

The politics of electoral reforms: the origins of proportional representation in Brazil and the Electoral Code of 1932¹

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Introduction

Electoral systems are institutions created to process political conflict. In this chapter we focus on the causes leading to proportional representation (PR) adoption in the Brazilian 1932 Electoral Code. Since the seminal work by Stein Rokkan (1970), political science literature has produced several studies aimed at disentangling the reasons behind the adoption of different electoral formulas and estimating the effects of each formula on both the behavior of legislators and the party system (Benoit 2004; Colomer 2005; Hazan and Leyenaar 2011). We know that proportional representation is associated with higher levels of participation and with a multi-party system whereas majority systems tend to reduce the number of political parties and the representation of distinct groups. After the 1930 coup d'état in Brazil, the public and political debate was centered on the necessity to permit the entrance of opposition parties into parliament. Clearly, the adoption of proportional representation created opportunities for opposition parties to hold seats in Congress. Hence, at first sight, PR follows conventional wisdom behind the incentives distinct electoral systems produce.

The Brazilian case is interesting because it has important theoretical implications for our understanding of how conflict is solved by institutional arrangements. We argue that exclusive focus on the necessity to provide more effective representation of opposition parties is insufficient to understand the adoption of PR. The change in electoral system must be understood as one of the components in a package of electoral reforms delineated by the 1932 Electoral Code. The adoption of the PR system, therefore, might have a very different reason to come to existence. It is this perspective we adopt here. To uncover the real motivations of the creation of

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new institutions, an approach based on the microfoundations of institutional change where new institutions are created or redesigned in accordance with preexisting institutional mechanisms and contextual factors is called for. We will show that the Electoral Code emerged in 1932 as an answer to how elections were held during the previous regime and reflected the tension between old and new political elites for the control of power.

Currently, there are no disputing interpretations about the nature of PR innovation of 1932 in literature. After the Empire (1822-1899), Brazil experienced its first republican regime between 1889 and 1930. The new regime was characterized by high levels of decentralization in which each state hold considerable power and autonomy from the center. Focusing on how the president was to be selected is the key element for understanding how the institutional equilibrium was established until 1930. For some decades, the President's candidates (and the Vice) were selected in accordance with the preferences of important states. Before the election year, political elites negotiated the name for the succession during months. Consequently, the election became only a stage confirming this intra-elite agreement. However, in the twenties, the succession process was driven by São Paulo and Minas Gerais, excluding others states and new political actors (Viscardi, 2012). The hegemonic concentration of power in two states created the conditions to contest the regime itself. In 1930 São Paulo broke the alliance with Minas and monopolized the succession process. Clearly, the situation leads to claiming a new institutional equilibrium. In October 1930, an armed revolutionary movement prevented a newly elected president from taking office, and this event culminated in a coup d'état that brought down the First Republic. A provisional government headed by Getulio Vargas (who led the 1930 coup d'état) and supported by military groups was then entrusted with the task of calling elections for a Constituent Assembly, which would draft a new Constitution and set the stage for a liberal restoration. As a first step, the provisional government unilaterally approved a package of electoral reforms, embodied in the *Electoral Code of 1932*. Besides the PR system, the new legislation introduced the universal and mandatory suffrage², the secret ballot, as well as the Electoral Justice, an independent bureau responsible for overseeing the electoral process; from voters' registration to the counting of votes and the certification of winning candidates. Even

² The "universal" suffrage was limited to citizens older than 21, independently of sex. However, the illiterate, the homeless, and the military were still not allowed to vote (Electoral Code, article 4). The legal obligation to vote among women had also exceptions. It was mandatory only among those who were public employees. Other women voted only if authorized by their husbands, whereas widows and single women voted only if presenting proof of income.

today, scholars associate the Code only with the struggle for political freedoms, against fraudulent practices commonly observed in the previous republican regime (Cabral 1932; Diniz 1999; Lamounier and Steinbach 1992). This interpretation follows classic views about the adoption of the PR system in 1932 (Porto 1995; Weffort 2009). The general understanding is that the PR system strengthened the representation of the opposition, which had been constrained by election rigging during the previous political regime.

The problem with this interpretation is that it takes institutional changes as “democratic conquests” (Bethell 2008) and considers elections at that time to be “reasonably democratic” (Conniff 1991). Following insights from recent studies about electoral reforms (Benoit 2004; Colomer 2005; Hazan and Leyenaar 2011), we assess the instrumental logic leading the new regime to adopt the PR system. Our analysis focuses on the quest for controlling electoral results. We claim that the electoral reforms enacted in 1932 aimed at legitimizing the revolution, institutionalizing conflict, controlling its achievements, and reducing uncertainties created by electoral disputes. In practice, it means that the provisional government needed to prevent the widespread use of electoral fraud and the interference of opposition parties during elections. In the First Republic (1889-1930), political parties fought for controlling the electoral process from voters’ registration to process to certifying winning candidates in the National Congress. Two institutional mechanisms provided by the Code were particularly important to this end: the secret ballot and the creation of the electoral justice, both assuring a higher level of predictability in electoral results. Once old instruments used by parties to win elections had been weakened, the electoral success of the new political regime would be guaranteed by an element external to the Code: the better territorial organization of ruling parties. Levels of party organization, therefore, entered the calculus of institutional architects to adopt rules that favored their own camps. The PR system was not an isolated choice of electoral engineering, nor could it be reduced to the moralizing discourse of that time; it was rather a component of a complex structure of norms creating conditions for the strengthening of the new political regime. Therefore, the Electoral Code was an opportunity to introduce new rules in line with the debate around political freedom as well as to reduce the influences of old republican elites.

This chapter contains three sections. The next one focuses on the study of electoral fraud during the Brazilian First Republic (1894-1930), the regime that preceded the revolution that inspired the Electoral Code of 1932. Our intention is to go beyond the rhetorical discourse on the

necessity of eliminating electoral fraud. We show that constraints on the representation of minorities through vote rigging were actually the result of a tight struggle for controlling voters and the several stages of the electoral process. That is, any electoral reform aimed at effectively changing the dynamics of elections would have to tackle the deep roots of party conflicts. In the second section, we analyze the introduction of the PR system. We claim that its viability was due to two complementary measures that limited the influence of parties over elections: the secret ballot and the electoral justice. In order to demonstrate it, we present data on the first elections conducted after the enactment of the Code: those for the Constituent Assembly in May 1933 and for the Chamber of Deputies in October 1934. Our analysis suggests that the effects of the introduction of the PR system were limited. Our conclusion is that the rationale behind the adoption of the PR system depends from other provisions introduced by the Electoral Code. The electoral reform was justified as a means of protecting minorities, but, ironically, constituents' main concern was to suppress opponents of the regime. The electoral justice was crucial to achieve this goal. Since the introduction of an administrative bureau responsible for overseeing the electoral process tended to guarantee more transparency for elections, opposition parties were now incapable of perpetuating frauds in all stages of the electoral process.

1. Elections in Brazil before the introduction of the PR system

During the Brazilian First Republic, elections were a regular instrument for selecting representatives for the Chamber of Deputies carried out every three years in multi-member districts by majority rule.³ The law 35 of January 26, 1892 regulated every step of the electoral process in the earlier years of the new regime. It established 63 electoral districts where 212 representatives were elected to the Chamber of Deputies. In 10 small states, 41 deputies (19,3% of the total) were elected in single districts corresponding to the state territory; the remaining 171 deputies were elected in states divided in 2 to 12 districts. A few years later, the law 1269 of November 15th 1904, also known as the Rosa e Silva law, reduced the number of districts to 41, without changing the number of seats in the Chamber (212). Following this reform, 61 deputies

³ This was a common combination in the 19th century. The classic distinction between majority rule and proportional representation not only tends to disregard numerous combinations between multi-member districts and several electoral formulas adopted in majority systems, but also has generated some confusion regarding the way these systems work. The study by Will-Otero (2009), for example, classifies the electoral system used in Brazil between 1900 and 1944 as semi-proportional. For an informative review of these systems, see Colomer (2004; 2007).

(28,8%) became representatives of single-district states, whereas the remaining ones (151) were elected in states divided among 2 to 7 districts.⁴

In election days, voters could express several simultaneous preferences. Electoral laws established the limited and cumulative vote in reference to article 28 of the 1891 Constitution, which explicitly secured the representation of minorities.⁵ The law of 1892 (article 36, paragraphs 3 and 4) allowed each voter to cast votes for two thirds of the seats under dispute in the district, although voters were also allowed to indicate only one candidate in the ballot. The reform of 1904, due to changes in the number of districts, also changed the number of votes each voter were allowed to cast⁶ and introduced the cumulative vote. According to the law,

“when the number of seats to be filled in the district is five or more, the voter could accumulate all of his votes or part of them in only one candidate, writing the name of the same candidate as many times as is the number of votes to be cast for him”.

(Law 1269/1904, article 59).

Candidates with the highest vote shares were elected.

Below we analyze two aspects of elections’ modus operandi. We discuss how political parties used some legal mechanisms to control voters and, at the same time, circumvented the legislation to manipulate electoral results. In this sense, our approach to the problem is legalist, that is, based only on the study of the electoral legislation.⁷ Such an approach is the most appropriate for understanding the reason why some specific measures were included in the Electoral Code of 1932.

⁴ This arrangement was upheld by law 3208 of December 27th 1916. During the Republican regime, other electoral laws were enacted to regulate some specific aspects of the process, without altering it substantially.

⁵ The limited and cumulative vote is described by the literature as increasing the chances of victory of minorities (Horowitz 2003; Lijphart 2004).

⁶ According to article 58, paragraph 3, “each voter will cast three votes in states represented by four deputies; four votes in districts represented by five; five votes in those represented by six, and six votes in districts of seven deputies”.

⁷ Following a sociological approach, most authors have assessed voters’ dependency to local *coronéis*, who in practice constrained their freedom of vote. There are evidence of violence and voters’ intimidation, as well as of forms of bargaining, especially in urban centers, such as bribery and vote buying. Examples are Carvalho (2007), Leal (1977), Porto (2004), and Telarolli (1982). Recent studies show that the vote worked as an instrument of bargaining for material benefits, which raise questions against the classic view that voters were totally dependent on the local coronel. One classic study to make this claim is Queiroz’ (1975). New considerations about the complex relation between these actors can be found in Ricci and Zulini (2014, forthcoming 2016).

1.1. Mechanisms for controlling voters

The control over voters is directly related to the secret ballot. The legislation in the First Republic made such control relatively easy. Voting took place in polling stations comprised of, at most, 250 voters. They voted as the polling station committee called them. During the process, voters were subject to the oversight of politicians standing only a few steps from the ballot box and capable of watching everything happening inside the polling station. The ballots dropped by voters in the box were handed out directly by politicians or canvassers. There was not a standard official ballot at that time, and candidates were responsible for producing and distributing ballots to voters. This distribution was made a few days before Election Day, or even at that very day – a practice known as *boca de urna*. The electoral reform enacted in 1904 institutionalized the unconcealed vote. The article 57 established that “the election will have a secret suffrage, but voters are allowed to cast unconcealed votes”. According to the same law, the voter should carry two ballots: one to be dropped in the box and another to be kept with him “after both had been dated and signed by members of the polling station committee”. At that time, this practice was glorified as a way of expressing the freedom of vote. Some candidates claimed that those who cast unconcealed votes “felt the moral obligation of eloquently manifesting their opinion in favor of the one who advocated interests of the homeland and its traditions of honesty and honor”.⁸ However, the second ballot clearly helped local bosses to control voters, as it was proof of their electoral choices. It was, in the words of a contemporary politician, a means of ensuring “the plain duty, before local bosses, of the voting behavior”.⁹ In this sense, the unconcealed vote solved problems of coordination created by cumulative voting, making it possible for parties to better control the distribution of electoral preferences.¹⁰ Hence, the vote during the First Republic was public.

1.2. Control over electoral results

Controlling voters, however, was not enough to ensure victory. This brings us to the issue of electoral fraud. Within a legalist perspective, fraud is different from coercion of voters and

⁸ Annals of the Chamber of Deputies (ACD), 04/26/1927, p. 60.

⁹ ACD, 05/08/1921, p. 194.

¹⁰ Only a few studies discuss the use of cumulative voting during the First Republic. For similar approaches dealing with the coordination between parties and voters, refer to Bowler et al.'s (1999) study on the British case.

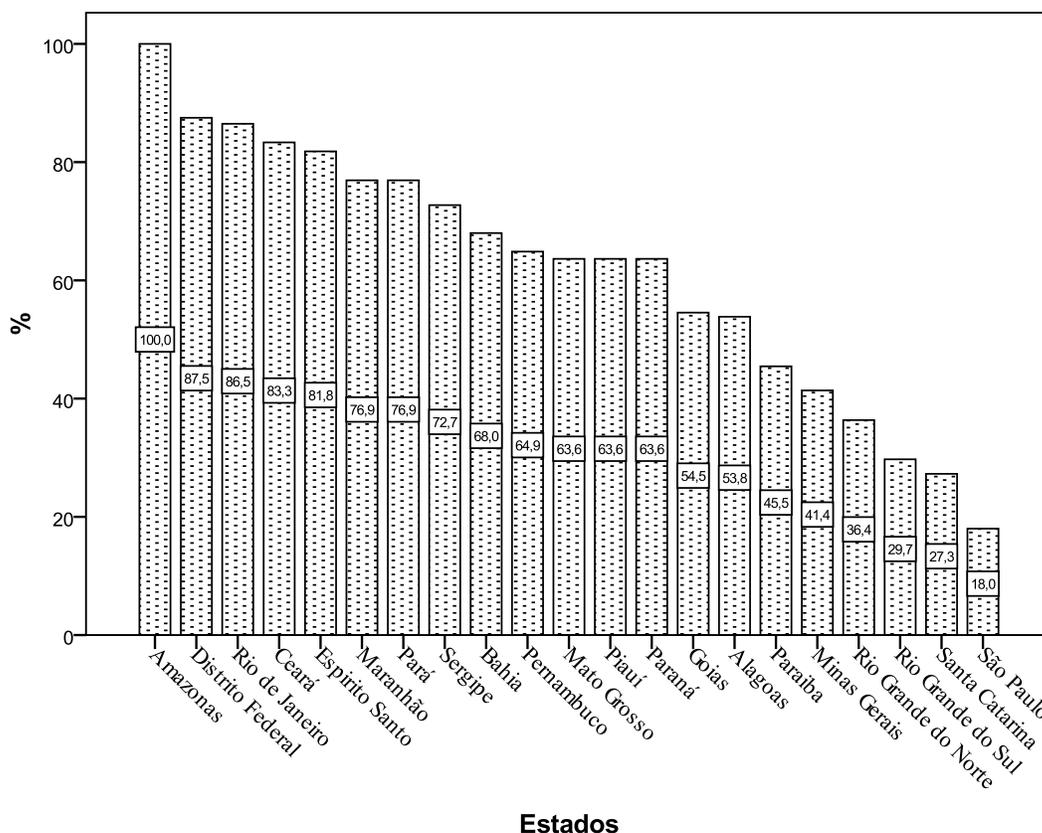
refers to an action that “breaks the law” (Lehoucq 2003, 235). In the case of the Brazilian First Republic, it was manifested in practices such as the manipulation of voters’ registration, elections decided by the *bico de pena* (“pen-nib” in literal translation), intentional biases during the counting of votes, and even the non-recognition of winning candidates by the National Congress. Indeed, the “menu of electoral manipulation” was diverse.¹¹

Reports of fraud are well known. Still, most of the authors endorse normative analyses of elections, which, keeping the democratic paradigm in mind, tend to focus on critiques related to the unfairness of the electoral process. In our view, it is necessary that we overcome such a perspective. It is important that we understand the “rationale” behind fraud, that is, the reasons leading to the massive use of vote manipulation by political parties. In general, studies of other countries point towards a positive association between electoral fraud and political competition (Dardé 1996; Lehoucq 2003; Lehoucq and Molina 2002; Molina and Lehoucq 1999; Ziblatt 2009). Still, there is a problem in this interpretation. Because fraud is hard to be identified (Birch 2009), authors use formal complaints presented by defeated candidates as a proxy. The common scholarly practice does not differentiate between fraud and the act of denouncing it: both are misleadingly taken as the same thing. However, a potential empirical association between political competition and formal complaints does not imply that fraud did not happen in environments with low levels of party competition. The data collected for the Brazilian case demonstrate the validity of this critique. The figure below shows cases of fraud complaints during the Brazilian First Republic aggregated by state, but collected at the level of electoral districts.¹²

Figure 1 – Distribution of fraud complaints by Brazilian states (1900-1930)

¹¹ The expression is used by Schedler (2002, 104) to describe numerous strategies for controlling elections.

¹² During the First Republic, the Brazilian territory was divided among the Federal District (DF) and other twenty states: Alagoas (AL), Amazonas (AM), Bahia (BA), Ceará (CE), Espírito Santo (ES), Goiás (GO), Maranhão (MA), Minas Gerais (MG), Mato Grosso (MT), Pará (PA), Paraíba (PB), Paraná (PR), Pernambuco (PE), Piauí (PI), Rio de Janeiro (RJ), Rio Grande do Norte (RN), Rio Grande do Sul (RS), Santa Catarina (SC), São Paulo (SP), and Sergipe (SE).



Source: Annals of the Chamber of Deputies and Official Gazette of the National Congress.

Let us consider only states with better-defined situations. Bahia, Pernambuco, the Federal District, and Rio de Janeiro are characterized by high rates of political competition and a stark prevalence of districts with fraud complaints. In these cases, due to difficulties regarding the consolidation of stable party systems (Ferreira 1994; Levine 1980; Pinto 2011; Pang 1979), the political forces used fraud to win most of the elections. The common use of formal complaints attests to the tight dispute among political parties during elections. On the other hand, other states deemed more central to the Republican political dynamics (e.g., Minas Gerais, São Paulo, and Rio Grande do Sul) are characterized by a much lower rate of electoral fraud complaints. This does not mean lack of fraud. In these states, the control over the electoral process was monopolized by only one party (Rezende 1982; Love 1975). Despite the existence of oppositions, the ruling party managed to organize elections and hold control over the several electoral stages. It was hard for the opposition to register voters, and, if they succeeded, all the further stages in the electoral process would be full of difficulties.

It means that fraud and its denunciation are two completely different phenomena. Our study of the Brazilian First Republic confirmed the association between electoral competition and fraud complaints only partially (Ricci and Zulini, 2014).¹³ In some sense, fraud complaints were indeed associated with high levels of political competition. The large amount of denunciations indicated the struggle of politicians for controlling the electoral machine, that is, the electoral bureaucracy.¹⁴ To be more specific, parties fought for controlling voters' registration, the composition of polling station committees, the counting of votes, and the process of certifying winning candidates in the National Congress.¹⁵ However, the same rationale is valid for cases with no fraud complaints, such as Minas Gerais, São Paulo, and Rio Grande do Sul. In these states, ruling parties had been more efficient in controlling the electoral bureaucracy. As demonstrated by a recent study on authoritarian regimes, "electoral manipulation ought to be understood not merely as a marginal vote-getting technique, but also as an important tool for consolidating and monopolizing political power" (Simpser 2013, 4). This is the argument we want to emphasize here: complaints of fraudulent practices indicate the *inability of local elites and parties to control the electoral bureaucracy*. In general, and in line with recent historiographic interpretations of the Latin American and European experiences, fraud can be interpreted as a symptom of the tension between political forces fighting for power; as an instrument for assuring the victory in the polls.¹⁶

2. The introduction of the PR system in Brazil and the Electoral Code of 1932

In December 6, 1930, the decree 19549 created the *Subcomissão de Reforma da Lei e Processo Eleitorais* (Subcommittee on Electoral Law and Process Reform). The works of this committee was constantly supervised by Getulio Vargas, Chief of the Provisional Government, and his Minister of Interior, with no interference of parties or oppositions groups. The committee was composed of three members and its main task was to set the rules for the election of the

¹³ In this works, political competition is operationalized as the ratio between total votes for the candidate with highest vote share among the defeated and total votes for the least voted candidate among the elected. Therefore, the level of competition ranged from zero to one, with higher scores indicating more electoral competition. According to the authors, the level of political competition in districts with and without complaints was, respectively, 0.69 and 0.39.

¹⁴ For an exhaustive analysis of parties' domination over the several electoral stages, refer to Ricci and Zulini (forthcoming 2016).

¹⁵ In a previous work, we show that the last electoral stages (the counting of votes and the formal certification of winning candidates in the National Congress) were not as decisive as the previous ones (see Ricci and Zulini 2012).

¹⁶ For a review of the literature on this topic, refer to Posada-Carbó (2000), Sabato (2001), and Morelli (2004).

Constituent Assembly. Their efforts resulted in the elaboration of the Electoral Code, enacted by the decree 21076 of February 24, 1932.¹⁷ The PR system was established by article 58. Deputies would now be elected by means of a simultaneous two-round system, the first one allocating seats in accord with electoral and party quotas, and the second one allocating seats to the most voted remaining candidates.¹⁸ How can this change be explained? Why have legislators decided to adopt a PR electoral system?

The literature is consensual in answers for both questions. Even today, scholars explain the introduction of the PR system through contextual analyses of that period, when critiques were frequently directed to the way elections had functioned in the Brazilian First Republic. In general, authors underscore that one of the goals of the 1930 Revolution was to defend political freedoms and protect the representation of different opinions about the Republican regime, which was then deemed inaccessible to the opposition (Kinzo 1980; Pandolfi 1999; Weffort 2009; Holanda 2008). Bolivar Lamounier, for example, interprets the introduction of the PR system as resulting from the recognition of the regime's pluralist and consociational component. According to the author, legislators wanted to avoid the “*governismo* and the single-party regimes of the Old Republic, which turned the electoral reform necessary” (Lamounier 1992, 35). In the years preceding the debates about the PR system, newspapers usually glorified such a reform and its potential to “endorse minority rights”¹⁹, making it a true “synonym of democracy”²⁰, based on a “criterion of fairness”²¹. Most of the parties did not hesitate in taking a stance in favor of the PR system. The Social Party of Pernambuco declared that

“the proportional system assures, in the composition of the parliament, the representation of all parties in which are deposited national aspirations. It achieves as much as possible the democratic

¹⁷ For a detailed description of the elaboration of the Code, refer to Pires (2009).

¹⁸ The complexity of the system has generated some confusion among scholars. Some classify the formula adopted in 1932 as proportional, while others consider it to be hybrid (Kinzo 1980) or mixed (Nicolau 2012) due to the way seats were allocated. Our interpretation is that the electoral system of 1932 was formally mixed, but the PR component was prevalent in practice. Some evidence can be presented to support our view. In 1933, 65.4% of deputies were elected in the first round, most of them through party quotas. Moreover, the Electoral Code required, for the first time, that candidates be endorsed by party nominations, which also indicates an emphasis on the system's PR component.

¹⁹ *Diário da Manhã*, 08/15/1931, p. 1.

²⁰ *A Republica*, 09/13/1931, p. 1.

²¹ *A Batalha*, 01/22/1932, p. 1.

ideology – the government of the people, comprehending all classes and cultural elements of the Nation”.²²

We can assert that scholars have endorsed official justifications for the electoral reform, and that, to use the words of a member of the committee responsible for drafting the Code, the central issue was the protection “of the opinions, measured in numbers, from citizens who wanted to express their stances about political issues” (Cabral 1932, 16).

However, the reality is more complex and the thesis of protecting minorities is, to say the least, oversimplifying, if not unrealistic. The main mistake is to ignore the political dynamics of that time. As Przeworski (1991) claims, one of the central issues in regime transitions is the conflict between opponents and defenders of the new regime. The main problem for the revolutionary elites was that the upcoming elections for the 1933 Constituent Assembly would be disputed by Brazilian old oligarchies, which had been defeated during the 1930 Revolution. Added to that was the fact that there were no nationally organized parties: their influence remained limited to the state level as it was in the First Republic. Elections brought about the risk that revolutionaries would lose control over the process of political liberalization. It was clear that they had “to make an effort of mobilization and organization capable of guaranteeing the victory of a political-ideological orientation” (Gomes 1980, 29). From this standpoint, the PR system could be an element of risk for parties supporting the coup d’état, leading to the success of old oligarchies.

In practice, the electoral victory depended on two factors not related to the electoral system. The first one was the control over the process of political restoration in each state (Gomes 1996). The *interventores* who replaced state governors deposed by the coup had a central role. They brought new political elements to their respective states and also influenced in the elaboration of new party programs (Gomes 1980). Despite difficulties in some states, especially the need to negotiate with non-aligned political actors, it is clear that ruling parties were already well entrenched in state governments at the eve of the 1933 elections.²³ Nonetheless, it is also possible to assert that the political mobilization of the oppositions succeeded in some situations. By the end of 1932, many parties supporting the revolution were still not organized in every state,

²² *Diario Carioca*, 12/01/1932, p. 6. Newspapers of that time commonly published manifestations of parties in favor of the PR system.

²³ Since its inauguration, the provisional government participated directly in the process of party reorganization in the states and favored the formation of aligned parties with the support of *interventores*.

favoring the fast resurgence of old Republican parties, which intended to dispute the upcoming election. It means that the process of party reorganization in the states and the efforts of political mobilization by the *interventores* were not a sufficient condition for securing the success of the revolution.

For this reason, it is particularly interesting that we reflect about the second factor potentially capable of affecting electoral results: the array of practices aimed at controlling (1) voters and (2) the different electoral stages, from voters' registration to the certification of winning candidates in the National Congress. The fact that the electoral reform may lack effectiveness can be illustrated by the case of the state of Rio Grande do Sul, where the PR system had been introduced already in 1913, in elections for state deputies. The idea behind the law 153 of July 14th 1913, to use the words of state Governor Borges de Medeiros, was to "turn the constitutional promise of minorities' representation a reality".²⁴ It established that in elections for the State Assembly of Rio Grande do Sul, the whole state would function as a single district, and ballots or lists would be prepared and delivered by parties. This system was employed for the first time in the election of August 20th 1913, when opposition Federalist Party managed to elect one representative for the first time.²⁵ Although the Federalists succeeded in electing other state representatives in the following elections, the domination of the governor's party was never threatened. The literature emphasize that this was the result of electoral fraud and the use of a very effective party machine for controlling instruments of voters' mobilization at the municipal level (Love 1975; Rouston 2012; Trindade 1980; Wasserman 2004). At the stage of formally recognizing and certifying winning candidates at the State Assembly, a Federalist deputy denounced the rigging of the 1992 election using these words: "From you, who are apologists of the proportional representation, came the duty of reserving a place for the minority, so that you could say later that votes were counted under the watch of the opposition".²⁶ This case indicates how the success of political forces loyal to the government depended less on the electoral method and much more on the adoption of concrete measures for reducing or dissipating the influence of old oligarchies on electoral results.

This was also the perception among drafters of the Code of 1932. As Nicolau (2012) points out, only a few Brazilians defended the PR system before 1932. Among them were Assis

²⁴ Estudos Eleitorais (2016), p. 211

²⁵ See Trindade (1980) for an explanation of the political dynamics in Rio Grande do Sul.

²⁶ Citation extracted from Rouston (2012, 175).

Brasil and João Cabral, both members of the committee in charge of drafting the Electoral Code. Still, the system proposed by Assis Brasil was designed to ensure both the representation of minorities and the control of the government by the majority (Kinzo 1980). Moreover, Cabral and Assis Brasil advocated the adoption of the PR system only in combination with other measures. They were both convinced that the representation of different opinions and political forces in the parliament depended less on the format of the electoral system and more on the introduction of mechanisms for reducing electoral frauds, especially those affecting voters' behavior and the administration of elections.

We claim that the PR system must be understood in association with two other measures introduced by the Electoral Code: the secret ballot and the creation of the electoral justice. Regarding the former, rules were established to guarantee that voters would be free of coercion. It was determined that they would vote within an inviolable voting booth capable of securing their isolation (article 57). At the same time, it was forbidden to distribute ballots next to the place where the polling station committee seated (article 77), curbing, therefore, attempts of influencing vote choices at polling stations. Although the Code did not arrange for the production of official ballots²⁷ and maintained the parties' prerogative to produce and distribute ballots to voters, it set a standard for ballots' size and design. They should be typewritten in a white background and have dimensions corresponding to the *sobrecartas* – the official envelopes where ballots were placed to assure secrecy before they were dropped in the ballot box (articles 71 and 91, paragraph 3). On the other hand, a substantial portion of the Code was devoted to preventing practices aimed at rigging the polls. It created the electoral justice, an independent administrative bureau in charge of organizing voters' registration, distributing voter ID cards, making decisions on candidates' registrations and locations of polling stations, nominating members of polling station committees, counting votes, announcing the results and deliberating about electoral complaints.²⁸ This was an innovative mechanism for preventing frauds in all stages of the electoral process.

²⁷ The first official ballot was used in the 1955 presidential election.

²⁸ At the federal level, the electoral judicial system was composed of a Superior Court (TSJE) with eight effective members whose decisions were made by majority rule. Each of the twenty states and the federal district had a Regional Court (TRJE) with six members. For the purpose of counting votes, the article 88 of the Electoral Code of 1932 established that employees of each TRJE would be assigned to election scrutiny boards (*Turmas Apuradoras*, or TAs). One could appeal to the TRJE against decisions made by presidents of TAs, with no suspensive effect. If the TRJE retained TAs' decisions, however, one could not appeal to the TSJE unless through a legal action against the certification of winning candidates (Electoral Code of 1932, article 89).

Similarly to what we noticed about the introduction of the PR system, the common wisdom about those two measures endorses the thesis of the moralization of elections and justifies their employment as a way of “guaranteeing the right to vote”, “reducing the violence in electoral disputes and revealing the ‘electoral truth’” (Sadek 2010, 27).²⁹ For our purposes, it is important to unravel the rationale behind these measures and the real political payoffs generated by their introduction. The question, then, can be tackled from the viewpoint of the actors involved in the electoral game, that is, the political parties themselves. Regarding the secret ballot, the aim was to reduce the ability of party agents to control voters. As reported in the editorial of an issue of the *Diario Carioca*, “the secret ballot virtually dissipates the appearance of cohesiveness among parties [...] The inviolable booth turns commitments into ashes, destroy agreements, and, in summary, makes the party discipline a myth”.³⁰ This way, “a party does not know a priori, with mathematical certainty, how many of its candidates will be elected”.³¹ The jurist Pinto Serva, one of the members of the subcommittee that drafted the Electoral Code, stated that the secret ballot “abolishes the *cabala* [i.e., the practice of canvassing votes for a party’s candidate], the influence of authorities, practices of vote buying and vote selling, and shameless negotiations in front of the ballot box”.³² Regarding the electoral justice, the delegation of responsibility to an independent bureau for voters’ registration, the organization of elections, and the counting of votes meant that politicians lost the ability to manipulate electoral results in all electoral phases. In some way, from that time forward, the political dispute became limited to the struggle for controlling voters.

If we take the ambitions of political actors into account, it becomes clear that the electoral reforms of 1932 were aimed at reducing the ability of old Republican oligarchies to succeed in the 1933 election for the Constituent Assembly. It is true that those were universal measures that affected all political parties, including those aligned with the government. Nonetheless, the latter ones benefitted remarkably from the process of party organization led by the *inteventores*. The

²⁹ The idea that the electoral justice was created to repel the previous fraudulent system is disseminated in the literature (Kinzo 1980; Lamounier and Amorim Neto 2005; Nicolau 2012; Skidmore 1998; Vale 2009 – to cite only a few). For a broad analysis about the ideal of a judicial system that is impartial and free of political influence, from the Imperial era to current days, see Fleischer and Barreto (2009) and Sadek (1995).

³⁰ *Diario Carioca*, 05/06/1933, p. 6.

³¹ *A Republica*, 06/15/1933, p. 2. Similar statements can be found in several news articles published in the months preceding elections.

³² *Diario de Notícias*, 05/17/1933, p. 3.

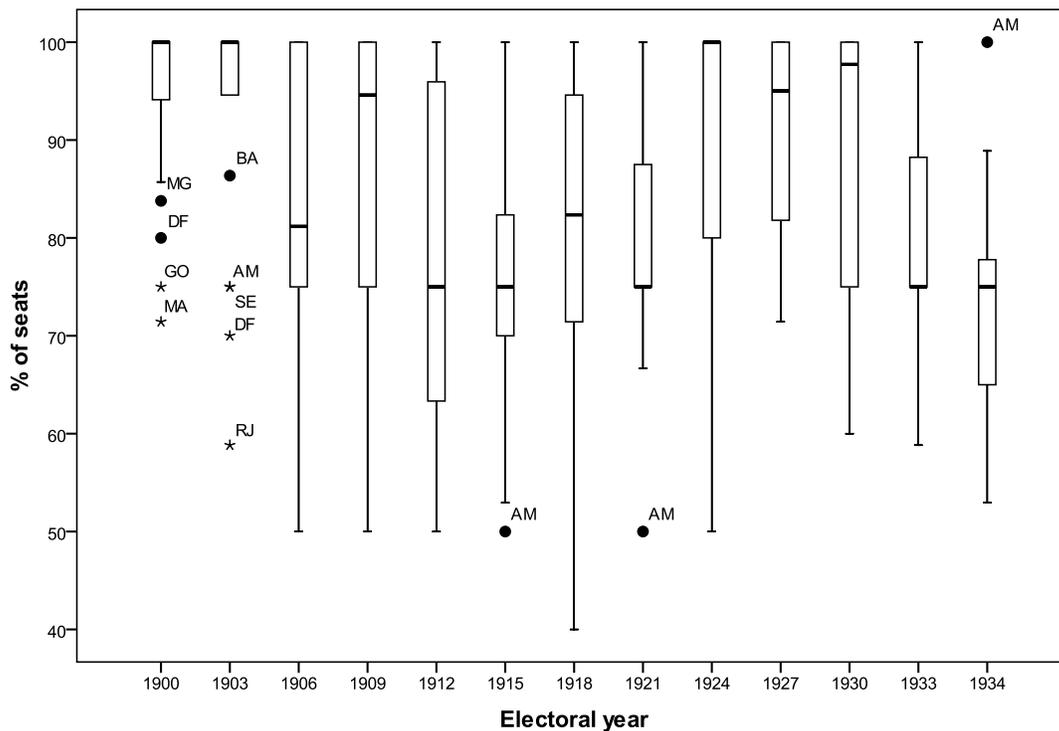
secret ballot and especially the electoral justice were another obstacle against actions by old Republican oligarchies.

3. The election of 1933 and voting practices

The Code of 1932 regulated the 1933 election for the Constituent Assembly and the subsequent elections for the National Congress and state Legislative Assemblies, which were restored after the approval of the new constitution in 1934. We have argued that the adoption of the PR system in Brazil must be interpreted as a component of a whole package of electoral reforms implemented in 1932, also including the secret ballot and the electoral justice. To elucidate this point, we present data on those elections below. Our first endeavor was to analyze the effects of the proportional representation on the party system.

Figure 2 presents boxplots for the proportion of seats won by the most voted party in each state during the Brazilian First Republic (1900-1930) and the two elections for the Chamber of Deputies carried out right after the revolution, already under the PR system (1933-1934).

Figure 2 – Proportion of seats won by the most voted party in each state (1900-1934)



Source: Data for the 1933 and 1934 elections were extracted from Electoral Bulletins of the Superior Court of Electoral Justice (1933 and 1934). Data for the First Republic were collected from major contemporary newspapers and from the Annals of the Chamber of Deputies.

The data show that the adoption of a new electoral formula did not produce significant effects on the party system.³³ Although the medians for the 1933 and 1934 elections are comparatively lower, note that values for some other elections (1912, 1915, and 1921) are similar. The effective number of legislative parties indicates one important aspect of the electoral trend in the 1930s: 1.4 in 1933 and 1.7 after the 1934 election for the Chamber of Deputies. In general, opposition parties remained barely represented.

As a matter of fact, the main difference between the Brazilian First Republic and the 1930s was the way the opposition attained representation. In the earlier period, opposition groups managed to win some seats after negotiating with the ruling party. In other stances, the government itself ceded representation to independent candidates by including the name of the “opposition” contender in the list of nominees presented by the ruling party. At that time, politicians who truly opposed the government were incapable of achieving representation (Ricci and Zulini, forthcoming 2017).³⁴ Diversely, opposition candidates who were elected in 1933 and 1934 really belonged to political parties with alternative programs. Most of the time, they were old politicians and Republican oligarchs who had been mobilized after the revolution to defend Republican ideals. Therefore, the distinctiveness of the electoral arena in the 1930s stemmed from the ability of the opposition to effectively attain representation.³⁵ Still, opposition groups remained a minority.

The weak association between district magnitude and number of parties also indicates the limited impact of the PR system.³⁶ It is well established that the higher the district magnitude is, the higher the number of parties tends to be (Cox 1997; Sartori 1976; Taagepera and Shugart

³³ We thoroughly discuss electoral results during the Brazilian First Republic in another work (Ricci and Zulini 2014). Here, we concentrate on a broader analysis of the main differences between the two periods, with an emphasis on the 1933 and 1934 elections.

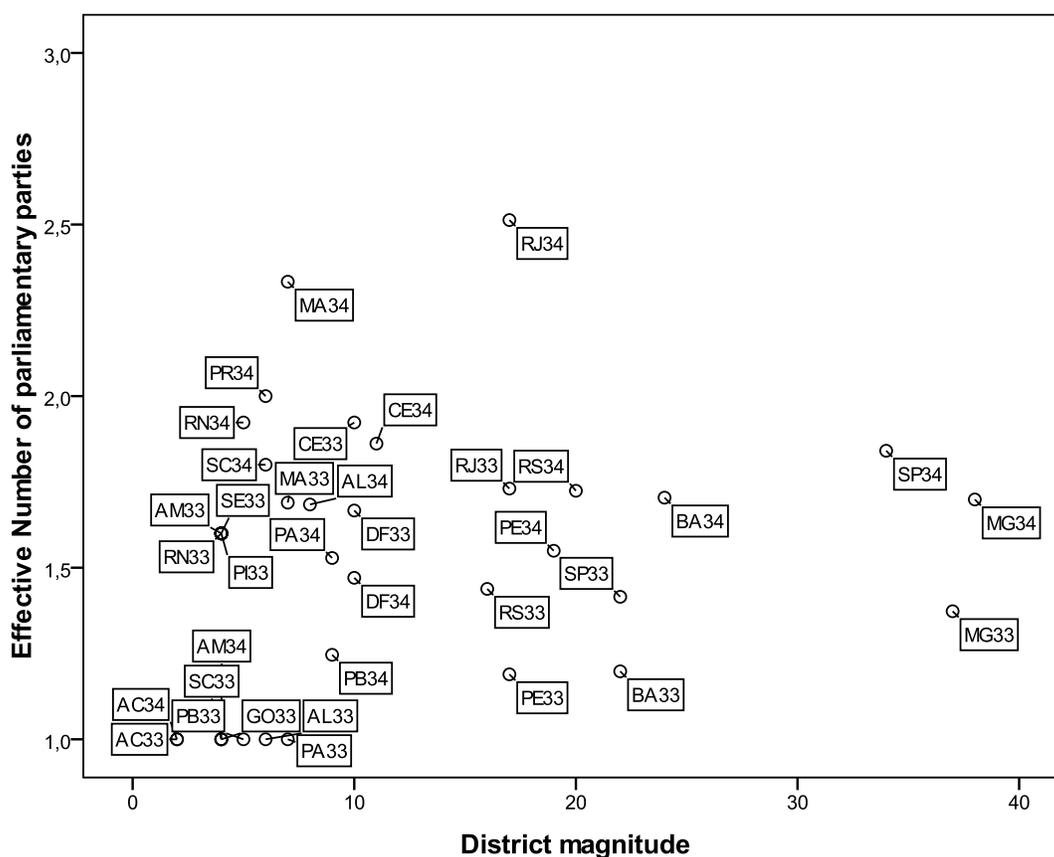
³⁴ There are some notable exceptions, however. Electoral disputes were tight, especially as a result of splits in the ruling party, or because of difficulties in the consolidation of a dominant state party. The most complex party dynamics was observed, at different times, in the Federal District (Pinto 2011), Rio de Janeiro (Ferreira 1994), Bahia (Pang 1979), and Pernambuco (Levine 1980).

³⁵ We make this claim based on electoral data for the Chamber of Deputies. Opposition parties were comparatively more successful during the 1934 elections for state assemblies: on average, the winning party gained 64.7% of the seats and the effective number of legislative parties was 1.9.

³⁶ At that time, each state was a single electoral district.

1989). In 1931, Assis Brasil defended the adoption of large districts (or “stretched” districts, as he used to say), because “only large numbers can lead to a fair representation of the various organized opinions or parties” (Brasil 1931, 1993). Hence, the Brazilian case is interesting because it exhibits considerable variation in the number of seats allocated for each state, allowing us to observe the effect of district magnitude on party systems in one single country. The figure below shows the cross-state association between district magnitude and the effective number of parties for the 1933 and 1934 legislative elections.

Figure 3 – District magnitude and effective number of legislative parties, by state (1933 and 1934)



Source: The effective number of parliamentary parties (ENPP) was calculated using data extracted from Electoral Bulletins of the Superior Court of Electoral Justice (1933 and 1934). We applied the Laakso-Taagepera (1979) formula to parliamentary seats.

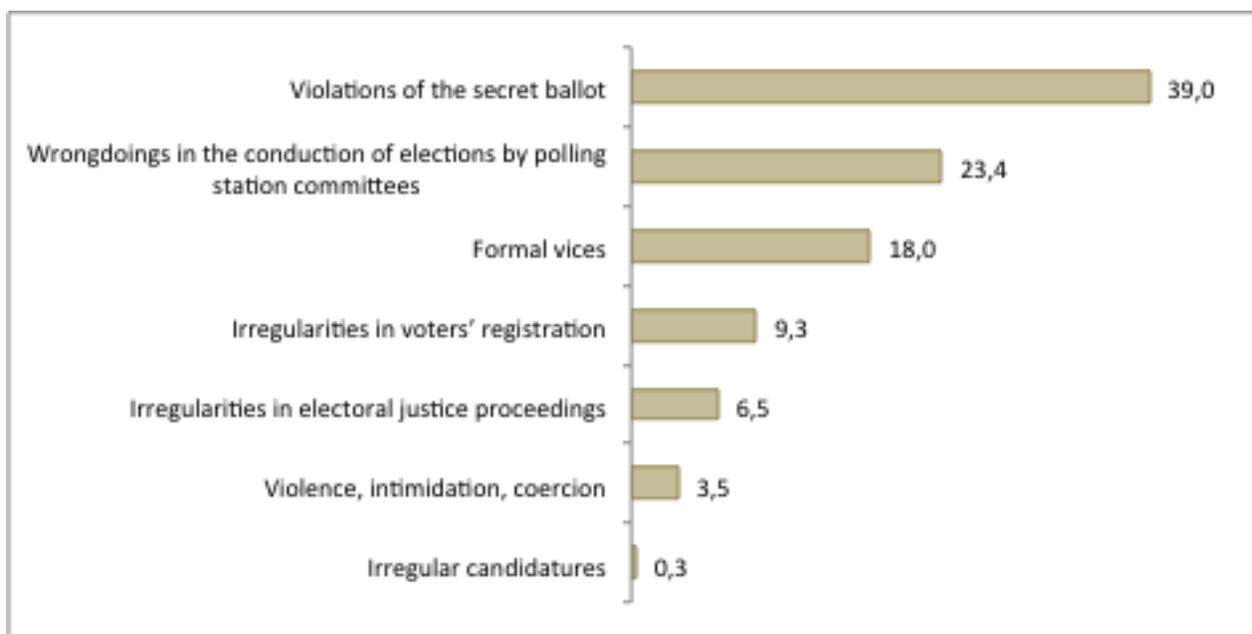
The interpretation of the graph is straightforward: the introduction of the proportional representation *did not produce visible effects on the party system*. In general, variations in the effective number of parties resulted from the internal dynamics of political disputes within each state.

How can we explain the adoption of the PR system in Brazil? In the previous section, we insisted that its adoption should be analyzed in combination with other innovations brought about by the Code of 1932. Our argument is that the electoral reform was aimed at maximizing the electoral chances of loyalist parties, to the detriment of the opposition. Two other provisions introduced by the Code played a more important role than the PR system: the secret ballot and the electoral justice. Below, we analyze information extracted from formal fraud complaints presented by parties to the electoral justice in order to estimate the effects of those two measures on results of the 1933 election. Politicians who felt harmed by electoral irregularities could formally appeal against electoral results by means of a legal action.³⁷ As a supplementary source of information, we resorted to news articles published before and after the 1933 election. Even during the First Republic, party newspapers had been a systematic source of information and an outlet for the promotion of party propaganda. Through these periodicals, the opposition expressed its discontentment towards the electoral process and denounced cases of fraud. Information published in these newspapers allows us to have a better understanding of the electoral environment in 1933.³⁸ The figure below displays the relative proportion of each type of allegation presented to the electoral justice after the dispute for the Constituent Assembly in 1933.

³⁷ During the First Republic, legislators had the last say on appeals against electoral results. Following the creation of courts of electoral justice in 1932, this prerogative was transferred to magistrates.

³⁸ The amount of fraud taking place at that time may be underestimated if we focus only on formal complaints, because potential claimants had to deal with their own subjective perception of the facts before deciding to file a formal appeal. According to Green (2007), potential claimants needed to weigh the costs related to such actions and their odds of success.

Figure 4 – Types of fraud complaints in the 1933 election as a proportion of the total³⁹



Source: Electoral Bulletins and authors' calculation.

Three topics are prevalent among formal complaints of fraud, and they comprise together more than 80% of the total. The most frequent one was secret ballot violations (39%). It referred to different machinations directed towards the identification of *sobrecartas*, as well as attempts to associate their content with individual voters – such practices certainly corresponded to the negative portrait depicted by some contemporary newspapers about electoral events. At the eve of the election, there was a hesitant sentiment towards the effectiveness of the norm establishing the secret ballot.⁴⁰ A reporter of *Diario de Noticias* wrote at the very day of the election: “Surprises about the secret ballot? No doubt there will be novelties. At least in this regard

³⁹ Refer to the appendix for details on data sources, criteria of classification, and missing data.

⁴⁰ We analyzed news articles published between May 3rd, the day of the election for the Constituent Assembly, and March 26th 1934, the day in which the list of winning candidates was published by the TSJE.

political matters really changed in Brazil. Wait a minute. It is about time...”.⁴¹ In the following days, both optimistic views about the success of the secret ballot and statements that the polls’ secrecy was “small talk” were often reported.⁴² News articles about the elections reported diverse maneuvers employed by parties to watch voters’ behavior at the polls.⁴³ Even issues related to the format and printing of ballots, allegedly not matching legal provisions, had been raised.⁴⁴ Finally, there were also reports of politicians using transparent *sobrecartas* to identify enclosed ballots.⁴⁵

The second most cited problems in appeals against electoral results in 1933 were electoral misconducts by polling station committees (23.4%), including irregularities in its composition, frequently in disagreement with legal provisions. According to article 65 of the Code, committees should be appointed by regional electoral courts (TRJEs) and chaired by a voter, preferably a magistrate, a member of the *Ministério Público* (Public Prosecutor’s Office), a professor, a professional with college degree, a court clerk with a law degree, or a taxpayer. The chairmanship should not be assigned to workers lacking job stability or to electoral justice magistrates. However, the Superior Court of Electoral Justice (TSJE) allowed mayors, justices of the peace, and their surrogates to chair poll station committees, potentially increasing the amount of local interference on the electoral process.⁴⁶ It is worth noticing that mayors were appointed by the *interventor*, who enjoyed autonomy to make replacements if those appointed by him did not follow his desired political orientation. Following this logic, *interventores* could easily hold control over local politics and, by extension, electoral results. This leads us to believe that the category of irregularities perpetrated by polling station committees is related to electoral problems at the municipal level.

Complaints about formal vices (18%) were the third most frequent type of fraud allegation. Besides the lack of signatures required by law, this category also refers to problems during the dispatch of electoral documents, such as delays or failed deliveries to higher instances. Finally, it also accounts for the use of irregular ballots, such as those produced by parties not registered in the TSJE or displaying candidates’ personal information (e.g., their profession or address).

⁴¹ *Diario de Noticias*, 05/03/1933, p. 3.

⁴² *Correio de São Paulo*, 10/19/1933, p. 2.

⁴³ *A Batalha*, 05/09/1933, p. 3.

⁴⁴ *A Batalha*, 06/01/1933, p. 1.

⁴⁵ *Diario Carioca*, 05/13/1933, p. 3.

⁴⁶ This decision was made during analyses of elections for the Constituent Assembly in Minas Gerais. See article 65 on page 138 of the *Código Eleitoral de 1932 comentado por Cabral*.

None of the remaining categories reaches 10% of the total.⁴⁷ Among them are denunciations of malpractices by the electoral justice (6.5%). Complaints of this kind usually referred to the nullification or improper validation of elections. Only in one case, however, the supposed misconduct involved magistrates from within the court.⁴⁸ Indeed, the periodicals we examined converge in describing the well functioning of the recently created bureau. Accounts published in newspapers were consensual in this regard.⁴⁹ As we can see, there is no evidence that local bosses influenced the judicial system during the 1933 election, which could have jeopardized the validity of the results.

The data lead us to the theme of the relation between voters and politicians. They show something that was already admitted by observers at that time. According to those observers, instituting the secret ballot was worthless if voters remained conditioned by a multitude of social mechanisms that kept them dependent on a local politician. Analyzing the 1933 election, a *Diario de Noticias*' reporter stated "such a mentality would [hardly] be transformed overnight, especially with superficial measures such as the institution of the secret ballot".⁵⁰ The gazette *A Batalha* was even more emphatic in this regard, stating "people with average culture like ours elect whoever the government nominates".⁵¹ Other explicit reports about the preservation of previous patterns of electoral behavior can be found in speeches by Domingos Velasco in the Constituent Assembly: "while the economic conditions of our rural masses remain as they are, I deem ineffective the efforts of political propaganda and legal provisions for assuring the electoral truth, which are intended to solve the problem of Brazil".⁵² Azevedo Amaral, an intellectual supporter of the *Estado Novo* (i.e., the dictatorial regime launched by a coup d'état in 1937), share this view.

"The secret ballot corresponded to what enthusiasts theoretically expected from it only in the most advanced populous cities, and, in general, only among electoral groups displaying higher levels of

⁴⁷ In general, the geographic distribution of types of fraud complaints corresponds to the frequency of such formal complaints, which varies across states. Pará is the leader with 124 irregularities recorded in the TSJE. At the lowest extreme is Paraná with only 4. Knowing the reasons for this wide variation would require further research on the political situation of each state, which is not among our goals in this chapter.

⁴⁸ A claimant in Pará registered this case. *Electoral Bulletin*, 08/19/1933, p. 2563.

⁴⁹ Our research covered news articles published between 05/03/1933 and 12/31/1933.

⁵⁰ *Diario de Noticias*, 08/10/1933, p. 1.

⁵¹ *A Batalha*, 05/23/1933, p. 2. References to the political culture of the electorate can be found in other news articles: *Correio de São Paulo*, 05/10/1933, p. 2; *Correio de São Paulo*, 11/16/1933, p. 1; *Jornal de Recife*, 05/16/1933, p. 1; *Jornal de Recife*, 07/05/1933; *O Dia*, 04/23/1933, p. 4.

⁵² *Annals of the Constituent Assembly* 02/02/1934, p. 325

culture. The electoral masses kept voting in the same inconsistent conditions as they have always done” (Amaral 1938, 171-172).⁵³

We will not deal with the classic theme of Brazilian voters’ socioeconomic conditions here. For our purposes in this chapter, where we propose an interpretation of the adoption of the PR system in Brazil as an electoral reform aimed at favoring the electoral victory of loyalist parties, the issue is framed differently: the winner is the one who organizes the electoral process most effectively. When we look at the numbers, the importance of the process of voters’ registration and, more generally, their mobilization, stands out.

Likewise in the previous political experience, parties were responsible for registering voters. They assembled all the paperwork required for proving their eligibility and for applying for electoral ID cards. Parties announced in their own newspapers the addresses where their agents stood ready to file applications for registration on behalf of voters. In the Federal District, for example, the Brazilian Socialist Party required from their voters that they “promoted the party’s propaganda and showed up at the party’s headquarters to fulfill some required formalities, including taking a photo”.⁵⁴ Also there, the Economist Party published a few days before the deadline for voters’ registration an official note requesting “the urgent presence of registered voters who have been notified about the need to complete or revise their respective registrations”.⁵⁵ Efforts to produce voters went beyond the capitals. In São Paulo, the Democratic Party had distributed a memo four months before the election, where they exhorted their supporters living in the countryside to apply for registration with these words: “We mobilize for the constructive peace. We count on your effort and sacrifice. We must be ‘*Paulistas*’ also as voters: voting is victory”.⁵⁶

Indeed, the number of registered voters increased in 1933 following the expansion of parties’ activities outside the capitals. There were also more requirements to be met in applications for voters’ registration, and the costs of mobilization rose. Periodicals published

⁵³ Regarding the control over voters as a function of the “environment”, see *Diario da Noite*, 05/10/1933, p. 2; *O Dia*, 05/29/1933, p. 3. For an example of a news article describing how harder it was to secure the secret ballot in the countryside, see *Jornal de Recife*, 05/04/1933, p. 1. It reports even stories of masses of voters being transported to the polls.

⁵⁴ *Diario de Noticias*, 01/28/1933, p. 3.

⁵⁵ *Diario de Noticias*, 03/12/1933, p. 3.

⁵⁶ *Diario de Noticias*, 01.21.1933, p. 1.

critiques about these new requirements, including costs related to photos for electoral ID cards.⁵⁷ In Rio Grande do Sul, for example, complaints about the high costs of voters' registration among parties dependent on private sponsors were common.⁵⁸ In order to produce voters, party bureaus had to overcome obstacles and push "this heavy mechanism capable of manufacturing only one voter every three other days".⁵⁹ Not surprisingly, politicians used to say: "we know each one of our voters".⁶⁰

The Electoral Code of 1932 granted to unions the right to register voters, but only among the professionals they represented. This practice became known as *ex-officio* registration and was widely publicized. In Rio Grande do Sul, the *Centro Operário de Pelotas* (Labor Centre of Pelotas) expressed their intention to register their members from both sexes *ex-officio*, whereas the non-registered ones should "remain highly independent, waiting for instructions to be delivered by their leaders in the greatest interests of the labor class".⁶¹ In general, the literature infers that the role played by unions in filing *ex-officio* applications was determinant for controlling voters, particularly in urban centers (Kinzo 1980). According to the *Diario Nacional*, the Federation of Volunteers produced, for example, no less than 70% of the electorate in the state of São Paulo by means of this instrument.⁶² Only in Pará, complaints about irregular or fraudulent *ex-officio* registrations were formally filed.⁶³ Being a strategic stage in the electoral cycle, voters' registration was relatively less contested in appeals presented to the electoral justice during the 1933 election. The highest number of complaints in this category was related to supposedly fraudulent *ex-officio* registrations made in Pará.

In light of this whole situation, the adoption of the PR system in Brazil seems less consequential. Our study shows that electoral results were conditioned primarily by parties' domination over the organization of voters. The arbitrary violence, *coronéis'* ruffianism, or the *voto de cabestro* (popular expression denoting electoral behavior controlled by local bosses) would stop being associated with the success of parties after the end of the First Republic.

⁵⁷ *Correio da Manhã*, 12/07/1932, p. 4.

⁵⁸ *A Federação*, 03/08/1933, p. 1.

⁵⁹ *A Batalha*, 12/02/1933, p. 2.

⁶⁰ *A Federação*, 05/10/1933, p. 2.

⁶¹ *A Noite*, 01/31/1933, p. 2.

⁶² *Diario de Noticias*, 04/02/1932, p. 2.

⁶³ Even in this case, these complaints represented 8.5% (13 out of 153) of formal denunciations against elections in the state.

The end of the story is well known. Critiques to the electoral legislation and the Federal Constitution of 1934 were invoked as justifications for the elaboration of a new Constitution in 1937, when a new coup d'état took place in Brazil. Elections were suspended until 1945, after which liberal freedoms were restored and the Brazilian first democratic experience began.

Conclusion

It is common knowledge that parties want to win elections. During the Brazilian First Republic, politicians used systematically two mechanisms to this end: control over voters and control over the electoral bureaucracy. The use of these mechanisms was still important during the 1933 election. The adoption of the PR system had been justified by the rhetoric about protecting minorities, and it indeed increased the chances that traditional political forces gained representation in the Chamber of Deputies. However, new strategies for assuring the victory of loyalist parties were also devised. Instruments that reduced the amount of resources controlled by opposition parties, particularly the secret ballot and the electoral justice, guaranteed their continuation in power. The former instrument made it harder for oligarchs to control voters, and the latter one weakened their influence over the electoral bureaucracy. Our argument does not deny the importance of the discourse about elections moralization, but reduces its centrality relative to classic interpretations. Put differently, the rhetoric about protecting minorities might have been a necessary condition for the approval of electoral reforms, but such an achievement also depended on supplementary legal provisions diminishing the level of political interference on electoral results.

The historic reevaluation proposed by this chapter compels us to (re) think the breakthrough of the Brazilian democracy within the theoretical framework of institutional innovations. Consider the introduction of the electoral justice. We claimed that its creation in 1932 was aimed at controlling electoral results, rather than moralizing elections. In this sense, the Brazilian case is similar to other Latin American experiences, and far from the British and American cases. In Britain and in the US, efforts to fight electoral corruption are commonly linked to processes of industrialization and economic growth, which enhanced the importance of programmatic appeals in elections (Stokes et al. 2013). The creation of the Brazilian electoral

justice, on the other hand, may be explained without any resort to the modernization theory. As stated by Fabrice Lehoucq, electoral governance “does not emerge as a simple byproduct of economic modernization” (Lehoucq 2002, 30), but as an attempt to eliminate party influences on elections.

Regarding the second institutional innovation (the PR system), Brazil is a hard case to explain. The 1932 reforms do not conform to the classic thesis that the adoption of this electoral system is an attempt of elites to respond to the socialist threat (Ahmed 2013; Rokkan 1970; Boix 1999), nor to recent theoretical models centered on the structure of economic interests (Cusack et al. 2007). At the same time, neither does it conform to analyses placing its origin on the pre-First World War stage of “protection of minorities” in some European countries (Rokkan 1970; Calvo 2009). As we explained, the Brazilian minorities were old oligarchies that now opposed the new regime. After we assessed the 1933 electoral context, based on systematic readings of party newspapers and on the codification of irregularities pointed out in complaints filed to the TSJE, our impression is that the PR system was a secondary issue. After the breakdown of the previous regime, revolutionaries enhanced their electoral support through the actions of *interventores* that were pivotal in organizing ruling parties (Gomes 1980; 1996). In this sense, the Brazilian case is consistent with studies about the role of elections in authoritarian regimes. As pointed out by Andreas Schedler, “authoritarian incumbents contaminate electoral contests. Since they stand for election not to lose power but to legitimate their continuity in office, they commonly try to distort and control the electoral process in order to minimize the risk of defeat” (Schedler 2002, 103). According to this view, the proportional representation was just a matter of electoral engineering. The main challenge was the control of voters and of the electoral bureaucracy, not the choice of the electoral system. This fact, as we see it, is the starting point for understanding other reforms introduced by the Code, including the universal suffrage.

Appendix: methodological note

We coded potential irregularities taking place during the election for the Constituent Assembly in May 1933 using information from decisions made by the TSJE – the last judicial instance to analyze and validate elections in Brazil after the approval of the Code of 1932. Decisions published in *Electoral Bulletins* were comprised of a) a summary about how elections unfolded in the state; b) reports from election scrutiny boards (*Turmas Apuradoras* - TAs) and

complaints filed at this stage; c) appeals presented to TRJEs against vote counts and the court's decision about these appeals; d) appeals presented to the TSJE against the certification of winning candidates and the court's decision about these appeals (including the court's opinion about decisions made at lower instances). In order to map the electoral dynamics in 1933, we considered all of the problems observed at the level of polling stations, independently of the instance where they were first analyzed. We assembled a total of 706 irregularities and disregarded 39 cases lacking the precise geographic location of polling stations, 53 cases of general complaints about polling station proceedings in the whole state, and 28 cases without clear substantiation. Out of the 39 cases of unknown location, 10 referred to misconducts by polling station committees, 9 to violations of the secret ballot, 8 to irregularities in voters' registrations, 5 to violence, intimidation, and coercion, 5 to misconducts by the electoral justice, and 2 to formal vices. Out of the 53 cases with general complains at the state level, 19 were related to the use of the PR system for the allocation of seats, which indicated confusion in law interpretations and in calculations of party and electoral quotas. Other 16 cases dealt with irregularities in the conduct of the electoral justice at the state level, particularly in decisions made by TAs. Considering that the electoral justice was hardly criticized in party newspapers, we believe that these critiques targeted the autonomy and impartiality recently achieved by these boards, especially at the local level. These denunciations are certainly worth being better investigated. The remaining cases in the category of general complaints at the state level can be properly classified in those predetermined categories: 4 referred to violations of the secret ballot, 2 to irregularities in voters' registration, 3 to violence, intimidation, and coercion, 2 to formal vices, and 1 to another case.

For unknown reasons, *Electoral Bulletins* did not publish decisions about elections carried out in the state of Paraíba, and we coded them as missing. Below, we indicate in parentheses the dates to which our data on formal appeals (extracted from decisions published in those bulletins) refer in each state: AC (10/18/1933), AL (09/02/1933), AM (07/17/1933), BA (10/18/1933), CE (08/12/1933), DF (08/05/1933), ES (08/19/1933), GO (07/22/1933), MA (07/29/1933), MG (08/30/1933), MT (07/17/1933), PA (08/19/1933), PE (07/26/1933), PI (08/02/1933), PR (08/23/1933), RJ (08/26/1933), RN (08/30/1933), RS (10/11/1933), SC (10/07/1933), SE (07/08/1933) e SP (09/09/1933), and DF (08/05/1933).

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