

**Plurality vs. Runoff Election of Presidents:  
The Mexican Election of 2006 in Comparative Perspective**

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The disputed 2006 presidential election in Mexico almost inevitably will lead to a debate on whether the manner of electing presidents should be changed prior to the next election. In the 2 July election, two candidates—winner Felipe Calderón of the Partido de Acción Nacional (PAN) and runner-up Andres Manuel López Obrador of the Democratic Revolutionary Party (PRD)—were separated by an extremely narrow margin, 36.7% to 36.1%. Roberto Madrazo, the candidate of Institutional Revolutionary Party (PRI), was in third place with 22.7%. Under the Mexican constitution, a plurality (relative majority) of the vote is sufficient to elect the president, regardless of how far the leading candidate falls short of a majority of votes cast, or how close the runner-up is to the leader. Both Calderón and López Obrador claimed a mandate from the people, despite neither having received the votes of even 40% of Mexicans who cast ballots. López Obrador claimed that fraud had cheated him out of the approximately quarter of a million votes that could have given him the plurality, and his supporters engaged in civil disobedience, alleging that the “popular will” had been violated due to fraud.

It is precisely to reduce the risk of such electoral disputes that many countries with directly elected presidents, in Latin America and elsewhere, require a second round (runoff) when no candidate has obtained over half the votes. Of course, even in a runoff, the final result could be very close and there could be a dispute over which candidate obtained over the required

absolute majority. However, a runoff between the top two candidates prevents a situation like that of Mexico in 2006, in which the winner has *both* a narrow margin, *and* considerably less than half the votes. As we shall see below, various forms of runoff system have become increasingly common in Latin America and elsewhere. Nonetheless, the typical system of absolute majority in two rounds is not without flaws of its own. It has been criticized for being costly, in that it requires a second campaign when no candidate obtains a majority. More fundamentally, it can also be criticized for potentially encouraging fragmentation in the first round: More candidates may enter the race than would be the case under a plurality system. If this is so, the fragmentation may carry over into legislative races, complicating the eventual winner's ability to govern. Thus, while this article will be centered on the specific question of the manner of electing the president, it is important for the debate that will develop in Mexico for the issue of the presidential electoral system to be placed in the context of other potential institutional reforms. The presidential electoral rule does not exist in isolation from other aspects of the democratic policy-making process that might also be considered for reform (Lehoucq, et al, 2005; Negretto 2006a). For instance, if a second round were adopted, it is possible—perhaps likely—that the third party and other parties could win not only more (first-round) presidential votes, but also more congressional seats. Thus, “fixing” the problem of a president elected with a narrow plurality could actually exacerbate another widely perceived problem in contemporary Mexico: the difficulty of forging executive-legislative coalitions and the blockage of presidential policy initiatives.

In this overview of presidential election methods in Latin America, my purpose is to situate the Mexico's presidential election of 2006 in a comparative perspective, considering how common such narrow wins are in plurality races. Was the recent Mexican result an aberration, or

are such small pluralities and narrow margins common in plurality presidential elections? How do alternative election methods—especially the two-round majority system—compare in their performance? And what are some of the advantages and disadvantages of changing from plurality to some other system? In the conclusion, I shall briefly situate the developing Mexican debate within a framework that I have developed for explaining when electoral reform occurs. My conclusion is that some sort of runoff system is desirable, but that there are reasons to be skeptical about the suitability of the system of absolute majority in two rounds to presidential systems generally, or to Mexico in particular.

#### The Alternative Methods of Direct Election of a President

The two most common methods of electing presidents are relative majority (in a single round) or absolute majority (in two rounds, if necessary). The system of relative majority—in which the candidate with the most votes wins, regardless of vote share or margin over the runner-up—is the oldest method of direct election.<sup>1</sup> The principal alternative is the two-round majority system. Whereas relative majority determines the winner solely by rank, any two-round system establishes a threshold. If that threshold is an absolute majority, then we have the system commonly known as “majority runoff” in which a candidate must obtain more than half the votes. If no candidate obtains this threshold in one round, a second round (runoff) is held some time later. Under two-round majority only the two candidates with the most first-round votes

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<sup>1</sup> In this paper, I shall ignore indirect presidential elections, such as the electoral colleges of the USA and formerly Argentina. I also leave aside hybrid direct/indirect election methods, such as those used in Bolivia and formerly Chile (where a popular majority is decisive, but in the absence of a majority, the selection is made by congress). I also confine discussion to single-person presidencies, thus not considering the elected executive council formerly used in Uruguay.

may stand, and thus one of them necessarily will win a majority of votes cast in the second round.

Besides plurality and two-round majority, some Latin American countries use runoff methods in which the threshold for first-round victory is set at some level below 50%; others impose a margin requirement for a first-round plurality to suffice.<sup>2</sup> For instance, Costa Rica since 1936 has required the plurality winner to have at least 40%, or else there must be a runoff between the top two. Argentina, since 1995, has a rule that stipulates that 45% is sufficient to avoid a runoff, regardless of margin; alternatively, the leading candidate wins if he or she obtains 40%, provided that the margin over the runner-up is at least ten percentage points. Rules that stipulate thresholds below 50% and/or minimum margins can be called “qualified plurality” (*mayoría relativa calificada*) formulas (Negretto 2006b). In both Costa Rica and Argentina, variants of qualified plurality were adopted as compromises between plurality and majority runoff. Costa Rica in 1932 experienced a crisis-ridden election in which the leading candidate had come just short of the then-required 50%; Congress subsequently lowered the threshold to 40% (Lehoucq 2004: 140), and no runoff was required again until 2002. In Argentina in 1994, the Peronists preferred to abolish the electoral college then in place, in order to eliminate the control provincial party leaders had on the appointment of electors, and as the largest party, Peronists preferred plurality. However, the Radicals believed that they could maximize their chances of winning by having their candidate be the sole alternative to the Peronist candidate in a possible runoff, and thus wanted a two-round majority system. The parties settled on a qualified-plurality system as a compromise (Novaro 2004, Negretto 2004).

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<sup>2</sup> For case studies of the use of runoff systems in Latin America, see Martinez (2004).

The qualified plurality rules that include a margin requirement for avoiding a runoff, such as that in Argentina, are broadly similar to a proposal that Taagepera and Shugart (1994) have advanced: the double complement rule (*regla de doble complemento*). This rule is defined as follows for the case in which no candidate has over half the votes: *A plurality suffices if the second candidate's shortfall from 50% is at least double that for the candidate with the plurality of votes*. Under the double complement rule, there would be only a margin requirement, and no threshold below 50%; moreover, the margin required for a one-round victory would increase as the vote share of the plurality winner decreases. For instance, no runoff would be needed if the plurality winner had 44%, as long as the runner up had less than 38%, or if the leader had 39% but the runner up had less than 28%. The double complement rule and other qualified plurality rules are based on the premise that some pluralities are sufficient and a runoff in such situations would be superfluous: they allow a leading candidate who won less than half the votes to win outright in some circumstances, but not in others.<sup>3</sup>

A rule with a variable margin, such as the double complement rule, has certain advantages over the fixed thresholds or margins found in the qualified-plurality rules in current use in some Latin American countries. For instance, if the objective of any rule other than relative majority is to avoid an outcome in which the winner has both less than half the votes and a very narrow margin—with Mexico 2006 an “instant classic” case—the Costa Rican rule failed as recently in the very same year. In that country’s election of 2006, Oscar Arias Sánchez was elected by a vote of 40.5% to 40.3%. The Costa Rican outcome did not generate a crisis, but the

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<sup>3</sup> Recently O’Neill (N.d.) has shown that the DCR is part of a family of rules that can be defined based on estimating the likelihood that, with a given plurality and margin, the candidate with the most votes would have won a runoff, and thus the plurality would be “enough” in the sense that a runoff would be superfluous. O’Neill shows deductively that the DCR requires a runoff if the probability that the plurality winner would win a runoff is less than two thirds.

objective argument in favor of a runoff after such a close result is a strong one, even if one accepts the principle that a relative majority is “enough,” with some qualifications.<sup>4</sup> I return to an evaluation of various qualified plurality rules, in comparison to plurality and two-round majority, later in this paper.

### Prevalence of various rules

Table 1 shows the countries of Latin America that elect presidents directly, grouped by the rules they use now, or under a previous democratic constitution or electoral law. It also indicates the date of the constitution or electoral law in which the rule was adopted, or abandoned. There are currently only six countries that use plurality: Honduras, Mexico, Panama, Paraguay, Puerto Rico, and Venezuela. Eight countries use majority runoff: Brazil, Chile, Colombia, Dominican Republic, El Salvador, Peru, and Uruguay. Another four countries use some form of qualified plurality: Argentina, Costa Rica, Ecuador, and Nicaragua. The trend over time is evidently away from plurality election of presidents as five additional countries formerly used plurality but have changed to some variant of two-round rule. All of the changes have been adopted since 1988 (when Brazil returned to democracy under two-round majority), while only two countries have chosen plurality election among those that adopted new constitutions after 1980. Further evidence of the newness in Latin America of alternatives to plurality as a method of direct election is that no country used two-round majority prior to Ecuador in 1978, with the exception of Costa Rica in 1928 and 1932.

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<sup>4</sup> In another Costa Rican election, that of 1974, the winner had only 43.4%; however, the runner-up had 30.4. This would have been sufficient also for a one-round win under the double complement rule, or under the Argentine variant of qualified plurality. However, the close result in Costa Rica in 1998 (47.0–44.6) would have necessitated a runoff under double complement rule (but not under the Argentine rule). Only in 2002 (when the top two candidates had 38.6% and 31.1%) has Costa Rica needed a second round.

Table 1 identifies five variants on the qualified-plurality theme that have been used in Latin America (in four countries). Except for Costa Rica, which has allowed 40% to suffice (regardless of margin) since 1936, and enshrines the system in the constitution in continuous use since 1949, the qualified plurality rules have all been adopted since 1994. In Argentina, qualified plurality (45% or 40% with a ten-point margin) in direct elections replaced the former electoral college. In Nicaragua, a 45% requirement replaced plurality in 1995, and the threshold for first round victory was reduced to 40% in 2000, with the additional provision that 35% would be sufficient if qualified by a margin of five percentage points. Ecuador in 1998 became the only country since Costa Rica in 1936 to move from two-round majority to a lower threshold (40%), with the additional qualification of a margin of ten percentage points.

If we turn our attention for a moment to presidential elections outside Latin America, we would find two-round majority by far dominant, with the most famous case surely the premier-presidential system of France. Under a premier-presidential system, the head of government is a prime minister who, along with the rest of the ministers, serves at the pleasure of the legislative majority (Shugart 2005). The argument for ensuring that the president be elected with no less than an absolute majority is stronger for a premier-presidential system than for the “pure” presidential systems of Latin America. The reason is that a president who faces majority opposition in the assembly in a premier-presidential system is unable to insist on a prime minister and cabinet of his or her own political persuasion. Thus, it is arguably advantageous to ensure that “cohabitation” results only when the president is genuinely backed by a majority in the electorate that it opposed to the one that forms in the assembly. The only way to determine the presence of such an alternative majority is with a system that requires an absolute majority, whether in one round or two.

On the other hand, if the elected president is the head of government—having discretion over the composition of the cabinet as well as legislative powers (e.g. a veto)—regardless of whether he or she has a partisan or coalition majority in the assembly, then it may be argued that a plurality is “enough,” especially if that plurality is qualified by a threshold or margin requirement. Indeed, to my knowledge, every premier-presidential system elects its president by absolute majority in two rounds. However, there are some presidential democracies outside Latin America that use plurality to elect the president: Palestine, Philippines, South Korea, and Taiwan.<sup>5</sup>

Qualified plurality, where the qualification is either a votes threshold or a margin, is not a rule found at the national level outside Latin America.<sup>6</sup> However, Kenya and Nigeria allow a nationwide plurality to suffice to elect the president, as long as the candidate with the plurality meets the further qualification of having obtained at least 25% of the votes in a minimum number of provinces or states.<sup>7</sup> This “distribution” qualification has also been imposed alongside a majority requirement, as in Indonesia.<sup>8</sup> Distribution requirements have the advantage of encouraging a candidate to appeal to groups that dominate specific regions of an ethnically

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<sup>5</sup> In Palestine and Taiwan, there is the figure of a prime minister who, along with the rest of the cabinet, may be removed by a no-confidence vote. However, these presidents also have the right to dismiss a prime minister, as well as significant legislative authority. That is, their presidents have more political power—independent of the partisan composition of the assembly—than is the case in premier-presidential systems. For a detailed discussion, see Shugart (2005).

<sup>6</sup> Some US states have 45% or 40% thresholds (with no margin requirement) for their governors and sometimes other officials.

<sup>7</sup> Five eighths of the provinces in Kenya, two thirds of the states in Nigeria. The distribution qualification in Nigeria is absolute—even a candidate with more than half the votes nationwide is not elected unless the distribution has been met.

<sup>8</sup> In Indonesia, the distribution qualification, which is operative only in the first round, is that a candidate must have at least 20% of the vote in at least half the provinces and an absolute majority nationwide.

diverse country, but probably are not especially relevant options for Latin American conditions, and hence will not be considered further here.

### The Condorcet Problem

In the social-choice literature, there has been much analysis of the consequences of various methods of determining a single winner. A common standard in this literature is the *Condorcet* efficiency of various rules. A Condorcet winner is the candidate who would beat all other candidates in a hypothetical one-on-one contest. Riker (1982) summarized this literature, noting that simple majority voting among binary alternatives produces the most “fair” outcomes, guaranteeing a Condorcet winner; however, what happens when there are more than two alternatives? In a multicandidate race, the plurality rule promotes equilibria that are either unstable or noncentrist (Cox 1987). Winners with less than 50% of the vote are likely to be quite common—and we will see that they are indeed common in Latin American countries that elect their presidents by plurality. In such cases, the victory of a centrist or of a Condorcet winner is possible, but far from guaranteed. The election of an extremist or even a Condorcet *loser*—a candidate who would lose to any other candidate—is likely. Plurality election may even encourage noncentrist candidates to enter the race precisely to upset the equilibrium placement of candidates on the ideological spectrum; that is, “spoilers” may enter not with intent to win, but with the intent of shifting a major candidate towards a more extreme position.

There is reason to be skeptical about just how important it is to maximize the chance that the Condorcet winner is chosen. On one hand, a Condorcet winner is sure to be moderate, in that he or she must (by definition) be at least acceptable to a majority of voters in order to defeat any other candidate. On the other hand, the Condorcet winner may be a candidate with only a small

initial base of support, or may be a candidate whose most notable quality is the unwillingness to take firm political positions that might offend any substantial segment of the electorate. Whether these are desirable characteristics in a president is a debatable question, and one for which there is no clear answer. However, presidents in the “pure” presidential systems found in Latin America are perforce partisan political players who must take stands on the most critical political questions facing their country during their terms. Thus a strong case can be made that, while a Condorcet winner is desirable, it is not the most important feature in evaluating an election rule to the extent that it must be traded off against other values such as ensuring that voters are provided with clear choices about the policy/ideological direction in which they want their government to move.

While there is no consensus on the importance of ensuring a Condorcet winner, there is widespread and understandable agreement that a rule is undesirable if it has a non-negligible probability of producing a Condorcet *loser*. In the context of the 2006 Mexican election, at least one poll asked respondents throughout the campaign which candidate was their second choice.<sup>9</sup> The results suggest that, by the end of the campaign, Felipe Calderón in first place and López Obrador was in last place among voters who had a second preference for any candidate. This evidence is not definitive as to whether Calderón was the Condorcet winner (on which, see Greene’s contribution to this volume); however, it does suggest that López Obrador may have been the Condorcet loser. If so, given the extremely narrow margin by which Calderón defeated López Obrador in the single-round election, Mexico narrowly averted the election of the majority-disfavored candidate. As Greene (this issue) notes, the narrowness of the result does not allow us to conclude that the current system for electing the Mexican president advantages the

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<sup>9</sup> Tracking Poll hecha por ARCOP para la campaña de Felipe Calderón, 2006 (provided in personal communication, with permission to cite).

Condorcet, or median-preferred, candidate, even if the winner, Calderón, was in fact that candidate. On the other hand, under a two-round majority system, voters who favored the third or any lower-ranked candidate in the first round would be able to vote their preferred candidate among the two who qualify for the runoff. This dynamic almost guarantees that a Condorcet loser will be defeated, but what about the probability of electing a Condorcet winner?

Various studies have examined the Condorcet efficiency of different rules for filling a single office via computer simulations.<sup>10</sup> This methodology provides a useful indicator of the ability of the system to produce relatively moderate winners rather than extremists, even if we were to conclude that guaranteeing a Condorcet winner is not itself a critical requirement, as suggested previously. Obviously, two-round majority ensures that a candidate can't be elected with the backing of less than 50% of the votes cast. Merrill (1984) found that two-round majority is much more Condorcet-efficient than plurality. However, Merrill took the number of candidates as fixed, and thus ignored the likelihood that more candidates would enter under two-round majority (Wright and Riker 1989). That is, if potential candidates believe a second round is likely, they may be more inclined to enter the race for two reasons: (1) there are two "winners" in the first round, and even placing second may be good enough as a first step towards a victory in the runoff, and (2) candidates who place third or lower may have bargaining leverage with the runoff contenders, who will bid for their support in the runoff. Thus, raising the threshold for first-round victory may increase the number of "serious" candidates, compared to plurality (cf. Greenberg and Shepsle 1987). In fact, the Condorcet efficiency of two-round majority is lowered

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<sup>10</sup> There is not necessarily a Condorcet winner in every field of candidates. The question of Condorcet efficiency concerns the likelihood that a given rule elects the Condorcet winner, *if one exists*.

substantially the more candidates there are who enter (Wright and Riker 1989), because the Condorcet winner may not have the votes to be one of the top two and thus will be eliminated.<sup>11</sup>

Recently McGann, Koetzle, and Grofman (2002) have conducted simulations on two-round majority and plurality rules for both symmetric and skewed distributions of preferences along a single ideological dimension.<sup>12</sup> Plurality has especially poor performance. With a normal distribution, its Condorcet efficiency was only 21.4%. For skewed distributions it was far worse (depending on the assumptions made about the skew). Two-round majority performed better, but even with the symmetric distribution, it produced the Condorcet winner only 40% of the time. While this results suggests that two-round majority is about twice as efficient as plurality at generating Condorcet winners, a candidate other than the Condorcet winner may be elected more than half the time. The reason for this, according to McGann, et al, is that candidates near the mode (rather than the median) of the ideological distribution have an advantage in first-round positioning: such candidates are more likely to clear the first round and thus compete in the runoff than are more moderate candidates. So, while two-round majority ensures victory for the candidate perceived to be the more moderate of the two squaring off in the runoff, it remains vulnerable to one (or even both) of those candidates being more extreme than others who finish third (or lower). It is for precisely this reason that some scholars are critical of two-round majority election: it may generate a sense of “mandate” for the winner, even if this candidate was merely the “lesser evil” of the remaining two, rather than the candidate who genuinely represented the median voter (cf. Shugart and Taagepera 1994, Pérez Liñan 2006).

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<sup>11</sup> Regarding Mexico’s 2006 election, Greene (this issue) suggests that if a single left-right dimension structured competition, Madrazo may have been the Condorcet winner. Yet he was the third-place candidate.

<sup>12</sup> A skewed distribution is one in which the mode is more extreme than the median.

To my knowledge, there are no theoretical or empirical studies of the Condorcet efficiency of qualified plurality.<sup>13</sup> This is unfortunate, because various forms of qualified plurality have intuitive and practical-political appeal. On the one hand, they guard against the election of a candidate with a small vote share and narrow margin over the runner up. On the other hand, they may raise the “viability” threshold higher than does TRM and therefore may reduce the proliferation of first-round entrants and the attendant risk that the majority-preferred candidates fails even to make the runoff.

### Performance of Plurality and Two-Round Majority Systems

In this section, I undertake an empirical analysis of the performance of the two main types of system for direct presidential election.<sup>14</sup> Because no two countries use precisely the same variant of qualified plurality, such systems are excluded from the data analysis. I assembled a data set of all direct executive elections in sixteen currently democratic systems in Latin America, including elections in Brazil’s 1945–64 democratic period and Puerto Rico.<sup>15</sup> Mexico

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<sup>13</sup> Still other alternative rules are designed to produce a majority winner in a single round, by asking voters to mark choices beyond their first. One is the alternative vote (or instant runoff), which sequentially eliminates candidates with low preference totals and transfers their votes to their voters’ second (or lower) preferences until one emerges with a majority. Another is the supplementary vote, which eliminates all but the top two candidates and then transfers second preferences of the eliminated candidates among those two. The supplementary vote is used for executive elections (e.g. Sri Lanka’s presidency and mayors in London, U.K., and some Dutch cities). Its Condorcet efficiency is quite poor (Kolk 2006). The Condorcet efficiency of the alternative vote (which is used for some legislative elections, including the Australian House of Representatives) is probably somewhat better than that of two-round majority, as suggested by Merrill (1984); Gorfman, et al, did not include the alternative vote in their simulations.

<sup>14</sup> Data are from Nohlen (2005). More recent election results were compiled from Adam Carr’s Electoral Archive (<http://psephos.adam-carr.net/>).

<sup>15</sup> I include Puerto Rico, although its exclusion would make no substantive difference in the results reported below. Puerto Rico’s elected executive is called a Governor, but I use the term, “president,” throughout. I also include Brazil’s previous (1945-1960) democratic period. Mexico enters the data set with the 1994 election. Other countries’ pre-authoritarian electoral periods

enters the data set with the 1994 election, and other countries with a recent authoritarian period enter with their first election of the current democratic period.<sup>16</sup> The resulting data set contains 105 elections in 18 countries.

As noted above, the main reason why some plurality systems have been replaced with either two-round majority or qualified plurality has been some combination of: Winners with small pluralities, winners with small margins, and the election of perceived Condorcet losers (or, more generically, “extremists”). The data analysis will explore the performance of the two main rules types on candidates’ vote shares and margins. I lack sufficient data to determine Condorcet results, but precisely the situation in which the election of a Condorcet loser is at greatest risk is those where the plurality share is relatively small, and in such cases also the probability is higher that another method might have produced a different winner. Thus, the analysis of vote shares and margins, while not direct evidence of Condorcet tendencies of election rules, is likely closely related to those tendencies.

Vote shares and margins of leading candidates. The first performance indicator on which to compare Latin American presidential elections is the vote shares of the winners. The mean shares of the four leading candidates in fifty eight plurality elections are:

48.1, 36.8, 10.6, 4.1

The mean shares of the four leading candidates in thirty two two-round majority elections are:

44.7, 28.6, 14.7, 5.8.

The biggest difference between the two average candidate fields is in the second candidate, and indeed, it is the second candidate’s mean shares that are statistically most distinguishable from

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were deemed too brief or dubiously fair to be included, or else they employed other electoral rules (such as congressional “runoff” in Chile).

<sup>16</sup> I include Peru from 1980 to 1990 and Ecuador since 1978-79, despite the brief interruptions of democracy in these countries

one another.<sup>17</sup> Thus the two rules exhibit rather different fields, with the plurality field being notably closer to two-candidate competition, just as would be expected. Nonetheless, it is equally notable that the two leading candidates under plurality combine, on average, for only about 85% of the votes. Thus, even though the average winner under plurality is rather close to 50%, we can surmise that there may be many elections in which the votes for third and lower-ranked candidates might have affected the outcome between the top two. Indeed, in nearly one third of the plurality elections, the winner had less than 45% of the vote, and in just under one fifth of them the winner had under 40%. In five of the seventeen plurality elections that were won with less than 45% of the vote, the runner-up trailed by less than two percentage points. It is, of course, for such situations that runoff provisions (whether two-round majority or qualified plurality) have been advocated and, in some cases, adopted.

Because one of the major factors in the legitimacy of the outcome of a presidential election—aside from evidence of any fraud—is the closeness of a result, and because very close results in multicandidate fields are those in which the danger of a non-Condorcet winner are greatest, it will be useful to inspect our sample of elections graphically. The graphs will allow us to visualize at a glance both the size of the plurality and the margin over the runner-up in the first or sole round of all elections under the two main alternative methods.

In Figure 1, which shows the plurality elections, we can see that the Mexican 2006 election was unusual, but not an extreme outlier. The diagonal line in the figure represents points in which the two top candidates have equal vote percentages. That the first candidate's

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<sup>17</sup> In two-sample *t* tests, the difference of means of the plurality and two-round majority groups is significant at  $p=0.000$  for the second candidate. The corresponding *p* values for the other candidates are as follows: first (0.102), third (0.022), fourth (0.142). These tests were performed with an assumption of equal variance, as an analysis of variance showed that the null hypothesis of equal variance could not be rejected. Results assuming unequal variance are consistent in terms of levels of significance, except for the first candidate ( $p=.138$ ).

percentage place it below this line (which, obviously, it must, absent a tie) is the only requirement the plurality rule imposes for victory. Only one plurality election was closer than that of Mexico in 2006 (36.7, 36.1)—Puerto Rico in 1980 (47.2, 47.0). However, there are five other cases—easily identifiable in Figure 1—in which the second candidate had at least 0.95 of the leading candidate’s vote share. These very narrow races—some of which, like Mexico 2006, saw the winner have less than 40% of the vote—are those that are most likely to raise legitimacy questions. These seven races represent only 12% of all plurality elections in the data set; however, they represent 29% of all plurality elections in which the leading candidate won less than half the votes. There thus is a significant percentage of plurality elections in which the votes of a third or other candidate might have affected the outcome, had a second round been required.

Such extremely close elections under plurality also may generate pressure for reform of the method of presidential election. For example, the closest election in the Dominican Republic, 1994, was also the last before the decision was taken to adopt two-round majority. The 1994 result was merely the closest of three very close elections in succession: The ratio of the second candidate’s votes to the leader’s was .94 in the 1986 Dominican election and .95 in 1990. Likewise, Uruguay had an extremely close result in 1994, and two-round majority was adopted in time for the next election.

Figure 2 is a plot of the first and second candidates’ votes percentages in the two-round majority elections. Twelve of the thirty-two elections ended in a single round, clearly visible for being to the right of the line at 50%. A distinct symbol marks those elections in which the candidate with the second highest vote percentage in the first round was able to win the second round. As might be expected, most of these come-from-behind wins are in elections where the two candidates both had relatively small first-round vote shares, were close in votes, or both.

However, in three of the seven cases in which the first-round leader was defeated in the runoff, the first candidate led by at least five percentage points: the Dominican Republic in 1996 (when the three leading candidates had 45.9, 38.9, and 15.0 percent), Uruguay in 1999 (40.1, 32.8, 22.3), and Peru in 2006 (30.6, 24.3, 23.8). In the first of these examples, the qualified-plurality rule used in Argentina would have allowed a first-round victory,<sup>18</sup> while in the first two of these, Costa Rica's rule likewise would have rendered the plurality sufficient. Yet the two-round majority revealed that the runner-up was more popular than the leader in a one-on-one race.<sup>19</sup> All three of these contests would have gone to a runoff under the double complement rule. On the other hand, there were five runoffs that might have been objectively "unnecessary" in the sense that the first candidate had well over 45% of the vote and the runner-up barely 30% or less. None of these results would have required a runoff under the double complement rule or other variants of qualified plurality.

Pérez Liñan (2006) suggests that these come-from-behind wins—what he calls "outcome inversions"—tend to arise from "inchoate" party systems, and that they also increase the risk of governability crises, because the eventual president won only because of a negative coalition against the first-round leader. However, if the party system is inchoate and fragmented, it is entirely possible that any electoral rule may result in the election of a president without a clear supporting coalition in the legislature. That is, neither the come-from-behind win nor the majority-runoff system that made it possible should be blamed for difficult governance.

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<sup>18</sup> Unless, of course, in anticipation of a victory by the leader with under 50% of the vote, the other candidates or their voters had adjusted their strategies to prevent just that. There is certainly no guarantee that such "coordination" would occur under qualified plurality, just as it often does not under ordinary plurality.

<sup>19</sup> Of course, we have no way of knowing whether the *third* candidate might have been the Condorcet winner. Note that in the Peru 2006 election, the margin between the second and third candidates was only about 0.5%.

Nonetheless, a qualified-plurality rule such as the double complement rule may be a useful correction to the risks inherent in presidents being elected on a strictly negative coalition, inasmuch as the qualified plurality rule may reduce the number of candidates who enter the first round, while simultaneously guarding against a one-round election of a candidate who has a narrow or ideologically extreme base of support.

#### Coalition-building incentives and the logic of presidential election systems

In the preceding section, I noted that the majority-runoff system may lead to the election of a candidate who was supported by a negative coalition against his or her runoff opponent, rather than a coalition in favor of a given political program. While this phenomenon of the negative coalition is especially notable in the case of a come-from-behind win against the first-round leader, the caution issued by Pérez Liñan (2006) about such coalitions is symptomatic of a larger characteristic of presidentialism: There is an inherent difficulty in building and sustaining policy-based coalitions in presidential democracies. If so, then multipartism and presidentialism indeed may be a “difficult combination,” as Mainwaring (1993) observed. The difficulty of building and sustaining coalitions would have some important implications for the suitability of the various alternative systems for electing presidents.

Multipart coalitions actually do occur quite frequently in pure presidential systems (Deheza 1998, Cheibub, et al, 2004), but they are inherently more fragile and more dominated by the chief executive than is typically the case in parliamentary or premier-presidential systems (Amorim Neto 2006). If we again illustrate the notion of the negative coalition with reference to

come-from behind wins by presidential candidates who trailed in the first round, such victories seem not to have generated significant governance problems in the premier-presidential systems. There are examples of come-from-behind wins in France,<sup>20</sup> Portugal,<sup>21</sup> and, more relevantly for Latin America, also in some party systems that are arguably inchoate such as in Poland<sup>22</sup> and Romania.<sup>23</sup> The key aspect of these premier-presidential systems is that it is not sufficient for parties simply to combine their forces in the runoff presidential election in order to block the plurality party from power; they also must combine to form a coalition in the legislature that can sustain a prime minister and cabinet in office. In the pure presidential systems of Latin America, on the other hand, there are fewer institutional incentives to hold the parties together after the presidential runoff. Indeed, Chasqueti (2004) finds that while alliances are common for second rounds in Latin America, they rarely are more than transitory in nature.

Thus, the logic for the suitability of majority runoff may be rather different in premier-presidential systems than it is in the presidential systems of Latin America. In a premier-presidential system, government formation and policy-making are more closely connected because of the necessity of maintaining a legislative majority in order to control the cabinet and determine its head, the prime minister. However, in a pure presidential system, the president

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<sup>20</sup> In both 1981 and 1995, the runoff winner had well under 30% in the first round, and trailed by about 2.5 percentage points behind the candidate he eventually defeated. In both cases, the newly elected president was able to form a governing coalition around his party and other parties that backed him in the runoff.

<sup>21</sup> The Portuguese election of 1986 featured probably the greatest comeback by a trailing candidate in the history of two-round presidential elections. The leading candidate, Diogo Freitas do Amaral had won 46.3% in the first round, but was defeated by Mario Soares in the runoff. Soares had 25.4% in the first round, but was able to gather the backing of several other leftist parties to defeat Freitas, and subsequently establish a governing coalition of the center-left.

<sup>22</sup> Lech Kaczynski trailed, 36%–33% in the first round before winning the runoff; the first year of presidency was marked by some cabinet instability.

<sup>23</sup> Traian Basescu trailed the first round in 2004 by a wide margin (40.9%–33.9%) before winning the runoff and was able to form a governing coalition centered around his party.

dominates the executive branch to such an extent that parties have less incentive to cooperate in formal coalitions. Thus the normative argument for allowing a candidate supported by only a plurality to become president, and then bargain on a more ad hoc basis with congress, may be stronger in presidential than in premier-presidential system. More fundamentally, it may even be stronger than the normative case for allowing a negative electoral coalition against the first-round leader to elect another candidate to the presidency, when the parties in this coalition may have no interest in governing together. If this logic is accepted, then there is good reason not to require an absolute majority in a pure presidential system. The double complement rule or other qualified plurality remains desirable to guard against the election of a president with a very small margin or a very small support base, but a plurality, per se, may be quite acceptable under the logic of presidentialism.

Thus, the tendency of the alliances that form around presidential runoffs in pure presidential systems to be non-binding for subsequent government formation should give pause to reformers in Latin America who consider majority runoff systems. If the two-round majority system increases incentives for the entry of additional candidates in the first round, and if these additional candidates' entries increase legislative fragmentation, then the adoption of the majority runoff may indeed worsen governability problems, as suggested by Pérez Liñan (2006). Thus it would be useful to determine whether majority runoff indeed does increase the number of first-round contenders compared to plurality. It is to this question that I now turn.

#### Changing rules: From plurality to majority

If, as I have suggested, the two-round majority system promotes party-system fragmentation in the legislature as well as in presidential elections, then it may undermine the

eventual winner by reducing his or her chance of a workable congressional majority at the very same time that it ensures that the winner has a popular majority. There is evidence that the two-round majority countries in Latin America tend to have more fragmented congresses than the plurality countries (Shugart and Carey 1992, Jones 1994, Mainwaring and Shugart 1997). Prominent examples of this phenomenon include Brazil and Ecuador, which have among the highest numbers of parties in their legislatures in the world; both elect their presidents by two-round majority. However, the association of two-round majority and multipartism raises a fundamental problem of institutional analysis: does two-round majority cause multipartism, or do countries with multiparty politics (or expectations of multiparty politics) adopt two-round majority? Answering this question definitively is impossible. However, we can gain some insight by analyzing pre- and post-reform trajectories of countries that moved from plurality to two-round majority (or vice versa).

Unfortunately, changes between these two rules are rare. There have been three cases in the data set of moves from plurality to two-round majority and none in the opposite direction. It is hard to generalize from three cases, of course, but an analysis of the cases may nonetheless be instructive. The three cases are Colombia, the Dominican Republic, and Uruguay.<sup>24</sup> In Colombia, the change was made by the *Asamblea Nacional Constituyente* in 1991 and in the wake of the 1990 election in which the field was notably fragmented, compared to most previous Colombian elections, although the election was not close: the winner had over 48% and defeated his closest challenger by over twenty-four percentage points. The main new feature of Colombian electoral politics in 1990 and during the Constituent Assembly was the emergence of the former guerilla M-19 as a new party, and this surely increased the interest of the established parties in having a

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<sup>24</sup> For an analysis of the Uruguayan case as an “experiment” see Buquet (2004).

runoff system. In the Dominican Republic, the change was made in the new constitution negotiated among the three main parties after the crisis of the 1994 election (see Hartlyn 1994). In Uruguay, the change was made between the 1994 and 1999 elections, mainly with the intention of the two established parties to head off a possible plurality victory by the growing left (Cason 2002).<sup>25</sup> It worked in 1999, when the two parties combined in the runoff to defeat a leftist who had 40% of the first-round vote (which was a plurality); in 2004, the leftist candidate, Tabaré Vazquez, won a majority and no runoff was needed.

Figure 3 shows the averages of the leading candidates' votes percentages over three pre-reform and two post-reform elections for the three countries that have changed from relative to absolute majority. In the figure, year "0" represents the first election under two-round majority. The figure indicates a tendency of declining dominance of the two leading candidates over the rest of the field in the elections leading up to the change. That finding is consistent with the rules change being caused by multipartism rather than the reverse (cf. Negretto 2006b). In fact, in the first two-round majority election the shares of both of the top candidates tended to recover—which is certainly not the expected result if it is the rules that are causal. Then in the second two-round majority election, the field moves somewhat more in the direction expected, based on the average vote percentages we saw above for each type of system: a decline in the second candidate's votes and a rise in the third candidate's.

This analysis of the impact of a rules change is necessarily inconclusive, not only because there are only three cases, but also because each case is so recent. Nonetheless, it is quite noteworthy that the average vote percentage for the runner-up candidate three elections prior to

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<sup>25</sup> In Uruguay's plurality system, the party with the plurality of votes was assured of the presidency. However, intra-party competition was permitted in the general election, and the winning candidate was the candidate with the most votes *within* the plurality party.

reform, 38.4%, was slightly greater than that of the full plurality sample, and this average in the second post-reform election, 31.3%, is also just a few percentage points greater than the average in the full two-round majority sample. Whatever the causal direction between the rule and the vote percentages of the leading candidates, it is possible that, once in place, two-round majority helps maintain multicandidate and multiparty competition. If so, the need for coalitions in order for the eventual winner to govern may become a permanent feature of the political scene, notwithstanding the reduced incentives for parties to join such coalitions in pure (as opposed to premier-) presidential systems.

Towards a runoff system for Mexico?

Will the 2006 presidential election in Mexico prove to have been that country's last under plurality rule? In other work focused on legislative electoral systems, I have argued that major reform of electoral rules generally requires the presence of both "inherent" and "contingent" factors (Shugart 2001; Shugart, 2006; Shugart, Moreno, and Fajardo forthcoming). The principal inherent factor is a widespread recognition that the existing system has somehow "failed." Contingent factors are situations in which parties or other political actors see it in their interests to move towards reform (or in which those in power, but opposed to changing rules that got them there, somehow lose control over a process that might lead to reform). Contingent interest in promoting reform sometimes results from the sense that a political party itself might be better off under some alternative rule; other times it results from the competitive advantage a party might gain from promoting itself as "reformist." There are probably more votes to be gained in competition over who most deserves the "reformist" mantle the greater the public sense of

current “failure”; moreover, the closer the competition is between two major parties, the greater the potential payoff from attracting these votes.

Whatever one’s position on the outcome of the 2006 election or on the existing rule for electing presidents, it would hardly be controversial to say that the system failed in that election, given that one of the leading candidates claimed fraud and was backed by protesters who camped in the capital’s main square to denounce the result. While no rule can guarantee that losers will accept the result, an electoral rule that permits a narrow result to be decisive, despite no candidate having obtained a majority of the votes, may make a loser’s claims of fraud more credible, in that a small shift in votes would have swung the plurality in his favor. Thus a clear inherent condition for reform away from the plurality system would seem to exist in Mexico today: a widespread public perception that the rules in use have failed to generate a clear and consensual verdict. Additionally, the very closeness of the election between the two leading contenders implies that even a small pro-reform vote to be cultivated would have the potential to bring potentially decisive votes to one of those parties. Nonetheless, while this sketch of the conditions for reform could give the impression that change is almost inevitable, it is worth exploring obstacles to a runoff system as well.

If one of the parties in question has a strong objective interest in the status quo rule, obviously it would be likely to resist being drawn into competition over who is most eager to reform that rule. In the Mexican case, it could be argued that the PRD is in such a situation. Unless it expects that it could have gained a significant block of the voters who voted for the PRI’s candidate, Madrazo, in 2006, or could gain these votes in future elections, it is unlikely to favor moving away from plurality. The differential between presidential and congressional votes for the PRD and PRI suggests that there were significant numbers of voters who chose the PRI

for congress but the PRD candidate for president.<sup>26</sup> The PRD's calculus of how it would fare under a runoff thus depends on its expectations as to how those who stayed with the PRI's presidential candidate in the actual plurality race would behave in a hypothetical second round. If the PRD sincerely prefers to maintain plurality election of the president (on the grounds that it is more likely to obtain 35–40% than to obtain 50%), it can easily attack two-round majority on various grounds while using other institutional (as well as non-institutional) aspects of Mexican democracy to continue emphasizing its reformist aspirations. As I have noted, two-round majority can be criticized for the proliferation of parties it might encourage and the threats to stable governance that might result from party proliferation. It can also be criticized for the expense associated with a second round.

The possibility of a runoff system was already discussed in Mexico early in Fox's term, and one of the reasons these discussions did not bear fruit was the strategic preferences of the parties themselves. Each of the three parties could have calculated that it might win a plurality, but would have been uncertain of which two of them would make a runoff, and which runoff candidate would ultimately win sufficient votes from supporters of the third party. A situation in which any of three parties believes that it could be the plurality winner is not conducive to reform—at least not until there has been a crisis resulting from a very small and narrow plurality (as in the Dominican election of 1994).

Another way in which a runoff system could be adopted is simply by two parties “ganging up” on a third that they share an interest in blocking from the presidency. This could be an interpretation of what happened in Uruguay, where, as noted, the two traditional parties were interested in blocking the rising left. If the PAN and PRI were to attempt to do something

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<sup>26</sup> The difference between the vote for the Chamber of Deputies and that for the Presidency for each of the three main parties was as follows: PRI, +5.7; PRD, –6.3; PAN, –2.1.

similar, they may risk a political backlash from supporters of the PRD. The political risk for a ruling party or coalition of parties to manipulate rules to its own advantage is arguably greater to the extent that another party opposing the change has a capacity for popular mobilization and disruption, as appears to be the case for the PRD. Thus, while the PRI—or, at least, calculations about how its voters would behave in a runoff—may hold the key to the strategic perceptions of advantage each party would obtain from reform, the PRD may hold the key to the extent to which any reform is seen as resolving the inherent condition of a failed status quo system or as a simple bipartisan power grab.

Obviously, to the extent that all the major parties could agree in principle on the need to change the rule in order to prevent future crisis-ridden elections, the greater the prospects of actual reform. Nonetheless, this discussion here has suggested that the three parties may have difficulty agreeing on the same solution, even if they agree that the 2006 election exposed the inherent risks of electing the president by plurality. And it is worth noting that, even if the PAN and PRI together decide they want to adopt a two-round majority system over the objections of the PRD, they may lack the votes to do so. Given the outcome of the 2006 congressional elections, virtually every legislator not from the PRD would have to agree on a proposed reform, or else the PRD or one of its alliance partners will have to be bargained with. It is in such a context that some form of qualified plurality rule might prove to be a useful compromise, in that it would continue to allow a plurality to suffice, but not a plurality that was as small as, or with as narrow a margin as, that of 2006. The double complement rule should at least be on the table, as it avoids setting arbitrary sub-majority vote thresholds that are sufficient for victory (such as Costa Rica's 40% or Argentina's 45%). The double complement rule also avoids setting arbitrary margin requirements (such as Argentina's ten points if the leader has more than 40% but less

than 45%). Under the double complement rule, the required margin grows as the leader's vote percentage declines, thus making a runoff more likely the more a first round result resembles *either* of the critical characteristics of Mexico's 2006 election: a small plurality *or* a narrow margin. In Mexico, the double complement rule or another variant of qualified plurality could emerge as a compromise between the current plurality system and the majority runoff alternative. Moreover, as noted here, such a compromise may actually be normatively superior to the two-round majority system in a presidential democracy like that of Mexico.

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**Table 1. Rules for Direct Election of Presidents in Latin American Democracies**

<b>Country</b>	<b>Date of constitution or rule change</b>	
<u>Plurality (first past the post)</u>		
Brazil	1946 (suspended 1964)	
Colombia	1910 (changed in 1991)	
Dominican Republic	1966 (changed in 1994)	
Honduras	1982	
Mexico	1917	
Nicaragua	1987 (changed in 1995)	
Panama	1972	
Paraguay	1992	
Puerto Rico	1948	
Uruguay*	1967 (changed in 1997)	
Venezuela	1961, 1999	
<u>Two-round majority</u>		
Brazil	1988	
Chile	1989	
Colombia	1991	
Dominican Republic	1994	
Ecuador	1978 (changed in 1998)	
El Salvador	1983	
Guatemala	1985	
Peru**	1979, 1993	
Uruguay	1997	
<u>Qualified plurality</u>		<u>First-round condition for plurality to suffice</u>
Argentina	1994	45% or 40% with ten-point margin
Costa Rica	1949	40%
Ecuador	1998	40%, provided margin of ten percentage points
Nicaragua	1995	45%
Nicaragua	2000	40%, or 35% with five-point margin

\* In Uruguay, a party could present more than one candidate, in which case the winner was from the candidate with the most votes within the party whose candidates collectively had won a plurality of the votes.

\*\* In Peru in 1980, a runoff would have been required only if the leading candidate was short of 36%.

Figure 1: Top two candidates' vote percentages, plurality rule

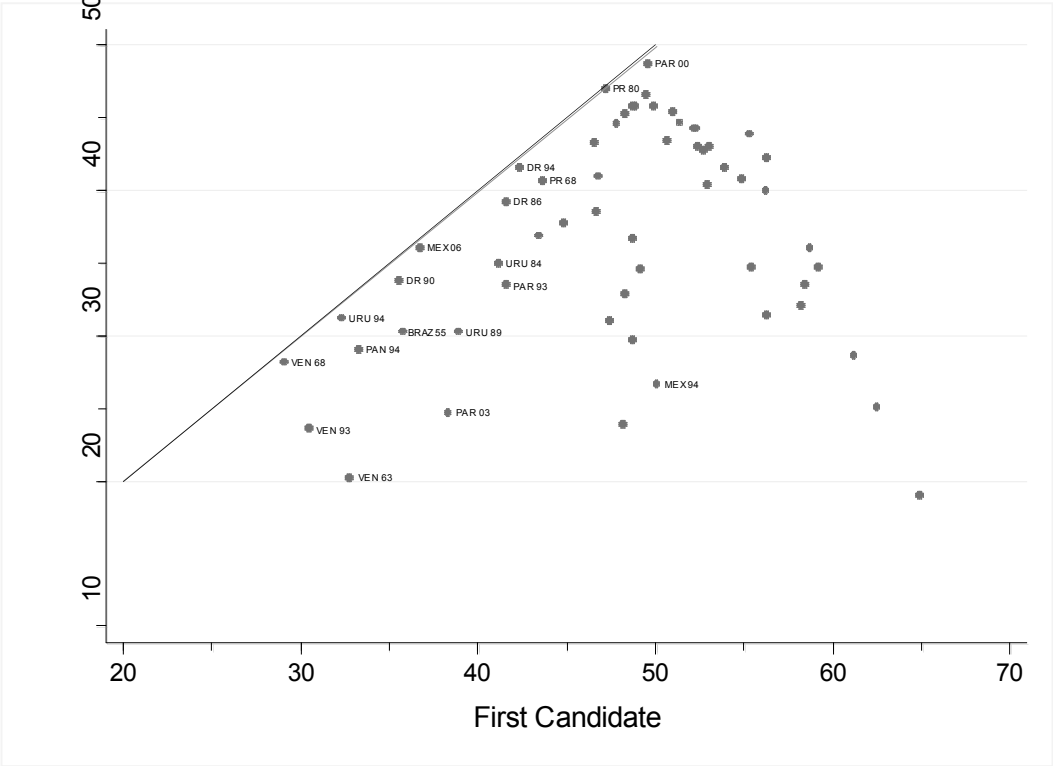


Figure 2: Two leading candidates' vote percentages, majority runoff

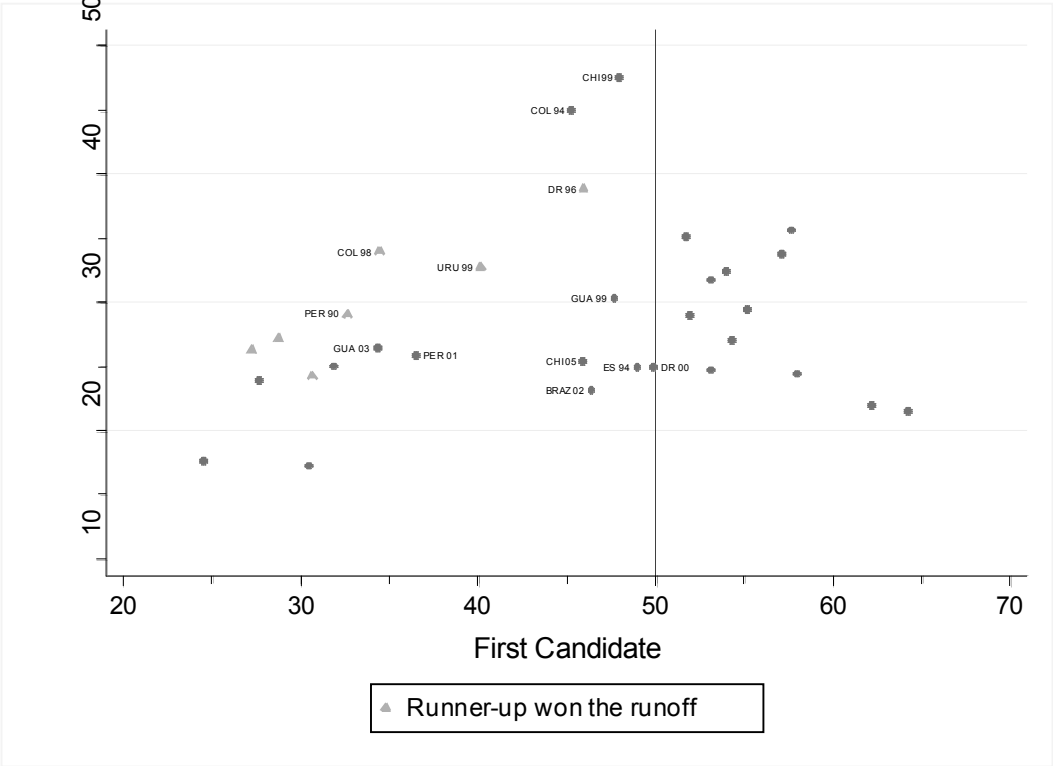


Figure 3. Average of leading candidates' vote shares before/after rules change: Colombia, Dominican Republic, and Uruguay

