

Challenges for Electoral Clientelism

Unlike this book's focus on ongoing exchange relationships, most recent research concentrates on electoral clientelism. This episodic phenomenon distributes benefits exclusively during election campaigns. While vote buying is the most commonly studied type of electoral clientelism, other strategies include turnout buying, abstention buying and voter buying. In order to set up the remainder of the book – which explores citizens' role in the survival of relational clientelism – the present chapter examines why electoral clientelism in Brazil is under substantial duress from major institutional and legal challenges. Such factors similarly threaten many contingent exchanges around the world: beyond global evidence discussed in the Introduction, Chapter 7 investigates challenges facing electoral clientelism in Argentina and Mexico. To foreshadow the broader argument, relational clientelism is relatively resilient to various challenges that hinder electoral clientelism, but is especially prone to credibility problems that citizen actions help to mitigate.

To clarify the distinction between different strategies of electoral clientelism, this chapter first presents a typology and theoretical framework. This framework emphasizes that institutional factors in a given society shape the relative costs of different strategies, thereby leading a clientelist party to adapt its mix of electoral clientelism. A confluence of key institutional factors undermines – but by no means eliminates – the use of electoral clientelism in Brazil. First, the nation's adoption of electronic voting heightened ballot secrecy, which undercuts vote buying. Second, strict compulsory voting (despite low fines) inhibits politicians' ability to engage in turnout buying and abstention buying. Given these hindrances, some politicians engage in another, more costly form of electoral clientelism: importing outsiders through voter buying. Yet even this strategy is hamstrung by third institutional challenge: electoral authorities'

extensive use of voter audits.¹ Furthermore, the chapter explores a fourth challenge: a remarkably effective new law that prohibits clientelism during elections. Overall, electoral clientelism is buffeted by a multitude of challenges in Brazil.

2.1 STRATEGIES OF ELECTORAL CLIENTELISM

When politicians deliver handouts during campaigns, they have an arsenal of strategies to deploy. Although the vast majority of studies focus exclusively on vote buying, the typology in Figure 2.1 demonstrates several other important strategies of electoral clientelism.² These strategies target different types of individuals and induce distinct actions.

Vote buying rewards opposing (or indifferent) voters for switching their vote choices.³ To provide an illustrative example, an operative in Bahia state recounted to me how he approached rural farmers as they walked towards the polls, inviting each for a drink of *cachaça* (cane alcohol). After a few drinks in a nearby house, he offered each farmer R\$10 (\$2.50) to switch his vote choice.⁴ Such vote buying is the predominant form of electoral clientelism in Brazil, even though, as shown later, the strategy faces considerable challenges. In the Rural Clientelism Survey across Northeast Brazil (described in Appendix B), 15.6 percent of respondents reported that they knew a vote-buying recipient, nearly double the frequency of any other form of clientelism restricted to campaigns. Because this figure reflects citizens' familiarity with vote buying instead of their own experiences, it potentially overstates the strategy's prevalence; nevertheless, the measure is discussed here as the survey includes comparable questions for other strategies of electoral clientelism.

Another form of electoral clientelism, *turnout buying*, rewards unmobilized supporters for showing up at the polls on Election Day. Although most politicians I interviewed in Bahia state suggested this strategy did not exist in their municipalities due to strong compulsory voting, one councilor explained that if a voter "is going to vote for you, but on the day he doesn't have interest in voting ... sometimes you offer something to him."⁵ In the Rural Clientelism

¹ The point is that some institutional features undercut electoral clientelism in Brazil, not that *all* features do. For example, Brazil's usage of open-list proportional representation for some offices, in conjunction with other electoral rules, is understood to be relatively conducive to clientelism (e.g., Hagopian, 1996, 199; Ames, 2002, 97).

² This typology is adapted from my article in the *American Political Science Review* (Nichter, 2008, 20).

³ Given this chapter's focus on electoral clientelism, rewards are defined here as cash or particularistic goods and services (including food and alcohol) given to individuals before an election. Post-election benefits and transportation to the polls are not considered rewards (Nichter, 2014b).

⁴ Author's interview, municipality in Bahia with 10,000 citizens (October 4, 2008). Unless otherwise noted, this book employs the exchange rate on January 1, 2016 (USD\$1 = R\$3.96).

⁵ Author's interview, municipality in Bahia with 15,000 citizens (January 13, 2009).

		Political Preference of Recipient vis-à-vis Politician Offering Goods	
		Favors Party	Indifferent or Favors Opposition
Recipient inclined to vote or not vote	Inclined to vote	Rewarding loyalists	Vote buying Abstention buying
	Inclined not to vote	Turnout buying	Voter buying Double persuasion

FIGURE 2.1 Strategies of clientelism during elections

Source: Adapted from Nichter (2008).

Survey across Northeast Brazil, turnout buying was the second-most common form of electoral clientelism: 8.1 percent of citizens reported they knew a turnout-buying recipient.⁶

A third strategy of electoral clientelism, *abstention buying*, rewards opposing (or indifferent) individuals for *not* voting.⁷ In Bahia, the vast majority of interviewees proclaimed they had never heard of this strategy. But an illustrative example is provided by a councilor who explained: “The stories that the elderly tell, that someone came to the house with money, took all of the documents ... so nobody could vote, because he wasn’t certain that if he helped, the person would vote in his favor.”⁸ In the Rural Clientelism Survey across Northeast Brazil, only 2.5 percent of respondents reported they knew someone who experienced abstention buying.

Voter buying induces citizens in *other* districts to transfer their electoral registration and vote for a specified politician (Hidalgo and Nichter, 2016). Recipients are registered elsewhere before receiving rewards; as such, the typology shows that the strategy targets citizens who neither favor the politician offering goods nor are inclined to vote (in the clientelist politician’s district). For example, a councilor candidate in a small municipality in Alagoas state was convicted in 2010 of importing numerous voters and providing each R\$50 (\$13), food, transportation, and an overnight stay to vote for him.⁹ Although usually overlooked by the clientelism literature, voter buying was the third-most common form of electoral clientelism in the Rural Clientelism Survey, with 7.3 percent of citizens reporting they knew a voter-buying recipient.

⁶ See Nichter (2008) for a more thorough discussion of turnout buying, as well as Cox (2009), Rosas and Hawkins (2008), and Dunning and Stokes (2009).

⁷ For example, see Cox and Kousser (1981), Schaffer (2002), Heckelman (1998), Cornelius (2003), and Morgan and Várdy (2012). Abstention buying is often called *negative vote buying*, but the strategy affects turnout instead of vote choices, so *negative turnout buying* would be more accurate as an alternative term.

⁸ Author’s interview, municipality in Bahia with 15,000 citizens (January 12, 2009).

⁹ See Tribunal Regional Eleitoral de Alagoas, Acórdão 7.698 (December 2, 2010) and Tribunal Superior Eleitoral, Andamento do Processo n. 97-88.2010.06.02.0000 (April 24, 2015).

A fifth form of electoral clientelism, *double persuasion*, distributes clientelist benefits to influence vote choices *and* induce electoral participation. The strategy delivers rewards to nonvoters, but unlike turnout buying it targets indifferent (or opposing) voters. Although interviewees rarely mentioned double persuasion, a councilor provided an example when explaining that some rewards target indifferent citizens who say: “I am not going to vote for anyone, I will only vote if somebody gives me something.”¹⁰ For simplification, the present chapter does not discuss double persuasion extensively, and the Rural Clientelism Survey did not ask about the strategy.¹¹

Finally, *rewarding loyalists* delivers clientelist benefits to supporters who would turn out anyway. By definition, these selective benefits do not influence vote choices or induce turnout in the contemporaneous campaign. Part II of this book argues that delivering assistance to voting supporters facing adversity (regardless whether in the midst of a campaign) is part and parcel of relational clientelism. Given that the present chapter focuses exclusively on electoral clientelism, it restricts attention to other strategies in the typology. As discussed in Chapter 1, Diaz-Cayeros et al. (2016) and Stokes et al. (2013) also provide explanations for why voting supporters receive campaign handouts.

In sum, politicians can choose from a variety of strategies when engaging in electoral clientelism. Survey evidence presented in this chapter suggests that all of these strategies are observed to varying degrees in Brazil. Despite the persistence of electoral clientelism, the phenomenon encounters substantial challenges in the Brazilian context. To clarify the logic, this chapter builds on a theoretical framework that I developed with Jordan Gans-Morse and Sebastian Mazzuca.¹² In contrast to the present book, our collaborative project focused on electoral clientelism, did not examine Brazil, and did not investigate why politicians provide benefits to their own voting supporters. However, its framework proves especially useful for examining challenges to electoral clientelism. The next section, which provides intuition from our formal model, serves two purposes: (1) it clarifies how and why politicians combine several strategies of electoral clientelism, (2) it sheds light on why Brazil’s combination of rigorous ballot secrecy and stringent compulsory voting hinders several key strategies.

2.2 LOGIC OF ELECTORAL CLIENTELISM

To provide basic intuition about the logic of electoral clientelism, the present section assumes that only the incumbent political party or group in a given

¹⁰ Author’s interview, municipality in Bahia with 60,000 citizens (November 6, 2008).

¹¹ Double persuasion is a hybrid strategy involving both persuasion and mobilization, so it is undermined by both ballot secrecy and compulsory voting. The Rural Clientelism Survey did not inquire about double persuasion because it involves relatively more explanation.

¹² The discussion in Section 2.2 is adapted from our article in the *American Journal of Political Science* (Gans-Morse, Mazzuca, and Nichter, 2014).

municipality distributes contingent benefits during campaigns. While most discussion in this book relaxes this assumption, given the competitive nature of many (but not all) Brazilian municipalities, it is adopted here because it greatly simplifies exposition and conveys generalizable points.

The model in Gans-Morse, Mazzuca, and Nichter (2014) assumes that an incumbent “machine” (M) and an opposition party (O) compete during an electoral campaign, offering policy platforms of x^M and x^O , respectively. A citizen’s utility is assumed to equal the difference between her expressive value from voting and her net voting costs.¹³ The citizen receives more expressive utility, the closer her ideal point (x_i) is to the platform of the party for which she votes. The citizen’s net voting cost (c_i) includes material costs of reaching the polls (such as transportation, lost wages, or child care) less any costs incurred from abstention. Such abstention costs range from social disapprobation to fines and penalties in countries with compulsory voting laws. If a citizen shows up at the polls, she will vote for the machine if doing so provides (weakly) greater utility than voting for the opposition.¹⁴ But a citizen will only vote for her preferred party if doing so provides (weakly) greater utility than abstaining.

When a clientelist party targets citizens with electoral clientelism, the mix of strategies it employs depends on contextual factors as well as citizens’ political preferences and voting costs. To provide intuition about how it determines this portfolio, Figure 2.2a presents a map of citizens from the perspective of the machine. Political preferences are on the horizontal axis, with machine supporters on the right. Net voting costs are on the vertical axis; citizens with greater voting costs are higher. Citizens on bolded vertex are indifferent between voting and not voting because they receive the same utility from voting as they do from abstaining.¹⁵ The shape is a vertex because citizens with intense political preferences are willing to incur greater voting costs. All citizens on or below the right section of the vertex (l_1) vote for the machine; those on or below the left section (l_2) vote for the opposition. All citizens above the vertex are nonvoters.

In order to distribute its funds for electoral clientelism most effectively, a machine will target citizens who offer the most net votes per dollar spent. Following this logic, the model determines the most expensive payments the machine is willing to expend on each strategy. An important factor influencing this decision is that vote buying, unlike other strategies, offers two net votes: it provides a vote *and* subtracts one from the opposition. Building on Figure 2.2a, lines are added to Figure 2.2b representing the most a machine is willing to

¹³ Formally, a citizen of type (x_i, c_i) who votes for party $P \in \{M, O\}$ receives utility: $U^P(x_i, c_i) = -|x^P - x_i| - c_i$.

¹⁴ That is, a citizen votes for the machine if $U_i^M \geq U_i^O$, or equivalently, if $x_i \geq 0$. Thus, citizens with political preferences $x_i \geq 0$ are supporters of the machine, while those with political preferences $x_i < 0$ are opposers.

¹⁵ Formally, these are supporters for whom $-|x^M - x_i| - c_i = 0$ and opponents for whom $-|x^O - x_i| - c_i = 0$. Abstaining yields a reservation utility of 0.

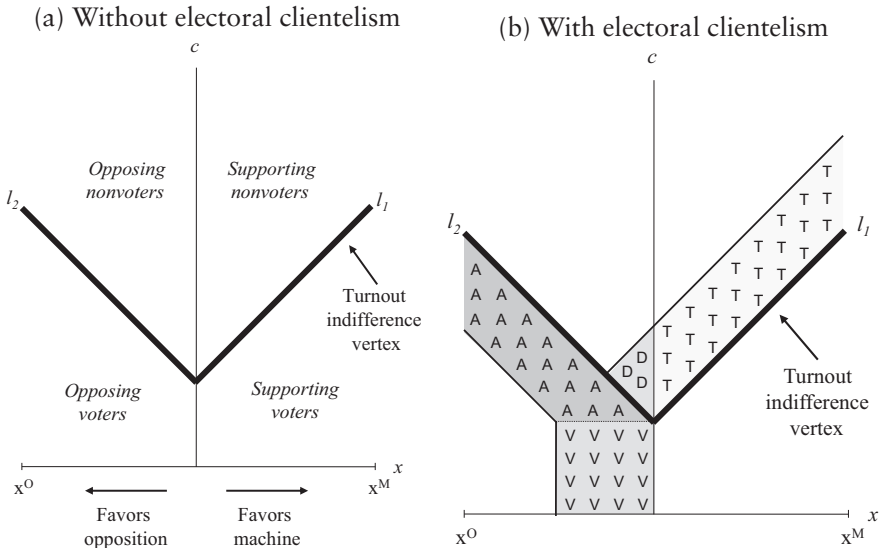


FIGURE 2.2 Map of citizens by political preferences and net voting costs

Note: Figure (a) is a map of citizens, indicating vote choices and turnout before a machine distributes rewards. Figure (b) adds clientelist strategies to this map. Citizens labeled “T” are nonvoting machine supporters who are mobilized due to *turnout buying*. Citizens labeled “V” are opposing voters who switch their votes due to *vote buying*. Citizens labeled “A” are opposing voters who stay home due to *abstention buying*. Citizens labeled “D” are opposing nonvoters who turn out and vote for the machine due to *double persuasion*. The count of letters is illustrative, as the relative prevalence of each strategy depends on numerous factors. *Source:* Adapted from Gans-Morse, Mazzuca, and Nichter (2014).

pay for each strategy. As shown by the shaded regions that correspond to each strategy, a machine rewards all citizens who can be bought for these payments or less (see caption). Given the model’s focus on electoral clientelism, it provides important insights about four strategies – vote buying, turnout buying, abstention buying, and double persuasion – but does not explore why politicians also provide benefits to supporting voters (a key focus of Part II).

The model predicts that a machine engaging in electoral clientelism will combine all four strategies, and also suggests how numerous contextual factors shape this mix. Particularly relevant to this chapter, it offers important predictions about two institutional features of the Brazilian context examined thoroughly later: rigorous ballot secrecy and strict compulsory voting. Because they alter the vertex in Figure 2.2b, both features raise the costs of specific strategies of electoral clientelism and lead a machine to shift its mix.¹⁶ Ballot secrecy raises the costs of vote buying, leading machines to rely more heavily

¹⁶ This point is shown formally in Gans-Morse, Mazzuca, and Nichter (2014) through a comparative statics analysis.

on turnout buying and abstention buying. But the effects of compulsory voting are precisely the opposite: it raises the costs of turnout buying and abstention buying.¹⁷ These countervailing institutional features thus raise the costs of all these strategies, impinging on – but not entirely eliminating – politicians' capacity to use them. Moreover, this chapter shows that voter audits undermine the importation of outsiders through voter buying, and new legislation inhibits all strategies involving campaign handouts. When taken together, this confluence of institutional factors raises the costs of *all* strategies of electoral clientelism.

2.3 EFFECT OF BALLOT SECRECY

Over the last two centuries, the secret ballot emerged as a nearly ubiquitous electoral institution across the world – with only Bhutan and Iran as exceptions in 2000 – but this secrecy can be violated in myriad ways (Przeworski, 2015, 97–101). As this section explores, Brazilian reformers sought to heighten ballot secrecy for over a century with only modest success. However, politicians' ability to observe vote choices fundamentally weakened in 2000, when Brazil became the first country in the world to introduce fully electronic voting. Rigorous ballot secrecy now undermines – but does not eliminate – vote buying in Brazil because it is difficult to ascertain whether a rewarded citizen actually votes for a particular candidate.

At the outset, it should be emphasized that rigorous ballot secrecy does *not* undermine all forms of electoral clientelism. The theoretical framework outlined earlier elucidates its heterogeneous effects. Heightened ballot secrecy renders it more difficult and costly to monitor vote choices, which is important when paying citizens to vote against their preferences through vote buying. But not all forms of electoral clientelism involve monitoring how citizens vote. Strategies that focus on mobilizing or demobilizing citizens only require monitoring *whether* rewarded citizens vote, so their costs are unaffected by ballot secrecy. Hence, electronic voting and other improvements to ballot secrecy are expected to undercut vote buying and lead politicians to shift resources toward turnout buying and abstention buying. But as shown later, compulsory voting hampers these other strategies as well, suggesting that electoral clientelism is hindered by multifaceted challenges.

At least on parchment, electoral laws have ensured ballot secrecy for much of Brazil's history. Although there was already some precedent for secret voting in Brazil, Saraiva Law in 1881 is credited with introducing ballot secrecy (TSE, 2013, 40).¹⁸ An 1896 law affirmed ballot secrecy while simultaneously enabling

¹⁷ A similar effect is observed with double persuasion (see Gans-Morse, Mazzuca, and Nichter, 2014).

¹⁸ Brazil's electoral governance body (TSE) credits Saraiva Law with introducing ballot secrecy, but some researchers credit 1875 or 1932 laws instead. Conceptual ambiguity arises to some extent because, as shown later, ballot secrecy laws can employ a continuum of more or less rigorous procedures.

politicians to violate it: after casting their ballots, citizens received vouchers to take home that indicated their vote choices (TSE, 2013, 46).¹⁹ Relative to these laws, two later reforms had a relatively greater effect on ballot secrecy, but as discussed later did not pose insurmountable obstacles to monitoring voting decisions. Getúlio Vargas's 1932 Electoral Code once again called for ballot secrecy, with additional safeguards including official, opaque envelopes and an "impenetrable" voting booth. Another reform that to some extent improved ballot secrecy was the introduction of the Australian ballot in 1955 (Nicolau, 2002a, 52–53). Prior to this reform, parties created most ballots and handed them to Brazilian voters. Chapter 7 discusses how this voting procedure persists in much of Argentina today and facilitates vote buying in that country (Stokes, 2005). In contrast, Brazil's adoption of the Australian ballot meant that electoral officials now produced and distributed uniform ballots (Nicolau, 2015, 6–7). Although such reforms promised ballot secrecy, as shown later, they had only partial success in accomplishing this objective.

Reformers long understood – and were often motivated by – the implications of ballot secrecy for vote buying. During the Old Republic (1889–1930), advocates frequently exhorted publicly for ballot secrecy, often discussing how this electoral institution would curb vote buying.²⁰ Soon before becoming Brazil's president, Senator Campos Sales argued in 1891 that the secret ballot would curb vote buying because the strategy requires "material, authentic proof" that citizens voted as instructed. With effective ballot secrecy, he explained: "the difficulty of monitoring ... impedes the transaction."²¹ Sales's push for ballot secrecy bore no immediate results, but others' efforts soon followed – especially efforts by those seeking to undermine the power of state and local machines.²² For example, the Nationalist League of São Paulo launched an intense campaign for ballot secrecy (Levi-Moreira, 1984) that frequently railed against vote buying. As part of the campaign, the League handed out over 300,000 fliers calling for heightened ballot secrecy, distributed dozens of publications, and even declared the "week of the secret ballot." Proponents often mentioned vote buying; for instance, a Nationalist League speaker argued in 1922 that with the secret ballot, "certainly no one would

¹⁹ See also Nicolau (2002a, 33) and Davalle (2011, 237–238) regarding a 1904 law continuing this mechanism.

²⁰ To illustrate how politically salient ballot secrecy was in that era, consider that one scholar calls it a "leitmotiv in Rui Barbosa's campaigns" (Sampaio, 1979, 242) and another argues it was a "rallying cry of the Nationalist League, the military rebels of July 1924, the Party of Youth, and the PD [Democratic Party]" (Woodward, 2009, 220).

²¹ Annaes do Senado Federal, Congresso Nacional, Volume 3, August 31, 1891, 182.

²² For many examples, see the compendium by the Democratic Party (Partido Democrático, or PD) discussed later (Partido Democrático, 1927). While Vargas's objectives were clearly multifaceted, Silva (2005, 15) argues he instituted ballot secrecy to curb clientelism by local oligarchies. Vargas did indeed weaken state machines, albeit temporarily (Hagopian, 1996, 50–56).

be so stupid as to fall in the trap of buying votes.”²³ Doing so would be like “buying turnips in sacks,” he exclaimed using an old adage for buying something without examining it first, and voters might sell votes repeatedly while “deceiving everyone.” The Nationalist League influenced the formation of the Democratic Party (Boto, 1994), which continued to pursue ballot secrecy.²⁴ In 1927, the Democratic Party (PD) published a major book calling for ballot secrecy, replete with arguments about how and why it would reduce vote buying (PD, 1927). A prominent contributor provided an enumerated list of advantages of the secret ballot, with the first being that buying votes would be impossible “because it will be impossible to be sure that the voter voted in this or that manner.”²⁵ In short, Brazil’s politicians long recognized ballot secrecy’s potential to reduce vote buying.

The introduction of ballot secrecy and early reforms failed to cripple vote buying in large part because their design enabled politicians to observe or infer vote choices. For many years after the enactment of the Saraiva Law in 1881, clientelist politicians could ensure that citizens complied as instructed through the process by which they distributed ballots. Politicians frequently provided envelopes for these ballots distinguishable by shape, color, or size – sometimes even sealing the envelopes to ensure voters did not switch ballots and handing them to voters just steps from the ballot box (Nunes Leal, 1949, 259; Sampaio, 1922, 36–37). One São Paulo legislator argued in 1924 that politicians could monitor vote choices – a practice he deemed the “essence” of vote buying – because Brazil never actually implemented effective procedures to ensure ballot secrecy after importing the rule from other nations: in his words, “We imitate but we don’t assimilate adopted institutions.”²⁶ Most researchers concur that ballot secrecy was minimally protected before Getúlio Vargas’s ascendancy. While most likely an exaggeration, a senator in 1925 claimed that political operatives knew how nearly all citizens voted: “The proportion of votes, truly secret ... doesn’t perhaps reach one percent.”²⁷ To some extent, opponents deliberately introduced design flaws as “poison pills”; rather than overtly oppose further reforms, they could simply claim that existing laws already provided secret voting.²⁸

Reforms after the Old Republic yielded relatively stronger ballot secrecy (Nicolau, 2002a, 38–39) but had only modest success in protecting citizens

²³ “O Governo do Povo,” Conference by Sampaio Doria, June 1922 (PD, 1927, 285–286).

²⁴ The Democratic Party later participated in the Liberal Alliance, which promised to institute ballot secrecy as part of Vargas’s unsuccessful presidential campaign in 1930 (TRE-BA, 2012, 68).

²⁵ Amadeu Amaral, “A Verdade do Voto” (PD, 1927, 295).

²⁶ Trajano Machado, São Paulo Congress, December 10, 1924 (PD, 1927, 142, 146).

²⁷ Senator Thomaz Rodrigues, Senate Judicial Commission, September 9, 1925 (PD, 1927, 80–81).

²⁸ Sampaio (1922, 23) discusses how secret ballot opposers used an indirect strategy, arguing against reforms by claiming that existing laws already secured ballot secrecy. My use of the term “poison pills” borrows from an intriguing study of judiciaries in contemporary Latin America by Brinks and Blass (2013).

from clientelist monitoring. For instance, some researchers even contend that Vargas's 1932 Electoral Code had "no effect" in rural areas where most Brazilians lived, and only a moderate effect in urban areas (Sampaio, 1979, 242). Parties continued to control the production and distribution of ballots, which played a key role in sustaining clientelism (TRE-BA, 2012, 59).²⁹ *Jornal do Brasil* (a leading newspaper) reported about the 1950 Electoral Code, which permitted such ballot practices, and claimed that "the public has begun to call [it] the Code of Vote Buying."³⁰ When electoral officials stripped parties of this role with the Australian ballot's introduction in 1955, they had lofty expectations for its impact on clientelism. The minister of justice argued publicly that "it would impede or make vote buying useless," and in front-page news, the TSE president proclaimed it would "complicate, if not abolish, corruption by vote buying."³¹

These proclamations proved to be overly optimistic. A rigorous study by Daniel Gingerich (2013, 22–23) finds no evidence that the Australian Ballot decreased clientelism in Brazil. Leveraging the reform's gradual implementation, Gingerich compared municipalities with party ballots versus official ballots and found no statistical difference in his clientelism measure.³² One reason for the circumscribed effects of such reforms was the relative ease of violating secrecy with paper ballots, leading the military regime to impose a draconian penalty – up to five years' imprisonment – for providing prefilled or marked ballots.³³ Such ballots played a central role in politicians' strategies to outfox the Australian ballot, including the infamous *formiguinha* (little ant) method. With this tactic, known as the "Chain of Love" in the Philippines and the "Tasmanian Dodge" in Australia (Cox, 2009), a politician gives a voter a prefilled ballot to smuggle into the voting booth. Instead of filling out the blank ballot given by election officials, the citizen casts the prefilled ballot and smuggles the blank ballot to the politician. The politician then uses this fresh ballot to repeat the scheme with another voter. The particular modalities aside, the broader point is that problems with ballot secrecy facilitated vote buying during much of Brazil's history.

Electronic voting greatly reduced politicians' ability to monitor vote-buying transactions. This impact was by no means accidental. Much to the contrary, improving ballot secrecy and reducing vote buying were key parts of the debate

²⁹ See also: "A Reforma da Legislação Eleitoral," *Jornal do Brasil*, May 13, 1955.

³⁰ "Para Evitar a Plutocracia," *Correio da Manhã*, October 20, 1954.

³¹ "Reconhecendo a Premente Necessidade de uma Reforma da Lei Eleitoral," *Jornal do Brasil*, March 18, 1955 and "Impossível a Tinta Indelével nas Próximas Eleições," *Jornal do Brasil*, August 6, 1955.

³² The study's differences-in-differences design employs the Herfindahl-Hirschman index of vote concentration for federal deputy elections as a clientelism proxy. The proxy, while not ideal, is suggestive given limited historical data. Gingerich argues that while the reform did not reduce clientelism, it disenfranchised some voters through an increase in invalid votes (2013, 23–24).

³³ Such a penalty was included in the 1965 electoral code (which is still in effect today), but not in the first four electoral codes (1932, 1935, 1945, and 1950).

over its introduction, even though its ability to curb fraud received more public attention. Decades of debate preceded the gradual rollout of electronic voting during the 1996 and 1998 elections and its comprehensive adoption during the 2000 municipal elections.³⁴ During this time, the TSE frequently promoted the concept of electronic voting by arguing that it would improve ballot secrecy and thereby prevent clientelism (Brunazo Filho and Cortiz, 2006, 55). Moreover, the TSE raised concerns about vote buying when arguing to legislators and the public that printed voting receipts were undesirable (Brunazo Filho and Cortiz, 2006, 55). Many Brazilian observers had complained that a lack of printed receipts for citizens' electronic vote choices inhibited recounting.³⁵ During a 2013 press interview arguing against such procedures, a top TSE official repeatedly mentioned risks of ballot-secrecy violations and vote buying.³⁶ Similarly, when ruling in 2013 that vote receipts were unconstitutional, TSE President Cármen Lúcia argued that a voter is better off without one: "Nothing can be exacted of him, proof can't be required of what was done" in the ballot booth.³⁷ Despite such objections, legislative pressure eventually culminated in a 2015 electoral reform that required printed receipts starting in the 2018 elections.³⁸ However, the TSE has adapted its electronic voting machines in a manner that ensures receipts cannot be used to violate ballot secrecy. Voters will view their printed receipts – located behind a sealed display window within the electronic voting machine – before leaving the voting booth. Overall, an objective of electronic voting in Brazil is diminishing the observability of vote choices, a key mechanism of vote buying.

Evidence suggests that electronic voting achieved this objective to a remarkable degree. Even in rural Northeast Brazil, a region not typically credited with quickly implementing formal rule changes, the Rural Clientelism Survey found that 87 percent of respondents believe their vote is secret (9 percent believed it was not secret and 4 percent did not know).³⁹ Likewise, during my extensive interviews in Bahia, over 80 percent of citizens and *every* politician I asked

³⁴ For example, the TSE rejected an initial project in the 1960s as well as a prototype by the state electoral court of Minas Gerais in 1978 (Tavares and Moreira, 2011, 15).

³⁵ Despite some criticisms, electronic voting in Brazil is generally viewed by experts as well-insulated from fraud. Even before the reform discussed later, a receipt was printed per machine (not per voter), which facilitated inspection and recounting. In addition, the TSE invites party representatives, international experts, and even hackers to inspect and test the integrity of voting machines. See "How Electronic Voting Could Improve Voters' Trust," *Christian Science Monitor*, October 13, 2015.

³⁶ Interview with the TSE Secretary of Information Technology Giuseppe Dutra Janino. "Secretário de TI do TSE Comenta Segurança de Urnas Eletrônicas," *Tecmundo*, September 30, 2013.

³⁷ "Norma que Institui Voto Impresso a Partir de 2014 é Inconstitucional, Decide STF," TSE, November 7, 2013.

³⁸ "Regra Aprovada pela Câmara Prevê Comprovante Impresso do Voto em 2018," *O Globo*, October 6, 2017.

³⁹ $N = 3,654$. This survey shows that citizens who believe voting is secret are no more or less likely to receive campaign handouts or know recipients of each form of electoral clientelism.

reported that discovering vote choices is impossible.⁴⁰ As explored extensively in this book, many voters express their vote choices to others, and politicians sometimes employ weakly effective (or short-lived) tactics to try to infer how citizens voted. But violating ballot secrecy is largely deemed implausible. Even in the smallest municipalities I visited, citizens tended to express views like “It’s secret! The vote is secret!”⁴¹ or “Now with these electronic ballots, I think there is no way to discover [my vote choice].”⁴² Likewise, in the words of a councilor: “There is no way for anyone to know who voted for whom. The vote in Brazil is secret.”⁴³ The mass media likely contributes to such perceptions, as television and radio stations continue to air segments during election years emphasizing that ballot secrecy is inviolable with electronic voting.⁴⁴ Beyond Northeast Brazil, a nationally representative survey in 2008 found that only 21 percent of Brazilians agreed with the statement that candidates could find out who citizens voted for, while 56 percent disagreed (14 percent neither agreed nor disagreed, and 9 percent did not respond).⁴⁵ While such evidence suggests that a minority of Brazilians still harbor doubts about ballot secrecy, it is useful to put these figures in perspective by comparing ballot-secrecy perceptions in the United States. In a recent study by Gerber et al. (2013, 87), 25 percent of US respondents did not believe that their votes are kept secret, and in a separate question, 40 percent thought it would not be difficult for politicians to discover their vote choices.⁴⁶ Though such figures suggest there may well be a disconnect between perceptions and actual ballot secrecy, perceptions are nevertheless important because they can deter opportunistic defection in contexts with clientelism (Weitz-Shapiro, 2014, 43–44). And given that perceptions are not too different from the US context, it is reasonable to conclude that Brazilians – especially those living in the rural Northeast – have strong perceptions of ballot secrecy.

As reformers predicted, electronic voting undermined politicians’ ability to buy votes. Many effective techniques under paper balloting, such as the *formiguinha* method discussed earlier, became “obsolete” with the electronic

⁴⁰ Of fifty-two citizens responding, forty-two (81 percent) believed voting is secret. None of the thirty-eight elites asked thought it was possible for a politician to observe how a citizen voted. These figures correspond to violations of ballot secrecy, not inferences through declarations (see Chapter 5) or word-of-mouth.

⁴¹ Author’s interview, municipality in Bahia with 15,000 citizens (January 15, 2009).

⁴² Author’s interview, municipality in Bahia with 10,000 citizens (October 1, 2008).

⁴³ Author’s interview, municipality in Bahia with 15,000 citizens (January 12, 2009).

⁴⁴ For example, see “Regras Criadas pela Justiça Eleitoral Garantem Sigilo do Voto,” *TV Globo*, October 1, 2016.

⁴⁵ Survey conducted by research firm Vox Populi on behalf of the Associação dos Magistrados Brasileiros in July 2008. Included 1,502 respondents across all regions of Brazil.

⁴⁶ The authors corroborated these findings from the Cooperative Congressional Election Study ($N = 804$) with two other surveys ($N = 573$ and $N = 903$). The 40 percent statistic refers to citizens indicating it would be “not difficult at all” or “not too difficult” for “politicians, union officials, or the people you work for” to discover their vote choices (87).

ballot (Gastaldi and Rosendo, 2012, 82; Speck, 2003, 157). Electronic voting decreased the sanctioning capacity of vote buying. As one councilor complained: “There’s no guarantee at all ... voters started to become clever. They started to gain from everyone and then vote for whomever they wanted.”⁴⁷ The Rural Clientelism Survey identified that some respondents are readily willing to admit that they would renege on vote-buying offers: 43 percent of those familiar with vote buying said they would take the money and vote against the politician.⁴⁸ The nationally representative Brazilian Electoral Panel Study suggests why, given politicians’ inability to sanction recipients under electronic voting, vote buying is an especially risky endeavor: 44 percent of those receiving offers reported being *less* inclined to vote for the candidate, while only 18 percent said they were more inclined and 38 percent said they were equally inclined (Ames et al., 2013). Thus, vote buying in Brazil encounters considerable opportunistic defection, which is far more challenging to detect now that electronic voting has enhanced ballot secrecy.

Electronic voting undercut vote buying, though it has by no means extinguished this form of electoral clientelism. After all, evidence earlier from the Rural Clientelism Survey reveals that 15.6 percent of respondents indicated they knew a vote-buying recipient. Two other surveys also point to the existence of vote buying, though they do not indicate how often politicians employ this strategy.⁴⁹ In the Online Clientelism Survey conducted across Brazil (described in Appendix B), 63.7 percent of respondents reported that it is “common” or “very common” for there to exist politicians in their municipalities who engage in vote buying during local elections. Furthermore, a 2015 elite survey conducted in the Northeast state of Maranhão found that 96.9 percent of judges, prosecutors and activists indicated that it is “common” or “very common” for such politicians to exist.⁵⁰ While vote buying persists, numerous elites suggest that opportunistic defection now renders this strategy as nothing more than a gamble. One councilor, for instance, compared vote buying to poker and explained that it is “a bet. Sometimes it works, sometimes it doesn’t.”⁵¹ To be sure, some recipients may follow through due to feelings of reciprocity (Finan and Schechter, 2012; Lawson and Greene, 2014). However, some interviewees complained it was tougher today to trust voters’ promises of votes in exchange of benefits; as one councilor explained, a citizen’s “word was

⁴⁷ Author’s interview, municipality in Bahia with 60,000 citizens (November 6, 2008).

⁴⁸ Citizens were coded as familiar with vote buying if they knew any vote-buying recipients. Across all citizens, 28 percent said they would break the deal.

⁴⁹ Surveys discussed in this chapter focus specifically on strategies of electoral clientelism.

⁵⁰ Online survey by Judge Douglas de Melo Martins, who emailed in September 2015 all state judges and prosecutors in Maranhão, and activists in his professional network. Respondents include 80 judges (28 percent of 281 total judges), 43 prosecutors (16 percent of 269 total prosecutors), and 135 activists. Several questions were included at my recommendation.

⁵¹ Author’s interview, municipality in Bahia with 60,000 citizens (November 4, 2008).

worth a lot in the past. And today, no.”⁵² Interviewees suggested that aggregate vote monitoring, an approach observed elsewhere (e.g., Chandra, 2004; Rueda, 2014), is mostly ineffectual because vote buying aims to influence and monitor individuals’ votes. If a candidate obtains no votes in the rewarded citizen’s precinct, which have on average 316 voters across Brazil,⁵³ then the recipient obviously defected. But given that mayoral elections have only a few candidates, it is exceedingly rare to have no votes in a precinct.⁵⁴

Unable to rely on traditional monitoring mechanisms, politicians have achieved temporary successes through innovation. A team of operatives revealed to me how they check whether recipients vote as instructed. Electronic voting machines show a candidate’s picture only if selected as the vote choice. Therefore, the operatives would ask recipients what color shirt the candidate wore in the displayed picture: “If he voted for the guy, he knows. White shirt, striped.”⁵⁵ This tactic has also been reported in Mato Grosso state (Reis, 2006, 25), and a TSE Minister once described to David Fleischer how some politicians wore bowties or shaved their mustaches for the same testing purpose.⁵⁶ But my informants suggested this technique is now much less effective and only works to a limited degree with poor, rural voters: citizens realized they could view the picture and then push buttons to change their vote choices. Using a more reliable approach, politicians began to lend camera phones and ask rewarded voters to take pictures of their vote choices, a strategy also observed in countries such as Italy and Mexico (Schaffer and Schedler, 2007, 23). But the TSE soon caught on and banned cell phones in polling places – with the “target of vote buying,” explained one newspaper – and even established imprisonment as a potential penalty.⁵⁷

Overall, vote buying is now far more challenging for politicians than it was in the past. Reforms over the past century strived to enhance ballot secrecy, and the introduction of electronic voting hobbled politicians’ ability to monitor vote choices when buying votes. No longer can they ensure that citizens follow through with their end of the bargain, so it remains highly uncertain whether vote-buying recipients will actually vote against their preferences. The theoretical framework suggests that rigorous ballot secrecy drives up the cost

⁵² Author’s interview, municipality in Bahia with 15,000 citizens (January 14, 2009).

⁵³ Calculated from 2014 TSE data.

⁵⁴ A few elites said the tactic could plausibly work for some councilors in small municipalities (only for those who receive low votes). Electronic voting also complicates aggregate vote monitoring in Brazil. For example, at the time of Chandra’s (2004, 139) research in India, aggregate monitoring was facilitated by opening ballot boxes “carefully” to glean the general order in which votes were cast. This technique is impossible with Brazil’s electronic voting.

⁵⁵ Author’s interview, municipality in Bahia with 10,000 citizens (October 4, 2008).

⁵⁶ See “Notas Taquigráficas,” Câmara do Deputados, May 4, 2004. Scott Desposato (2002, 17–18) provides additional examples.

⁵⁷ Quote from “Levar Celular Para a Cabine de Votação Pode dar Cadeia,” *Diário do Vale*, July 14, 2012. See also “TSE Decide Proibir Celulares e Câmaras na Cabine de Votação,” *Estadão*, October 2, 2008.

of vote buying and leads politicians to shift resources towards turnout buying and abstention buying. But as explored next, strict compulsory voting impinges on politicians' ability to employ these alternative strategies.

2.4 EFFECT OF COMPULSORY VOTING

Although this rigorous ballot secrecy would be expected to motivate clientelist politicians to shift towards mobilization, compulsory voting has an important countervailing effect in Brazil. This electoral institution severely constrains – but does not altogether eliminate – Brazilian politicians' ability to influence turnout through electoral clientelism. Substantial evidence demonstrates that the country has strict mandatory voting, belying the common misperception that its impact is minimal just because monetary fines are low.

Before turning to evidence about compulsory voting in Brazil, why is this institution expected to undermine turnout buying and abstention buying? Returning to the theoretical framework, higher abstention costs boost turnout and shift the turnout indifference vertex in Figure 2.2b upwards. Abstention penalties shrink the pool of nonvoting supporters who can be targeted and make it tougher to induce opposers to stay away from the polls. The relative costs of turnout buying and abstention buying increase, leading politicians to reduce expenditures on both strategies.⁵⁸ In other words, compulsory voting deals another blow to electoral clientelism in Brazil by impairing the very strategies that would otherwise be most effective in a context with rigorous ballot secrecy.

Compulsory voting has increasingly become an impediment to electoral clientelism in Brazil as its coverage expanded and as officials ratcheted up its enforcement. Although such regulation existed for much of Brazil's history, most of the electorate long remained outside its purview. Getúlio Vargas introduced compulsory voting to republican Brazil in 1932, though a small fraction of citizens also faced voting requirements in imperial Brazil. As shown in Figure 2.3a, the initial impact of Vargas's reform was minimal; only 3.3 percent of the overall population voted during the next year's legislative elections (Nicolau, 2002b, 23). One reason is that although his 1932 Electoral Code instituted women's suffrage, compulsory voting for all females followed only in the 1946 Constitution.⁵⁹ Illiterate Brazilians remained disenfranchised for over a century, and to this day are exempted from mandatory voting. The 1988 Constitution compels all Brazilians aged eighteen to sixty-nine years to vote, unless they are illiterate. Voting is optional for illiterates and citizens who are sixteen, seventeen, or at least seventy years of age.

⁵⁸ This point is also shown formally in Gans-Morse, Mazzuca, and Nichter (2014) through a comparative statics analysis.

⁵⁹ The second electoral code (in 1935) exempted all women except public employees from compulsory voting, and the third (in 1945) exempted women without remunerated employment.

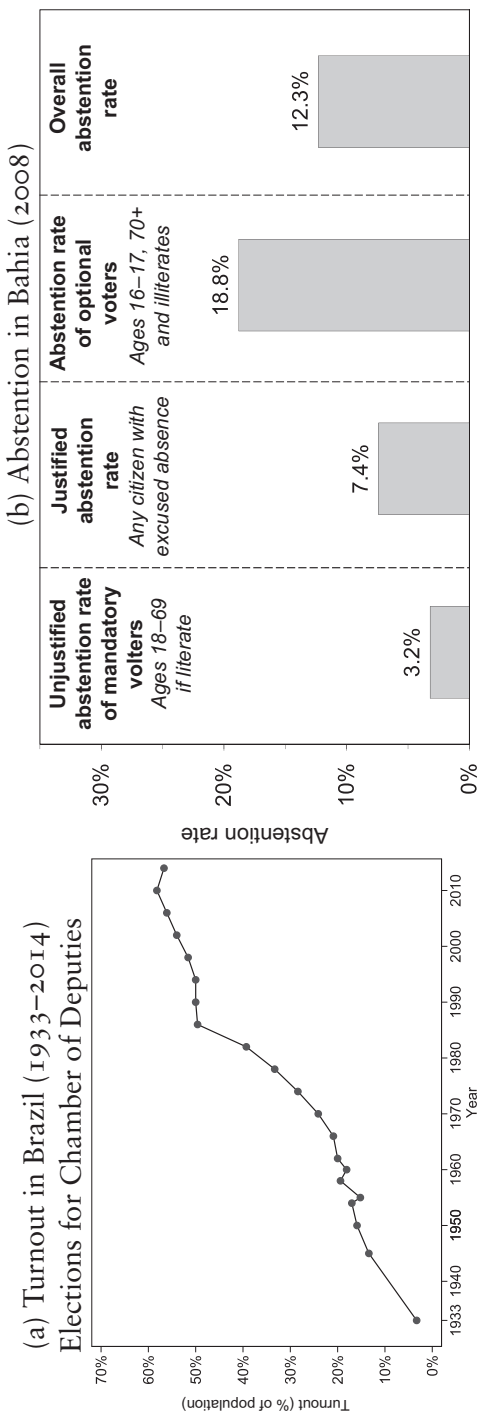


FIGURE 2.3

Note: Figure 2.3a extends Nicolau (2002a, 46), using more recent TSE electoral data and IBGE population data. Population is employed as the denominator, to reflect trends in the share of Brazilians obligated to vote (turnout as a share of registered voters is higher). Figure 2.3b is calculated by the author using data from Bahia's state electoral court (TRE-BA). Figures reflect unweighted means of 267 municipalities for which TRE-BA data match TSE aggregate abstention rates within one percent. These included municipalities correspond to 77 percent of Bahia's electorate and 64 percent of its total municipalities. If using weighted means, the figures are: unjustified (4.7 percent), justified (7.4 percent), optional (27.9 percent) and overall (14.5 percent). Citizens subject to mandatory voting who submit excuses constitute the vast majority of "justified abstention," but this category also includes some optional voters who voluntarily justify their absence.

Broadened coverage of compulsory voting was a key determinant of Brazil's dramatic rise in turnout. Figure 2.3a demonstrates that turnout as a share of population increased to 20 percent in 1962, 50 percent in 1986, and 57 percent in 2014.⁶⁰ Both gender and literacy played important roles in this expanded coverage. When compulsory voting extended to women in 1946, the share of Brazilians subject to compulsory voting nearly doubled; women comprised over half the electorate in 2014.⁶¹ As for literacy, its impact on mandatory voting far preceded 1985, when a constitutional amendment enfranchised illiterates. For much of the last century, steeply declining illiteracy rates increased the share of Brazil's population subject to compulsory voting (Nicolau, 2002b, 25). The percentage of illiterate Brazilians aged fifteen or over was 61 percent in 1930, 40 percent in 1960, 21 percent in 1990, and 9 percent in 2012.⁶² Coverage of compulsory voting laws increased dramatically during the country's latest bout of authoritarianism (1964–1985), when elections continued in part to signal supposed legitimacy.⁶³ A 1975 law required teachers and others providing literacy courses to notify electoral judges when someone became newly literate and thus eligible to vote, in order to expedite registration. After Brazil became the last Latin American country to grant illiterates the right to vote, growing literacy continued to extend the coverage of mandatory voting, as analphabets are excused from the regulation. Citizens inform electoral officials of their literacy status upon registration and if they later learn to read, they are legally obliged to self-report their accomplishment to officials.⁶⁴ While TSE officials openly state that they take citizens' literacy assessments at their word, the stigma surrounding illiteracy may motivate compliance (Power, 2009, 105–106). In addition, an electoral official in Bahia suggested that citizens could face legal complications if they claim to be illiterate but later fill out and sign other official documents.⁶⁵ Overall, factors related to both gender and literacy contributed to Brazil's increasing coverage of compulsory voting.

Along with broadened coverage, increased enforcement also heightened the impact of compulsory voting laws. The 1955 reform that introduced the Australian ballot also created “voting folders” for each individual, located in each electoral office, which in conjunction with voter documents facilitated record keeping about whether a citizen had voted in each election. These folders hindered both turnout buying and abstention buying by making it more likely

⁶⁰ Population is employed as the denominator in order to reflect changes in the share of Brazilians obligated to vote. Turnout as a share of registered voters is higher, e.g., nearly 81 percent in the first-round election of 2014. Elite mobilization also influenced turnout (Limongi et al., 2018).

⁶¹ Data from TSE.

⁶² Data from Thorp (1998, 374) and “Pesquisa Nacional por Amostra de Domicílios – PNAD 2012,” Presentation by Ministério da Fazenda, September 2013.

⁶³ For a discussion of the role of elections in authoritarian Brazil, see Lamounier and Duarte (1980) and Hagopian (1996).

⁶⁴ TSE Resolution 21.538 (2003).

⁶⁵ Interview by author in state electoral court of Bahia, May 28, 2008.

that citizens would be caught for disobeying compulsory voting. Furthermore, as the TSE President explained in 1957, the folders made abstention buying “inoperable” because obtaining an opposer’s voting document no longer ensured abstention.⁶⁶ Even without her voting document, the reward recipient could still vote because the office folder provided a photograph and other information to verify her identity. Starting less than a decade later, the authoritarian regime undertook “stringent efforts” to enforce compulsory voting, further contributing to Brazil’s sharp increase in electoral participation (Holston, 2008, 106–107; Nicolau, 2002a, 57–58). Given that recent inflationary bouts quickly diminished the level of fixed abstention penalties, the 1965 Electoral Code enacted indexed penalties.⁶⁷ Voters who failed to show up at the polls (or justify their absence to a judge) had to pay fines of up to 10 percent of their region’s minimum monthly salary, or else they faced numerous bureaucratic hassles similar to those currently in effect.⁶⁸ Compulsory voting’s enforcement was streamlined after democratization with the 1986 digitization of voting rolls and the advent of electronic voting a decade later. Currently, the TSE oversees a national database (managed by each state’s electoral court) that automatically reports whether a citizen voted, along with exemptions (due to age or illiteracy) and justified absences. This confluence of factors facilitated enforcement and thereby sharpened the effect of compulsory voting.

The common misperception that compulsory voting is lax in contemporary Brazil stems from its low monetary fine. The abstention fine – R\$3.50, which is about \$1 – might appear to suggest that mandatory voting can be ignored by all but the most destitute.⁶⁹ But this monetary penalty is misleading. As a politician explains, “Everyone knows that if you don’t vote, you harm yourself ... your voting document becomes irregular.”⁷⁰ When unexcused abstention leads to the suspension of voting documents (i.e., they become “irregular”), Brazilians cannot obtain identification cards, work in the public sector, qualify for government loans, or enroll in public educational institutions. Although poor or less-educated Brazilians are relatively less affected by some of these regulations (Cepulani and Hidalgo, 2015, 4), the “vast majority” of Brazilians need an identity card for various purposes ranging from boarding interstate buses to cashing checks (Power, 2009, 107), and in some instances even for the elderly to buy alcohol.⁷¹ And many citizens have concerns about what may

⁶⁶ “Ainda os Homenagens na Despidida do Ministro Edgard Costa, Realizada na Sessão de 4a-feira,” *Jornal do Brasil*, February 3, 1957. See also: “Todos os Eleitores Terão de Alistar-se Novamente,” *Jornal do Brasil*, July 11, 1956.

⁶⁷ Regarding high inflation under Kubitschek, see Mesquita (2010, 2).

⁶⁸ This fine corresponds to Law 4961 of 1966, which amended fines in the 1965 Electoral Code.

⁶⁹ Judges can increase fines up to tenfold based on voters’ income, but fines applied are typically affordable even for the poor (Power, 2009, 107).

⁷⁰ Author’s interview with a councilor in a Bahia municipality with 15,000 citizens, January 13, 2009.

⁷¹ “Supermercados Já Exigem RG Até de Idosos Antes de Vender Bebida Alcoólica,” *Estadão*, August 7, 2012.

happen if they fail to vote: the Rural Clientelism Survey, for instance, found that over 71 percent of respondents believe it would be more difficult to receive a pension or Bolsa Família if they do not vote.⁷² With regards to pensions, this concern is not entirely misplaced.⁷³ With regards to Bolsa Família, Ministry of Social Development (MDS) officials have attempted to quell such erroneous concerns by publicly announcing that program eligibility does not require turnout or voter registration.⁷⁴ In order avoid actual punishments, citizens whose abstention is not justified (discussed below) must undergo a time-consuming procedure to avoid punishments: they obtain paperwork about their outstanding fines at an electoral office, travel to a nearby bank and wait in line to pay the fine, and then return to the electoral office with proof the fine has been paid (de Figueiredo et al., 2013, 11). All in all, substantial abstention costs – primarily non-pecuniary – heighten the effectiveness of compulsory voting.

In contemporary Brazil, the prevalence of a phenomenon called “justification” shows just how much effort citizens exert to avoid abstention penalties. If voters are out of town or otherwise cannot report to their designated polling places, they can report to other locations outside their municipalities on Election Day to fill out justification forms (or can do so within sixty days).⁷⁵ Although voters cannot cast ballots while away (absentee voting is generally forbidden), they avoid all abstention penalties by submitting valid forms. Over 7.6 million voters took the time to justify their absence in the 2012 election, even though this considerable time investment did not allow them to vote. These justifiers accounted for one-third of all citizens who failed to turn out in 2012; just after democratization, justifiers had accounted for as much as two-thirds of abstention (Nicolau, 2002b, 30).⁷⁶ Justification patterns suggest abstention is often due to geographic distance: nearly half of justifications in 2012 were conducted in a different state than where the citizen was registered to vote.⁷⁷ One might expect that only citizens required to vote would go through the hassle of justifying their absence. But much to the contrary, over 230,000 citizens exempted for illiteracy still justified their absence in 2008,

⁷² $N = 3,650$.

⁷³ With pensions, abstention can create indirect problems. For example, a CPF (similar to a social security card) is required to start receiving a public pension. To receive a CPF, or to rectify any problems arising with a CPF, citizens aged eighteen to sixty-nine must present voting documents or proof of exemption. But voting documents are canceled after failing to vote or justify for three consecutive elections – and each missed round counts as an election.

⁷⁴ For instance, see “Título de Eleitor não é Obrigatório para Manter Bolsa Família, Diz MDS,” *Globo*, October 7, 2013.

⁷⁵ Since 2010, these forms can be filled out online, but they still need to signed by a poll worker or mailed for a judge’s review after the election.

⁷⁶ TSE data for 2012 municipal elections reflect the first round, in which 22.7 million of 138.5 million eligible voters abstained.

⁷⁷ Substantial geographic variation is observed (likely due to migratory patterns): four-fifths of justifiers from the relatively poor states of Alagoas and Piauí submitted forms out-of-state, versus just one-third of justifiers from the wealthier states of Rio de Janeiro and São Paulo.

either because they remained concerned about abstention consequences or because they were misinformed.⁷⁸ Overall, efforts to justify abstention suggest that voting is indeed considered obligatory in Brazil.

A closer examination of abstention rates also suggests that compulsory voting requirements are binding for many Brazilians. Abstention rates, to a substantial degree, do not reflect citizens wantonly disobeying rules. Instead, most abstention involves justified absences and optional voters. Although Brazil has the most citizens subject to compulsory voting in the world, at least ten million Brazilians may choose whether to vote (Power, 2009, 97, 117). This option is because they are illiterate, or because they are sixteen, seventeen, or at least seventy years of age.⁷⁹ A rigorous study by Cepaluni and Hidalgo (2016) suggests that abstention rates rise for the elderly who reach the age at which voting is optional. Their regression discontinuity design compares literate Brazilians just before and after they reach their seventieth birthday, demonstrating that 2012 abstention rates jumped by 4.4 percentage points among citizens who surpassed this threshold and are thus no longer compelled to vote (2015, 9).⁸⁰ Although their study is restricted to narrow age ranges and does not consider illiterates or justification, evidence I collected from Bahia's state electoral court also points to the effects of compulsory voting across a broader population in that state.⁸¹ As shown in Figure 2.3b, 18.8 percent of exempt Bahians failed to show up at the polls in 2008 (i.e., optional abstention). By contrast, just 3.2 percent of mandated Bahians failed to show up *and* failed to take efforts to justify their absence within sixty days of the election.⁸² In Bahia, such scofflaws were far rarer than justifiers, who reached 7.4 percent of mandated citizens.⁸³ To some extent, this finding corroborates

⁷⁸ Unlike mandatory voters, optional voters are not removed from the rolls if they miss three elections without justifying. Over 96,000 citizens exempted due to age still justify; however, some of these non-required justifiers overlap with the 230,000 illiterates. Both figures from TSE for first round in 2008 municipal elections. See also Justiça Eleitoral (2007, 5).

⁷⁹ Of Brazil's electorate, 5.5 percent is illiterate, 1.7 percent is sixteen to seventeen years old, and 7.3 percent is at least seventy years old. This suggests an upper bound of 14.5 percent of the electorate not subject to compulsory voting. However, the true figure is likely several percentage points lower because of high overlap in the elderly and illiterate categories. Data from TSE web site in February 2014.

⁸⁰ Effects are greater for more educated citizens, though findings are also significant for lower-educated citizens (8). Cepaluni and Hidalgo also find significant effects when examining the threshold at eighteen years old, but interpretation is less clear as passing this threshold also influences registration (7).

⁸¹ The analysis examines data used to allocate compulsory voting fines (for each municipality, how many citizens fall into each code category).

⁸² One reason for low unexcused abstention: periodically, the TSE culls voter rolls of all voters who have missed three consecutive elections without justification.

⁸³ As explained earlier, in some cases, optional voters voluntarily justify their absence; such instances are coded as justifiers in the data. Estimating such cases is imprecise, but using reasonable assumptions based on Bahian data, the maximum possible effect would be to decrease the justified abstention rate shown to 7 percent.

an intriguing ecological analysis by Timothy Power, who finds that states with more registrations of exempt-aged citizens have lower turnout (2009, 114–116).⁸⁴ Although it is important to keep in mind that Figure 2.3b only includes data from one state, the takeaway is that the vast majority of citizens subject to compulsory voting comply with the law – either by showing up at the polls, or by undertaking efforts to justify their absence.

Just as the theoretical framework predicts, Brazil's rigorous compulsory voting hinders the use of campaign handouts to influence turnout, though it does not stamp it out entirely. First, with respect to turnout buying, recall that only 8.1 percent of respondents in the Rural Clientelism Survey across Northeast Brazil knew anyone who had experienced the practice – half the corresponding percentage for vote buying. Other surveys confirm the existence of turnout buying, though they do not shed light on its prevalence. Approximately 57.6 percent of citizens in the Online Clientelism Survey and 64.3 percent of elites in the Maranhão survey reported that it is “common” or “very common” for there to exist politicians in their municipalities who engage in turnout buying during local elections. With respect to qualitative evidence, many interviewees in Bahia said that they had never heard of turnout buying; several who had suggested it focused on the elderly (for whom voting is optional) or those with suspended voting documents. Among citizens, the vast majority indicated no familiarity. Of those who said turnout buying occurs, one citizen indicated that “only the elderly” receive benefits for turnout, and another suggested that cash is occasionally distributed to elderly voters who have difficulty reaching the polls.⁸⁵ Politicians I interviewed in Bahia overwhelmingly indicated that only a small fraction of resources, if any, were channeled towards stimulating turnout – clientelism or otherwise – because voting is mandatory and citizens already “fear” the official consequences of noncompliance.⁸⁶ Unlike for vote buying, nearly 40 percent of interviewed politicians had never heard of a single case of turnout buying. One councilor answered: a voter “receive something to go vote? No ... this doesn't happen, because people insist on voting.”⁸⁷ Those who had heard of turnout buying emphasized its rarity, typically mentioning past elections or isolated reports in other municipalities. An exception was a councilor who explained that politicians may provide as much as R\$50 for “expenses” so that citizens can rectify voting documents suspended due to repeated abstention.⁸⁸ Though such evidence is consistent with predictions that

⁸⁴ Power's analysis builds on Figueiredo (1991), who posited that mandatory voting affects formal workers more than others. The results here cannot speak to Power's unexpected finding that states with higher illiteracy have higher turnout.

⁸⁵ Author's interviews, municipalities in Bahia with 50,000 and 10,000 citizens, respectively (November 11, 2008 and October 4, 2008).

⁸⁶ Author's interview, municipality in Bahia with 30,000 citizens (December 3, 2008).

⁸⁷ Author's interview, municipality in Bahia with 10,000 citizens (November 26, 2008).

⁸⁸ Author's interview, municipality in Bahia with 100,000 citizens (December 18, 2008). These rewards were described as responses to voter demands – beyond abstention penalties, a citizen

Brazil's stringent compulsory voting undermines turnout buying, it should be underscored that the strategy nevertheless persists.

Also consistent with theoretical predictions about rigorous compulsory voting, evidence suggests that abstention buying is relatively rare in Brazil. Recall that only 2.5 percent of respondents in the Rural Clientelism Survey knew anyone who had experienced the practice – one-sixth the corresponding percentage for vote buying. Other surveys also suggest the existence of abstention buying in Brazil, with more limited evidence than for other strategies of electoral clientelism. Less than 16.4 percent of citizens in the Online Clientelism Survey, and 30.6 percent of elites in the Maranhão survey, indicated that it is “common” or “very common” for there to exist politicians in their municipalities who engage in abstention buying. Again, these surveys inquired about the existence of different forms of electoral clientelism during local elections, not about how frequently they are used. In terms of qualitative evidence, interviewees in Bahia overwhelmingly (but not universally) proclaimed the nonexistence of abstention buying. Some citizens provided short responses such as “No, that doesn’t exist here,”⁸⁹ while others offered further explanation such as: “No ... you will pay a fine. If you go to get a pension, you won’t get it because you ... have to have proof of voting.”⁹⁰ Likewise, less than 15 percent of elites I interviewed in Bahia indicated that abstention buying occurs, often pointing to other municipalities instead of their own.⁹¹ A mayor responded that he didn’t know of any cases, and that such a strategy would be difficult “because here the vote is obligatory, and if a citizen doesn’t go vote, afterwards he is going to have to justify himself, a series of things.”⁹² Some other politicians were particularly incredulous that such a strategy would ever be tried. When I asked one mayor, who had already discussed the use of clientelism in his municipality, about abstention buying, he replied: “I can’t even conceive that someone would think in this manner.”⁹³ Similarly, a councilor exclaimed that the strategy was “impossible.”⁹⁴ Overall, while both abstention buying and turnout buying are observed to a limited degree in Brazil, evidence suggests that their usage is undermined by effective mandatory voting. One likely reason for their continued use is the exemption of some Brazilians from compulsory voting, based on age and illiteracy. Their continued use also conforms with theoretical expectations; the model summarized in Section 2.1 predicts that a

might request money to reissue a lost ID card and birth certificate, to pay for a required photo, and to buy lunch during registration.

⁸⁹ Author’s interview, municipality in Bahia with 15,000 citizens (January 15, 2009).

⁹⁰ Author’s interview, municipality in Bahia with 10,000 citizens (October 4, 2008).

⁹¹ Some other interviewees mentioned the strategy was used in the past (e.g., a councilor said he knew of cases fifteen years ago).

⁹² Author’s interview, municipality in Bahia with 50,000 citizens (November 12, 2008).

⁹³ Author’s interview, municipality in Bahia with 100,000 citizens (December 18, 2008).

⁹⁴ Author’s interview, municipality in Bahia with 100,000 citizens (December 18, 2008).

machine engaging in electoral clientelism is most effective when it combines *all* of the strategies analyzed.

Stepping back, the two institutional features just investigated jointly pose a substantial challenge for electoral clientelism in Brazil. Rigorous ballot secrecy renders vote buying more difficult, and formal analysis predicts politicians would mitigate this challenge by shifting resources towards strategies that influence mobilization. But such strategies are also under duress, because stringent compulsory voting undercuts turnout buying and abstention buying. Thus, the coupling of both institutional factors in Brazil is especially daunting for electoral clientelism, though the phenomenon is not eliminated altogether. The interplay between ballot secrecy and compulsory voting was by no means unforeseeable to anti-clientelism advocates; in fact, a prescient politician warned publicly in 1922 that with heightened ballot secrecy, voters could simply be “paid to not go to the polls. The secret ballot law ... should, therefore, contain arrangements that lead to compulsory voting” (Sampaio, 1922, 43).⁹⁵ Given the challenges posed by both factors, politicians also turn to voter buying, a relatively expensive form of electoral clientelism that is under assault by yet another unfavorable institutional feature of Brazil – voter audits.

2.5 EFFECT OF VOTER AUDITS

Although typically overlooked by the literature on clientelism, voter buying is another important form of electoral clientelism that politicians can employ during campaigns. Recall that this tactic induces citizens in other districts to transfer their electoral registration and vote for a specified candidate. As discussed in Section 2.1, the Rural Clientelism Survey across Northeast Brazil suggests that voter buying is the third-most common strategy of electoral clientelism, with 7.3 percent of citizens reporting they knew a voter-buying recipient. In addition, other surveys confirm its use in Brazil. Nearly 41.4 percent of citizens in the Online Clientelism Survey, and 81 percent of elites in the Maranhão survey, responded that it is “common” or “very common” for there to exist politicians in their municipalities who engage in voter buying during local elections.⁹⁶ As my collaborative work with F. Daniel Hidalgo (2016) demonstrates, voter buying not only exists but also has substantial effects on many local Brazilian elections.⁹⁷ But analogous to other strategies of electoral clientelism, voter buying is also undercut by an institutional feature

⁹⁵ Sampaio served in a variety of positions including judge, federal and state deputy, and councilor in São Paulo.

⁹⁶ As noted earlier, these surveys inquire about the existence, but not the prevalence, of each strategy of electoral clientelism.

⁹⁷ Section 2.5 is adapted from our article on voter buying in the *American Journal of Political Science* (Hidalgo and Nichter, 2016). Full citations, as well as further evidence and analyses, are provided in that article.

of Brazil: extensive voter audits that electoral officials employ to extirpate the phenomenon.

One might expect voter buying to be an unlikely strategy due to its cost, as politicians incur substantial transportation expenses in addition to any rewards. Given that Brazilians cannot vote outside their registered municipality, voter buying involves registration transfers, in which citizens submit paperwork in the new municipality while attesting to at least three months of residency.⁹⁸ Why not simply pay citizens to switch their vote choices through vote buying, which would yield twice as many net votes (by also reducing their local competitor's vote tally)? And why not draw nearby unmobilized supporters to the polls through turnout buying, which would involve lower transportation costs? Indeed, the very existence of voter buying is a testament to the severity of challenges facing these other strategies. Brazil is a propitious environment for voter buying in part because the strategy is relatively resistant to ballot secrecy and compulsory voting. Monitoring vote choices is unnecessary because imported citizens do not have a stake in the destination municipality's election, and compulsory voting is not a deterrent because reward recipients still turn out to vote (but do so elsewhere).

This section provides direct evidence of voter buying and indirect evidence of how this strategy is fundamentally weakened by voter audits. To guide the discussion, consider several predictions about the conditions under which this form of electoral clientelism is most effective. First, voter buying is most likely in small districts, where fewer outsiders must be imported to influence the election and it is easier to monitor that reward recipients transfer and turn out.⁹⁹ Second, in order to economize on transportation costs, politicians are likely to import citizens from neighboring districts.¹⁰⁰ And third, incumbents are more likely than challengers to employ voter buying because they typically have greater access to resources.¹⁰¹ In Hidalgo and Nichter (2016), these predictions are expounded and corroborated with both qualitative and quantitative evidence.

Consistent with these predictions, politicians in small municipalities frequently import citizens from neighboring districts. For instance, a newspaper in the state of Amazonas reported in 2011 that municipal elections are “historically marked by fraudulent transfers of voters on the periphery of Manaus [the state's capital] to neighboring towns,” which typically “involve

⁹⁸ In Brazil, some voter buying physically transports voters (costing fuel and labor), while some compensates voters for transportation. Citizens self-declare their residency in the new municipality, typically without verification. For more details, see Hidalgo and Nichter (2016).

⁹⁹ As discussed in Hidalgo and Nichter (2016), this prediction builds on Fukumoto and Horiuchi (2011, 593–594), Nichter (2008, 28), Stokes (2005, 322–323), and Stokes et al. (2013, 181–182).

¹⁰⁰ This logic builds on Ichino and Schündeln (2012, 295).

¹⁰¹ Hidalgo and Nichter (2015) provide logic and evidence, building on Gallego and Wantchekon (2012, 185) and Stokes (2009, 14–15).

free transport on Election Day, cash payments, and promises of work.”¹⁰² The state electoral court investigated and found that many citizens are indeed induced with “money, gifts and transportation” to transfer from Manaus to small neighboring municipalities during local elections.¹⁰³ In the state of Rio Grande do Norte, federal prosecutors filed over 100 cases regarding illegal registrations in Timbaúba dos Baptistas (2,295 citizens), many of which involve induced transfers from the neighboring municipality of Serra Negra (twenty-three miles away).¹⁰⁴ And in Pernambuco, prosecutors discovered that operatives in Santa Cruz do Capibaribe (87,582 citizens) had imported citizens from the nearby capital city of Recife using monetary rewards.¹⁰⁵ Overall, these examples provide a glimpse into how some Brazilian politicians employ voter buying.¹⁰⁶

Incumbent politicians have a competitive advantage at voter buying in Brazil because the strategy often involves local officials and public programs. The complicity of local officials is not necessary but can facilitate voter buying.¹⁰⁷ Mayors frequently appoint workers into the offices that handle voter transfers, even though such documentation may legally only be processed by the judiciary’s civil service employees.¹⁰⁸ For instance, during the trial to remove the mayor of Caracol (Piauí) for clientelism during his 2008 reelection campaign, a municipal worker in the electoral office reportedly testified to “suffering pressure from the mayor” to process illegal transfers from neighboring municipalities.¹⁰⁹ Another advantage enjoyed by incumbent mayors (and councilors in their coalitions) is that they can often more easily divert funds from public programs. For example, a incumbent councilor in Nova Ipixuna, Pará (14,645 citizens) faced charges for diverting funds from a federal fishing program for the purposes of voter buying, providing rewards to outsiders who didn’t even fish.¹¹⁰ All in all, incumbents’ power over municipal employees and public programs afford them a competitive advantage at voter buying.

Analogous to other strategies of electoral clientelism, voter buying is undercut by an institutional feature of Brazil. A substantial threat to voter buying

¹⁰² “Juizes Apertam o Cerco Contra Fraudes Eleitorais no AM,” *A Crítica*, December 9, 2011.

¹⁰³ “Corregedor Flávio Pascarelli Anuncia Medidas para Sanear Pendências no Eleitorado de Silves e Manacapuru,” *A Crítica*, September 4, 2011.

¹⁰⁴ “As Fraudes da Migração Eleitoral,” *Correio Braziliense*, July 4, 2010.

¹⁰⁵ “Fraude Eleitoral é Descoberta,” Ministério Público de Pernambuco, March 14, 2008.

¹⁰⁶ For many other examples, see Hidalgo and Nichter (2016).

¹⁰⁷ For example, it can help with circumventing residency requirements.

¹⁰⁸ Insufficient staffing is one reason why some local electoral offices depend on help by workers loaned by the municipality. Author’s interview with Judge Marlon Reis (August 9, 2013).

¹⁰⁹ The population of Caracol is 10,212. “Diário da Justiça Eletrônico,” Tribunal Regional Eleitoral-Piauí, January 15, 2010 and “Tribunal Superior Eleitoral Mantém Cassação do Prefeito de Caracol,” *Saraiva Reporter*, May 17, 2011.

¹¹⁰ “Vereador de Nova Ipixuna é Denunciado por Fraude no Seguro-Defeso,” Ministério Público Federal no Pará, July 15, 2011.

is the TSE's extensive use of voter audits – formally known as “electoral revisions” – which inspect a municipality's electorate and remove all ineligible voters.¹¹¹ Electoral rules instituted by the TSE trigger an audit if a municipality meets three criteria; by far the most important criterion is that its electorate exceeds 80 percent of its population.¹¹² Remarkably, electoral officials audited over one-fifth of Brazil's municipalities between 2007 and 2008.¹¹³ The goal of these audits, which involve reregistering all voters in a municipality, is to cull the voter rolls of fraudulent registrations. Because duplicate and phony registrations “became almost impossible” after Brazil implemented a digitized registry in the mid-1980s (Nicolau, 2002a, 68), fraudulent registrations stemming from illegal voter transfers (typically induced) are a pressing concern. In the words of the president of Minas Gerais's state electoral court, “what justifies a revision is the existence, in the electoral rolls, of voters who don't have links with a municipality. ... In municipal elections, one vote determines the selection of the mayor.”¹¹⁴ Likewise, a Mato Grosso state deputy contended that mayoral elections will be improved by voter audits because they ensure that “only people who actually live there” will vote.¹¹⁵

Voter audits fundamentally undercut the reelection prospects of incumbent mayors, in large part because many substantial voter-buying efforts came to naught.¹¹⁶ In Hidalgo and Nichter (2016), we employ a regression discontinuity design (RDD) to examine these effects rigorously. The RDD analysis takes advantage of the fact that municipalities are audited if they exceed the arbitrary 80 percent threshold discussed earlier; a standard “fuzzy” RDD is employed given the audit trigger is not fully deterministic.¹¹⁷ By comparing mayoral reelection rates of municipalities just below and above this threshold,

¹¹¹ The TSE performed audits for decades but were more limited due to funding constraints. These constraints were alleviated during the 2007–2008 wave, which was the most extensive in decades. Law 9504 in 1997 indicated specific criteria for audits.

¹¹² The other two criteria are: (a) electorate is at least twice the summed population of citizens aged 10–15 and over 70 years, and (b) voter transfers grew at least 10 percent in last year. Of Brazil's municipalities, 27 percent meet the 80 percent criterion, while over 99 percent meet (a) and over 60 percent meet (b). Three-fourths of municipalities that meet the 80 percent threshold also meet both other criteria.

¹¹³ The TSE orders most audits before it finalizes the electoral rolls for each upcoming election. Audits target small municipalities, so only 5.4 percent of the nation's electorate (6.8 million voters) had to reregister during the 2007–2008 wave.

¹¹⁴ “Presidente do TRE Acompanha Início da Revisão com Biometria em Itaguara,” *TRE-Minas Gerais*, September 1, 2011.

¹¹⁵ “Rezende Acredita que Correição Garante Eleições Mais Transparentes,” *Várzea Grande*, August 10, 2004.

¹¹⁶ Mayors may only serve two consecutive terms in Brazil; subsequent reelection is also permitted.

¹¹⁷ McCrary (2008) density tests reveal no manipulation to remain below the threshold. Hidalgo and Nichter (2016) show that politicians cannot precisely control their electorate or population, so sorting would not bias RDD estimates (Lee, 2008). Some municipalities exceed the threshold without voter buying, given their demography and compulsory voting.

regressions estimate the causal effects of voter audits.¹¹⁸ As shown graphically in Figure 2.4a, voter audits – which undermined voter buying – decreased the likelihood of mayoral reelection by 18 percentage points. Analyses suggest audits undermined incumbents' continuity of power through two channels: (a) reducing the probability that incumbents run for reelection, and (b) worsening the electoral performance of those incumbents who decide to run.

Evidence suggests voter audits cut mayoral reelection rates in large part because they undermined voter buying. As shown in Figure 2.4b, in line with voter-buying predictions, the negative effect on incumbent reelection is far greater if many voters recently transferred away from neighboring municipalities.¹¹⁹ Moreover, the figure also shows that the negative effect on incumbent reelection is magnified in municipalities recently experiencing large voter inflows. Also observe that in those municipalities with low voter inflows or low outflows from neighbors – i.e., without much or any voter buying – no significant effect on mayoral reelection is observed. Tests show that alternative explanations such as emigration cannot explain results, and findings are robust to an alternative research design employing a distinct dataset. Fixed-effects specifications indicate that within audited municipalities, mayors perform more poorly in precincts with many removed voters, particularly if those precincts recently imported many voters from surrounding municipalities. In sum, voter audits' effects on mayoral reelection are in large part attributable to their impact on voter buying.¹²⁰

The broader point is that voter buying, similar to other strategies of electoral clientelism, encounters substantial challenges due to Brazil's institutional context. Electoral laws trigger voter audits in many municipalities, and these audits undermine the effectiveness of voter buying. Although survey evidence presented earlier suggests that voter buying persists in many parts of Brazil, audits have to a large degree deprived many politicians from taking full advantage of this innovative tactic.

2.6 EFFECT OF ANTI-CLIENTELISM LEGISLATION

Beyond the challenges examined thus far, electoral clientelism faces yet another formidable obstacle in Brazil. A monumental law enacted in 1999 significantly

¹¹⁸ Analyses use both differences-in-means and local-linear estimators. The latter employs linear regressions on each side of the threshold to account for differential slopes within specified bandwidths. The paper demonstrates covariate balance and shows numerous robustness checks including the use of various bandwidths, McCrary density tests and placebo threshold tests.

¹¹⁹ Heterogeneity analyses conducted by splitting the sample by: (a) median number of transfers out of neighboring municipalities, and (b) median number of transfers into the municipality.

¹²⁰ See Hidalgo and Nichter (2016) for further analysis. Broader patterns are also consistent with voter-buying predictions. For example, audits are disproportionately triggered in small municipalities: of over 1,100 audits performed in 2007–2008, only two took place in municipalities with populations over 90,000 citizens.

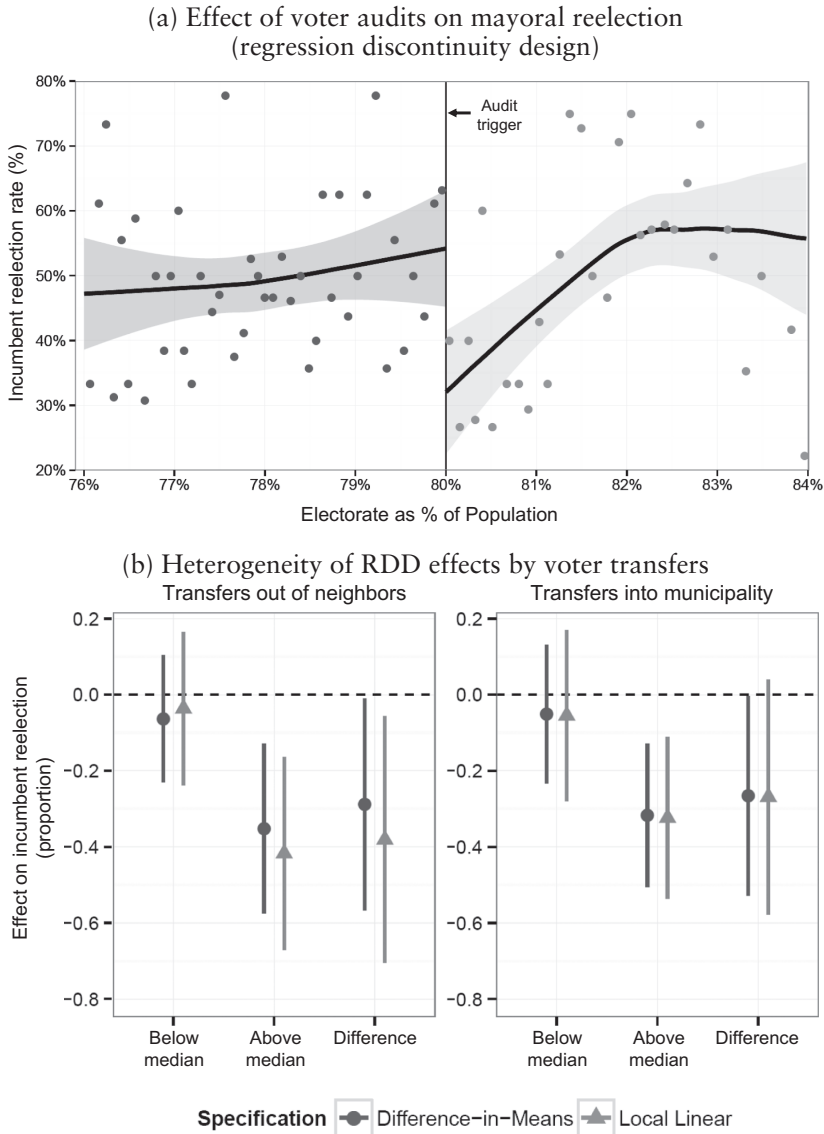


FIGURE 2.4 Effect of voter audits (Brazil, 2008)

Note: Figure 2.4a shows the effect on mayoral reelection in 2008 of surpassing the 80 percent trigger for voter audits. Each dot represents the reelection rate within a bin containing 20 municipalities. Conditional average (black lines) and 95 percent confidence intervals (shaded region) are loess regression estimates. Consistent with voter buying, Figure 2.4b shows how the effect of audits (employing a regression discontinuity design) varies by whether municipality has above-median voter transfers (1) out of neighboring municipalities and (2) into the municipality. The difference between strata effects is also shown. As a robustness check, two specifications are provided. Vertical lines represent 95 percent confidence intervals.

Source: Hidalgo and Nichter (2016).

increased the threat of prosecution facing politicians who distribute benefits during campaigns. Although the practice continues, the country now ranks as a world leader in swiftly ousting politicians for the provision of campaign handouts. As explored, this legislation is remarkable because it entailed a striking turnaround. Although Brazil had long prohibited campaign handouts, many politicians distributed them with impunity. But in the late 1990s, popular pressure mounted as over one million Brazilians signed a petition against clientelism during campaigns. This effort culminated in legislation that has removed over a thousand politicians from office, rendering clientelism the top reason why politicians are ousted in Brazil.¹²¹

Although formal rules against clientelism during campaigns have long been on the books, until recently they were rarely enforced. When Getúlio Vargas codified the electoral process soon after the Revolution of 1930, candidates were explicitly prohibited from distributing benefits during campaigns in exchange for political support. The first Electoral Code (Law 21076 of 1932) enacted a substantial punishment for this crime – from six months to two years in prison.¹²² And the most recent Electoral Code of 1965 imposes an even more severe punishment: up to four years of imprisonment as well as fines. Rather than simply prohibiting vote buying, the laws covered a broad range of actions, including turnout buying and abstention buying, and even promises and refused offers. In particular, the 1965 Electoral Code proclaims that it is punishable by criminal law “to give, offer, promise, solicit or receive, for oneself or for another, money, gifts, or any other benefits, in order to obtain or give a vote, or to obtain or promote abstention, even if the offer is not accepted.”¹²³

Despite these strong words, prosecutions were rare. While legislation criminalized the distribution of campaign handouts, the crime remained almost entirely unenforced (Câmara dos Deputados, 1999; CBJP, 2000, 13). Until recently, politicians rarely faced charges for clientelism and even fewer were successfully prosecuted.¹²⁴ One reason involved delays and backlogs in the court system (Câmara dos Deputados, 1999). As one of Brazil’s most influential judges explained with regards to vote buying before Law 9840, “the famous slowness of the judiciary ... facilitated impunity” (Delgado, 2010).¹²⁵ Many observers consider the country’s judicial system to be highly inefficient due to various factors including procedural problems and resource constraints.

If prosecuting clientelist politicians was difficult, removing them from office was even tougher. Convicted politicians would file so many appeals that they managed to finish their mandates (Reis, 2006, 17), a phenomenon that more generally slows Brazil’s judicial process (Yeung and Azevedo, 2011, 2). Unlike many other countries, Brazil long presumed that defendants were innocent

¹²¹ “Compra de Voto Ainda é o que Mais Cassa Políticos no Brasil,” *O Globo*, July 25, 2010; Movimento de Combate à Corrupção Eleitoral, 2012.

¹²² Article 107/21 of the 1932 Electoral Code.

¹²³ Article 299 of the 1965 Electoral Code.

¹²⁴ Author’s interview of Judge Marlon Reis (October 20, 2011).

¹²⁵ José Augusto Delgado served as a judge for forty-three years, including thirteen years on the *Superior Tribunal de Justiça* (STJ), Brazil’s highest appellate court for non-constitutional cases.

until proven guilty *and* all appeals had been exhausted.¹²⁶ Lengthy appeals, combined with minimal prosecutions, enabled many politicians to distribute campaign handouts with impunity. For example, Federal Deputy Eduardo Paes argued in 1999 that of all “criminalized behavior” in Brazil, vote buying was “one of the most practiced with almost no punishment” – a problem he blamed on delays in criminal prosecution.¹²⁷

In contrast to such impunity, Law 9840 now imposes a substantial risk of prosecution. Before investigating consequences, the momentousness of this legislation is emphasized by discussing the substantial efforts undertaken to achieve its popular initiative. According to Article 61 of the 1988 Constitution, citizens can introduce legislation by gathering signatures from at least 1 percent of the national electorate. To demonstrate a breadth of support, signatures must include at least 0.3 percent of voters in five states. Obtaining over a million signatures presented a massive challenge, and before Law 9840, no popular initiative had ever been approved by Brazil’s legislature.¹²⁸

Civil society spearheaded the popular initiative against clientelism during campaigns. Over 60 non-governmental organizations joined forces to collect enough signatures to put forward the initiative for voting by national congress. Their eighteen-month effort, with activities ranging from grassroots campaigning to collective news conferences, was launched and coordinated by Brazil’s Justice and Peace Commission (Comissão Brasileira de Justiça e Paz, or CBJP). This religious organization extends an eponymous Vatican effort to improve social justice and reduce poverty across the world. During the anti-clientelism initiative, the CBJP collaborated closely with its influential sister organization, the Conferência Nacional dos Bispos do Brasil (National Conference of Brazilian Bishops, or CNBB), which has been historically described as “the ultimate authority of the Catholic Church in Brazil” (Mainwaring, 1986, 84).¹²⁹ Over 40 percent of the NGOs involved in the popular initiative were religious organizations, of which at least three-fourths were closely linked to the CNBB.¹³⁰ The involvement of these organizations, and the Catholic Church more broadly, builds on their long history of social and political action in

¹²⁶ Article 5 of Brazil’s Constitution states that “no one shall be guilty until a final sentence of condemnatory sentence has passed.” However, the Supreme Court ruled in 2016 that a sentence can be imposed after the first appeal confirms a criminal conviction. See “STF Muda Entendimento e Passa a Permitir Prisão depois de Decisão de Segundo Grau,” *Consultor Jurídico*, February 17, 2016.

¹²⁷ Câmara dos Deputados, Sessão da Comissão de Constituição e Justiça de Redação, September 8, 1999; “Aprovada Lei de Iniciativa Popular Contra Corrupção,” *O Estado de São Paulo*, September 24, 1999.

¹²⁸ “Ficha Limpa é o Quarto Projeto de Iniciativa Popular a Se Tornar Lei,” *Globo*, May 20, 2010; “Iniciativa Popular: Em 11 Anos, Nenhum Projeto Feito Pelo Povo,” *A Gazeta*, July 5, 2015.

¹²⁹ Illustrating their role in the efforts, transcripts of congressional deliberations over the popular initiative mentioned the CBJP twenty-five times (by name) and the better-known CNBB 101 times (by acronym). Calculated by author using Câmara dos Deputados (1999) transcripts.

¹³⁰ Author’s analysis of each organization’s website.

Brazil.¹³¹ Other prominent organizations participating in the popular initiative included Brazil's largest labor union (Central Única dos Trabalhadores) and its national bar association (Ordem dos Advogados do Brasil).

By August 1999, civil society organizations had gathered the required signatures and delivered them by the truckload to the national congress. While signatories resided in all states, they were concentrated in the wealthier South and Southeast regions. Four states in those regions – São Paulo, Minas Gerais, Paraná and Espírito Santo – represented 68.7 percent of signatures but only 41.1 percent of the national electorate.¹³² By contrast, only 16.7 percent of signatures were collected in the poorer North and Northeast regions, where 33.4 percent of voters resided. One plausible reason for such patterns is a greater aversion to clientelism among wealthier citizens; however, some relatively wealthy states such as Rio de Janeiro had disproportionately few signatures.¹³³ An additional reason is likely the heterogeneous institutional capacity of civil society organizations across Brazil.¹³⁴

The judiciary also facilitated the enactment of Law 9840. It served as a valuable ally for civil society in the anti-clientelism initiative, because electoral governance in Brazil is highly centralized in the judiciary and relatively insulated from political interference.¹³⁵ Top judicial executives such as the TSE President publicly supported the initiative. Furthermore, an anti-clientelism task force that played a central role in this effort was led by a recent attorney general of Brazil and included several prominent judges (Câmara dos Deputados, 1999; CBJP, 2000). Armed with this judicial experience, the task force designed an innovative way to tackle politicians' impunity while circumventing the legal quagmire surrounding clientelism prosecutions. The sanctions imposed through Law 9840 – removal from office and fines – do not substitute for or involve criminal charges, but are instead levied through a parallel process (Reis, 2006; Tozzi, 2008, 43). More specifically, the distribution of benefits during campaigns also became an electoral infraction, thereby adjudicated by electoral courts. This approach avoided the delays and inefficiencies of criminal courts, allowing for the expedited removal of politicians.

Legislators from left-of-center parties also helped to enact Law 9840. Although mobilized by signatures, the popular initiative was then “adopted”

¹³¹ The CBJP played a key role in the Catholic Church's campaign against human rights abuses during the authoritarian period (Mainwaring, 1986, 106–107), and provided support “to virtually all the campaigns and movements for the redemocratization of Brazil” (Pope, 1985, 439).

¹³² Calculations by author based on data from TSE and Câmara dos Deputados (1999). São Paulo represented 37.9 percent of signatures, versus 22.1 percent of Brazil's electorate.

¹³³ Rio de Janeiro – the state with the second highest income per capita in 1998, after São Paulo (IBGE 1998) – had 3.1 percent of all signatures but 9 percent of Brazil's electorate.

¹³⁴ Author's interview with Judge Márlon Reis, October 20, 2011.

¹³⁵ See Marchetti (2008, 882–883), Hartlyn et al. (2008) and Rosas (2010). As one example, lower-level judges in the overall legal system, who form the corps of first-instance electoral judges, are selected by rigorous competitive examination.

by legislators to expedite the process.¹³⁶ At first glance, it might appear that legislators across the political spectrum advocated equally for the measure. The bill adopting the initiative had 11 coauthors from distinct parties, which held 93.7 percent of seats in the lower house. It passed the Chamber of Deputies unanimously amidst applause and then passed the Senate just two days later with minimal resistance.¹³⁷ However, closer analysis suggests that left-of-center parties were especially keen advocates. Consider that the bill quickly reached the full plenary session of the Chamber of Deputies, in part because it obtained signatures from at least 10 percent of deputies (i.e., 52 of all 513 deputies). A striking pattern emerges when examining which deputies signed: over half of the 53 signatories were members of the Workers' Party (Partido dos Trabalhadores, or PT), which held less than 12 percent of all seats in the Chamber. And nearly three-quarters of signatories were from five left-of-center parties, which represented only 21 percent of all federal deputies.¹³⁸ Moreover, the PT and other left-of-center parties also disproportionately spoke in favor of the bill during legislative debates.¹³⁹

What accounts for the PT's outsized advocacy for Law 9840? Established relationships provide one explanation: the CBJP's leader during the initiative (Francisco Whitaker) is often deemed to have been a *founder* of the PT (MPPD, 2006, 7), and more broadly the party has traditional ties to the Catholic Church.¹⁴⁰ Second, Law 9840 dovetailed with the PT's ideological bent: the party had long envisioned itself as an "ethical alternative to politics as usual" (Hochstetler, 2008, 38), and its leaders "opposed vehemently the clientelistic and personalistic orientation of Brazilian politics" (Hunter, 2010, 27). The point is not that the PT has always lived up to these standards; after all, Baker et al. (2016, 200) argue that the PT's brand as "the party of clean government ... imploded in mid-2005 with the revelation of the *mensalão* scandal," which involved buying votes of federal legislators, and the party became embroiled in further prominent scandals such as *Operação Lava Jato*.¹⁴¹ Notwithstanding

¹³⁶ All successful initiatives to date ended up being adopted. Law 9840 is considered the first law by popular initiative adopted by the national legislature. See Câmara dos Deputados (1999), "Deputado 'Adota' Projeto de Iniciativa Popular," *GI*, October 4, 2007, and "Iniciativa Popular: Em 11 Anos, Nenhum Projecto Feito pelo Povo," *A Gazeta*, July 5, 2015.

¹³⁷ From Chamber of Deputies and Senate records, and "Aprovada Lei de Iniciativa Popular Contra Corrupção," *O Estado de São Paulo*, September 24, 1999.

¹³⁸ These parties were PCdoB, PDT, PPS, PSB and PT, using Power and Zucco's (2009) ideological scale.

¹³⁹ Of those who spoke about the bill on the floor, left-of-center parties accounted for 23 of 42 deputies, and 8 of 16 senators (most from the PT). These parties held 21 (20) percent of deputy (senator) seats. Calculations by author using transcripts in Câmara dos Deputados (1999).

¹⁴⁰ Whitaker also served twice as a PT councilor for the city of São Paulo (1989–1996). The Church and its grassroots organizations, especially Ecclesial Base Communities (CEBs), contributed to the PT's early expansion (Keck, 1992, 78–79; Trejo and Neto, 2014, 2).

¹⁴¹ This major corruption probe ("Operation Car Wash") implicated many politicians from the PT and other parties. Another major scandal involved budget law violations, culminating in ex-President Dilma Rousseff's impeachment. For insights about the PT's evolution, see for

such developments, during Law 9840's enactment in the late 1990s, the PT had a reputation for being a "clean" party and for fighting clientelism.¹⁴² Third, Law 9840 aligned with the PT's electoral incentives. Traditional elites in Brazil had long employed clientelism to help maintain political control (Hagopian, 1996), and conservative parties historically tended to employ clientelism more than parties on the left (Mainwaring et al., 1999, 48). Undercutting such practices could boost PT votes by the poor and weaken conservative machines' domination of some localities.¹⁴³ And indeed, Law 9840 disproportionately harmed its competitors: the PT comprised less than 3 percent of ousted politicians.¹⁴⁴ However, beyond advocacy within the legislature, no available evidence suggests that the PT (or any other party) influenced the collection of signatures or the law's implementation.

Since its enactment in 1999, Law 9840 has increasingly posed a formidable challenge for electoral clientelism. The sheer magnitude of prosecutions under this law suggests that politicians who distribute campaign handouts face substantial risks. The Movimento de Combate à Corrupção Eleitoral (Movement against Electoral Corruption, or MCCE), an umbrella network of civil society organizations against clientelism, identified nearly 700 politicians who had been ousted by 2009 for violating Law 9840. Furthermore, it estimated that the number surged to at least a thousand by 2011.¹⁴⁵ As shown in Figure 2.5a, these removals span Brazil. The vast majority of these prosecutions involve municipal-level politicians: 667 mayors, vice-mayors, and councilors were ousted, versus only 31 state and federal politicians. One reason for this distribution of figures is simply that local politicians constitute the vast majority of Brazilian politicians.¹⁴⁶ But beyond this obvious reason, citizens and politicians interviewed in Bahia also suggest that clientelism is more prevalent during municipal than national elections. Over two-thirds of local politicians removed from office are mayors and vice-mayors (who are removed together); the remainder are councilors. Court records from Law 9840 prosecutions reveal a wide range of benefits used for clientelism, including food, medicine, water, building materials and money.

Law 9840's threat to electoral clientelism has intensified, as evidenced by a growing number of politician removals. Consider this upward trend during local elections: 95 removals of politicians elected in 2000, 215 removals of

instance Alves and Hunter (2017, 451), who argue more generally that its success in some subnational contexts "required actions that were increasingly at odds with its earlier principles and methods."

¹⁴² Regarding this reputation, see Hunter and Power (2005, 129) and Abers (2000, 53).

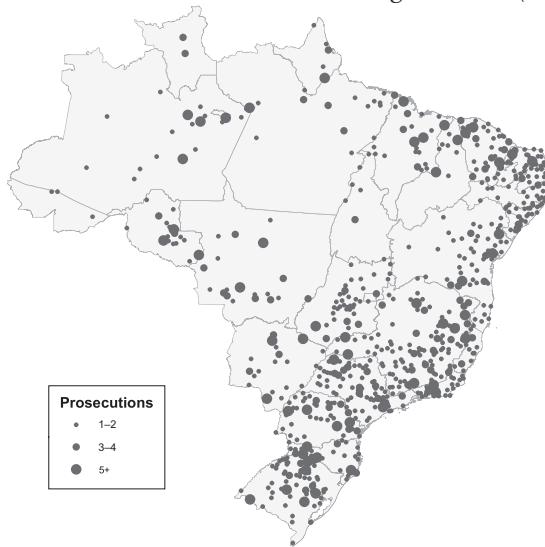
¹⁴³ In the late 1990s, the PT underperformed in the *grotões* – small municipalities in Brazil's interior that were voting overwhelmingly for conservative parties (Zucco, 2008, 42).

¹⁴⁴ Employs data about 2000–2007 prosecutions from MCCE (2007).

¹⁴⁵ Data in this paragraph are from MCCE (2007, 2009, 2012).

¹⁴⁶ In 2012, 5,568 mayors and 57,409 councilors were elected. By contrast, there are just 81 senators, 513 federal deputies, 1,059 state deputies, as well as the president and 27 governors.

(a) Politician removals for clientelism during elections (2000–2008)



(b) Electoral court documents mentioning clientelism (2000–2013)

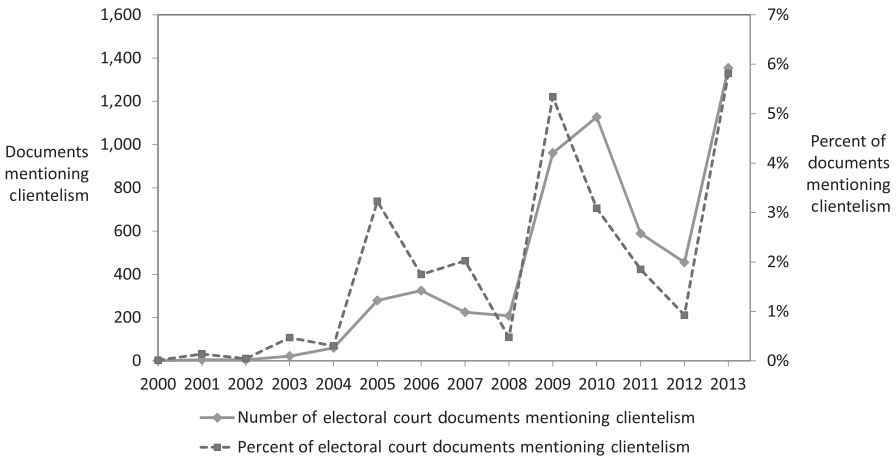


FIGURE 2.5

Note: In Figure 2.5a, the map indicates state boundaries. Dots reflect the location of first-instance electoral courts that issued at least one verdict to remove a politician from office for an infraction of Law 9840 – which prohibits campaign handouts – in municipal elections from 2000 to 2008. Size of dots represents the number of politicians for whom removal verdicts were issued. In Figure 2.5b, vertical axes represent the number and percent of electoral court documents – i.e., all judgments and resolutions at the federal (TSE) or state (TRE) level – in each year mentioning “*captação ilícita de sufrágio*” (i.e., “illicit capture of suffrage”), the term used for clientelism during campaigns as codified in Law 9840.

Source: Author’s analysis of data from Movimento de Combate à Corrupção Eleitoral and TSE.

politicians elected in 2004, and 357 removals of politicians elected in 2008 (MCCE, 2009).¹⁴⁷ Remarkably, one newspaper calculated that during the first few months after the 2008 election, a mayor was removed from office for clientelism every sixteen hours.¹⁴⁸ And it should be emphasized that these data only reflect guilty verdicts – the number of clientelism charges filed is far greater. A TSE analysis found that of 4,000 legal proceedings to remove local politicians during the 2008 elections, approximately 3,000 mentioned “vote buying.”¹⁴⁹

Further confirming Law 9840’s threat to electoral clientelism, court activity pertaining to the legislation is substantial and has surged in recent years. To measure such activity, I conducted a text search of over 320,000 documents – more specifically, the entire contents of all electoral court judgments and resolutions from 2000 to 2013 at the federal and state level available in the TSE database. The search term employed was the actual terminology codified in Law 9840 for the prohibited activity: “*captação ilícita de sufrágio*” (i.e., “illicit capture of suffrage”). Although often translated in the vernacular as “vote buying,” this term also includes campaign handouts distributed without an explicit exchange for vote choices (Reis 2006, 59–60) and has been ruled to include other strategies of electoral clientelism such as abstention buying (Prado 2014, 55–56). From 2000 to 2013, 6,557 documents included this search term, constituting 2 percent of all documents. As shown in Figure 2.5b, the number and share of documents mentioning *captação ilícita de sufrágio* has increased substantially since 2000 – reaching 5.8 percent of documents in 2013. It also reveals especially high court activity pertaining to Law 9840 after municipal elections (held in October of 2004, 2008, and 2012), which are considered to involve the most clientelism and have the most political candidates.¹⁵⁰

The extent of Law 9840 prosecutions might be surprising, given that electoral clientelism was practiced with impunity for generations. Civil society has heightened the threat to politicians who violate the new legislation. Just after its enactment, the CBJP issued a detailed guidebook urging communities to form “9840 Committees.” These committees, which soon mushroomed across Brazil, collect evidence against politicians who distributed campaign handouts and monitor local electoral courts to ensure they prosecute the law’s transgressors. By the 2002 national election, 130 anti-clientelism committees operated in 17 states, with approximately 1,600 people participating (MCCE, 2007). And by 2013, there were 329 committees operating in every Brazilian state (MCCE, 2013). Whereas signatures for the popular initiative had been disproportionately collected in wealthier regions, relatively more 9840 Committees were formed in *poorer* regions. In 2013, over 44 percent

¹⁴⁷ Figures may change after appeals and are unavailable for the 2012 election.

¹⁴⁸ “Um Prefeito é Cassado a Cada 16 Horas no País,” *Globo*, May 5, 2009.

¹⁴⁹ “Um Prefeito é Cassado a Cada 16 Horas no País,” *Globo*, May 5, 2009. Analysis conducted in December 2008 and based on 21 states that provided data.

¹⁵⁰ These documents lag the first adjudication of cases, as they are from state (*TRE*) and federal (*TSE*) electoral courts, which serve as appellate courts for municipal politicians.

of committees were in the poorer North and Northeast regions, where 33 percent of voters resided. By contrast, approximately 47 percent of committees were in the wealthier South and Southeast regions, where 60 percent of voters resided.¹⁵¹

The judiciary has also magnified the threat to electoral clientelism posed by Law 9840. First, it removed a major obstacle by ruling against challenges to the law's constitutionality. Second, the judiciary's interpretation of the new legislation has facilitated the removal of politicians who distribute campaign handouts. For example, the TSE has ruled that politicians can be punished for clientelism even if there is no effect on an election outcome. In addition, the TSE has ruled that politicians can be prosecuted when intermediaries distribute campaign benefits on their behalf (da Costa, 2009, 212; Reis, 2006, 57). This interpretation was important because legislators had stripped the explicit prohibition of indirect transactions from earlier drafts of the law. Third, the judiciary has expedited the execution of Law 9840 by permitting the ouster of politicians immediately after lower-level courts issue guilty verdicts. This swift action, which is accompanied by an efficient appeals process, contrasts sharply with the relatively glacial pace of criminal charges against clientelism.¹⁵² Fourth, the judiciary has facilitated prosecutions by broadening the scope of prohibited handouts: in 2006, it banned "campaign gifts" such as T-shirts, key chains, hats and pens. And fifth, the TSE heightens public awareness of the anti-clientelism law through efforts such as many public service announcements on radio and television. In part due to such actions, a 2008 survey found that 72 percent of Brazilians were familiar with Law 9840.¹⁵³

Another reason for this familiarity is substantial coverage by the mass media, which helps to inform Brazilians about electoral clientelism. Especially during election years, television and radio stations frequently discuss campaign handouts, emphasizing their illegality, ways to report transgressors, and the ouster of politicians. For example, Rede Globo's prominent television show *Fantástico* aired a lengthy segment in 2014 focused on vote buying, with interviews of the TSE President, prosecutors, accused politicians and purported recipients.¹⁵⁴ Another local television station covered the launch of a 9840 Committee, underscoring that it would enable voters to report clientelism during elections.¹⁵⁵ Moreover, *telenovelas* have broached the topic of clientelism

¹⁵¹ Eight and a half percent of committees were in the Center-West region.

¹⁵² To illustrate, second-instance courts have just three days to rule if these appeals have merit for hearings (Cureau, 2010). Some politicians have returned to office by successful appeal. As an exception, courts may issue injunctions for politicians to remain in office pending appeal.

¹⁵³ Study by TSE in collaboration with the Associação dos Magistrados Brasileiros, 2008.

¹⁵⁴ "Prática de Compra de Votos é Investigada em Mais de Mil Municípios Brasileiros," *Fantástico*, September 7, 2014. Another example discussing anti-clientelism laws is: "Compra de Votos é Crime Eleitoral e Já Causou a Cassação de Prefeitos," *EPTV*, September 26, 2012.

¹⁵⁵ "Comitê 9840 em Foz vai Orientar os Eleitores a Denunciar a Compra de Votos," *Parana RPC*, July 25, 2012.

over the years, and media coverage fueled the collection of signatures for the popular initiative culminating in Law 9840 (MPPD, 2006, 89).¹⁵⁶

Overall, Law 9840 poses yet another challenge for electoral clientelism in Brazil. Politicians can no longer distribute benefits during campaigns with impunity, as they now face the substantial risk of punishment. Although vote buying and other strategies continue, Law 9840 has removed over a thousand clientelist politicians from office. Amplifying the effects of such removals, a subsequent popular initiative – *Lei da Ficha Limpa* (Clean Slate Law) in 2010 – layered on yet another severe punishment. Politicians ousted for violating Law 9840 or convicted of various crimes are now ineligible to run for office for eight years, a potentially devastating setback for their political careers.¹⁵⁷

2.7 SUMMARY

Most contemporary research on clientelism focuses on strategies that exclusively deliver benefits during election campaigns. Such “electoral clientelism” involves not just vote buying, but also several other important strategies. Evidence suggests that all forms of electoral clientelism exist in Brazil but are undermined by significant challenges.

The theoretical framework presented in this chapter elaborates how institutional factors in a given society shape the relative costs of different strategies, thereby leading a machine to adapt its mix of electoral clientelism. But a combination of several institutional features in Brazil means that *all* these strategies face daunting challenges, thereby undercutting the overall effectiveness of electoral clientelism. First, the nation’s adoption of electronic voting heightened ballot secrecy, making vote buying more difficult. Second, strict compulsory voting (despite low fines) hinders politicians’ ability to engage in turnout buying and abstention buying. Given these hindrances, some politicians engage in another, more costly form of electoral clientelism: importing outsiders through voter buying. Yet even this strategy is hamstrung by third institutional challenge: electoral rules that trigger voter audits in many municipalities. Moreover, Law 9480 has impinged on all forms of electoral clientelism, because it has substantially heightened the risk of punishment when distributing campaign handouts.

Although this book argues that many Brazilian politicians assist clients during both campaign and non-campaign periods, such challenges have decreased electoral clientelism – that is, the use of episodic strategies that *exclusively*

¹⁵⁶ For a historical discussion of clientelism in *telenovelas* (soap operas), see Matos and Ferreira (2015) and Fernandes (2015).

¹⁵⁷ An additional constraint on handouts is Brazil’s 2015 campaign finance law, as it bans corporate donations for campaigns and thus reduces available funds. See “STF Publica Acórdão que Proíbe Financiamento Eleitoral por Empresas,” *Consultor Jurídico*, March 5, 2016.

provide campaign handouts. The cross-national Varieties of Democracy dataset is particularly illuminating as it provides longitudinal evidence and explicitly hones in on electoral clientelism: it reports the level of vote buying and turnout buying during national elections since 1900. For each Brazilian election, five country experts independently coded this level using a scale ranging from zero (“no evidence of vote/turnout buying”) to four (“systematic, widespread, and almost nationwide vote/turnout buying by almost all parties and candidates”). According to these experts, electoral clientelism fell substantially in Brazil over the past century, with ratings of 3.73 in 1902, 3.33 in 1930, 2.53 in 1958, 2.24 in 1986, and 1.99 in 2014.¹⁵⁸ Further insight is gleaned by comparing Brazil’s ratings with those of other countries in the same dataset. In the first half of the twentieth century, Brazil was rated as having the most electoral clientelism of any nation in the world. By contrast, Brazil is now rated as having less electoral clientelism than half of all countries – and two-thirds of all non-OECD countries.¹⁵⁹

Notwithstanding this decline, electoral clientelism persists in Brazil. Given the competitiveness of local elections – about a quarter of mayoral elections are decided by five percentage points or fewer (Klasnja and Titunik, 2017, 145)¹⁶⁰ – some politicians take risks to employ these unreliable strategies as a secondary measure. As described earlier, numerous interviewees perceived vote buying to be nothing more than a gamble; however, some elites noted that candidates in close elections may still devote limited resources to this strategy in a final push to obtain additional votes. For example, a councilor explained that although it is impossible to monitor how citizens vote: “You have to take chances ... when the final hour arrives, it’s do or die.”¹⁶¹ While campaign benefits are no longer distributed as openly or widely as in the past, surveys described in this chapter suggest that many contemporary Brazilians believe that electoral clientelism exists.¹⁶² And in the Rural Clientelism Survey, some respondents indicated that they personally knew a recipient: 15.6 percent for vote buying, 8.1 percent for turnout buying, 7.3 percent for voter buying,

¹⁵⁸ Data from Coppedge et al. (2017); original scale is inverted. V-Dem employed inter-coder reliability tests, and a measurement model to convert from ordinal to interval scale. Question: “In this national election, was there evidence of vote and/or turnout buying?” Scale also includes: (1) “almost none,” (2) “restricted,” and (3) “some” evidence of vote and/or turnout buying.

¹⁵⁹ For each nation, comparisons average ratings of all national elections in a period. Brazil had the highest rating for electoral clientelism of all thirty-three (forty-four) countries rated between 1900 and 1925 (1950). Contemporary comparison of sixty-eight nations averages ratings from 2000–2016.

¹⁶⁰ This figure is based on elections from 1996 and 2012.

¹⁶¹ Author’s interview, municipality in Bahia with 100,000 citizens (December 17, 2008).

¹⁶² For discussion of how openly and widely benefits were once distributed, see: “O Momento Politico,” *O Imparcial*, March 2, 1922, p. 1; “Scepticismo Infundado,” *Diário Nacional*, June 24, 1930, 3; and “Ministro da Justiça Comprova: Dinheiro para Compra de Votos,” *Jornal do Brasil*, October 2, 1958, 4.

and 2.5 percent for abstention buying. More broadly, nearly 10.7 percent of Brazilian LAPOP respondents indicated that they were offered benefits for their votes during the 2014 campaign, though like most surveys it did not distinguish between electoral and relational clientelism.¹⁶³

Despite the continued existence of electoral clientelism, many campaign handouts are distributed not in isolation, but rather as part and parcel of ongoing exchange relationships in which benefits extend beyond campaigns. As argued by this book, such relational clientelism is relatively resilient to the institutional challenges explored in the present chapter, but involves a dual credibility problem that citizen actions help to mitigate.

¹⁶³ LAPOP's 2014 AmericasBarometer surveyed 1,500 Brazilians in 107 municipalities.

