Choosing How to Choose Presidents: Parties, Military Rulers, and Presidential Elections in Latin America

Gabriel L. Negretto Centro de Investigación y Docencia Económicas (CIDE)

Students of presidential regimes claim that while the combination of plurality rule for presidential elections and concurrent electoral cycles favors bipartism, majority rule for electing presidents favors multipartism. I argue that a reverse causality also affects the relationship between party systems and electoral systems. Using a bargaining model of institutional change, I propose that while dominant and large parties are likely to choose plurality rule and concurrent elections, small parties are likely to choose majority rule. I also argue that military rulers and military-civilian coalitions tend to follow the logic of electoral choice of small parties. These hypotheses are supported by a statistical analysis of the determinants of electoral choice in 49 cases of constitutional change in Latin America. Mechanisms of choice are analyzed in several episodes of electoral reform, including a negative case that suggests explanations of electoral choice not covered by the model presented in this paper.

Students of presidential regimes claim that the electoral formula for choosing presidents and the timing of presidential and congressional elections determine the number of parties in separation-of-powers systems. Plurality rule for presidential elections and concurrent electoral cycles tends to result in two major parties, even if the congress is elected by proportional representation (PR). Majority rule, regardless of the electoral cycle, is likely to lead to multiparty systems.

I argue that a reverse causality also affects the relationship between party systems and electoral systems. Using a bargaining model of institutional change, I propose that while dominant and large parties are likely to choose plurality rule and concurrent elections, small parties are likely to choose majority rule. I also argue that military rulers and military-civilian coalitions tend to follow the logic of electoral choice of small parties.

This work is a first attempt toward systematic research on the origins of electoral systems, using evidence from constitutional change in Latin American presidential regimes. The topic is important to students of comparative constitutional regimes and of electoral and party systems alike. If the argument presented here is persuasive, it should stimulate a reconsideration of the conventional view that the number of parties is an exclusive function of the restrictions imposed by the electoral formula and district magnitude.

This paper is organized as follows. The first section reviews the different rules of presidential elections and electoral cycles in Latin America and their likely effects on party competition, and the second section develops an analytic framework to explain the change or maintenance of electoral rules. In the third and fourth sections I pursue a multimethod approach of empirical analysis. First, I show the systematic influence of parties and military rulers on electoral choice in a statistical analysis of 49 cases of constitutional change in 18 Latin American countries from 1900 to 2000. Second, I analyze the mechanisms of choice in several episodes of electoral reform, including a negative case that suggests explanations of electoral choice not covered by the model presented in this paper. The fifth section discusses the relationship between party systems and electoral choice. A brief conclusion follows.

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Electoral Formulas for Presidential Elections and Electoral Cycles in Latin America

Since 1978, concurrently with an emerging process of redemocratization, almost all Latin American countries replaced or revised their constitutions. In most of these cases, institutional designers introduced changes in the preexisting electoral formula for choosing a president.

The most evident change is the shift from simple plurality to alternative rules such as qualified plurality (plurality with a minimum threshold) or majority runoff. Table 1 shows the evolution of electoral formulas for electing presidents during the periods 1900–39, 1940–77, and 1978–2000, intervals that coincide with periods of expansion of electoral democracy in Latin America (Smith 2004). The table includes only formulas adopted between 1900 and 2000 and in force during years in which the executive was elected and more than one party competed in the presidential election.

Eleven countries had experiences with plurality rule from 1900 to 1977. After 1978, however, the number of countries using plurality went down to eight during the 1980s and had dropped to five by 2000. The opposite trend can be observed with formulas other than simple plurality. From 1900 to 1977, five countries had experiences with majority (whether with a second round of elections or in Congress) and two with qualified plurality formulas in direct elec-

Table 1 Electoral Formulas for Presidential Elections in Latin America (1900–2000)

	Formulas (*)		
Countries	**1900–1939**	**1940–1977**	**1978–2000**
Argentina	—	Plurality (1949)/ Majority-voters (1972)	Qual. plurality (1994)
Bolivia	—	Plurality (1961)	Majority-congress (1967)
Brazil	—	Plurality (1946)	Majority-voters (1988)
Chile	Majority-congress (1925)	Majority-congress	Majority-voters (1980)
Colombia	Purality (1910)	Purality	Majority-voters (1991)
Costa Rica	Majority-congress (1913)/Majority-voters (1926)/ Qual. plurality (1936)	Qual. plurality	Qual. plurality
Dom. Rep.	—	Plurality (1963)	Majority-voters (1994)
Ecuador	—	Plurality (1946)	Majority-voters (1979)/Qualified plurality (1998)
El Salvador	—	Majority-congress (1962)	Majority-voters (1983)
Guatemala	—	Majority-congress (1945)	Majority-voters (1985)
Honduras	—	Plurality (1957)	Plurality
Mexico	—	Plurality (1917)	Plurality
Nicaragua	—	—	Plurality (1987)/Qual. plurality (1995/2000)
Panama	—	Plurality (1946)	Plurality
Paraguay	—	—	Plurality (1992)
Peru	Qual. plurality-congress (1933)	Qual. plurality-congress	Majority-voters (1979)
Uruguay	Plurality (1918)	Plurality	Majority-voters (1997)
Venezuela	—	Plurality (1947)	Plurality

Source: Author, based on Nohlen (1993), Constituciones Hispanoamericanas (http://www.cervantesvirtual.com/portal/constituciones/) and Political Database of the Americas (http://www.georgetown.edu/pdba).
(*) The table includes only formulas for electing presidents adopted between 1900 and 2000 and in force during years in which the executive was elected and more than one party competed for the presidency. Year of adoption or change of the electoral formula indicated in parenthesis.

tions.[1] After 1978, in contrast, 10 countries adopted or maintained majority and three utilized qualified plurality formulas.[2]

To summarize, by 2000 only five countries in Latin America retained direct presidential elections by simple plurality: Honduras, Mexico, Panama, Paraguay, and Venezuela. The rest had adopted or maintained more-than-plurality rules.[3] Since the 1994 constitutional reform in Argentina, no country in Latin America has retained the typical nineteenth-century electoral system of electing a president indirectly by means of an Electoral College.

The rules for electing presidents adopted since 1978 were implemented at the same time that most countries restored preexisting PR formulas for congressional elections. Beginning with Costa Rica in 1913, the large majority of countries in Latin America had adopted variants of PR by 1970. Nevertheless, except for the early reformers (Costa Rica, Chile, and Uruguay), repeated cycles or long periods of authoritarian rule prevented the regular implementation of PR until the early 1980s.

The most widely accepted hypothesis about the effect of electoral rules on party systems is that while plurality rule in single-member districts induces the creation and maintenance of two-party systems, majority runoff and PR impose less constraints on the number of parties that are able to compete and win office in elections (Cox 1997; Duverger 1963; Riker 1986). From this perspective, it seems clear that, in combination with the prior adoption of PR formulas for congressional elections, the shift from plurality to more-than-plurality rules for presidential elections in Latin America after 1978 represents a shift from more to less restrictive rules on party competition.

The hypothesis that PR in legislative elections leads to multipartism is incomplete when applied to separation-of-powers systems. The multiparty effect of PR formulas of congressional elections may be neutralized if simple plurality is used to elect presidents and presidential and legislative elections are held concurrently. On the other hand, the tendency toward multipartism may be reinforced when majority formulas are used to elect presidents and/or when presidents and legislators are elected in nonconcurrent cycles.

The available evidence on the combined effect of presidential electoral formulas and electoral cycles allows us to distinguish between the most and the least restrictive rules on the number of parties in presidential regimes; plurality with concurrent elections; and majority rule, respectively (Jones 1995; Mainwaring and Shugart 1997; Shugart and Carey 1992). The effect of intermediate combinations is less certain. Nonconcurrent congressional elections might have an effect similar to majority rule, but this depends on the time elapsed between the presidential and the legislative election and on the legislative election procedure (Cox 1997). The different thresholds of qualified plurality formulas (some closer to simple plurality, others closer to absolute majority) may also have an uncertain effect under different electoral cycles.

Given this information, a reasonable way to measure the degree of restriction imposed by electoral formulas for presidents and electoral cycles on the number of parties in presidential regimes would be an ordinal scale ranging from 1 to 3, where 1 indicates the highest, 3 the lowest, and 2 an intermediate level of restriction. On this scale, plurality rule with concurrent elections would receive a score of 1, and majority rule, regardless of the electoral cycle, a score of 3. Plurality nonconcurrent and qualified plurality, also regardless of the electoral cycle, would have an intermediate score of 2.

I have used these scores to classify the levels of restriction on party competition that resulted from the electoral formulas for presidents and electoral cycles of 53 constitutions and constitutional reforms in force in 18 Latin American countries between 1900 and 2000.[4] The formulas for electing presidents were classified as plurality, qualified plurality, and majority according to the threshold needed to win in the first or single round of the presidential election. Electoral cycles were classified as concurrent, if all congressional and presidential elections were held on the same date, or nonconcurrent, if all or some congressional elections were held separately from the presidential election.

A comparison between the period before and after 1977 shows that Latin American countries have moved from more to less restrictive scores. While the

[1]The reason for counting majority rule with congressional choice among the front-runners and majority with run-off as the same rule is that they create similar electoral incentives among parties to field presidential candidates in the first round.

[2]The 1998 constitutional reform in Ecuador left nine countries with majority rule and four with qualified plurality rule.

[3]A similar trend seems to exist in regions other than Latin America: 85% of the presidents in Eastern Europe, 73% of the presidents in Africa, and 55% of the presidents in Asia are currently elected by majority rule.

[4]The list of constitutions and constitutional amendments is the same as that in the third section of this paper, plus the 1853 Argentinean constitution, the 1871 Costa Rican constitution (reformed in 1913), the 1925 Chilean constitution, and the 1945 Guatemalan constitution.

mean score for electoral formulas and cycles for 1900–77 was 1.86, with a standard deviation of .85, the mean score for 1978–2000 was 2.42, with a standard deviation of .77.

Assuming that presidential regimes perform poorly under party systems with more than two major parties, several authors deplore the recent electoral choices made by most Latin American countries (Jones 1995; Shugart and Carey 1992). In their view, constitutional designers have been misled by the supposedly legitimizing effect of electing presidents with a vote share exceeding simple plurality or by myopic partisan considerations.[5] This perspective, however, neglects the fact that electoral systems are also endogenous to the party system. Seen from this angle, the party system effect of electoral formulas is not an unintended outcome due to lack of information or short-term concerns. It is the direct result of a deliberate choice made by forward-looking political actors.

Explaining Electoral Choice

The rules for electing a president have certain distinctive characteristics that make them different from the rules for electing legislators. They are, for instance, designed to produce a single winner and are often constitutionally embedded. In spite of these differences, it should be possible to explain the origin of any electoral system by a single set of causal factors. Four hypotheses have been invoked to explain the emergence and maintenance of electoral systems: impartiality, path dependence, diffusion, and partisan self-interest.

The hypothesis of impartiality postulates that political actors derive preferences for electoral rules based on the collective benefits that would result from these rules, such as effective government or political legitimacy. Impartiality may find empirical support in the fact that political actors engaged in constitutional design typically reveal their preferences for a given electoral formula in impartial terms. This is not, however, reliable evidence. Political actors often use impartial arguments strategically, under the constraints of publicity (Elster 1995). Moreover, even if most constitution makers sincerely believe that a particular electoral formula should be adopted on impartial grounds, this cannot by itself explain the final choice. Efficient or fair institutions are public goods and, as such, subject to well-known problems of collective provision.

A second hypothesis focuses on the role of path dependence in explaining the maintenance and change of electoral systems. It postulates that due to the costs of information and learning implied in institutional change, such change is infrequent and, when it occurs, incremental. As Taagepera and Shugart summarize, "familiarity breeds stability" (1989, 218).[6] The finding that countries tend to stick to the general features of a particular electoral system, even if minor changes are introduced from time to time, supports this argument.[7] Its main drawback, however, is that when changes do occur, the hypothesis provides no mechanism to explain the reasons for or direction of change.

Another frequent explanation is based on the idea of diffusion, contagion, or imitation. The hypothesis here is that political actors derive preferences for electoral systems based on how many other countries have already adopted them, supposedly with some beneficial effect. This explanation may find empirical support in the fact that certain types of electoral systems are sometimes adopted during particular periods of time or in specific regions of the world (Blais and Massicotte 1997). But the mere diffusion of a particular institution does not amount to a real explanation of why it is chosen. It is necessary to know the reasons for imitation beyond the simple fact that a new institution might become available at a certain point in time. Moreover, diffusion cannot account for why certain formulas are adopted instead of others or why constitution makers almost always make a selective use of other country's designs.

In its most accepted version, the explanation of electoral choice based on partisan self-interest postulates that political actors derive preferences for electoral rules based on calculations of how those rules will affect their ability to win office, given their expected votes in coming elections.[8] Several authors, including Benoit and Schiemann (2001), Boix (1999), Brady and Mo (1992), Geddes (1996), and Remington and Smith (1996), have applied this model to explain the choice of electoral rules for legislators in political

[5]According to Jones, many of the world's young democratic systems have selected majority runoff "combining misguided logic regarding the technical merits of the plurality and majority runoff formulas with partisan considerations" (1995, 14).

[6]A similar argument is found in Lijphart (1994, 52).

[7]Lijphart, for instance, finds that no country changed from plurality to PR or vice versa in his study of 27 countries from 1945 to 1990. See Lijphart (1994, 52).

[8]A variant of this model emphasizes that preferences for electoral systems are primarily derived from the expected policy outcomes associated with the alternatives. See Bawn (1993).

contexts as different as Korea, Eastern Europe, Latin America, Russia, Continental Europe, and Hungary. Colomer (2004) has also developed a strategic model to explain electoral system choice across the different regions of the world.

Partisan self-interest provides the most appropriate explanation of electoral choice. Unlike the basic design options of a regime type, whose combined effects are often uncertain, electoral systems have a direct redistributive effect that may be known beforehand. They determine who wins and who loses in the competition for office and, thus, who makes policy. Since professional politicians cannot disregard these outcomes, the choice of an electoral system belongs to the operational level of institutional design, where decisions are based primarily on partisan considerations (Jillson 1988).

Based on these premises, I propose a bargaining model of institutional change to explain the selection of the formulas to elect presidents and electoral cycles. The model predicts the choice of these rules from two main factors: (1) the calculation of how the electoral formulas for presidents and electoral cycles affect parties' chances in elections and probabilities of winning the executive office and/or legislative positions and (2) the bargaining power of institutional designers at the time when the choice is made.

Expectations of future electoral support explain the formation of preferences for institutions and depend, in the first place, on the nature of the political actors with influence over the design process. For democratic constitution-making processes, these actors are typically political parties. But when constitutions are made or reformed at the beginning of a transition to democracy, it makes sense to assume that the design process may also be under the control of outgoing authoritarian rulers. This has been the case in many instances of constitutional change in Latin America when military rulers initiated the transition.

Since outgoing military rulers generally lack partisan support or are supported by small parties, they are often unable to participate in or expect to perform poorly in competitive elections.[9] In either situation, military rulers would prefer a democratic regime with electoral rules that are as inclusive as possible. When the military rulers lack partisan support, these rules would prevent any party from accumulating enough power to reverse the policy outcomes of the former regime or take actions against its authorities. When small parties represent the interests of authoritarian rulers, an inclusive electoral system would provide these parties with a fair chance to win representation and influence policy.

Democratic political parties, in turn, may expect to win or to lose, or they may be uncertain about their future electoral support. Unless the date of future elections is close and opinion polls indicate that a particular candidate or party is favored, party leaders would generally base their electoral expectations on the electoral support for their parties at the time of choice. This implies that in the absence of any exogenous change in the existing pattern of electoral competition, a dominant party usually expects to win, a few large parties expect to alternate in power, and small parties either expect to lose or are uncertain about the outcome of future elections.

Given these expected outcomes, one could predict the institutional preferences of dominant and large parties, on the one hand, and small parties, military rulers, and military-civilian coalitions, on the other. Members of dominant or large parties should prefer the most restrictive rules on party competition, such as plurality rule and concurrent elections, anticipating that these rules would prevent the emergence of second or third significant parties. Conversely, small parties should prefer the least restrictive rules, such as majority rule. Under this rule, minor parties, even with no chance of winning the presidency, may field presidential candidates in the first round to obtain some share of the popular vote and have influence over the final selection of the executive in the second round.[10] Military rulers and military-civilian coalitions should choose the same rules, so that candidates from small parties will be supported and multiparty electoral competitions promoted.[11]

The actual choice, however, depends on bargaining power, which can be defined as the ability of actors to control outcomes (Brams 1990). This power is based on the resources political actors have for making their preferences prevail over those of their opponents. The most common resources in constitutional

[9]Even in cases where the military retained considerable popular support at the time of leaving office, the parties directly sponsored by them (such as the PCN in El Salvador, the PID in Guatemala, or the PUN in Honduras) were relatively small parties that tended to decline under competitive elections.

[10]If legislative elections are held concurrently, minor parties may also prefer majority rule because it creates less constraints than plurality to field presidential candidates that help to increase the party's vote share in congressional elections.

[11]An additional reason why military rulers might prefer majority rule is that this formula often reduces the chances of winning for candidates with populist or extreme, particularly leftist, policy positions. I thank one of the anonymous reviewers for pointing this out.

bargaining are produced within the constitution-making process and refer to the actors' ability to approve or block constitutional changes. Using this concept, I propose that as the number of parties that win representation in the constituent body increases, constitution makers tend to shift from more to less restrictive rules on party competition. I also hypothesize a similar logic of choice when military rulers or military-civilian coalitions have control over the constituent body.

The Determinants of Electoral Choice in Latin America

In order to test the hypotheses outlined above I created a database with cases of constitutional replacement or amendment that occurred in 18 Latin American countries between 1900 and 2000. It includes only constitutions and amendments enacted and/or in force during this period in years where the executive and the legislature were elected and more than one party competed in elections. Following this criterion, the sample covers the following 49 cases: Argentina 1949, 1972, 1994; Bolivia 1961, 1967, 1995; Brazil 1946, 1988, 1994; Colombia 1910, 1968, 1991; Costa Rica 1936, 1949; Chile 1980, 1997; Dominican Republic 1963, 1966, 1994; Ecuador 1946, 1979, 1983, 1998; El Salvador 1962, 1983; Guatemala 1956, 1965, 1985; Honduras 1957, 1965, 1982; Mexico 1917; Nicaragua 1987, 1995, 2000; Panama 1946, 1994; Paraguay 1992; Peru 1933, 1979, 1993; Uruguay 1917, 1942, 1952, 1967, 1997, and Venezuela 1947, 1961, and 1999.[12] A web appendix provides details about case selection and sources of data for specific countries and years.[13]

If we assume that military rulers have relatively fixed electoral expectations and that parties generally derive expectations from their electoral support at the time of choice, the crucial step to test the model of institutional change proposed in this paper is to find a proxy of the bargaining power of political actors in the constituent body. In the case of military rulers, this indicator is simple: the existence of an expert commission appointed by the military regime or the presence of a military-civilian coalition with control over the decision rule in the constituent body. The case of political parties, however, is more complex. We need to find a measure to determine whether one dominant party, a few large parties, or several small parties had influence over institutional design.

One possible indicator of party strength is the effective number of parties (ENP) in the constituent body, measured according to the Laakso-Taagepera (1979) formula.[14] The main problem with this measure is that it may be inaccurate as an indicator of the actual distribution of forces within the constituent body. An ENP of 1.92, for instance, is supposed to reflect the existence of two major parties.[15] But the same value may veil a distribution in which one party controls 70% of the seats and three small parties 10% each. An ENP of 2.93, while indicating almost three parties, may in fact correspond to a situation in which two large parties share 41% and 39% of the seats respectively, followed by two small parties with 10% each. Moreover, we need to consider the decision rule in the constituent body for determining the number of parties with control over constitutional change.

I provide an alternative indicator that captures both the existence of parties with control over the decision rule and the relative share of seats held by the parties represented in the constituent assembly when more than one party is necessary to approve constitutional changes. The indicator is based on the decision rule of the constituent body, the share of seats of the largest party, and the share of seats of the two main parties.[16] The categories derived from this indicator are as follows:

1) Dominant party: the largest party in the constituent body has sufficient votes to approve constitutional changes according to the decision rule of the constituent body, which can be simple or qualified majority.
2) Two party: the two main parties together hold more than 95% of the seats, and there is no dominant party according to the previous definition.

[12]The general sources of data were Constituciones Hispanoamericanas (http://www.cervantesvirtual.com/portal/constituciones/), *Country Profiles* (http://lcweb2.loc.gov/), *Keesing's Record of World Events On Line, Latin American Weekly Report*, Nohlen (1993), and Political Database of the Americas (http://www.georgetown.edu/pdba/spanish.html).

[13]See appendix in www.journalofpolitics.org. The appendix also includes details about the coding and measurement of the variables used in the statistical analysis.

[14]The formula is calculated here as 1 divided by the sum of the squares of the fractions representing the respective shares of the seats won by each party in the constituent assembly or in the lower or single chamber of a constituent congress. See Laakso and Taagepera (1979).

[15]See Mainwaring and Scully (1995, 31–2).

[16]This indicator draws on the classification of parties provided by Siaroff (2003).

3) Two-and-a-half party: the two main parties hold between 80 and 95% of the seats and there is no dominant party.
4) Multiparty: the top two parties hold fewer than 80% of the seats, and there is no dominant party.

I used an ordered probit analysis to test the hypothesis that while dominant and large parties are likely to choose plurality rule and concurrent elections, small parties, military rulers and military-civilian coalitions are likely to choose majority rule. The dependent variable is the electoral formula used for electing a president and the electoral cycle, coded as an ordinal variable that ranges from the most to the least restrictive combination on party competition. Plurality rule with concurrent elections receives a score of 1, plurality nonconcurrent and qualified plurality rule a score of 2, and majority rule a score of 3.[17]

The main independent variables are the relative sizes of the parties at the time of choice and the influence of military rulers on constitutional design. I used three models to measure the impact of these variables. Model 1 traces the effect of the ENP in the constituent body vis-à-vis the influence of military rulers and military-civilian coalitions on electoral choice. The central independent variables here are PARTISAN POWER (ENP) and MILITARY. The first is measured as a continuous variable according to the Laakso-Taagepera formula, while MILITARY is coded as a dichotomous variable which equals 1 when military rulers or military-civilian coalitions control the constituent body, and 0 otherwise.

Model 2 changes the measure of the distribution of partisan power at the time of choice from PARTISAN POWER (ENP) to PARTISAN POWER (SHARE OF SEATS). The latter is coded as a k-value ordinal variable, where constituent bodies are ranked depending on whether a dominant party, two parties, two-and-a-half parties, or multiple parties control them, assigning values of 1, 2, 3, and 4, respectively. Model 3 breaks this ordinal variable into k-1 dummy variables: TWO PARTY, TWO-AND-A-HALF PARTY, and MULTIPARTY. Each of these variables is coded as 1 when two parties, two-and-a-half parties, or multiple parties respectively control the constituent body, and 0 otherwise. This model traces the relative impact of each degree of party concentration on electoral choice and makes possible a more precise comparison between the electoral choice of parties and military rulers. Constituent bodies under the control of a dominant party act as the implicit comparison group.

In all these models I incorporated two additional independent variables to control for alternative explanations of electoral choice. LEGACY traces the effect of the existing electoral rules on electoral choice. This variable reflects the lagged score of the dependent variable at the time of choice and attempts to determine whether the costs of institutional change constrain constitution makers to maintain or make only incremental changes in the existing configuration of electoral formulas for presidents and electoral cycles.[18] It allows us to test whether constitution makers tend to stay with the precedent in spite of changes in other variables, such as the distribution of partisan power or of the influence of military rulers on institutional design.

DIFFUSION traces the effect that the number of countries adopting an electoral rule has on the probability that another country will adopt the same rule within a particular geographical area. Latin American countries were classified into three subregions: Southern, Andean, and Central and North.[19] The numerical value of DIFFUSION is the percentage of countries in each subregion that had majority rule at the time when a constitution in another country in the same geographical area was replaced or changed.[20] It makes it possible to test whether constitution makers, in spite of changes in other variables, are more inclined to choose majority rule given the proportion of countries that have already adopted the rule within a particular subregion.[21]

The regression results of the three models are displayed in Table 2. Model 1 explains, as the McKelvey

[17]I pursued several statistical tests with different specifications of the dependent variable. All showed results similar to the ones reported below.

[18]In order to measure the lagged score of the dependent variable in the early cases of constitutional change entered in the database I included all the electoral formulas for presidents and electoral cycles that were formally in force from 1900 to 2000.

[19]The Southern subregion is composed of Argentina, Brazil, Chile, Uruguay, and Paraguay; the Andean subregion of Colombia, Peru, Bolivia, Ecuador, and Venezuela; the Central and North American subregion of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Mexico, and Panama. The Dominican Republic, the only Caribbean country considered, was included in the Central and North American region.

[20]This calculation is based on all the electoral rules formally in force from 1900 to 2000.

[21]I also measured this variable as the absolute number of countries in Latin America that had majority rule for presidential elections at the time of constitutional change in a particular country. The results were not different from those reported below.

Table 2 Determinants of Electoral Choice in Latin America (1900–2000)

Dependent Variable: Choice of Electoral Formula for President and Electoral Cycle			
Independent Variables	**Model 1**	**Model 2**	**Model 3**
PARTISAN POWER (ENP)	.310* (.167)		
PARTISAN POWER (Share of seats)		.472*** (.153)	
TWO PARTY			.053 (.791)
TWO-AND-A-HALF PARTY			.648 (.475)
MULTIPARTY			1.518*** (.524)
MILITARY	2.568*** (.746)	2.793*** (.709)	2.238*** (.642)
LEGACY	.631** (.273)	.787*** (.254)	.729*** (.273)
DIFFUSION	.954 (1.010)	1.074 (1.140)	.865 (1.127)
N	49	49	49
Log-likelihood	−41.1288	−38.3991	−38.0352
χ^2	22.09	31.97	31.59
Pseudo R^2	.2305	.2815	.2884
McKelvey and Zavoina's R^2	.49	.56	.56

Notes: Numbers in parentheses are robust standard errors. Levels of significance are denoted as follows:
$^{*}p < .10$, $^{**}p < .05$, $^{***}p < .01$.

and Zavoina's R^2 suggest, up to 49% of the variation in the adoption of electoral formulas for president and electoral cycles.[22] The coefficient of PARTISAN POWER (ENP) is statistically significant at the .10 level and positive, indicating that as the effective number of parties represented in the constituent body increases, it is more likely that institutional designers would shift from more to less restrictive electoral rules. The coefficient of MILITARY is significant at the .01 level and positive, indicating that electoral choice also tends to move from more to less restrictive values when military rulers or military-civilian coalitions have control over constitutional design. LEGACY was found to be statistically significant at the .05 level and positive, meaning that constitution makers either maintained previous scores on electoral rules or moved gradually toward least restrictive ones.[23] DIFFUSION had the right (positive) sign but it was not found to be statistically significant.

When we shift from PARTISAN POWER (ENP) to PARTISAN POWER (SHARE OF SEATS), the effect of party strength on electoral choice achieves greater significance. As we can read from Model 2, both PARTISAN POWER (SHARE OF SEATS) and MILITARY are significant at the .01 level. LEGACY continued to be significant, now at the .01 level, while DIFFUSION, as before, was not statistically different from zero.

Model 3 is the best model to assess the influence of parties and military rulers on electoral choice. It explains, as the McKelvey and Zavoina's R^2 suggest, up to 56% of the variation in the adoption of electoral formulas for president and electoral cycles. While TWO PARTY and TWO-AND-A-HALF PARTY were not found to be significant, MULTIPARTY was statistically significant at the .01 level. This indicates that when several small parties have control over constitutional design their electoral choice tends to go in the opposite direction of the choice of dominant parties. The coefficient of MILITARY was statistically significant at the .01 level, indicating that military rulers and military-civilian coalitions, like small parties, tend to shift from more to less restrictive electoral rules. The results for LEGACY and DIFFUSION were similar to those of model 2.

To summarize, the results of the regression models support the hypothesis that as the distribution of partisan power in the constituent body becomes less concentrated or as military rulers or military-civilian coalitions control the process of design, electoral choice tends to go from more to less restrictive values. The significant effect of existing electoral rules on subsequent choices also indicate that constitution makers are influenced by previous choices. However, the degree of party concentration or the influence of military rulers on constitutional design is the most important variable for predicting whether electoral change occurs and in what direction.

Table 3 shows the probabilities of electoral choice according to the relative sizes of the parties and the influence of the military over constitutional design.[24] As can be seen, the effect is described best in the extreme cases.

[22]All Mc Kelvey and Zavoina's R^2 are calculated using the Spost program. See Long and Freese (2001).

[23]In this and in the other models I tested the effect of this variable after excluding cases of partial reform (e.g., Brazil 1994 and Chile 1997) in which one could argue that a broad electoral change was never considered. The results were similar to those reported in the text.

[24]Probabilities based on CLARIFY. See footnote to Table 3.

Table 3 Estimated Probabilities of Electoral Choice Given Party Strength or Influence of Military Rulers in the Constituent Body (Calculus Based on Model 3)

	Constitution Makers				
Electoral Choice	**Dominant Party**	**Two Party**	**Two-and-a-half Parties**	**Multiparty**	**Military**
1. Plurality concurrent	.51	.49	.28	.09	.03
	(.42)	(.85)	(.51)	(.30)	(.15)
2. Plurality nonconcurrent	.36	.33	.41	.29	.16
and qualified plurality	(.32)	(.53)	(.37)	(.39)	(.41)
3. Majority concurrent and	.12	.18	.31	.62	.81
nonconcurrent	(.25)	(.59)	(.55)	(.56)	(.51)

Note: Probabilities based on CLARIFY: Software for interpreting and presenting statistical results, by Michael Tomz, Jason Wittenberg, and Gary King, version: 2.1, 1/5/2003. Available at http://gking.harvard.edu/
Note: The widths of the confidence intervals are indicated in parentheses.

While, ceteris paribus, there is a 51% probability that a dominant party would choose a plurality formula with concurrent elections, there is only a 12% probability that it would choose a majority formula. Multiparty assemblies choose majority formulas with 62% probability and plurality concurrent rules with 9% probability. Military rulers and military-civilian coalitions choose majority rule with 81% probability and plurality concurrent rules with 3% probability.

Case Studies

To show the mechanisms at work in the process of electoral choice, I have selected two countries with constitution-making episodes that represent the full range of variation in the relevant independent variables. Colombia illustrates the electoral choice patterns that result from a constituent body with two equally large parties or several small parties. Argentina shows the changes in electoral choice that result from constituent processes controlled by a dominant party, military rulers, and multiple parties. The 1998 electoral reform in Ecuador is used as a negative case that allows us to explore explanations of electoral choice not covered by the model presented in this paper.

Colombia

In 1974 Colombia formally inaugurated a competitive democratic regime upon the ending of the 1958 National Front coalition arrangement, which had established a fixed schedule for alternating the presidency between the Liberal (PL) and the Conservative party (PC). The constitution of 1886, amended in 1968, was used as a framework for the new regime. The 1968 reform maintained the plurality rule for electing presidents that had been in place since 1910.[25] At the same time, reformers shifted from nonconcurrent to concurrent congressional elections. These decisions were aimed at perpetuating the existing duopoly between the PL and PC. Each party controlled exactly 50% of the seats in the constituent body and expected to alternate in the presidency to the exclusion of any other party.[26]

This pattern of party competition persisted until César Gaviria (PL) was elected president in May 1990. The party system now increased in fragmentation for two reasons; the Conservatives split into two factions who then proposed different presidential candidates, and a new leftist force arose, the Alianza Democrática–Movimiento 19 de Abril (AD/M-19).[27] As a consequence, while the maximum effective number of electoral parties in the four previous presidential elections was 2.5, it rose to 3.1 in the 1990 election.

It was in this context that President Gaviria called for elections for a constituent assembly under PR. The ENP climbed to 5.3 in the election and 4.4 in the assembly. None of the main political groups managed to achieve a majority. The incumbent PL obtained 35%, the AD/M-19 26%, the MSN 15%, and the PSC 7% of the delegates. A small number of delegates from ethnic, religious, and even guerrilla groups made up the rest of the assembly. No majority coalition was formed among any of these groups (Bejarano 2001, 59).

[25]The Conservative Party was dominant when plurality rule was established in 1910.

[26]The two parties agreed on one more period of fixed alternation, from 1970 to 1974, in which the PC would control the presidency.

[27]See "Elections Show Colombia's Old Two-Party System Falling Apart," *Latin American Weekly Report*, June 7, 1990.

As noted by observers of the process, the choice of a majority runoff system for electing presidents in 1991 was consistent with the intention of the framers to favor small-party candidates (Jaramillo 1994). It was also consistent with the intention to maintain the nonconcurrent electoral cycle of congressional elections implemented since 1978.

Argentina

Until the reform of 1994, which established a qualified plurality formula, Argentina used the Electoral College system created in 1853. The system had been briefly replaced twice, by plurality rule in 1949, and by majority rule in 1972.

In August 1948, a law declaring the need for reform and convoking a constituent assembly was first approved in Congress, where the Peronist Party (PP) had two-thirds of the votes. Later, an election by plurality rule provided the PP with 70% of the seats in the constituent assembly. In a context of dramatic electoral decline, the only party in the opposition, the Radical Party (UCR), objected to the substitution of the Electoral College for a direct plurality election and the mixed electoral cycle for concurrent elections.[28] But given the dominance of the incumbent party, the outcome was a foregone conclusion.

After the 1955 coup, the military restored the 1853 constitution and the Electoral College system was again in force until 1972. That year, an outgoing military regime imposed a majority runoff formula to reduce the chances that a Peronist candidate would win the 1973 presidential election. Military rulers speculated that the Peronist candidate might not be able to surpass the 50% threshold and that the runoff could lead to a broad anti-Peronist coalition (Padilla 1986). It almost produced the desired result, but the 49.5% obtained by the Peronist candidate led the distant runner-up of the UCR to abandon the race before a second round was called. The system was applied once more in 1974 but the new government restored the Electoral College system soon after taking office.

The last reform originated in a proposal by President Menem (PJ) to remove the existing proscription on immediate presidential reelection. He did so during a peak of popularity and under the expectation of being reelected in 1995. Menem, however, needed the support of the main opposition party, the UCR, to reach the two-thirds required by the constitution to pass a law declaring the need for reform. Only after he threatened a plebiscite on his reelection, when several polls indicated that popular support for the president exceeded 60%, did the UCR decide to accept the reform in exchange for a number of concessions (García Lema 1994). One of them was precisely a reform to the existing method of presidential election (Negretto 1999).

The UCR initially demanded that the Electoral College be replaced by a system of direct election by majority rule. The PJ, in turn, supported direct election by plurality rule (Negretto 2004). In the end, negotiators from both parties agreed to "split the difference." The UCR accepted that the minimum threshold be lowered from 50 to 45% while the PJ agreed to this threshold but only if an alternative rule was also established; that a candidate could still win with 40% of valid affirmative votes if a 10% difference separated the front-runner from the runner-up.[29] A qualified plurality system was thus created as a compromise between the plurality rule preferred by the ascending but not dominant PJ and the majority formula preferred by the declining UCR.

Ecuador

The constitutional reform of Ecuador in 1998 is an important negative case with respect to the theory developed in this article. It was the only case in the database that went from less to more restrictive electoral rules, and did so under conditions not predicted by the model. In 1998, a multiparty constituent assembly in Ecuador replaced majority run-off by a qualified plurality formula that required presidential candidates to have 40% of the vote with a difference of 10% over the runner-up for winning in the first round. The reform also shifted from nonconcurrent to concurrent congressional elections.

One possible explanation for this outcome does not contradict the model entirely. The idea of lowering the threshold of 50% and eliminating the mid-term elections had the Partido Social Cristiano (PSC) as its strongest supporter.[30] This party held a plurality in the constituent assembly, had been the largest party in Congress since the 1990 mid-term elections, and was one of the main competitors for the presidential office.[31] Another party supporting the change was

[28]The UCR's opposition to replacement of the Electoral College system was due to the fact that while the College overrepresented small states in which the party had significant support, direct elections by plurality would favor the larger states and urban areas where the PP was stronger.

[29]*La Nación*, November 28, 1993.

[30]*HOY*, December 14, 1997.

[31]See "Nebot to be third time lucky," *Latin American Weekly Report*, August 26, 1997.

Democracia Popular (DP), the second largest party in Ecuador and also a strong presidential contender.[32] With the exception of the Frente Radical Alfarista (FRA), all the small parties in the assembly opposed the proposed change.[33] The reform was finally passed by a minimum winning coalition made up of the PSC, DP, and FRA. This suggests that one possible correction to the theory developed in this paper could be made by looking more closely at the process of coalition formation as well as at the relative bargaining power of parties within multiparty assemblies.

An alternative explanation is contextual. To a large extent, the 1998 constitutional reform was a strategy designed to appease growing dissatisfaction with traditional political parties and with the performance of democracy in Ecuador. In February 1997, less than one year after his election, Congress impeached President Bucarám. This was the final stage of a persistent cycle of conflicts that had been running between minority presidents and opposition majorities in Congress since the enactment of the 1979 constitution. In this context, the replacement of the majority formula created by the military government in 1979 and the elimination of the mid-term congressional elections established by the constitutional reform of 1983 were introduced and justified as reforms that would improve "governability" by strengthening partisan support for presidents.[34]

Based on this case, one could argue that the experience of recurrent political crises and a public demand for reform may provide politicians with incentives to change the existing electoral system in a direction that cannot be predicted by partisan interests alone. While difficult to operationalize in studies where N is relatively large, the negative effect of the electoral system on democratic performance may be relevant as a factor for understanding electoral changes that deviate from the strategic model of choice.

Party Systems and Electoral Choice

The electoral formulas for choosing presidents are usually analyzed as independent variables that determine the level of fragmentation of the party system and the ability of presidents to obtain majority support in the legislature. Following Duverger (1963), most analysts adopt the hypothesis that as in PR in congressional elections, majority runoff in presidential elections leads to multipartism. This hypothesis is supported by the coexistence between multipartism and more-than-plurality rules for presidential elections in many countries.

However, the causal relation between electoral systems and party systems is not unidirectional.[35] The above analysis, for instance, shows that the number of parties with control over constitutional design is a crucial factor for predicting whether electoral changes will occur and in what direction. In this vein, I would like to indicate three reasons why small political parties have been influential in the recent shift from plurality to more-than-plurality rules for presidential elections in Latin America.

The first and probably the most important reason is that the number of political parties is not perfectly endogenous to the existing electoral system. Even with restrictive electoral rules new parties may emerge when important portions of the electorate remain underrepresented by the traditional parties, or when a sudden political or economic crisis leads to the collapse of the existing party system.[36] If constitutional changes occur at these times, the existing electoral system may also be changed to perpetuate the new distribution of partisan power.[37] The case of Colombia is paradigmatic. A stable two-party competition was maintained under plurality rule from 1974 to 1990, until a split in the Conservative party and the emergence of a recently created leftist party induced a greater level of party fragmentation just before a constituent assembly was convoked.

A second reason to shift from more to less restrictive electoral rules is related to the electoral formula used to elect the constituent body. Since 1978, most constituent bodies have been selected under a PR formula, often considered to be the only fair rule in a democratic process of constitutional change. This formula may prevent any single party or coalition

[32]In fact, the proposal of a 40% threshold with a difference of 10% was originally made by Corporación de Estudios para el Desarrollo (CORDES), a think tank closely linked to the DP.

[33]*HOY*, December 21, 1997.

[34]See "Las Causas de la Modificación de la Segunda Vuelta al Debate," *HOY*, January 11, 1998.

[35]For an overview of the relationship between party systems and electoral systems, see Colomer (2004).

[36]Shugart and Taagepera (1994, 323–48) found that 16.7% of a sample of 30 plurality elections in Latin America led to a fragmented field of candidate competition. However, they do not indicate the reasons why this might have happened.

[37]Duverger (1963, 227) himself implicitly indicated that while plurality single-ballot electoral systems have the capacity to restore dual party competitions after the occasional experience with multiparty competitions, a shift from plurality to PR at these times would perpetuate and reinforce multipolar electoral contests.

from dominating the assembly, regardless of the preexisting formula for electing a president. The 1999 constitutional change in Venezuela, for instance, was one of the few recent cases where plurality rule was used to elect the constituent assembly. This led to the dominance of one party and to the maintenance of plurality rule for presidential elections.

The third reason is that even if one or two large parties have a majority of seats in the constituent body, the decision rule may require a qualified majority of votes to approve a new constitution. In the case of Argentina, for instance, although the PJ had its own majority in the senate and a working majority in the chamber of deputies in 1993, it was unable to reach the two-thirds required by the constitution to declare the need for reform without the support of the main opposition party. Since this party was in electoral decline, one of the main conditions for its support was the establishment of a more-than-plurality formula for electing the president.

Even if factors independent of the existing electoral rules can change the distribution of partisan power at the time of choice, there is reason to believe that restrictive electoral systems may be less stable than inclusive ones. As Colomer (2004) observes, inclusive electoral rules like PR develop stronger endogenous support than restrictive ones like plurality, because they create more opportunities among a larger number of actors to compete and win office. Using the same argument, one could predict more institutional stability with majority or qualified plurality than with simple plurality rules for presidential election.

Given PR formulas for congressional election, the massive adoption of majority and qualified plurality rule to elect presidents since 1978 will reinforce the tendency toward multipartism. As of 2000, for instance, only six out of the 18 countries in the region had an effective number of congressional parties below 2.5. Multipartism, in turn, is likely to work as a brake to any attempt to restore restrictive electoral rules. It is not by chance that only Ecuador (in 1998) has shifted from less to more restrictive rules of presidential election. From this point of view, one can predict that the handful of countries in Latin America that still retain plurality rule for electing presidents may continue do so, as long as they maintain a concentrated party system. But there is no guarantee that a sudden change in the existing pattern of party competition or a new constituent congress called under proportional electoral rules would not upset the status quo and initiate a change toward more inclusive electoral rules.

Conclusions

Contrary to the conventional view that party systems are simply a function of electoral systems, I have shown that a reverse causality also exists, namely that the number of parties with control over constitutional design is a crucial factor for explaining electoral choice. I have also shown the seemingly counterintuitive result that military rulers and military-civilian coalitions favor permissive electoral rules and party pluralism.

During the last two decades, most students of presidential regimes in Latin America have seen the growing number of political parties in some countries as having a negative effect on democratic performance. Under the assumption that the proliferation of parties was caused by the misguided or myopic choice of permissive electoral rules for electing a president, such as majority runoff, those scholars recommended a shift back to plurality rule. In the light of the findings of this paper, however, that view is untenable. If the party system is the cause as much as the effect of the electoral system, we can never expect political actors to adopt electoral rules that would reduce their ability to survive in the electoral market.

Although I have focused on presidential elections and electoral cycles in Latin America the logic of the analysis presented in this paper should apply to the choice of any electoral system, whether in parliamentary or in presidential regimes. For this reason, this work should encourage comparisons of electoral choice across regimes, combining formulas of presidential elections and electoral cycles with formulas of legislative elections and district magnitudes. It should also stimulate scholars to pursue an even more demanding task; to unravel the reciprocal causation of electoral and party systems and explore the noninstitutional sources of party system change.

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Gabriel L. Negretto is professor-researcher, Division of Political Studies, *Centro de Investigación y Docencia Económicas* (CIDE), Mexico City, México 01210.