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**Comparative Study of Electoral Systems
Module 2: Macro Report**

August 23, 2004

Country: Brazil

Date of Election: October 3, 2002

NOTE TO COLLABORATORS: The information provided in this report contributes to an important part of the CSES project. Your efforts in providing these data are greatly appreciated! Any supplementary documents that you can provide (e.g., electoral legislation, party manifestos, electoral commission reports, media reports) are also appreciated, and may be made available on the CSES website.

Part I: Data Pertinent to the Election at which the Module was Administered

1. Report the number of portfolios (cabinet posts) held by each party in cabinet, *prior* to the most recent election. (If one party holds all cabinet posts, simply write "all".)

<u>Name of Political Party</u>	<u>Number of Portfolios</u>
PSDB	4
PMDB	1
PFL	4
PPB	1

1a. What was the size of the cabinet before the election?

There were 13 portfolios. Ten were held by members of political parties and three were held by non-members of one political party.

2. Report the number of portfolios (cabinet posts) held by each party in cabinet, *after* the most recent election. (If one party holds all cabinet posts, simply write "all").

<u>Name of Political Party</u>	<u>Number of Portfolios</u>
PT	9
PC do B	1
PPS	1
PDT	1
PL	1
PSB	1
PTB	1

2a. What was the size of the cabinet after the election?

There were 21 portfolios. Fifteen were held by members of political parties and six were held by non-members of one political party.

3. Political Parties (most active during the election in which the module was administered and receiving at least 3% of the vote):

Party Name/Label	Year Party Founded	Ideological Family	European Parliament Political Group (where applicable)	International Party Organizational Membership
A. PSDB	1988	Social Democratic Parties		14
B. PFL	1985	Conservative Parties		x
C. PMDB	1985	Conservative Parties		x
D. PT	1979	Socialist Parties		x
E. PPB	1995	Conservative Parties		x
F. PDT	1979	Socialist Parties		27

Ideological Party Families: (These are suggestions only. If a party does not fit well into this classification scheme, please provide an alternative and some explanation).

- | | | |
|-------------------------------|----------------------------------|----------------------|
| (A) Ecology Parties | (G) Liberal Parties | (M) Agrarian Parties |
| (B) Communist Parties | (H) Right Liberal Parties | (N) Ethnic Parties |
| (C) Socialist Parties | (I) Christian Democratic Parties | (O) Regional Parties |
| (D) Social Democratic Parties | (J) National Parties | (P) Other Parties |
| (E) Conservative Parties | (K) Independents | |
| (F) Left Liberal Parties | (L) Single Issue Parties | |

The following lists provide examples of political groups and organizations to which a particular party might belong. Please report any and all international affiliations for each party.

European Parliament Political Groups:

- (1) European People's Party
- (2) European Democrats
- (3) Party of European Socialists
- (4) European Liberal, Democrat and Reform Party
- (5) Confederal Group of European United Left
- (6) Nordic Green Left
- (7) Greens
- (8) European Free Alliance
- (9) Europe for the Nations
- (10) Europe of Democracies and Diversities
- (00) Not Applicable
- (98) Don't Know

International Party Organizations:

- (11) Asia Pacific Socialist Organization
- (12) Caribbean Democratic Union
- (13) Christian Democratic International
- (14) Christian Democratic Organization of America
- (15) Council of Asian Liberals and Democrats
- (16) Democratic Union of Africa
- (17) Eastern European Social Democratic Forum

4aa. Do you believe there would be general consensus on these placements among informed observers in your country?

YES

4b. If you have asked respondents to rank political parties on an alternative dimension, other than the left-right dimension, please also provide your own rankings of the parties on this dimension.

Name of dimension: REGIONAL (THE AREA OF THE COUNTRY THE PARTY IS STRONGER)

Label for left hand position: NORTHEAST (THE LEAST DEVELOPD AREA)

Label for right hand position: SOUTHEAST (THE MOST DEVELOPED AREA)

Party Name	Left										Right
	0	1	2	3	4	5	6	7	8	9	10
A. PSDB											X
B. PFL	X										
C. PMDB						X					
D. PT											X
E. PPB				X							
F. PDT								X			

4bb. Do you believe there would be general consensus about these placements among informed observers in your country?

YES

5. In your view, what are the five most salient factors that affected the outcome of the election (e.g. major scandals; economic events; the presence of an independent actor; specific issues)?

1. Economic events: the economy was not going as well as in 2000

2. Energy crisis: there was an energy crisis in mid-2001. The population had to cut its consumption and the economic growth has diminished. Governmental popularity dropped a lot after the energy crisis

3. Division within the governmental coalition: there was a serious strife among PSDB, PFL and PMDB who were the major parties underpinning Cardoso's Government. PFL decided to support another candidate while PSDB and PMDB support Serra, the official candidate

4. The professionalism of PT electoral campaign. Unlike the others presidential elections, in 2002 PT did a very moderate campaign, abandoning completely the radical stances

5. Non-proved corruption scandals against Cardoso's government. Those scandals were part of the division within the governmental coalition.

5a. Do you believe there would be general consensus about the importance of these factors among informed observers in your country?

YES

6. Electoral Alliances:

Sometimes, electoral alliances are made at the constituency level as, for example, in Finland. Documenting who is allied with whom, and how, in each constituency is a large task and we do not expect you to do more than make some general reference to the existence of constituency-level alliances. Sometimes, electoral alliances are made at the national level -- these are the alliances that we would like you to identify. Information is sought on who is allied with whom and on the nature of the electoral alliance.

a) Were electoral alliances permitted during the election campaign?

- No
- Yes**

If yes, please complete the following:

<u>Alliance Name</u>	<u>Participant Parties (please indicate dominant members with an "*")</u>
Alliance 1: Lula Presidente	PT* – PL – PC do B – PCB - PMN
Alliance 2: Grande Esperança	PSDB* - PMDB
Alliance 3: Frente Brasil Esperança	PSB* – PTC - PGT
Alliance 4: Frente Trabalhista	PPS *– PTB - PDT - PPB
Alliance 5:	

7. Party Leaders and Presidential Candidates:

In legislative elections, please report the leader of each party.

In presidential elections, list presidential candidates and their parties. If candidates were endorsed by more than one party, please indicate this below.

<u>Party of Candidate</u>	<u>Name of Party Leader or Presidential Candidate</u>
A. PSDB	José Serra (Serra, José)
B. PT	Lula (Luiz Inácio Lula da Silva)
C. PSB	Garotinho (Anthony Garotinho)
D. PPS	Ciro Gomes (Gomes, Ciro)
E. PSTU	Zé Maria
F. PCO	Rui Costa Pimenta

Part II: Data on Electoral Institutions

If possible, please supplement this section with copies of the electoral law, voters' handbooks, electoral commission reports, and/or any other relevant materials.

A. QUESTIONS ABOUT ELECTORAL DISTRICTS.

Definitions: An electoral district is defined as a geographic area within which votes are counted and seats allocated. If a district cannot be partitioned into smaller districts within which votes are counted and seats allocated, it is called primary. If it can be partitioned into primary districts, and during the counting process there is some transfer of votes and/or seats from the primary districts to the larger district, then the larger district is called secondary. If a district can be partitioned into secondary districts (again with some transfer of votes and/or seats), it is called tertiary.

In some electoral systems, there are electoral districts that are geographically nested but not otherwise related for purposes of seat allocation. In Lithuania, for example, there are 71 single-member districts that operate under a majority runoff system, and also a single nationwide district that operates under proportional representation (the largest remainders method with the Hare quota). Neither votes nor seats from the single-member districts transfer to the nationwide district, however. The two processes are entirely independent (with voters having one vote in each district). In this case, the nationwide district, although it contains the 71 single-member districts, is not considered to be secondary. It is primary. One might say that there are two segments to the electoral system in such cases.

1. How many segments (as just defined) are there in the electoral system?

- 1 segment**
- 2 segments
- more than 2

Please answer the following questions (questions 2 through 11) for each segment of each directly elected house of the legislature:

2. How many primary electoral districts are there?

27

3. For each primary electoral district, how many members are elected from each district?
(If district variation exists, answer 3a)

3a. If districts elect varying number of members, please list the districts, indicating the number of members elected from that district. (Attach separate sheets, as required).

	State Deputies	Federal Deputies or Low Chamber	Senate or Upper Chamber
District	Number of members	Number of members	Number of members
Rondônia	24	8	3
Acre	24	8	3
Amazonas	24	8	3
Roraima	24	8	3
Pará	41	17	3
Amapá	24	8	3
Tocantins	24	8	3
Maranhão	42	18	3
Piauí	30	10	3
Ceará	46	22	3
Rio Grande do Norte	24	8	3
Paraíba	36	12	3
Pernambuco	49	25	3
Alagoas	27	9	3
Sergipe	24	8	3
Bahia	63	39	3
Minas Gerais	77	53	3
Espirito Santo	30	10	3
Rio de Janeiro	70	46	3
São Paulo	94	70	3
Paraná	54	30	3
Santa Catarina	40	16	3
Rio Grande do Sul	55	31	3
Mato Grosso do Sul	24	8	3
Mato Grosso	24	8	3
Goiás	41	17	3
Distrito Federal	24	8	3
Total	1059	513	81

4. How many secondary electoral districts are there?

NONE

5. How many tertiary electoral districts are there?

NONE

If possible, please summarize the information above for questions 1-3 and 4-5 in the table here:

Chambers/Houses		Lower			Upper		
Segments	Number	1	2	3 or more	1	2	3 or more
Primary districts	Number	27			27		
	No. of members*	513			81		
Secondary districts	Number						
	No. of members*						
Tertiary districts	Number						
	No. of members*						

*Please report the total number of members for all districts, per segment.

B. QUESTIONS ABOUT VOTING.

6. Exactly how are votes cast by voters?

This is an electronic process. Voters get into the ballot box and press buttons as phone dialing. Each candidate has a number. Once the number is pressed the picture of the candidate appears in a small monitor. Than voters press the ENTER key to confirm the vote.

6a. How many votes do they or can they cast?

In 2002 there were six votes: president, governor, federal deputy, state deputy, and two votes for senator.

Each eight years there are six votes as described above, and each other eight years there are five votes as there is only one vote for senator.

6b. Do they vote for candidates, for lists, or for both? (please explain)

President: vote for candidate

Senators: vote for candidate

Governor: vote for candidate

Federal and State deputy: each political party presents a list of candidates. Voters can vote for only one candidate or can vote for the party.

7. Are the votes transferable?

NO

8. If more than one vote can be cast, can they be cumulated?

There is not such a thing as more than one vote

9. Are there any other features of voting that should be noted?

C. QUESTIONS ABOUT CONVERTING VOTES INTO SEATS.

In the elections for president, governor and senator the candidate who gets more votes is elected. There is run-off for president and governors if there is no candidate who gets more than 50% of all votes given to candidates. When there are two votes for senators, the two first are elected.

Federal and State deputies

10. Exactly how are votes converted into seats?

First stage: you sum up the votes of the candidates from party (or alliances) list and the votes for the party (or alliances) itself. Each party (or alliance) has its total. Afterwards you sum up votes given to all candidates and all parties (or coalitions). Then you divide this total by the number of seats. Doing so you get the quota. Each party (or alliance) gets as many seats as the number of quotas it reaches.

Second stage: in the end some seats are left. Those seats are distributed according to the formula D'Hont

10a. Are there legally mandated thresholds that a party must exceed before it is eligible to receive seats?

YES

If so, what is the threshold?

Quota Hare

10b. What electoral formula or formulas are used?

Quota Hare in the first stage and quota D'Hont in the second one

11. If there are lists, are they closed, open, or flexible?

- closed
- flexible, but in practice virtually closed
- flexible
- flexible, but in practice virtually open
- open**

Definitions: A list is closed if the seats that are awarded to that list are always occupied by the candidates in order of their appearance on the list (i.e., if the list gets x seats then necessarily the top x names on the list get the seats). A list is open if the question of which candidates on the list get the seats that are awarded to the list is determined solely by the votes that each candidate receives. A list is flexible if parties place their candidates in the order they would like to see them elected, but voters can, with varying degrees of ease, change this order through votes they cast for individual candidates.

Please repeat questions 2 through 11 of this section for each segment of each directly elected house of the legislature.

D. QUESTIONS ABOUT THE POSSIBILITIES OF ELECTORAL ALLIANCE.

Definitions: A joint list refers to one on which candidates of different parties run together. Apparentement refers to a legal agreement between two or more lists to pool their votes for the purposes of an initial seat allocation, with seats initially allocated to the alliance then reallocated to the lists in the alliance.

12. What are the possibilities of forming alliances in the system?

Alliances can be formed for all elections and any office.

12a. Can parties run joint lists?

- Yes**
- No**

12b. Is there apparentement or linking of lists

- Yes
- No**

12c. Can candidates run with the endorsement of more than one party?

- Yes
- No**

12d. Do parties withdraw their lists or candidates in some constituencies, urging their supporters there to vote for an ally's list or candidate?

- Yes
- No**

12e. Other?

13. Are joint lists possible?

YES

13a. If joint lists are possible, are they subject to different regulations than single-party lists? For example, higher thresholds, different numbers of candidates that may appear on the list, etc.

M stands for the district magnitude

M \geq 20

YES, when there is no joint list a political party can presents up to 1,5 candidates for each seat, when there is joint list a political party can presents up to 2 candidates for each seat.

M < 20

YES, when there is no joint list a political party can presents up to 2 candidates for each seat, when there is joint list a political party can presents up to 2,5 candidates for each seat.

14. If apparentement is possible, what lists can participate in such agreements:

- lists of the same party in the same constituency
- lists of the same party from different constituencies
- lists of different parties in the same constituency

15. If candidates can run with the endorsement of more than one party, is this reflected on the ballot?

- No
- No party endorsements are indicated on the ballot paper
- Yes, candidate's name appears once, together with the names of all supporting parties
- Yes, candidate's name appears as many times as there are different parties endorsing him/her, each time with the name of the endorsing party
- Yes, other (please explain):

Part III: Data on Regime Type

Below are various questions about the type of regime--presidential, parliamentary, semi-presidential--in your country. There are two potential problems with these questions that should be noted at the outset. First, in some countries there may be a discrepancy between the *de jure* (or legal) situation and the *de facto* (or practical) situation. For example, in Great Britain the Queen still possesses a legal right to veto legislation, but this right has not been exercised since 1707. In the case of such obviously obsolete powers, please answer according to the *de facto* situation. Otherwise, describe the *de jure* situation. A second potential problem is that the questions may not be phrased optimally for the situation in your particular country. In such cases, please answer as best you can, providing some indication of the difficulties as you see them.

A. QUESTIONS REGARDING THE HEAD OF STATE.

Definitions: The Head of State is typically the highest ranking official in the executive branch of government. Often, this position is held by a president or a monarch, and may be more ceremonial than effective. The Head of Government is usually the highest ranking official in the legislative branch of government. In some systems, this may be someone other than the Head of State (i.e. the prime minister in the Westminster systems), while in other cases, the roles of the Head of State and Head of Government are combined (i.e. in the United States, the president serves as both the Head of State and the Head of Government).

1. Who is the Head of State?

- President**
- Monarch
- Prime Minister serves as ceremonial head of state
- Other (please specify)

2. How is the head of state selected?

- Direct election**
- Indirect election
- Birth right
- Divine right
- Other (Explain)

2a. If by direct election, by what process?

- Plurality election
- Run-off or two-ballot system**
- Other (Explain)

2a1. If by run-off system, how are the candidates selected for the final round?

- The **TWO** (#) candidates with the highest vote totals advance to the second round. There is no run-off if one candidate gets more than 50% of the sum of the votes given to all candidates
- Any candidate with at least _____% of the popular vote advances to the second round

2b. If by indirect election, by what process?

- Electoral college
- Selection by the legislature
- Other (Explain)

2b1. If by electoral college, how are electors chosen?

2b2. Does the electoral college deliberate?

- Yes
- No

2b3. What is the voting procedure used by the electoral college?

2b4. If by the legislature, by which chamber(s) of the legislature? What is the voting procedure used?

3. Does the Head of State have the following powers? Please check all that apply:

3a. Introduce legislation?

- Yes**
- No

3b. Require expedited action on specific legislation? (i.e., set a deadline by which the legislature is required to act on the bill)?

- Yes**
- No

Definitions: A Head of State possesses a partial veto when he or she can target specific clauses of a piece of legislation for veto, while promulgating the rest. In the U.S., such vetoes are sometimes called line item vetoes. A Head of State possesses a package veto when he or she can veto the entire piece of legislation submitted by the legislature, but cannot veto some parts and accept others.

3c. Package veto?

- No
- Yes, and the requirement to override the veto is:**

If the President of the Republic to consider the project, in all or part, unconstitutional or contrary to the public interest, will veto it partially total or, in the stated period of fifteen working days, counted of the date of the act of receiving.

The veto will be appreciated in joint session for Federal deputies and Senators, inside of thirty days to count of its act of receiving, only being able to be rejected by the vote of the absolute majority of the deputies and senators, in secret vote.

3d. Partial veto?

- No
- Yes, and the requirement to override the veto is:** the same as above.

3e. Issue decrees with the power of law?

- Yes**
- No

3f. Emergency powers?

- Yes**
- No

3g. Negotiate treaties and international agreements?

- No
- Yes, provided the following additional requirements are met:**

The president can negotiate treaties and international agreements but Brazilian Constitution establishes that the National Congress will have to decide on all the treat ones, international agreements or acts. Representatives of the Executive possess ability to negotiate one treat one to economic nature, to sign it , to submit it countersignature of the Legislative, where it will be appreciated and approved in case that gets majority in the Plenary assembly of both the Houses.

3h. Commander of the armed forces?

- Yes**
- No

3i. Initiate referenda or plebiscites?

- Yes
- No**

3j. Refer legislation to the judicial branch for review of constitutionality?

- Yes
- No**

3k. Convene special legislative sessions?

- Yes**
- No

B. QUESTIONS ABOUT THE HEAD OF GOVERNMENT.

Definitions: In some countries, the Head of Government is directly elected, in elections that may or may not occur concurrently with legislative elections. In these cases, the Head of Government is said to be elected independently of the legislature. In others, the Head of Government is the leader of the governing party or governing coalition in the legislature, and so, the selection of the Head of Government depends upon the distribution of seats in the legislature. In these cases, the Head of Government is not elected independently of the legislature.

4. Is the Head of Government elected independently of the legislature?

- Yes**
- No

4a. Is the Head of Government also the Head of State?

- Yes**
- No

4b. If the Head of Government is not elected independently of the legislature, how is the Head of Government selected?

- Appointed by the head of state alone
- Appointed by the legislature alone
- Nominated by the head of state, and approved by the legislature
- Nominated by the legislature, and approved by the head of state
- Other (Please explain):

5. What authorities does the Head of Government have over the composition of the cabinet?

Please check all that apply.

- Names ministers and assigns portfolios alone**
- Nominates ministers for approval by the president
- Reviews and approves ministerial nominations made by the president
- Dismisses ministers and reassigns portfolios at own discretion**
- Other (Please explain):

6. What authorities does the Head of Government have over the policy making process?

Please check all that apply:

- Chairs cabinet meetings**
 - Determines schedule of issues to be considered by the legislature
 - Determines which alternatives will be voted on by the legislature, and in which order
 - Refers legislative proposals to party or legislative committees**
 - Calls votes of confidence in government
 - Other (Please explain):
-

C. QUESTIONS REGARDING THE CABINET

7. By what method(s) can the cabinet be dismissed? Please check all that apply:
- By the head of state acting alone**
 - By the prime minister acting alone
 - By majority vote of the legislature where a majority of all legislators is required
 - By majority vote of the legislature where a majority of those legislators voting is required
 - By some combination of the above, acting in concert (Please explain):
 - Other (Please explain):

D. QUESTIONS REGARDING THE LEGISLATURE

8. Can the legislature be dissolved prior to regularly scheduled elections? **No**
- By the head of state acting alone
 - By the prime minister acting alone
 - By majority vote of the legislature
 - By some combination of the above, acting in concert (Please explain):
 - Other (Please explain):
9. If the legislature can be dissolved prior to regularly scheduled elections, are there restrictions on when and how the legislature can be dissolve? Please check all that apply:
- On the timing of dissolution (e.g. not within one year after a legislative election) (Please explain):
 - As a response to action/inaction by the legislature (e.g. only when the legislature has censured the cabinet; only if the legislature fails to pass the budget) (Please explain):
 - Other (Explain):
10. Is there a second chamber of the legislature? **Yes, it is the Senate**
- directly elected**
 - indirectly elected through the following process:
- 10a. If there is a second chamber and it is indirectly elected, are those who choose its members:
- wholly regional and/or local officials?
 - partly regional and/or local officials?
 - not necessarily regional and/or local officials?
- 10b. If there is a second chamber, does it have specific and exclusive legislative powers (i.e. the power to reject the executive's proposed budget)?
- No
 - Yes (Please explain):** For example, the power to approve international treaties signed by the President, the president of Central Bank, the offices of diplomats, and some other nominations

10c. If there is a second chamber, does it have the power to remove the cabinet or censure its ministers?

- Yes
- No

E. FEDERALISM

11. Is there a constitutionally guaranteed division of power between the central government and regional and/or local governments?

- Yes
- No

12. Does the central government have the power to remove elected officials of regional and/or local governments?

- Yes
- No

F. REFERENCES

Please list any resources that were consulted in the preparation of this report, or that the CSES community may find especially helpful in understanding the political system described here.