Annabelle Lever, “Compulsory Voting: A Critical Perspective,” *British Journal of Political Science* 40, no. 4 (2010): 897-915; Annabelle Lever and Alexandru Volacu, “Should Voting Be Compulsory? Democracy and the Ethics of Voting,” in *The Routledge Handbook of Ethics and Public Policy* (London, 2018), 242–254, <https://doi.org/10.4324/9781315461731>; Jason Brennan and Lisa Hill, *Compulsory Voting: For and Against* (Cambridge: Cambridge University Press, 2014), <https://www.cambridge.org/core/books/compulsory-voting/0F1DF41F6862A908BBC2B57C22D0E28C>; Lachlan M. Umbers, “Compulsory Voting: A Defence,” *British Journal of Political Science* 50, no. 4 (October 2020): 1307–1324.

²⁰ “It is the great merit of arguments for compulsory voting that they force us to confront the complexities and peculiarities of democratic politics. They do so, however, by appealing to our desire for simplicity. But

Corruption in Latin America

The political history of Latin America is nothing short of tumultuous. The region's colonial history, social striation, recurrent revolutions, coups, juntas, thermidors, lack of public accountability, and general deficiency (whether due to will or capacity) in enforcing the laws have led to an almost constant state of political instability. Some states, such as Chile and Argentina, emerged from the twentieth century more politically and economically secure than others. In the twenty-first century, some Latin American governments have passed decentralization reforms aimed at mitigating corruption and countering historical legacies of authoritarianism with varying degrees of success.²¹ Nevertheless, widespread corruption has come to dominate the ethos of politics in Latin America at all levels of government and continues to threaten the political stability of the region as public dissatisfaction grows in response to state officials' evasion of the rule of law.

While not unique to Latin America, electoral fraud has been a well-observed phenomenon from the earliest days of democratic governance in the region. Many forms of electoral fraud, including electoral manipulation and vote-buying, are significantly present. In a 2019 study by Transparency International, one in four people are offered some form of a bribe in exchange for votes.²² Vote-buying and clientelist relationships that provide incentives for political support are widely believed to be prominent, but a large gap exists between the forecast

democracy is not simple. The idea that it is, or should be, is mistaken, and we have seen that it is a poor guide to democratic ethics and politics." Lever, "Compulsory Voting: A Critical Perspective," 915.

²¹ Stephanie L. McNulty and Gustavo Guerra Garcia, "Politics and Promises: Exploring Fifteen Years of Peru's Participatory Decentralization Reform," *Public Organization Review* 19, no. 1 (March 2019): 45–64.

²² Coralie Pring and Jon Vrushi, *Global Corruption Barometer, Latin America & the Caribbean 2019 – Citizens' Views and Experiences of Corruption* (Berlin, Germany: Transparency International, 2019), 24.

of their prevalence in qualitative studies and instances of their occurrence in those that are quantitative.

Measuring corruption is inherently more difficult than most crimes due to ambiguous definitions of what constitutes corrupt behaviors, its clandestine nature, the relative lack of evidence-trails, and its largely indirect consequences.²³ The reliance on personal response surveys and perception indices for data regarding corruption in general and vote-buying in particular, renders analysis subject to many limitations, especially response bias. Social desirability bias—the tendency to not admit to doing something that has some degree of social stigma or legal consequences—has been found to influence respondents’ answers to survey questions.²⁴ Since the effects of social desirability bias were even observed in nations where vote-buying and clientelist relationships have been long established, such as Nicaragua, the actual extent of clientelism and vote-buying may be greatly underreported. Furthermore, perceptions of corruption can be greatly altered by factors other than the actual amount of corruption occurring. Not only are the most successful instances of corrupt behavior the most undetected, but political agents also have many ways of serving their interests by increasing the perceived legitimacy of an administration.²⁵ One study from the U4 Anti-Corruption Resource Centre evaluated the credibility and reliability of ten of the most widely cited claims about

²³ Graham Brooks et al., “Measuring Corruption,” in *Preventing Corruption: Investigation, Enforcement and Governance*, Crime Prevention and Security Management (London: Palgrave Macmillan UK, 2013), 27, https://doi.org/10.1057/9781137023865_3.

²⁴ Ezequiel Gonzalez-Ocantos, Chad Kiewiet De Jonge, Carlos Meléndez, Javier Osorio, and David W. Nickerson, “Vote Buying and Social Desirability Bias: Experimental Evidence from Nicaragua,” *American Journal of Political Science* 56, no. 1 (2012): 202-17.

²⁵ Anita Breuer, “The Problematic Relation between Direct Democracy and Accountability in Latin America: Evidence from the Bolivian Case,” *Bulletin of Latin American Research* 27, no. 1 (2008): 1–23.

corruption statistics. The authors found that none could be considered credible.²⁶ Corruption indices are hardly sufficient *on their own* to make any broad, extrapolated claims.

Nevertheless, corruption indices are still useful, especially over time as they evidence relative change, but they may be significantly inaccurate as to absolute amount of corruption occurring. Though currently they are probably the best tool available, extrapolating broad claims from their data merits caution and speculation. Though corruption indices are by no means authoritative, the most credible analysis of societal corruption will utilize both quantitative and qualitative data to provide the most coherent and believable findings. Due to these limitations, this paper attempts to logically synthesize the empirical data regarding compulsory voting, turnout, and vote-buying with the qualitative research including political culture, psychology, and philosophy via inductive argumentation.

Effect of Compulsory Voting on Vote-buying: A Social Model

As discussed, a purely quantitative model of corruption cannot justify any significant conclusions regarding political culture. Any political theory that deals with human action will have to draw from political psychology and philosophy. The aforementioned limitations and lack of data collections, the weaknesses of applying cross-sectional results across different political cultures, and the vast changes warrant inductive and abductive reasoning to reach the most coherent explanation of the data.

²⁶ Cecilie Wathne and Matthew C. Stephenson, "The Credibility of Corruption Statistics," *U4 Anti-Corruption Resource Centre*, last modified April 19, 2021, <https://www.u4.no/publications/the-credibility-of-corruption-statistics#accuracy-matters>.

Increased Turnout

There is much disagreement about the effects and ethics of compulsory voting, but scholars almost universally agree that sanctioned CV increases turnout. Birch's longitudinal and cross-sectional analyses of available data from around the world "estimate that the introduction and the abolition of compulsory voting were each 'worth' a turnout differential of approximately" 13% and 12% respectively.²⁷ In Latin America specifically, the impact is even greater. Studies have consistently shown that Latin American countries with enforced compulsory voting have significantly higher turnout than those with voluntary voting on average across presidential and legislative elections.²⁸ Figure 1, shown below on page 16, shows one estimate of the difference in average voter turnout in Latin American countries in 2014 according to data drawn from AmericasBarometer by LAPOP and IDEA International. While there was no statistically significant difference between turnout in countries with voluntary voting systems and those with unsanctioned mandatory institutions, countries with enforced compulsory voting had around 20% higher turnout than either in 2014. This figure is notably close to Fornos et. al.'s estimate of an 18% average increase across a much longer period, 1980-2000.

Investigations of other variables' influence on turnout in Latin America consistently show that the strength of any relationship is severely dampened by the presence of compulsory

²⁷ Birch, *Full Participation*, 96.

²⁸ Carolina A. Fornos, Timothy J. Power, and James C. Garand, "Explaining Voter Turnout in Latin America, 1980 to 2000," *Comparative Political Studies* 37, no. 8 (October 1, 2004): 926, 932; Arturo Maldonado, "The Origins and Consequences of Compulsory Voting in Latin America" (Ph.D. diss., Vanderbilt University, 2015), 79.

voting laws.²⁹ The base turnout rate is already so high in countries with CV that factors that have a strong effect on turnout in voluntary voting elections make little to no difference in CV systems. These indirect findings testify to the paramount consideration institutional factors merit when researching the political environment of Latin America.

As seen in Table 1 above, the adoption of CV laws in most Latin American nations occurred during the first half of the twentieth century, pre-dating most of the earliest data collected for democratic and electoral indices and within the context of a greatly limited franchise. Longitudinal studies about the effects of implementing compulsory voting laws have largely been limited to data from nations with long-standing democratic histories, particularly Australia, the Netherlands, and Belgium.³⁰ When Chile abandoned the practice in 2012, it provided a historic chance to observe the effects sanctioned CV had and to what degree a nation with a long-standing history of effective CV would be affected by its formal abolishment; the results were unsurprising. After making voting voluntary, Chile saw its turnout rate cut almost in half, from around 87% to under 50%.³¹ If anything in the existing literature is clear, it is that sanctioned compulsory voting increases turnout.

²⁹ Miguel Carreras and Yasemin İrepoğlu, “Trust in Elections, Vote Buying, and Turnout in Latin America,” *Special Symposium: The new research agenda on electoral integrity* 32, no. 4 (December 1, 2013): 617; Agustina Haime, “What Explains Voter Turnout in Latin America? A Test of the Effect of Citizens’ Attitudes and Perceptions,” *Revista de ciencia política (Santiago)* 37 (2017): 79, 85.

³⁰ For further discussion on the limitations of longitudinal analysis regarding CV, see Birch, *Full Participation*, 80.

³¹ “Chile,” International IDEA, <https://www.idea.int/data-tools/country-view/79/40>.

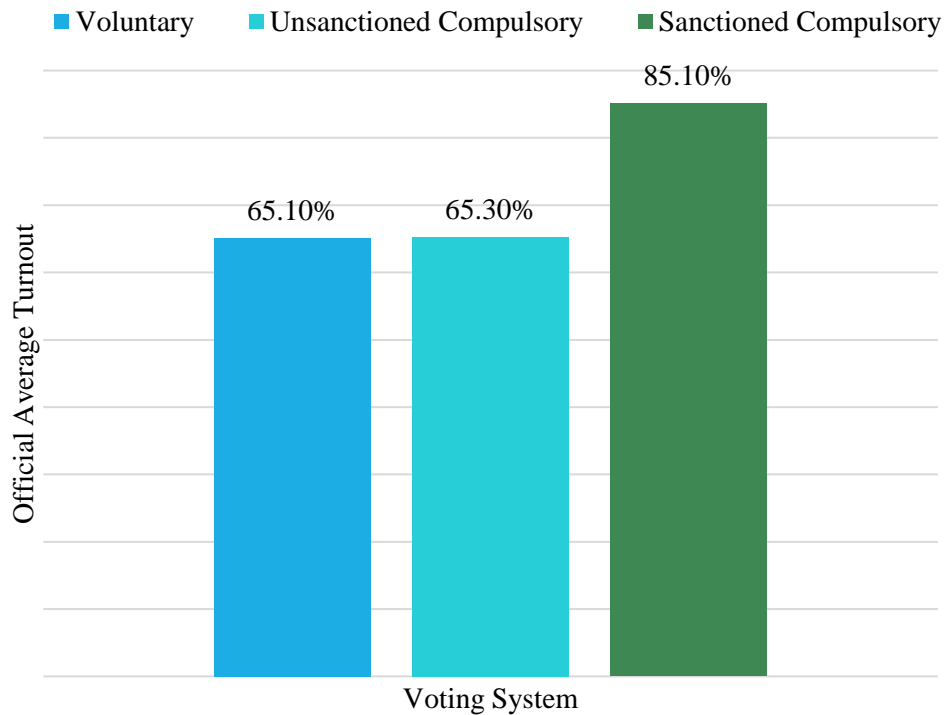


Figure 1. Average Voter Turnout in Latin American Countries, 2014

Source: adapted from Arturo Maldonado, “The Origins and Consequences of Compulsory Voting in Latin America” (Ph.D. diss., Vanderbilt University, 2015).

Demographics of Turnout

While getting more voters to the polls is often discussed in scholarly democracy studies, concern with who those voters are is less pronounced. Other than party affiliation and socio-economic status, few studies cross-reference the change in voter demographics that takes place due to increased turnout with the effects of compulsory voting laws. It seems that a good portion of political scientists today think that higher turnout is a good to be sought for its own sake. As Birch writes, “there is a general consensus among contemporary politicians and political scientists alike that low rates of participation are unhealthy for a modern democracy.”³²

³² Birch, *Full Participation*, 79.

However, using legal force to coerce someone to act in a manner that is otherwise against their will usually results in unforeseen consequences.

Jason Brennan is one of the most prominent contemporary Western critics of democracy. In his book *Against Democracy*, he attacks the virtue of widespread political participation. Brennan argues that voting is an act of governance and authority over other people, and that the ideal voter is informed, perfectly rational, and prioritizes the long-run general welfare of the society over his or her own short-term self-interest.³³ No one perfectly fits this description, but according to Brennan, the vast majority of people do not even come close. Brennan provides a plethora of statistics and data that evidence how politically ignorant the average U.S. citizen is, but his assessment is applicable beyond the United States.³⁴ Brennan finds that most citizens have a rational ignorance of political information since acquiring it-always carries an opportunity cost. It is rarely in the self-interest of the average voter to prioritize reading up on politics over the multitude of other ways his or her time could be used.³⁵

However, Brennan points out that “people who choose not to vote tend to know less than people who choose to vote,” though those who vote regularly consume political information in highly biased ways.³⁶ Personal volition is extremely relevant given the impact of compulsory voting. According to Brennan, “Being interested in politics has a stronger effect on basic political knowledge than having a master’s degree.”³⁷ Data from the Pew Research Center (PRC)

³³ Jason Brennan, *Against Democracy* (Princeton, NJ: Princeton University Press, 2017), 5.

³⁴ *Ibid.*, 25-27.

³⁵ *Ibid.*, 30.

³⁶ *Ibid.*, 25.

³⁷ *Ibid.*, 36.

undergirds and supports Brennan's claims. In 2012, the PRC reported that, "Nonvoters are younger, less educated and less affluent than are likely voters."³⁸ In 2006, a survey from the PRC found that people who vote regularly were 46% more likely than people who are not registered to vote to say they were interested in local politics, 49% more likely to view voting as a civic duty, 24% less likely to claim they know little about candidates, and 18% less likely to say they are bored by what goes on in DC.³⁹ Summarizing the cumulative results of their 2012 News IQ Quiz, the PRC reports,

Non-voters struggle with many of the campaign and other political knowledge questions. On average, people who are not registered to vote answer 4.9 out of 12 questions correctly compared with 7.2 among voters. Just 22% of non-voters know that Republicans control the House of Representatives and only 23% know that John Roberts is the Chief Justice of the U.S. On all twelve questions asked, voters are significantly more likely than non-voters to answer correctly.⁴⁰

Overall, a major takeaway from Brennan's work is that those who choose to abstain from voting in voluntary systems tend to be less interested in politics, less committed to one political party, and less politically informed than their voting counterparts. This logical assumption has been the basis for many theoretical models of vote-buying mechanics.

It is commonly accepted that inequality gaps in socioeconomic status—particularly in education and income—are reflected in voter turnout.⁴¹ The correlation between education and

³⁸ "Nonvoters: Who They Are, What They Think," *Pew Research Center*, last modified November 1, 2012, <https://www.pewresearch.org/politics/2012/11/01/nonvoters-who-they-are-what-they-think/>. All surveys by the Pew Research Center referenced in this paper were conducted among the population of the United States.

³⁹ "Who Votes, Who Doesn't, and Why," *Pew Research Center*, last modified October 18, 2006, <https://www.pewresearch.org/politics/2006/10/18/who-votes-who-doesnt-and-why/>.

⁴⁰ "What Voters Know about Campaign 2012," *Pew Research Center*, last modified August 10, 2012, <https://www.pewresearch.org/politics/2012/08/10/what-voters-know-about-campaign-2012/>.

⁴¹ John Bartle, Sarah Birch, and Mariana Skirmuntt, "The Local Roots of the Participation Gap: Inequality and Voter Turnout," *Electoral Studies* 48 (August 1, 2017): 30–44.

turnout is widely accepted. The PRC reported in 2012 that 55% of nonvoters have only a high-school level education or lower compared to 32% of likely voters and only 13% of nonvoters are college graduates opposed to 38% of likely voters.⁴² In their study of Latin American turnout demographics, Yanilda González and Steven A. Snell found that in countries with voluntary voting, the most educated are 24% more likely to vote than the least educated; in countries with unsanctioned compulsory voting, 16%; and in countries with sanctioned compulsory voting, 7%.⁴³ The income gap, too, is well-documented in the U.S. According to a survey by the PRC in 2010, “43% of nonvoters have family incomes under \$30,000, compared with just 19% among likely voters.”⁴⁴ 30% of nonvoters had family incomes in the \$30,000-\$74,999 range, and only 13% had family incomes over \$75,000, compared to 35% and 32% of likely voters, respectively. Furthermore, data provided by the U.S. Census Bureau shows a clear positive association between family income and percentage of voter turnout.⁴⁵ However, there is less agreement about any statistically significant correlation of wealth and turnout in Latin America. This is likely due to the prevalence of CV laws and their dampening effect of any other variable on turnout, as previously mentioned and further supported by González and Snell’s findings.⁴⁶ The

⁴² “Nonvoters: Who They Are, What They Think,” *Pew Research Center*.

⁴³ Yanilda González and Steven A. Snell, “¿Quién Vota? Compulsory Voting and the Persistence of Class Bias in Latin America,” (working paper, Harvard Kennedy School, 2015), 21, https://scholar.harvard.edu/files/yanilda/files/gonzalezsnell_quien_vota.pdf.

⁴⁴ Tom Rosentiel, “The Party of Nonvoters,” *Pew Research Center*, last modified October 29, 2010, <https://www.pewresearch.org/2010/10/29/the-party-of-nonvoters/>.

⁴⁵ Randall Akee, “Voting and Income,” *Econofact*, last modified February 7, 2019, <https://econofact.org/voting-and-income>.

⁴⁶ Carreras and İrepoğlu, “Trust in Elections,” 617; Haime, “What Explains Voter Turnout in Latin America?,” 85; González and Snell, “¿Quién Vota?,” 21.

mediating effect of the institutionalization of CV on turnout inequalities is a major argument for its proponents. Known as the leveling argument, reducing turnout inequalities was the reasoning behind both Lijphart and President Obama's support for CV.

In sum, people of a higher socioeconomic class are more likely to participate in politics than those of a lower socioeconomic class. Taken together, these factors indicate that voters in a voluntary voting system are disproportionately richer, more educated, more politically informed, more interested in politics, and more ideologically committed to a political party than nonvoters. Therefore, since sanctioned compulsory voting increases turnout, it logically follows that the implementation of CV will disproportionately increase voter turnout among these same demographic groups.

Demographic of Vote-buying

With the understanding that sanctioned compulsory voting disproportionately increases turnout among the aforementioned groups, the psychological connection to the propensity to engage in vote-buying becomes much clearer. Most vote-buying models have generally assumed that it is carried out by political machines which intentionally target weakly opposed voters—voters who are the least committed to voting for one party or another. These people require the least incentives to change their minds or secure their votes, thus the cheapest group to purchase votes from. Susan C. Stokes' analysis confirmed this general assumption using data from Argentina, finding that political machines most frequently target people who are the most moderate in their opinions of the parties running for election.⁴⁷

⁴⁷ Susan C. Stokes, "Perverse Accountability: A Formal Model of Machine Politics with Evidence from Argentina," *American Political Science Review* 99, no. 3 (August 2005): 315–325.

Along the same line of reasoning, one would assume that the poor are most likely to be targeted by vote-buyers than the rich. Contemporary research supports this assumption. According to Gonzales-Octanos and Oliveros, “Scholars of clientelism in Latin America and beyond generally agree that poor voters are disproportionately targeted with clientelistic offers.”⁴⁸ In one study, lower-income individuals in urban areas were the most likely to be targeted by political machines in Mexico.⁴⁹ Though there are various reasonings behind this, a common assumption is that people in poverty have greater needs and the relative value of any offered reward is much higher.

The gist of the argument laid out above echoes the sentiment of American political and judicial scholar Henry Julian Abraham, who during the mid-twentieth century wrote:

Which of the following voters would be more likely to accept an ‘honorarium’ for his vote: He who goes [to the polls] of his own free will and choice or he who goes grudgingly, feeling that he is giving time for which he ought to be recompensed? Certainly the latter!⁵⁰

Though Abraham touches mainly on the resistant or resentful aspect of mandatory voting, the general expression of willingness to “make it worth one’s while” is applicable across the data. Political machines are most likely to target weakly opposed and poor voters, the same groups of people among which compulsory voting disproportionately increases turnout. Therefore, the

⁴⁸ Ezequiel Gonzalez-Ocantos and Virginia Oliveros, “Clientelism in Latin American Politics,” *Oxford Research Encyclopedia of Politics* (2019): 9. Here Gonzales-Octanos and Oliveros provide the best overview and summary of clientelism in Latin America to the author’s knowledge.

⁴⁹ Jordan Gans-Morse, Sebastián Mazzuca, and Simeon Nichter, “Who Gets Bought? Vote Buying, Turnout Buying, and Other Strategies,” April 3, 2008, <https://wcfia.harvard.edu/publications/who-gets-bought-vote-buying-turnout-buying-and-other-strategies>.

⁵⁰ Henry J. Abraham, *Compulsory Voting* (Washington, D.C.: Public Affairs Press, 1955), 9, quoted in Sarah Birch, *Full Participation: A Comparative Study of Compulsory Voting* (Manchester: Manchester University Press, 2009), ProQuest Ebook Central.

implementation of mandatory political participation increases turnout most among the groups of people most likely to sell their votes.

Contextualization of the Model

The theoretical, empirically backed model above provides a strong argument for believing that CV increases the frequency of vote-buying. However, it is entirely dependent upon the culture in which it is applied to see if those most likely to sell their votes actually do. *Most likely to sell* does not mean *will sell*. Being the most likely to sell their votes signifies the group of people in an electorate who have the lowest inhibitions to selling their vote, are most willing to sell their vote, or would require the least amount of incentivization to sell their vote. A superlative designation such as this is relative to the disposition of the rest of the electorate; in fact, it is only rendered meaningful in light of the overall level and range of public willingness to engage in vote-buying or selling. Naturally, these cultural conditions will vary greatly between and within nations and regions, but generally, the field of comparative politics has deemed it appropriate to group and compare nations with their regions due to the existence of more similarities than differences in most cases.

There is, of course, no existing, reliable quantitative metric of individual willingness to commit electoral fraud. Even if there were, it would be subject to the same bias limitations of assessing corruption levels discussed above. Therefore, whether those most likely to sell their votes actually *do* depends on a qualitative assessment of human and cultural psychology. While this study adopts a rational choice decision paradigm, it by no means assumes that the

evaluations of decisions are monolithic.⁵¹ There are innumerable factors that influence daily decision-making and alter utility calculation, many of which are incommensurable. In the context of electoral fraud, this means it is not assumed that people will do anything for the right price, as not every action has a corresponding monetary incentive.

Utility Maximization

The theoretically least likely in a society may be in actuality no more likely than anyone else to commit voter fraud due to a thoroughly ingrained moral code or because the consequences of getting caught far outweigh any potential benefit. If for whatever reason, a nation values social order or the rule of law above all else, there may be no aggregation of other incentives that could induce a citizen to break the law. Such strongly held values or principles are herein referred to as one's non-negotiables. Thus, a non-negotiable is a value that is always prioritized in an individual's decision-making to the degree that the utility it affords a choice is incommensurate or insurmountable by that offered by the aggregation of any other combination of values. For the prior example of law-breaking, suppose someone has the opportunity to steal a loaf of bread. If someone has a non-negotiable value of obedience to the law, no valuation of the enjoyment or sustenance the bread may offer could outweigh the commitment to following the law, even if he or she were dying. Indeed, the notion of non-negotiables helps explain the belief that some things are worth dying for. One's moral code is often a non-negotiable, though it not always need be, nor must a non-negotiable be of a moral nature. Such an understanding of

⁵¹ For a thorough introduction to rational choice and exchange theory, see John Scott, "Rational Choice Theory," in *Understanding Contemporary Society: Theories of the Present* (London: SAGE Publications Ltd, 2000), 126–138, <https://sk.sagepub.com/books/understanding-contemporary-society/n9.xml>.

rational choice theory disagrees with some common interpretations of the paradigm, but it is deemed properly expressive and limited for this study.

Accordingly, utility maximization as generally understood in economics posits that each individual always makes what he or she believes to be the optimal decision in any scenario. The term “optimal” is preferred as opposed to words that may carry more moral or objective connotations, such as “best.” The foundational criterion of assessment for which a decision is determined “optimal” is commonly referred to as “self-interest,” the negative connotations of which have led to historical criticism. Indeed, it is probably not the best term; however, it is here understood as signifying the inherent subjectivity of the human mind and will. The individual must be understood as the agent *qua* subject of human action and his or her subjective assessment of the most optimal state of affairs as the object. Accordingly, the course of action that the subject judges will achieve this optimal outcome is the optimal decision. A student may know that it is morally superior to attend class, both absolutely and for his character development, but he may still choose to sleep in if he values his comfort more than either of these. This could be the case whether he genuinely believes his action is morally wrong or not. Likewise, one may become a martyr for a cause, or a mother sacrifice her life for her child, irrespective of whether they believe in an afterlife or a moral law. Thus, self-interest is here rid of moral elements. The optimal decision in any situation is determined by the individual’s values and subjective rational assessment, regardless of how objectively rational his or her value judgments may be. How one’s values are established and prioritized—indeed, whether they could even be rational—is beyond the scope of this paper and irrelevant to its thesis.

In sum, utility maximization as the motivation for human action accounts for the agent’s subjective values, both moral and amoral, including individual non-negotiables. Comparative

and quantified assessments of utility levels are helpful for the economist and political scientist in gaining a better sense of what these values are. In many cases, behavioral models of rational decision-making are justified as assumptions but must be evaluated in light of other data.

Since any value that is not a non-negotiable is, by definition, negotiable, most alternatives can be analyzed along typical rational choice theory trade-off criteria. All that must be shown is that selling one's vote does not confront or infringe upon most Latin Americans' non-negotiables, and a significant amount of the population is willing to buy or sell votes, meaning that the utility threshold to induce action is not generally above the current incentives that selling one's vote offers, for whatever reason. If vote-buying is not a non-negotiable, then it's for sale. If it can be shown that the current price is high enough for a significant number of people, then the model argument of likelihood for participating in vote-buying is applicable to Latin America. Accordingly, there will be good reason to believe that compulsory voting increases vote-buying in Latin America.

The Latin American Situation

Three prominent considerations for determining whether vote-buying represents a reasonable incentive in Latin America are moral/stigmatic reservations, legal repercussions, and opportunity for action. These represent logical barriers to action if the disincentive connected to each outweighs the incentives provided by vote-buying. Due to the lack of quantifiable data, this comparison is addressed qualitatively.

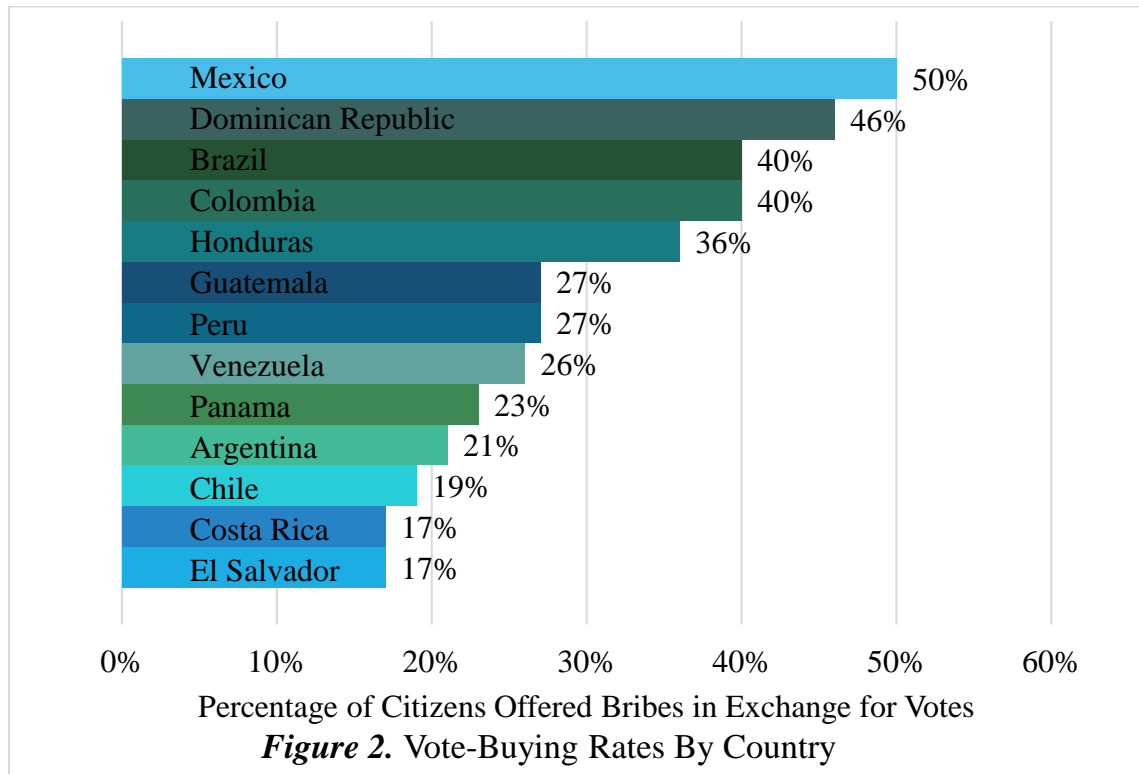
Moral/Stigmatic Reservations

Moral and culturally stigmatic reservations are personal psychological factors that would prohibit someone from engaging in an activity. Despite the limitations of corruption indices, there is no doubt that vote-buying is prominently reported across Latin America. Figure 2 shows

just one metric of the number of offers of bribery in exchange for votes in various countries. Since this data is survey-based, it is subject to social desirability bias and is likely much lower than actual rates, unless there is no social stigma involved. Either way, it undermines the theory that engaging in vote-buying or selling is a cultural or extensive non-negotiable. To the contrary, it appears that vote-buying is probably less stigmatized in Latin America than in most European nations. This would be expected due to the normalization that results from the long-standing and continual persistence of clientelism in the region. Lucy Taylor argues that, since the nineteenth century, in Latin America clientelism has “dominated political relations and that its twin tools of charisma and votes-for-goods allows it to thrive today in the form of neo-populism.”⁵² Taylor’s work explores the substitution of citizenship in the political culture of Latin America with client-ship—the political component of clientelism that is the “location and expression of agency.”⁵³ If this is the case, the threshold for utility incentivization to engage in vote-buying is probably relatively quite low, though the social stigma will still have an effect on the reporting of the activity, as previously discussed regarding social desirability bias.

⁵² Lucy Taylor, “Client-Ship and Citizenship in Latin America,” *Bulletin of Latin American Research* 23, no. 2 (2004): 213.

⁵³ *Ibid.*, 214.



Source: adapted from Coralie Pring and Jon Vrushi, *Global Corruption Barometer, Latin America & the Caribbean 2019 – Citizens' Views and Experiences of Corruption*, Berlin, Germany: Transparency International, 2019.

Legal Repercussions

Criminal behavior has long been analyzed according to renditions of rational choice theory. Nobel Laureate economist Gary Becker famously formalized the modern economic model of crime in his 1968 article, “Crime and Punishment: An Economic Approach.”⁵⁴ The theory behind the model is quite simple: people only behave in criminal behavior when the expected benefits outweigh the expected costs. Sociological factors of crime merit nuance within the model, but this basic principle holds in accordance with the model rational choice theory

⁵⁴ Gary S. Becker, “Crime and Punishment: An Economic Approach,” *Journal of Political Economy* 76, no. 2 (1968): 169–217.

outlined above.⁵⁵ The social stigmatic reservations also are analyzable within the economic model of crime, but the focus of this section is the analysis of penal repercussion as deterrent to engaging in vote-buying. This assessment includes the severity of both expected reward and punishment as well as the likelihood of receiving either. W. Kip Viscusi posits a three-tiered risk assessment for criminals consisting of chance of arrest, conviction, and imprisonment.⁵⁶ Vote-buying in Latin America does not provide a high risk of any for the average citizen and only moderately higher risk of conviction and imprisonment for the politicians and patrons that buy votes. Simon Nichter reviews scholarly data that shows the relative lack of prosecution of vote-buying across Latin America, despite the prevalence of laws banning the practice.⁵⁷ Even with the increase in convictions for vote-buying in Brazil since the late 1990s, prosecution has mainly targeted vote-buyers, not vote-sellers. The average citizen has little reason to consider legal repercussions as a serious disincentive to the tangible and often immediate benefits of selling their vote.

Opportunity for Action: Clientelism

As previously stated, in 2019 Transparency International estimated that one in four people are offered some form of a bribe in exchange for votes in Latin America.⁵⁸ It is generally

⁵⁵ The expected cost of crime includes risk of punishment, the possibility of social stigma, and eventual psychological costs. For an overview of the economic model of crime and its development since Becker, see Nuno Garoupa, "Economic Theory of Criminal Behavior," in *Encyclopedia of Criminology and Criminal Justice*, ed. Gerben Bruinsma and David Weisburd (New York, NY: Springer, 2014), 1280–1286, https://doi.org/10.1007/978-1-4614-5690-2_409.

⁵⁶ W. Kip Viscusi, "The Risks and Rewards of Criminal Activity: A Comprehensive Test of Criminal Deterrence," *Journal of Labor Economics* 4, no. 3, Part 1 (July 1986): 329.

⁵⁷ Simeon Nichter, "Vote Buying in Brazil: From Impunity to Prosecution," *Latin American Research Review* 56, no. 1 (2021): 3-4, doi:10.25222/larr.412.

⁵⁸ Pring and Vrushi, *Global Corruption Barometer*, 24.

assumed that the vast majority of these offers are done through clientelist parties. Clientelism is a type of linkage structure or strategy that utilizes a patron-client or patron-broker-client relationship; Gonzales-Octanos and Oliveros define it as “the personalized and discretionary exchange of goods or favors for political support.”⁵⁹ The Transparency International statistic and the data in Figure 2 give an appropriate estimation of the pervasiveness of vote-buying and clientelism in Latin America, but, as Gonzales-Octanos and Oliveros point out, “one of most vexing questions in clientelism research is how to document the existence and pervasiveness of an electoral strategy that is often illegal” and surrounded with some social stigma.⁶⁰

Clientelist networks (or political machines) are one of the primary tools for the mobilization of vote-buying in Latin America. In Mexico, an in-depth corruption report by Mexican organizations Integralia and Mexicans Against Corruption and Impunity reports that “for every peso recorded as an expense in a campaign, there are 15 pesos (approximately \$1.30) financed through unofficial backchannels from unknown sources,” that gubernatorial candidates spend 10-times the legal amount in financing, and the most of this underhanded money funds clientelism.⁶¹ Studies from various fields have documented the existence of these relationships which are believed to be especially prominent among poorer and rural communities.⁶² Political parties are often the apparatuses for clientelism, though sometimes there are intermediary

⁵⁹ Gonzalez-Ocantos and Oliveros, “Clientelism in Latin American Politics,” 2. See page 2 for a review of the current literature regarding the surprisingly vast array of goods and services documented.

⁶⁰ *Ibid.*, 4.

⁶¹ “Dirty Money: Illegal Campaign Finance and Clientelism in Mexico,” *Global Americans*, June 4, 2018, <https://theglobalamericans.org/2018/06/dirty-money-illegal-campaign-finance-and-clientelism-in-mexico/>.

⁶² Simeon Charaka Nichter, “Politics and Poverty: Electoral Clientelism in Latin America” (UC Berkeley, 2010), <https://escholarship.org/uc/item/7g18v9sx>.

brokers, such as crime organizations or businesses. In 2016, Peruvian candidate Keiko Fujimori, daughter of the infamous former president of Peru Alberto Fujimori, and her right party Popular Force were accused of violating electoral law by distributing to rural peasants mass amounts of Tupperware that bore her party logo and contained cash inside.⁶³ This sort of behavior is not believed to be uncommon. The reality of clientelist networks in Latin America means that there appears to be no lack of opportunity to engage in vote-buying for most Latin American peoples.

Suggestions for Future Research

This paper sought to determine if compulsory voting creates a political environment that is more conducive to corruption in Latin American countries. Vote-buying is the most evident form of corruption to emerge from compulsory voting laws, but there are numerous other factors to consider. The possibility of corruption arises systemically relative to the purchasing of votes but also retroactively, as bribery may be used to avoid the sanctions that would otherwise be imposed on a nonvoter. Future research is needed to determine if such a relationship exists and could be conducted along similar reasoning to the current study as to whether the incentives to pay bribes to avoid sanctions are high enough to induce action.

Furthermore, the disparity in voting patterns between indigenous and non-indigenous people in Peru in recent years, as well as the populist patterns that corrupt politicians were able to utilize to gain support from these demographics, testifies further to the possible relationship between voting laws and the corrupt exploitation by politicians who manipulate uninformed voters.⁶⁴ Electoral manipulation in this sense is much more loosely defined and controversial

⁶³ “Denuncian que partido de Keiko entregó táperes con dinero a campesinos,” *RPP*, last modified June 3, 2016, <https://rpp.pe/peru/puno/denuncian-que-fuerza-popular-entrego-tapers-con-dinero-a-campesinos-noticia-968159>.

since the inherent limitation of knowledge concerning all aspects of potential candidates affects every democratic election. Populism is not traditionally considered electoral corruption, but a case could be made in instances where voters are purposefully denied access to information or are fed false information by the parties in power, especially if it results in outcomes that do not align with the true will of the public. Due to Latin American indigenous populations' low socioeconomic status, limited education opportunities, and relative lack of access to information technology, it is likely they would fall into categories of people that are most likely to sell their vote. Nevertheless, little data exists in this regard. There are many other social factors to consider, but a better understanding of the levels of political information and interest in such groups would be beneficial to Western democracies.

Conclusion

The most agreed-upon consequence of sanctioned compulsory voting is that it increases voter turnout; more people go to the polls, but the success of the institution beyond turnout depends upon the socio-political environment of the state in which it is adopted. Those who do not vote in compulsory elections are generally the most weakly opposed voters—citizens with much more moderate views and the lowest party loyalty. Also, due to the socio-economic gap in voluntary voter turnout, poorer people are less likely to vote in Latin America. While CV increases turnout for both these groups, these demographics are also the most likely to be targeted by vote-buyers and political machines. Clientelist relationships are now well-documented in Latin America, and political machines provide the best explanation for the continued prevalence of vote-buying in countries that have both CV and secret ballots.

⁶⁴ Raúl L. Madrid, "Ethnic Proximity and Ethnic Voting in Peru," *Journal of Latin American Studies* 43, no. 2 (2011): 267-97.

There is strong reason to believe that compulsory voting increases the occurrence of vote-buying in Latin American countries. Due to the prevalence clientelist networks and widespread poverty in the region, compulsory voting likely increases the amount of vote-buying that occurs in Latin American countries where it is enforced.

It remains to be seen whether, despite the increased risk of electoral fraud, the implementing compulsory voting still results in political decisions that represent the public's will more accurately than the government would otherwise. The results are sure to vary among states. Ultimately, it is up to the decision-makers and citizens of each nation to determine whether a more accurate reflection of the opinion of the public is either procedurally or instrumentally a more desirable and ideal form of government.

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