

Majority Rule in International Presidential Elections The Dominant Role of Runoffs Around the World

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INTRODUCTION

The first principle of republicanism is that the *lex majoris partis* is the fundamental law of every society of individuals of equal rights; to consider the will of the society enounced by the majority of a single vote as sacred as if unanimous is the first of all lessons in importance, yet the last which is thoroughly learnt. This law once disregarded, no other remains but that of force, which ends necessarily in military despotism.

Thomas Jefferson to Alexander von Humboldt¹

Around the world, several different types of election systems are used in presidential elections. Of the freest 28 presidential democracies, an overwhelming majority require winners to have a majority of the vote. They achieve this through delayed or instant runoff elections. Two require minimum pluralities, and a handful require bare pluralities of votes. One (the United States) allows popular vote losers to win through an Electoral College system. These variations create meaningful differences in how candidates campaign, who gets elected and how much choice voters have.

TYPES OF ELECTION SYSTEMS: MAJORITY & NON-MAJORITY VOTING

When it comes to choosing leaders to fill single-seat offices such as president or mayor, democracies across the world fall into two camps: majority voting systems in which over 50% support is needed to win and plurality voting systems where a candidate can win with less than a majority.

¹ Lipscomb, Andrew and Albert Bergh, eds., *The Writings of Thomas Jefferson*, (Washington: Thomas Jefferson Memorial Association, 1904-05).

Majority Systems

Most democratic nations base elections for chief executives on the principle of majority rule. “Majority rule” is a popular term in political discussions, but it is often misunderstood in the United States to simply mean “the most votes.” A true majority requirement in fact means having to win more than half of the votes. As Thomas Jefferson pointed out, the main tenet of the majority principle is that once a vote has been taken and the decision of the majority has been determined, the entire society will abide by that decision as if it had been unanimous – that is, as long as basic protections of minority voting rights are provided and a minority has an ability to try to be part of a majority in the next election. True accountability also demands that when a majority prefers another leader, it has the power to elect that leader. There are two systems used to achieve majority winners in elections around the world: a two-round “delayed runoff” system and a one-round “instant runoff” system.

Traditional Delayed (Two-round) Majority Runoff

The dominant model for presidential elections is a two-round “contingent runoff” system. All candidates run in the first round of voting, typically after having been nominated privately by political parties. If any one candidate secures a majority of the vote, that candidate wins. If no candidate secures such a majority of the vote, the top two finishers advance to a second round of voting, typically held within a few weeks of the first round. With only two candidates in the runoff, the candidate who secures more votes will automatically have a majority of the vote.

Of the 28 presidential elections considered in this report, 20 are elected by a delayed runoff, majority voting system. This runoff system seeks to uphold the fundamental majority rule requirement and gives voters more time to evaluate their choices, but it has serious drawbacks that have limited its use in the United States:

- The administrative burdens and financial costs to the government and voters of holding and participating in a second election;
- The increased demands on campaign financing, with candidates in the runoff forced to run a second campaign;
- Unequal voter turnout between the first round and runoff round, often with the lower turnout in the decisive round of voting;
- Susceptibility to “spoiler” problems when a majority of like-minded voters split their support among like-minded candidates, resulting in the failure of a candidate with potential majority support from advancing to the runoff.

Instant Runoff Voting

Instant runoff voting (IRV) is a majority voting system used to elect the president of Ireland, along with the mayors of London and San Francisco and the parliaments of Australia (lower house), Fiji and Papua New Guinea.

IRV achieves majority winners in a single election by utilizing ranked ballots. Voters rank their choices in order preference: “1” for their favorite candidate, “2” for their next choice and so on. If a candidate receives a majority of first choice rankings, he or she is elected. If nobody has such a majority, a series of runoffs are simulated, using each voter’s preferences indicated on the ballot. The candidate who received the fewest first choices is eliminated. All ballots are then retabulated, with each ballot counting as one vote for the voter’s highest ranked candidate who has not been eliminated. Specifically, voters who chose the now-eliminated candidate will have

their ballots counted for their second-ranked candidate - just as if they were voting in a traditional two-round runoff election - but all other voters also continue supporting their top candidate. The weakest candidates are successively eliminated and their voters' ballots are redistributed to next choices until a candidate receives a majority of votes in that round of counting.

IRV is designed to correct the defects latent in plurality elections and two-round runoff elections, the two most widely used voting systems in the United States. By ensuring a majority winner in one election rather than two, IRV results in higher turnout in the decisive election, a drop in election administration costs and fewer campaign finance demands. It promotes more cooperative campaigning because candidates have incentives to reach out to other candidates' bases of support for second choices.

Non-majority systems

By allowing candidates to win with less than a majority of the vote, plurality elections can result in different winners based on new candidates entering the race – the so-called “spoiler effect.” In some plurality-based presidential elections, candidates have won with far less than a third of the vote. Without a majority behind them, their decisions in office more easily can be challenged – and indeed can fail to reflect the majority will in their winning election. There are three non-majority systems used in presidential elections: pure plurality, plurality with a threshold and the American Electoral College.

Pure Plurality

Of our 28 full-fledged major democracies, four elect their president by a plurality, “first-past-the-post” rule: South Korea, Mexico, Taiwan and Panama, all of which have elected a president with less than a majority in recent elections. Plurality voting elects the candidate who receives more votes than any other candidate, no matter how low their share of support. Philippines, which is not in our survey because of its human rights record, has elected presidential candidates who won less than 30% of the vote. Recent winners in South Korea and Taiwan have taken the presidency with less than 40% of the vote. Plurality voting cannot accommodate having more than two candidates without a real chance of misfiring and electing candidates who would have lost if required to win a majority of the vote.

Plurality with Minimum Threshold

Costa Rica and Argentina attempt to balance the goal of a legitimate winner with the value of determining a winner in one round of voting by establishing a minimum plurality of support necessary to win. In Costa Rica, if no candidate achieves 40% of the vote on the first round, a delayed runoff round is held. In Argentina, one must win with 45% or, alternatively, 40% of votes plus 10% more than the trailing candidate. Minimum pluralities do not satisfy Jefferson's majority rule criterion, but they do prevent winners with extremely low pluralities and decrease the chances of having to hold a second election. The system still cannot accommodate having more than two candidates without misfiring and electing candidates who would have lost if required to win a majority.

Electoral College

The United States is unique among full-fledged democracies in having presidential elections where the winner can have fewer popular votes than an opponent. Instead of relying on the

national popular vote, the United States has a state-based Electoral College system that allows states to allocate a certain number of electoral votes (roughly based on a state’s population) as determined by rules created in that state. Of 51 states (counting the District of Columbia), 49 currently award all of their electoral votes to the candidate who receives a plurality of the vote in that state. A candidate must receive a majority of the electoral votes; if not, the U.S. House of Representatives elects the president, with each state’s delegation casting one vote regardless of its size. Defenders of the Electoral College system maintain it ensures candidates campaign around the nation. In terms of polling, advertising and personal visits, however, candidates completely ignore a majority of states, including nearly all small population states.² It also maintains the “spoiler” problem of failing to accommodate voters having more than two choices and can elect a candidate who loses the popular vote. Popular vote losers have been elected president in 1824, 1876, 1888 and 2000.

CASE STUDIES

Overview: Presidential Elections in 28 Democracies

Majority voting systems are standard among modern democracies. In the following chart, out of 28 international presidential elections studied in nations with at least two million people and a high human rights rating from Freedom House, 21 require a majority winner. Four require a plurality, and three use another method. Of those three, only the United States can elect a candidate who loses in the popular vote.³

LEGEND
MR: Majority Runoff (denominator used to calculate the absolute majority threshold [50%] ranges from valid votes, to all votes, to registered voters).
PL: Plurality (single-member, winner-take-all).
IRV: Instant runoff voting.
Mod. DCR: 45% threshold, or 40% and 10% more than the #2 candidate, to avoid a runoff.
Mod. MR: 40% threshold to avoid a runoff.
EC: Electoral College.

County	Runoff	Plurality	Other
Argentina			Mod. DCR
Austria	MR		
Benin	MR		
Brazil	MR		
Bulgaria	MR		
Chile	MR		
Costa Rica			Mod. MR
Croatia	MR		
Dominican Republic	MR		
Finland	MR		
France	MR		
Ghana	MR		
Ireland	IRV		
Korea, South		PL	
Lithuania	MR		
Mali	MR		
Mexico		PL	
Mongolia	MR		
Namibia	MR		
Panama		PL	
Poland	MR		
Portugal	MR		
Romania	MR		
Slovakia	MR		
Slovenia	MR		
Taiwan		PL	
United States			EC
Uruguay	MR		
Totals	21	4	3

² FairVote, “Who Picks the President?” in *Presidential Election Inequality: The Electoral College in the 21st Century*, (Takoma Park, MD: FairVote, 2006), 29-46.

Majority requirements ensure that presidents and prime ministers worldwide have mandates to govern. Majority voting typically is achieved through a two-round delayed runoff system. Ireland uses an instant runoff voting system that generates a majority winner in one round. Five of the 28 nations allow winners who do not receive 40% of the vote: Mexico, Panama, South Korea, Taiwan and the United States.

Peru 2006: The Race to Finish Second (Delayed Runoff)

Peru is one of many nations that require a president to be elected by a majority. To accomplish this goal, Peru uses a system of delayed runoffs. In April 2006, three candidates outpaced the field, but all received less than a third of the vote. The results were: nationalist Ollanta Humala (30.7%), former president Alan Garcia (24.3%), and more conservative, pro-American Lourdes Flores (23.7%). More than 21% of votes were cast for three minor party candidates.⁴

Garcia has high negatives among many voters, given a controversial tenure in the 1980s. The fact that the votes cast for other losing candidates were more than 35 times the margin between Garcia and Flores raises questions about whether Garcia was the most representative alternate to Humala. Pre-election polls showed he would have been a weaker opponent against Humala.⁵ Still, in the June 4th runoff, Garcia edged Humala by some 5%, picking up far more support than Humala from backers of Flores and the other defeated candidates. Commentators declared the election critical to the direction of Latin American politics. Combined with the aggressive anti-Americanism of Presidents Hugo Chavez (Venezuela) and Evo Morales (Bolivia), a Humala victory would have been the next step in Latin America's populist drift. Without a majority requirement, Humala would have won with only 31% – against the will of most Peruvians.⁶

France 2002: Spoiling Modern European History (Delayed Runoff)

Another example of the spoiler problem occurred in the French presidential election of 2002. Eight center-left parties representing over 66% of the valid vote split their votes, creating an opening for nationalist, anti-immigrant candidate Jean-Marie Le Pen to enter the runoff against incumbent Jacques Chirac with less than 17% of votes.

Candidate	Party	Valid Votes	% Votes
Jacques CHIRAC	Rally for the Republic	5,666,298	19.88%
Jean-Marie Le PEN	National Front	4,805,338	16.86%
Lionel JOSPIN	Socialist Party PS	4,610,506	16.18%
Francois BAYROU	Union for the French Democracy UDF	1,949,434	6.84%
Arlette LAGUILLER	Trotskyist Workers' Struggle	1,630,243	5.72%
Jean-Pierre CHEVENEMENT	Citizens Movement MdC	1,518,895	5.33%
Noel MAMERE	Green Party	1,495,898	5.25%
Alain MADELIN	Liberal Democracy DL	1,113,705	3.91%
Robert HUE	French Communist Party PCF	960,753	3.37%
	Other parties	4,750,703	16.67%

³ Jones, Mark P., "Presidential Electoral Laws in the World's Democracies," Unpublished manuscript (Houston, TX: Rice University, 2006).

⁴ IFES, "Election Profile: Peru 2006 Presidential," *ElectionGuide*, 2006.
<<http://www.electionguide.org/election.php?ID=994>>

⁵ Angus Reid, "Peru 2006: Humala, Flores would reach runoff," April 8, 2006.
<<http://www.angus-reid.com/polls/index.cfm/fuseaction/viewItem/itemID/11486>>

⁶ "Peruvians elect Garcia president," BBC, June 5, 2006.
<<http://news.bbc.co.uk/2/hi/americas/5045634.stm>>

Chirac and his centrist Rally for the Republic then won the runoff by winning more than 82% of votes, gaining a huge victory after nearly losing the plurality vote in the first round. The casualty in the runoff was a truly representative choice for voters. Far more French voters preferred left-of-center candidates to Le Pen. Under an instant runoff system, the final two candidates without doubt would have been Chirac and Socialist prime minister Lionel Jospin, who trailed Le Pen in the first round by less than one percent. In an instant runoff voting system, Jospin would have entered the instant runoff with the support of voters who had ranked other left-leaning candidates ahead of him, and Le Pen would have been eliminated before the field was reduced to two. While Le Pen's core support remained fixed around 17%, his support did not have the breadth that Chirac showed and Jospin certainly would have had. Indeed, Le Pen barely gained any additional votes in the runoff, while Chirac moved from under 20% of votes in the first round to more than 82% of votes in the runoff.⁷

Taiwan 2000: Power in the Minority's Hands (Pure Plurality)

Even though spoiler candidacies on the French left meant the unpopular Le Pen could proceed to the runoff, the majority of voters still elected a relatively favorable candidate in that round. Likewise, Peru's runoff system ensured the election of a moderate with majority support. Taiwan is an example of a nation with a pure plurality voting system rather than a majority requirement. Coming on the heels of Hong Kong's 1999 return to Chinese sovereignty, the first direct election of a president in Taiwan in March 2000 turned into a referendum on how to deal with China. Would the Taiwanese Republic of China seek independence, or would it pursue a policy of "one country, two systems?" Although about 60% of voters supported candidates at least open to some form of reunification with China, including the long-time ruling Kuomintang party, those two candidates split the vote, and a pro-independence candidate won with just 39% of the vote.

Candidate	Party	Valid Votes	% Votes
Chen Shui-bian	Democratic Progressive Party	4,977,737	39.30%
James Soong	Independent	4,664,932	36.84%
Lien Chan	<i>Kuomintang</i>	2,925,513	23.10%
Hsu Hsin-laing	Independent	79,429	0.63%
Lee Ao	New Party	16,782	0.13%

Looking more closely at the results, both candidates James Soong and Lien Chan supported some form of unification with home rule and together won 60% of votes. Chen Shui-bian was head of a party that for years had supported independence. Under a majority system with runoff – instant or otherwise – Soong and Chen would have proceeded to the second round, and much of Chan's first round support likely would have gone to Soong. Instead, Chen won with a plurality of under 40%.⁸ The result was highly controversial in both Taiwan and China, raising tensions that at times threatened to escalate into military conflict. Shui-bian modified his party's traditional rhetoric, however, and in 2004 was able to be re-elected by a slim margin of 30,000 votes in a two-candidate race.

⁷ IFES, "Election Profile: France 2002 Presidential," *ElectionGuide*, 2006. <http://www.electionguide.org/election.php?ID=425>

⁸ IFES, "Election Profile: Taiwan 2000 Presidential," *ElectionGuide*, 2006. <http://www.electionguide.org/results.php?ID=636>

Ireland 1990: Majority Rule with Voter Choice (Instant Runoff)

In the Republic of Ireland, presidents have been elected for decades with an instant runoff voting system that ensures a majority of voters have their decision respected. Rather than delayed runoffs, Ireland uses a ranked voting system in which a series of runoffs are simulated based on voters' rankings. In 1990, for example, the Irish presidential election came down to three candidates. The votes were as follows:⁹

Candidate	First round	Second round	
Currie	267,902	-267,902	Eliminated
Lenihan	694,484	+36,789	731,273
Robinson	612,265	+205,565	817,830
<i>Currie ballots w/o 2nd choice</i>		25,548	

Mary Robinson was elected President despite finishing second in the count of first choice rankings because she was the overwhelming second choice of supporters of the third-place finisher Currie. Rather than Currie being a “spoiler,” with instant runoff voting his supporters could indicate Robinson as their second choice and elect a president who gained true majority support. In addition, voters did not have to return to the polls, candidates did not have to spend more campaign money, voter turnout did not drop, and the winner was the candidate who showed a greater capacity to reach out to more voters.

CONCLUSIONS

If the United States wishes to see democracy expand and consolidate, critical analysis of the voting systems employed by existing democracies is just as important as thoughtful design in emerging ones. It is also important that the United States examine its own election system. Consider this observation by voting systems expert Douglas Amy:

One characteristic of a good voting system is that it ensures majority rule. This decision-making principle is one of the cornerstones of democratic government. It justifies the use of governmental power, and it facilitates the peaceful transition of power from one political group to another. When officials or the government represent only a minority of citizens this greatly undermines their political legitimacy and increases the likelihood of public opposition to their policies.

Somewhat surprisingly, not all voting systems do a good job of assuring majority rule. Some systems, for instance, allow a candidate for office to win with less than majority support. Also, these systems may allow a party to win a majority of seats in the legislature while winning less than 50% of the vote. Other systems are explicitly designed to ensure that winning candidates and legislative majorities have the support of the majority of the electorate.¹⁰

⁹ Took, Christopher and Sean Donnelly, “Presidential Election November 1990,” *ElectionsIreland.org*, 2006. <<http://electionsireland.org/result.cfm?election=1990P&cons=194>>

¹⁰ Amy, Douglas J., *Behind the Ballot Box: A Citizen's Guide to Voting Systems* (Westport, CT: Praeger, 2000), 12-13.

By this measure, federal elections in the United States do not ensure majority rule. Many have argued that the two-party system substitutes for the lack of a majoritarian requirement, as voters have only two choices that stand a reasonable chance of winning, both linked to major parties and therefore unlikely extremists. This belief was undermined in two recent presidential elections, however, as voters realized a third party candidate could effectively “spoil” the election by diverting votes from the more like-minded major-party candidate: Ross Perot from Republican George Bush in 1992 and Ralph Nader from Democrat Al Gore in 2000.

The greatest hesitation about majority voting systems in the United States has been linked to the demands of running extra elections. National campaigns cost our state and local governments hundreds of millions of dollars to run, and candidates spend hundreds of millions more. Turnout also has showed sharp declines in runoffs in the federal and state primary elections that have runoff requirements.

In Ireland, an effective system that has been tested over many decades is already in place to protect the rights of majority rule while avoiding the problems of two elections and “spoilers” keeping strong candidates from advancing to the runoff round. With instant runoff voting the voters of Ireland exert a greater influence on their presidential elections than citizens of other democracies. They have ensured majority rule happens in one decisive election where candidates aim to build the biggest possible base of core support while reaching out to other potential supporters.

The United States, one of the first nations to establish a modern democracy, should be at the forefront of ensuring that the principles of democratic governance are upheld. The United States and other nations that elect their heads of state by antiquated rules like the Electoral College and plurality voting stand to learn a great deal from the electoral systems of other countries that employ a majority requirement, particularly through instant runoff voting.



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