

## Political Competition and Electoral Fraud: A Latin American Case Study\*

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Molina, Iván and [Fabrice Lehoucq](#). "Political Competition and Electoral Fraud: A Latin American Case Study," (Iván Molina, coauthor), *Journal of Interdisciplinary History*, Vol. 30, No. 2 (Autumn 1999): 199-234 (For an updated version and Spanish translation, see: "La competencia política y el fraude electoral: un caso latinoamericano," *Revista Mexicana de Sociología*, Vol. 61, No 9 [July-September 1999]: 103-37).

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For an activity that was (or is) so central to the practice of politics in so many countries, electoral fraud remains poorly understood. Why and how politicians and parties violated (or violate) laws to falsify electoral outcomes constitute a set of topics the importance of which few would deny. Understanding how they illegally increased their vote totals or decreased those of their adversaries is not only essential to the history of many democratic systems, but an ongoing activity in many others. The study of electoral fraud is an ideal way to shed light on whether political behavior is shaped more by sociological factors or by institutional arrangements, especially where and when survey data is not available.

This study aims to begin filling this void by drawing upon a rich documentary source--the petitions to nullify electoral results (*demandas de nulidad*)--from Costa Rica, a country noted for its long history of democratic government. The petitions contain a wealth of material about the frequency, nature, and geographical basis of accusations of electoral fraud. They were generally lodged by those with legal training and typically published by the daily government gazette (*La Gaceta*). They were one of the weapons most frequently used by the opposition to combat the prerogatives largely held by presidents until the mid-twentieth century, namely, the production of the electoral registry, the holding of elections, and the tally of the vote. They are valuable precisely because of their partisan origins: By virtue of what they say and do not say, they trace the frontier delimiting acceptable from unacceptable behavior.

Not surprisingly, some social scientists have been aware of the newspaper or archival evidence of electoral fraud. Virtually all of them, however, have shied away from using this information to make sense of politicians, parties, and their strategies. Indeed, some claim that electoral fraud cannot be studied because, as an illegal activity, its footprints are too faint or jumbled to decipher. Yet, as we show, it is possible to extract several quantitative indices from the petitions

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\* This article draws upon research made possible by a Collaborative Projects Grant (RO-22864-95) from the National Endowment for the Humanities, for which the authors are grateful. The authors would also like to thank Patricia Fumero and Paulina Malavassi for superb research assistance and Barry Ames, Clark Gibson, Peter Guardino, Jonathan Hartlyn, John Markoff, Richard Stoller, and Charles Tilly for comments on earlier drafts. Lehoucq is grateful for the support offered by the National Science Foundation (SBR-9521918).

to get a sense of who was accused of violating electoral laws, as well as how, where, and with what success the tampering occurred. Showing how the petitions can be used to shed light on political behavior is one of this article's key objectives.

Another important goal is to determine whether this mundane, even "low," form of politics was shaped by institutional change. Even if the classification of the petitions to nullify electoral results yields systematic patterns, it is not at all clear whether such patterns are a product of legal changes wrought by presidents and legislatures in a national capital. They could be the result of decisions made by dominant classes to maintain their grip over political systems and thereby ensure their economic and social hegemony. Indeed, a bias of much research on Latin American history, society, and even politics is that laws and institutions are superfluous to understanding the behavior of politicians, parties, and interest groups. This theoretical prejudice is particularly evident in research on Central American political systems, which are typically regarded as dominated by the military and serving the interests of reactionary landlords and capitalists.

Although there is an element of truth to this portrait, it neglects to mention other relevant facts--that few Latin American countries completely abandoned republican institutions for long and that politicians and parties spent a lot of time and energy in mobilizing voters. To shed light on the accuracy of this portrait, we assess the relative roles played by social structure and institutional incentives in determining the nature, frequency, and magnitude of electoral fraud.<sup>1</sup>

Costa Rica is an ideal place to investigate the impact of electoral reform on political activity. As in Chile, Britain, Sweden, and Uruguay, politicians in nineteenth-century Costa Rica gradually transformed a competitive but fraud-ridden republic into a modern democracy. Since 1949, the country has held regularly scheduled, fair elections, in which every adult is entitled to vote. Competitive party politics began in 1889, when the incumbent liberals, under pressure of a popular uprising, reluctantly ceded power to an opposition liberal-clerical alliance. After an authoritarian regime, under the threat of a hard-line opposition rebellion, made a deal with moderate liberals in 1901, politics became competitive, despite the fact that presidents and their opponents did not relinquish the use of violence and fraud to distort the results of the ballot box. The existence of the 121 petitions submitted to Congress makes a research project like this one both relevant and possible.<sup>2</sup>

We concentrate on the period between 1901 and 1948 for several reasons. First, during this period, competitive elections for the presidency were held, with one notable exception, every four years; elections were held every two years to renew half of the members of the legislature. Second, legal denunciations of fraud began to appear in the aftermath of the 1893 Law of Elections and, in the early twentieth century, quickly became a mainstay of political life and a core activity of political parties. Third, several key reforms were negotiated during this time, including the elimination of indirect elections for public offices in 1913 and the establishment of the secret franchise and other safeguards from 1925 to 1927. This period draws to an end with the 1946 Electoral Code, which revamped the electoral registry and made the use of photographic identification compulsory for all voters. These reforms provide the benchmarks that allow us to determine whether institutional changes altered the nature of political competition.

Though we focus on the first fifty years of the twentieth century in a Central American country, our concern is not simply to depict politics in Costa Rica more accurately. The systematic study of electoral fraud can serve to transform not only our understanding of the democratization of Costa Rican politics but also our sense of Latin American politics in general. If the nature and rhythm of fraud varies in response to institutional change, then the image of pre-reform politics as nothing more than an arena in which the "oligarchy" and other alleged class actors advanced their material interests must be discarded. Our study also suggests how the electoral politics of the United States and Europe can be examined through a common set of methods to evaluate similar hypotheses about the impact of institutional change on political behavior. Electoral fraud, after all, does not obey spatial and temporal boundaries: Where laws are lax and democratic institutions are new, parties will exploit legal loopholes to gain advantage in the quest for control of the state.

### **Methods for the Study of Electoral Fraud**

After the 1928 presidential elections, the Republican Party (PR) published a manifesto alleging that the widespread practice of fraud was responsible for the victory of its rival, the National Union Party (PUN), by more than 13,000 votes, or 13 percent of the total number. Even though the manifesto makes 169 accusations of fraud, in nearly half of them, it is unclear whether fraud really occurred; the PR claimed only that fraud was going to occur. Moreover, even assuming that all of these allegations are true, they impugn only the results of 11 percent, or 76 out of 689 polling stations--only slightly more than half of the 18 percent lead obtained by Cleto González, the triumphant candidate. Furthermore, in thirty-six of these polling stations where the number of fraudulent votes was calculated, only 12 percent of the votes--574 out of the 4,939 total--at these stations, were actually charged with being fraudulent.<sup>3</sup>

This example illustrates the central problem in the study of electoral fraud. It was common for parties to claim that they had been robbed of an electoral victory by the malfeasance of their adversaries. In an environment where parties tried to stuff the ballot box, such accusations allowed parties to rationalize their defeats and to deprive the winners of political legitimacy. Such charges were often the first step toward an attack on the government, either from Congress and/or from the press; not infrequently, they were part of an effort to justify an armed revolt against central state authorities. One of the problems plaguing newspaper reports of ballot rigging is that they tend to exaggerate it, especially since newspapers and publications like the PR's manifesto were linked to parties and highly interested in the outcome of electoral contests.<sup>4</sup>

The partisan nature of denunciations of fraud is just one reason, however, why scholars have generally shied away from the study of electoral fraud. Although a few historians and political scientists have held that the number, the complexity, and the credibility of such accounts make it impossible to quantify the impact of fraud on electoral results, the consensus among students of pre-reform political systems is simply that the topic is too difficult to study. The best books about such systems tend to refer elliptically to fraud, even if it emerges as crucial to the mixture of campaigning, competition, and threat making that characterized "elections before (full) democracy."<sup>5</sup>

Despite the difficulties, however, some analysts have succeeded in making sense of electoral fraud. In perhaps the most systematic study to date, Cox and Kousser analyzed more than 300

newspaper reports of rural electoral corruption in New York during the last decades of the nineteenth century. Even though they do not determine the precise effect of this fraud on vote totals, their effort is noteworthy because they show, through straightforward quantification, that, with the establishment of the secret franchise in 1890 in New York, parties both bought votes and paid voters to stay home. In perhaps the most detailed examination of any pre-reform electoral system, O'Gorman briefly considered the impact of fraud on British elections in the eighteenth and nineteenth centuries, showing that the number of complaints about election results sent to the House of Commons declined during this period, mostly because of the high costs of documenting accusations and getting them to Parliament before the Commons convened. Although Mayfield did not specifically analyze acts of fraud, he shed light on the issue by examining voter turnout rates in turn of the century Pittsburgh. He argued that the electoral rolls could not have been padded because turnout increased after the establishment of a personal registration system in 1906. If the voter registry had been padded, absolute turnout rates would have declined in the aftermath of a Progressive-era institutional reform.<sup>6</sup>

These studies, however, are the exceptions. In a wide-ranging review of the subject of fraud, Argersinger suggested that students of United States elections have barely begun to tap into the wealth of personal testimonies and judicial, congressional, and executive records that exist on electoral fraud. The same is true about documentation of their counterparts elsewhere. Although Latin America has a long, rich history of elections, with a massive number of legal complaints and many journalistic accounts of electoral fraud, it has not been the target of such studies. Notwithstanding a few exceptions, even Europeanists have ignored a key source of information vital for linking institutional reform with political behavior, "high" politics with "low" politics, and legal methods with illegal ones in the formation of republican and democratic forms of government.<sup>7</sup>

This point assumes that there is a consensus about what constitutes fraudulent activity. A legal definition could refer to acts that violate existing laws governing how voter registries are set up, how citizens identify their preferences, and, most important, how votes are tallied. Since standards change over time, this ostensibly narrow view possesses the advantage of revealing how legal definitions of fraud might change according to the compromises reached by parties struggling to determine what are and are not acceptable forms of electoral behavior.

A broader definition could describe fraud as any practice that interferes with the choices made by voters. Although based on an understanding of how social, political, or economic inequality can affect the choices made by citizens, it permits dangerous presumptions about the preferences of voters. Theoretically, it could serve to justify an attempt to turn legitimate electoral practices into violations of electoral law. Hence, we opt for the narrow definition, preferring to track violations of electoral law by political practice, without, however, neglecting to explore how changing conceptions of electoral fraud might view the same sort of practice in divergent ways.

Petitions to nullify electoral results and related legal documents are ideal vehicles for exploring these themes. They contain a wealth of documentary evidence typically missing in newspaper accounts, and they tend to be highly technical because litigants had to prove that specified sections of the law had been violated. As article 103 of the 1893 Law of Elections reads, "Citizens have the right to present accusations to nullify electoral results; but, they must describe

the events which occurred and to present evidence. In the absence of such requisites, the denunciation will not be accepted." <sup>8</sup>

These procedures were only slightly amended by the 1908 and 1909 reforms, which empowered plaintiffs to appeal the verdicts made by provincial electoral councils about popular elections to the Chamber of Repeal (*Casación*) of the Supreme Court. This measure was dropped by the Law of Elections in 1913, the same year when a constitutional reform to establish direct elections obtained final approval. Henceforth, all petitions to nullify presidential and congressional elections were to be considered exclusively by Congress, as stipulated by the 1871 constitution. Despite its length, it is worth citing article 72 of the 1913 Law:

Every citizen has the right to denounce or identify cases for nullification. . . . The petition should be written and addressed to the body that must consider it, but it will not be judged unless it is presented within 10 working days after election day or the act constituting grounds for nullification. Furthermore, to admit the petition or accusation, the events, circumstances or conditions should be identified that impugned the legality of the act, vote, resolution, vote total or election. Admission also requires the infringed laws to be cited and the grounds for nullification are identified upon which the accusation is based. It also requires that each charge be accompanied by documentary evidence that is adduced to justify it or to present the reasons that make it comprehensible to excuse the omission of such evidence. <sup>9</sup>

The 1913 Law also required that the petitions be published in the daily government gazette so that citizens could become informed of the accusations and, if relevant, present timely arguments against or in favor of such claims. The electoral laws of 1925 and 1927, which regulated the elections between 1926 and 1946, essentially maintained the provisions of the 1913 law.

Another difference between petitions and newspaper reports is that the former comprised the first stage of a legal and political process that could alter electoral outcomes. This feature not only explains their legal-technical nature, but also suggests that the right to petition authorities fomented the institutionalization of parties by rewarding those that could field a network of observers, scribes, and lawyers. In the months or weeks before elections, party representatives supervised the revision of the public lists of voters in every district to ensure that supporters who had come of age or were new residents of the district were included. They worked to ensure that the names of voters who were deceased, relocated, or fictive were excluded from the electoral rolls. They also inspected polling stations to ensure that they were appropriate places for holding elections. On election day, party observers (*fiscales*)--among whose ranks could be found farmers and artisans--were present at polling stations to document irregularities and inform the party leadership and local authorities. On occasion, they even sent telegrams to the president of the republic.

After the elections, parties entrusted one of their members, typically a lawyer, to draft petitions based on the reports of the observers for presentation to one of several bodies. Sometimes party observers themselves would petition relevant authorities, especially during midterm elections for Congress. The local party leadership played a particularly important role in writing petitions because of the larger than usual number of provincial parties competing for office during midterm elections. Once petitions were presented to Congress, they were examined by the

Credentials and Resignations Committee, which typically consisted of three deputies elected at the end of the ordinary sessions of Congress immediately prior to an election year. Then Congress as a whole voted on whether to endorse them, a task of even more political significance when the Committee issued both majority and minority views.

One last series of documents is useful for the study of electoral fraud, the tally of the vote conducted by provincial electoral councils. In the course of such deliberations, both party observers and council officials often denounced and recorded infractions committed during the tallies. This data complements the information furnished by the petitions to nullify electoral results.

Although the petitions usefully describe the efforts of parties to manufacture fraud, they are also crucial components of competitive party politics. They not only tell us about the actual frequency, nature, and geographical extent of fraud, but also about the ways that parties jockeyed for position in an arena where losing or winning votes translated into the loss or conquest of state power. Of the twenty elections that took place between 1901 and 1946, for example, exactly half involved accusations against two or more parties. In seventeen elections, complaints were filed against the party whose leader was the president. These numbers indicate that incumbents were not the only parties capable, and suspected, of resorting to fraud. Despite the disadvantages of not controlling the presidency, opposition parties also illegally sought to subvert election results.<sup>10</sup>

### The Periodization and Production of Petitions

Throughout the period from 1901-1948, 167 individuals presented 121 petitions. The difference between the number of sponsors and petitions stems from the fact that 17 of the 121 petitions were presented by two or more persons and that 17 individuals presented two or more petitions. The multiple authorship sometimes had a symbolic component, especially when signatories were important national figures, as it did for the 13 individuals who presented a petition in the aftermath of the hotly contested 1944 election, lost by León Cortés (1936-1940), a former president. These results are summarized in Table 1.<sup>11</sup>

**Table 1**  
**Petitions and Related Legal Material, by Time Periods, 1901-1948**

Type	1901- 1912	1913- 1923	1925- 1938	1940- 1948	Total	Time Period	Number of	
							Petitions	Plaintiffs
Petitions	4	35	40	15	94	1901-12	22	51
Complaints (Reclamos)	13	--	--	--	13	1913-23	44	59
Protests	4	9	--	--	13	1925-38	40	33
Reports (Memoria les)	1	--	--	--	1	1940-48	15	24
Total	22	44	40	15	121	Total	121	167

Source: *La Gaceta* (1901-1948).

The fact that some presented more than one petition makes it clear that individuals in parties were gaining the experience and acquiring the knowledge of writing petitions. Of the seventeen individuals who presented two or more petitions between 1901 and 1948, two had been, or became, electors and eight had been, or became, deputies. Eight were lawyers, and two subsequently joined the legal profession.

Table 2 reveals that many petitioners had legal training and held elected office. Of the 167 individuals that presented the petitions between 1901 and 1948, 28 percent were members of the legal profession, either as real or alleged lawyers or law students. Furthermore, 13 percent had been, were, or subsequently became electors, and 34 percent had been, were, or subsequently became deputies. Since the occupational or professional status of 52 percent of the individuals presenting petitions is unavailable, the percentage of legal specialists among the petitioners could be higher than 28 percent. All of the petitioners were active in politics.

**Table 2**  
**Occupational Status and Political Experience of Petitioners, 1901-1948**

Occupation	1901-1912	1913-1923	1925-1938	1940-1948	Total	Legislative Deputies	Second-Stage Electors
Law	8	15	10	13	46	24	1
Agriculture	2	8	--	--	10	2	3
Commerce	2	4	2	--	8	1	2
Medicine	--	2	4	2	8	5	1
Industry	1	3	1	--	5	1	1
Education	--	1	1	1	3	2	--
Other	--	--	--	1	1	--	--
Unknown	38	26	15	7	86	22	14
Total	51	59	33	24	167	57	22

Source: *La Gaceta* (1901-1948).

Table 1 also presents information about allegations of electoral fraud by time periods, each of which is delimited by a major institutional or political transformation. During the first period, 1901 through 1912, voting took place in two stages, and parties submitted formal accusations of fraud in the form of complaints (*reclamos*), reports (*memorias*), and protests. Voting in the popular elections held every four years was public, but the electors chosen to meet in provincial electoral assemblies to select presidents and deputies cast their ballots in secret. During this period, suffrage rights--as commentators of the time liked to emphasize, and calculations of the voting age population from census records confirm--were universal for all males at least twenty-one years old. Though the 1871 constitution required citizens to possess property to be registered to vote, the vagueness of this restriction in an atmosphere of highly contested elections encouraged political authorities and parties to endow voting rights on virtually all adult males. Electors were required to have a specified amount of income and to be literate.<sup>12</sup>

During the second period, between 1913 and 1924, voting remained public, but citizens directly chose their representatives. The third period, which runs between 1925 and 1938, begins with the establishment of the secret franchise. Though the 1925 electoral law eliminated public balloting, the presence of party observers at polling stations allowed parties to furnish ballots to voters and robbed the secret franchise of much of its force. Only after the 1927 law, which bestowed the production of paper ballots on the secretary of the interior (*Gobernación*), did citizens possess the safeguards necessary to vote as they pleased. During the last period, 1940 through 1948, the law guiding electoral practice remained largely unchanged, but the increasing polarization of political competition relocated the geographical distribution of accusations of electoral fraud from the periphery to the center.

### The Geography of Electoral Fraud

Table 3 reveals that the chronological distribution of petitions was uneven. Because a petition was mainly a platform for multiple accusations against one or several polling stations, we identify the number of requests for nullification contained in the petitions. The 120 petitions issued between 1901 and 1946 contain a remarkable 1,100 accusations. Another 139 accusations were formulated during the tally of the vote conducted by provincial electoral juntas. We place each accusation in one of seven provinces, each of which we classify as being central or peripheral (see Figure 1).

**Table 3**  
Average Number of Legal Denunciations and Accusations of Fraud, by Election and Time Period, 1901-1948

Time Period	Number of General Elections	Midterm Legislative Elections	By Election	
			Average Number of Legal Denunciations	Average Number of Accusations
1901-1912 <sup>a</sup>	6	3	2.4	15.8
1913-1923	4	2	7.3	73.7
1925-1938	3	4	4.7	52
1940-1948	3	2	4.8	58.2
Total	16	11	4.5	45.9

<sup>a</sup> Between 1901-1912 three popular elections and six second-stage elections were held. First-stage elections were held every four years and the electors remained in their posts for four years. Only electors chose representatives in provincial electoral assemblies during this period.



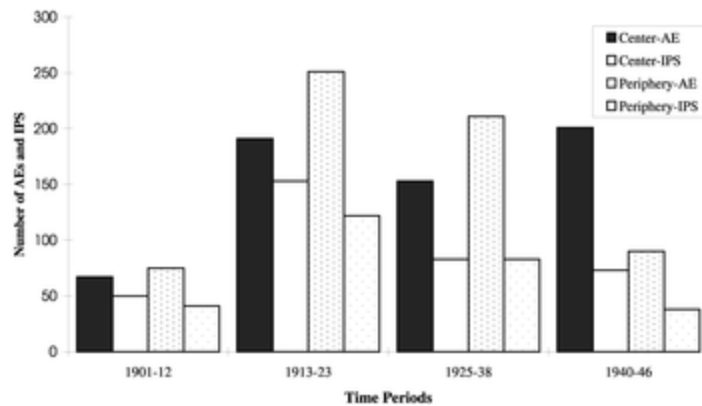


**Figure 1.** Map of Costa Rica

Then, as now, the four central provinces are Alajuela, Cartago, Heredia, and San José. Encompassed in a region known as the Central Valley, approximately 3,200 square km, this area held many of the country's small- and medium-sized producers of coffee, one of the Republic's principal exports. The mestizo population of the Central Valley was the principal beneficiary of the public health and educational reforms launched by liberals in the late nineteenth century. By 1927, for example, 69 percent of the population nine years of age or older was literate. In 1901, these provinces housed 80 percent of the electorate; by 1946, they contained 74 percent of the registered voters.<sup>13</sup>

In contrast to the center, the province of Guanacaste was populated by an impoverished peasantry and dominated by large-scale cattle ranchers and foreign mineral corporations. In the Atlantic coast province of Limón, agricultural workers labored, until the 1930s, on estates owned by the United Fruit Company. Whereas Guanacaste consisted of a mulatto and mestizo population, Limón held large numbers of English-speaking immigrants from the West Indies and a significant number of Nicaraguans. When United Fruit left Limón in the 1930s, the company settled in the Pacific Coast Province of Puntarenas, which was populated by a mestizo population of poor peasants and agricultural workers.<sup>14</sup>

In the peripheral and largely rural provinces, where the small number of indigenous peoples predominantly lived, education and public health services were less abundant. The 1927 census suggests that the literacy rate in Guanacaste and Puntarenas was 57 and 50 percent, respectively. In Limón, the literacy rate reached a high of 77 percent, in large part because many West Indians could read and write English. In 1901, only 20 percent of the electorate resided in the periphery; by 1946, this total increased slightly to 26 percent. Even though the departure of United Fruit encouraged out-migration, it was more than compensated by peasant agricultural colonization from the Central Valley.



**Figure 2.** Accusations Against Elections (ae) and Impugned Polling Stations (ips), by Regions and Time Periods, 1901-1946. SOURCE: *La Gaceta* (1901-1946).

Differences in social structure expressed themselves politically. According to Figure 2, the periphery, despite possessing the smallest share of the electorate, generated 50 percent of the accusations of electoral fraud between 1901 and 1912, 57 percent between 1913 and 1923, and 58 percent between 1925 and 1938. Figure 1 also identifies the locations of the polling stations assailed by party observers. It reveals that 45 percent of the polling stations called into question were located in the periphery between 1901 and 1912, 43 percent between 1913 and 1923, and 50 percent between 1925 and 1938. That the proportion of accusations typically surpasses the proportion of polling stations in the periphery where results were impugned indicates that electoral competition was intense and geographically concentrated.

With the exception of the 1940s, denunciations of fraud were concentrated in the poorest and least populated parts of the country. This trend is consistent with other research, which reveals that social conflicts were less intense and violent in the Central Valley than in the periphery. The findings reveal the existence of two different societies in Costa Rica. In addition to housing the most important urban centers, the center held significant numbers of small- and medium-sized coffee growers. Though the number of rural wage laborers increased throughout this period, many continued to have access to land.<sup>15</sup>

In contrast, social differentiation was much more pronounced in the periphery, where the laborers who worked the large cattle or banana estates were often completely landless. Possessing few economic resources and inhabiting an environment where acts of coercion were more commonplace, citizens in the periphery confronted parties, politicians, and electoral officials who were more apt to bend the law or commit outright acts of fraud to distort the will of the local, largely rural and illiterate, electorates. Unlike their counterparts in the center, citizens and parties of the periphery were not so able to defend themselves against the encroachments of electoral law perpetrated by their rivals.

Yet, it would be misleading to argue that social structure single-handedly determines the nature and spatial distribution of electoral fraud. As Figure 1 shows, parties reversed their traditional patterns by the 1940s. The percentage of accusations about fraud directed at events and circumstances in the center went from less than 50 percent to 67 percent between 1940 and 1946; the percentage of polling stations impugned in the center rose from less than 50 percent to 67

percent. Containing 74 percent of the registered electorate by 1946, the center, for the first time, began to experience its share of electoral fraud.

The unusually rapid increase in the frequency and intensity of fraudulent activity in the center during the 1940s was fuelled by a crisis concerning political succession. The 1927 electoral law's concentration of disciplinary authority over electoral matters, along with the responsibility for safeguarding the electoral registry, in the hands of the presidency produced a set of incentives too tempting for President Rafael Angel Calderón (1940-1944) of the National Republican Party (PRN) to ignore. Once the regime's popularity began to wane, the PRN employed the powers of the executive branch to prevent the opposition from increasing its Congressional representation and from electing its candidate to the presidency. Even though analysis of electoral results indicates that fraud was not solely responsible for Teodoro Picado's victory in 1944, the apparent scale of fraudulent activity scandalized many and stimulated the development of hardline sectors dedicated to overthrowing PRN governments through the use of force.<sup>16</sup>

The dramatic geographical shift in the concentration of fraud helps to explain why ballot rigging, which had always been so common in Costa Rican politics, became a rallying cry for the opposition during the 1940s. Once acts of political arbitrariness spread to the center, where most literate and sophisticated voters lived, it became a highly contentious issue, potent enough to create what became the central cleavage of Costa Rican politics. Although rural social structure explains the spatial distribution of allegations of fraud until the 1940s, the spread of practices from the periphery to the center is an argument against a sociological determinism to the effect that social structure and the ensuing nature of civil society unilaterally shape the rhythm and nature of electoral fraud. The very struggle for power, as shaped by institutional arrangements, can foment the behavior associated more with political polarization than with political moderation.

### The Nature of Electoral Fraud

Tables 4 and 5 present several qualitative measure of fraud. With the exception of the first period, most accusations of fraud were directed against polling stations, suggesting that a majority of irregularities were attributed to electoral authorities. Agents external to political competition, whether other state officials, landlords, or employers pressuring citizens to vote for their candidates, were not the principal targets of petitioners. Significantly fewer charges claim that voters were coerced into voting for a particular party or that polling stations were physically threatened. Such complaints increased from roughly 12 percent of all accusations between 1913 and 1923 to approximately 16 percent during the polarized atmosphere of the 1940s. Patróns (landlords), *gamonales* (local machine bosses), and other individuals with private interests rarely became the objects of direct, or indirect, attack in the petitions. Most of the charges of coercion were lodged against public authorities without any mention of private interests.

**Table 4**  
**Accusations of Electoral Fraud, by Type and Time Period, 1901-1946 (in Percentages and Numbers)**

Accusation	Time Periods				Total
	1901-	1913-	1925-	1940-	

	1912	1923	1938	1946	
Second-stage elector excluded	2.8% (4)	--	--	--	0.3% (4)
Second-stage elector not qualified to vote	7.8% (11)	--	--	--	11.9% (11)
Formal requirements for second-stage election violated	5.6% (8)	--	--	--	0.6% (8)
Second-state elections held outside of official time period	0.7% (1)	--	--	--	0.1% (1)
Authorities did not take an electoral census	0.7% (1)	0.2% (1)	--	--	0.2% (2)
Official coercion of second-stage electors	0.7% (1)	--	--	--	0.1% (1)
Official coercion of voters	0.7% (1)	10.9% (48)	5.5% (20)	11.3% (33)	8.2% (102)
Official coercion of polling station	3.5% (5)	0.9% (4)	0.8% (3)	4.8% (14)	2.1% (26)
Nonofficial coercion of voters	--	0.2% (1)	0.8% (3)	--	0.3% (4)
Official intimidation of voters	--	0.3% (3)	1.4% (5)	2.8% (8)	1.3% (16)
Nonofficial intimidation of voters	--	--	0.3% (1)	3.4% (10)	0.9% (11)
Officials' favoritism toward a party	45.1% (64)	3.9% (17)	5% (18)	3.1% (9)	8.7% (108)
Elected official not qualified for post	2.1% (3)	1.4% (6)	1.6% (6)	--	1.2% (15)
Purchase of votes	--	2.3% (10)	13.7% (50)	--	4.8% (60)
Liquor distributed on election day	--	1.1% (5)	2.5% (9)	2.4% (7)	1.7% (21)
Accusations against polling stations	30.3% (43)	73.5% (325)	65.1% (237)	68.7% (200)	65% (805)
Unknown	--	2.9% (13)	--	--	1.1% (13)

Other	--	2% (9)	3.3% (12)	3.5% (10)	2.5% (31)
Total	100% (142)	100% (442)	100% (364)	100% (291)	100% (1,239)

Source: *La Gaceta* (1901-1946).

**Table 5**  
**Accusations of Fraud against Polling Stations, by Type and Time Period, 1901-1946 (in Percentages and Numbers)**

Accusation	Time Period				Total
	1901- 1912	1913- 1923	1925- 1938	1940- 1946	
Inappropriate exclusion of voters	11.6% (5)	3.7% (12)	--	--	2.1% (17)
Party observer expelled or threatened	4.7% (2)	8.9% (29)	10.6% (25)	12.5% (25)	10.1% (81)
Absence of formal requisites	48.8% (21)	56.9% (185)	35% (83)	10.5% (21)	38.5% (310)
Voter cast more than one ballot	2.3% (1)	3.1% (10)	5.9% (14)	3% (6)	3.9% (31)
Placement of voting booth in an inappropriate place	2.3% (1)	3.1% (10)	3.4% (8)	1% (2)	2.6% (21)
Elections held outside of official time period	4.7% (2)	2.8% (9)	2.1% (5)	9.5% (19)	4.3% (35)
Voters did not meet requirements (too young not citizens etc.)	26% (11)	12.3% (40)	0.8% (2)	--	6.6% (53)
Voters prevented from casting ballots	--	1.2% (4)	--	--	0.5% (4)
Number of votes inflated	--	2.5% (8)	7.2% (17)	10% (20)	5.6% (45)
Number of votes exceeding number of voters	--	0.6% (2)	--	--	0.2% (2)
Elections not held	--	0.9% (3)	0.8% (2)	1% (2)	0.9% (7)

Votes not received	--	0.6% (2)	0.4% (1)	--	0.4% (3)
Substitution of votes permitted	--	3.1% (10)	9.3% (22)	18.5% (37)	8.6% (69)
Location of polling stations changed on election day	--	0.3% (1)	--	--	0.1% (1)
Voters intimidated	--	--	0.4% (1)	--	0.1% (1)
Ballots altered	--	--	3.4% (8)	--	1% (8)
Votes annulled	--	--	1.7% (4)	4.5% (9)	1.6% (13)
Number of ballots exceeding number of voters	--	--	3.8% (9)	7% (14)	2.9% (23)
Electoral identification rejected	--	--	3.4% (8)	--	1% (8)
Electoral identification not demanded of a citizen	--	--	0.4% (1)	--	0.1% (1)
Number of ballots not equal to number of identification cards	--	--	0.8% (2)	--	0.2% (2)
Ballots substituted	--	--	0.4% (1)	2% (4)	0.6% (5)
Electoral identification removed	--	--	2.1% (5)	3.5% (7)	1.5% (12)
Ballots removed	--	--	0.4% (1)	1% (2)	0.4% (3)
Ballot box altered	--	--	1.3% (3)	5% (10)	1.6% (13)
Voting was public	--	--	6.4% (15)	6% (12)	3.4% (27)
Vote tally conducted by unauthorized individuals	--	--	--	2% (4)	0.5% (4)
Electoral documentation not	--	--	--	1.5% (3)	0.4% (3)

surrendered for legislative elections					
Electoral documentation opened before election day	--	--	--	0.5% (1)	0.1% (1)
Electoral documentation collected by unauthorized individuals	--	--	--	0.5% (1)	0.1% (1)
Wrongfully counted absentee ballots from other provinces	--	--	--	0.5% (1)	0.1% (1)
Total	100% (43)	100% (325)	100% (237)	100% (200)	100% (805)

Source: *La Gaceta* (1901-1946).

This finding clashes with the portrait of electoral fraud found in Fallas' *Mamita Yunai*, a novel about life in Limón in the heyday of United Fruit, or in the writings of Sancho, the intellectual who wrote several scathing portraits of life in pre-reform Costa Rica. Like many commentators of Latin American public life or purveyors of folk wisdom about elections there, these authors suggest that peasants and other voters were corralled into polling stations and forced to vote for the candidates favored by their patróns or gamonales. Yet, the arbitrariness of electoral officials, not that of private interests, angered parties supervising the election-day activities and the tally of the vote.<sup>17</sup>

Parties and citizens both took advantage of the secret franchise in the mid-1920s, which restricted voters' control over parties, to buy and sell votes. Charges of fraud were especially commonplace during the late 1920s and much of the 1930s. But not even these charges surpassed more than 14 percent, or 50 out of 364, of the accusations between 1925 and 1938. It was simply too expensive to buy large numbers of votes and too difficult for parties to ensure that voters behave as expected. The problems associated with controlling voters under the secret franchise are evident in the outrage of a prosperous PR agriculturist about his loss of 2,000 *colones* in a bet that "his" canton would vote for Carlos Maria Jiménez, his party's candidate, rather than Cleto González of PUN, in the 1928 presidential election. He lambasted "his" voters as "sons of bitches, spoilers; with [his] beasts of burden, and the blue banner [of the PR], they voted for don Cleto."<sup>18</sup>

Table 4 suggests that a significant portion of accusations did not necessarily stem from efforts to distort the results of the ballot box, for example, in the case of efforts to disqualify victorious candidates and electors (until 1913) because they did not satisfy requirements of residency, nationality, or profession. Another important allegation concerned the distribution of liquor on election day. Though the sale of liquor was prohibited on election day, parties typically offered a celebratory drink to their supporters, especially in rural areas. Because we find no accusations

that voters arrived drunk at the polls, the use of liquor appears to have been an essential component of the *sociabilité* of the lower orders after voting.<sup>19</sup>

Grievances about the political partiality of public authorities also did not involve the accusation of fraud: for instance, one party's unfair use of the official telegraph or of official vehicles. Sometimes the charge was that parties were not policed with the same level of rigor. But there were also accusations of a more formal nature, including the absence of appropriate signatures and their flourishes (*rúbricas*). The range of the irregularities that parties denounced reveals the intensity with which they observed every stage of the electoral process. The thoroughness of their efforts also discloses their willingness to capitalize upon any infraction of electoral law for partisan advantage, no matter how minor the violation.

Table 5 presents information about the types of accusations lodged against polling stations. One immediately evident trend is that formal violations of the law--largely the absence of relevant signatures--predominated between 1901 and 1923, but declined in subsequent years, representing only 11 percent of all accusations between 1940 and 1946. That charges of a more serious kind began to increase suggests that the electoral competition began to rely more on blatant acts of fraud.

Another trend worth noting is that new types of accusations against polling stations arrived in the wake of the 1925-1927 reforms. Violations of the secrecy of the franchise, as well as the misuse of identification cards, paper ballots, and ballot boxes, now came under fire. A good example of this sort of fraud occurred in Cartago during the 1932 elections. According to Carlos Salazar Oreamuno, who requested that the votes obtained by the PRN in a polling station be annulled, "the election was held in the house of the local chief of the PRN, that is, on his farm called 'La Flora.' There was a place reserved for voters that contained a window for the purpose of coercing voters, from which don Alejandro González could check and encourage his workers to vote for Ricardo Jiménez." This period also witnessed a corresponding decrease in charges that voters had been unjustly excluded from electoral rolls; polling stations lost the ability to alter these lists after the creation of the Civic Registry in 1927. The 1927 electoral law transferred all responsibility of including or excluding names from electoral rolls to this central institution.<sup>20</sup>

### **Long-Term Trends in the Practice of Electoral Fraud**

To chart changes through time, we locate all accusations of fraud in one of two dimensions--the first being whether the act is, or is not, manifestly fraudulent, and the second measuring the intensity of the abuse exercised against voters. This procedure yields a comparative assessment of the 1,197 charges of fraud made between 1901 and 1946 according to their severity. This total does not include the forty-two accusations in which the nature of the fraudulent act remains unclear or which did not involve an accusation of fraud. When linked to their geographical locations, this classification generates the most complete portrait of electoral fraud possible.

We also classify the accusations by four categories. Category 1 contains all formal charges, including the absence of signatures and the late swearing in of polling-station members. Such accusations are not conclusive proof of the perpetuation of electoral fraud. No better example of a formal denunciation of electoral procedure exists than that lodged during the 1921 campaign in Limón, "where [the polling station] remained unassembled for long periods and where, for half



an hour, all of its members lunched in different places. [During their absence], they left the polling station in solitude." <sup>21</sup>

One curious feature of registering votes was the use of *comillas* (quotation marks). Before the franchise was made secret, *comillas* were often used by polling station officials to record any vote that was identical to the one cast immediately before it. Petitioners often claimed that this policy was illegal and could be used to inflate the number of votes obtained by their rivals. As in the lunch example, this type of violation could have been due to the carelessness or inexperience of polling-station officials; as such, it would not necessarily have favored one party over another. Nevertheless, defeated parties often exploited such shortcomings to impugn electoral results; 39 percent of all the accusations against polling stations between 1901 and 1946 were of this nature.

In the aftermath of the December 1923 presidential vote, for example, none of the three candidates obtained the absolute majority of votes needed to be declared the winner. In accordance with the constitution, the race was thrown into the legislature, where the new Congress--half the members of which had just stood for election--selected the president from the two candidates that obtained the largest number of votes in early May. Since congressmen were elected in each of seven multi-member districts through proportional representation (or through relative majorities if one or two seats were available in a province), the presidential outcome hinged upon the tally of the vote made by each provincial electoral council. <sup>22</sup>

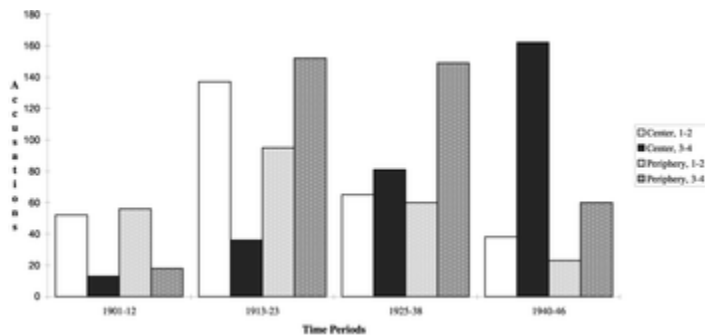
In 1923, the PR and Reformist Party (PR<sub>f</sub>) allied to form a majority on the provincial electoral council of Heredia to annul approximately 9 percent (or 589) of the provincial votes because of procedural violations. By doing so, the PR and the PR<sub>f</sub> also reduced the number of votes needed to obtain a deputy; in the absence of such a maneuver, the Agricultural Party (PA) would have obtained two deputies. Both the PR and the PR<sub>f</sub> also appear to have conspired to reorder the tally of the vote so that a PR candidate was selected as first alternate for Alajuela; this PR alternate became one of the members of the provincial delegation in Congress because of a deputy's resignation. By each obtaining an additional deputy, these two parties were able to muster the bare number of legislative votes to select Ricardo Jiménez, the Republican candidate, as president. <sup>23</sup>

Category 2 includes charges that officials acted unfairly but not necessarily fraudulently--for example, by placing a polling station closer to the headquarters of one party or distributing liquor on election day. Another common charge was that officials started or ended a polling station's hours of operation unlawfully. One unique infraction that belongs in this category was that made against the commander of the Saint Lucas Prison in Puntarenas during the 1921 midterm elections. According to the plaintiff, the commander used the prison boat "for the exclusive benefit of the party led by Francisco Aguilar. As a result, everyone could see Commander Guevara travel up and down the coast, openly drawing attention to his cause by transporting people interested in his candidate." <sup>24</sup>

Category 3 includes all those accusations that undeniably involved fraudulent practices, such as the false use of identification cards, the intimidation of voters, the removal of ballots from the ballot box, and the alteration of paper ballots in any way. A particularly noteworthy example is

the accusation made by a *prf* provincial leader in Guanacaste after the 1930 midterm elections: "The rain [*chorreo*] of votes was scandalous; even the dead voted."<sup>25</sup>

Category 4 encompasses all of the charges that involve the use of force or violence. These charges were especially common during hotly contested races. Held during the controversial presidency of Alfredo González (1914-1917), whose term was cut short by a military coup, the 1915 midterm elections were denounced by the opposition as fraudulent. A typical example occurred in the first district of the Canton of Moravia of San José, where members of the polling station claimed that from 6 a.m., when the voting began to elect deputies for San José, we noted the strong pressure exercised by the police against citizens. They forced them to vote for the governing ticket and were responsible for distributing ballots to citizens. When, by 2:05 p.m., the opposition had more votes than the government, a citizen presented himself to vote for the opposition. His vote, however, was rejected because the police had orders to prevent voting against the government.<sup>26</sup>



**Figure 3.** Accusations of Fraud, by Category (1-4), Region, and Time Period, 1901-1946. SOURCE: *La Gaceta* (1901-1946).

An overview of this information is presented in Figure 3, which confirms and clarifies the tendency noted in our qualitative assessment of electoral fraud. Of the total number of accusations from categories 3 and 4 between 1901 and 1912, 42 percent occurred in the country's center. This figure, however, may be an overestimate; the low number of formal accusations that exist for the center during this period undermines its representativeness. During the subsequent period, the center's share fell to 19 percent, but it increased to 35 percent between 1925 and 1938. The center was responsible for 73 percent of all accusations from categories 3 and 4 that took place between 1940 and 1946. [

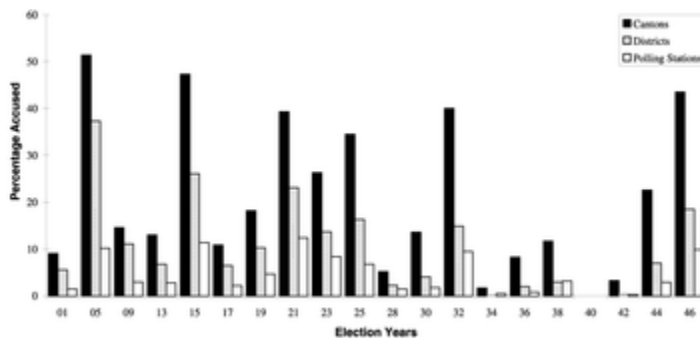
Even by controlling for geographical location, blatant acts of fraud become more commonplace with time. Approximately one-fifth of all accusations lodged in the center between 1901 and 1923 were category 3 and 4 accusations. This share increased to 55 percent between 1925 and 1938 and 81 percent during the 1940s. The rhythm of fraud was similar in the periphery, where 24 percent of all such accusations between 1901 and 1912 were of the two most severe types. This proportion increased to 62 percent in the following period. After 1925, category 3 and 4 accusations account for approximately 72 percent of all accusations of fraud.

This classification also reveals that the thrust of fraud changed with the approval of the secret ballot. Table 6 indicates that before the mid-1920s, parties strove both to increase their share of

the vote as well as to reduce the numbers of votes obtained by their rivals. Many of the accusations refer to vote deflation or inflation. In the era of the public ballot, the tactics of disqualifying voters, excluding them from the registry, or refusing to accept their votes made sense because parties, in every polling station, knew how well or badly they were doing throughout election day. But after the establishment of the secret franchise, parties did not know how they were doing until the ballots were counted. Attempting to deflate the vote totals of one's rivals became less useful than inflating one's own, by canvassing voters or otherwise. Once citizens could safeguard the privacy of their votes, parties tried to locate voters who would sell out. They also sought citizens willing to sell their voter-identification cards. These documents came into being with the 1927 electoral law, but their effectiveness was impaired because the government did not mandate the use of photographs on them until the late 1940s.

### The Magnitude of Electoral Fraud

Parties went to great lengths not only to manufacture fraud but also to document it. Indeed, the amount of information about ostensibly illegal and clandestine types of activity is staggering. Even if we accept the premise that petitioners--the vast majority of whom represented parties that lost elections--exaggerated claims of malfeasance, we still need to determine whether the fraud that the petitions allege to have occurred was extensive enough to overturn the results of the ballot box. Figure 4 indicates that the proportion of cantons--the jurisdictional units below that of provinces--where fraud supposedly occurred was greater than the share of districts and polling stations--spatial units at an even finer level of resolution--where it was perpetrated. Depending on the geographical sophistication of the petitioner, the extent of fraud could be magnified to attract political sympathy and to discredit adversaries.



**Figure 4.** Percentage of Cantons, Districts, and Polling Stations with Accusations of Electoral Fraud, 1901-1946. SOURCE: *La Gaceta* (1901-1946).

A good example of the political manipulation of geographical boundaries is provided by the 1905/1906 elections, which are infamous for the amount of fraud practiced against anti-government forces. Opposition parties impugned the results of slightly more than half of all cantons in popular elections. Yet, disaggregating these results discovers that only slightly more than one-third of the districts in these cantons had reports of fraud, and only 10 percent of polling stations in these districts were suspected of being crooked. Even during the period when voters had the fewest safeguards, it was difficult for parties to manufacture large numbers of false votes, despite their best efforts. What made these elections scandalous was not the violation of voters' rights but the rampant mistreatment of electors. Once the popular election results showed

that Cleto González, the official candidate, was short of the support of an absolute majority of the electors, President Ascención Esquivel either jailed or strong-armed 43 percent of them (371 of 855) before they met in the 1906 electoral assemblies.<sup>27</sup>

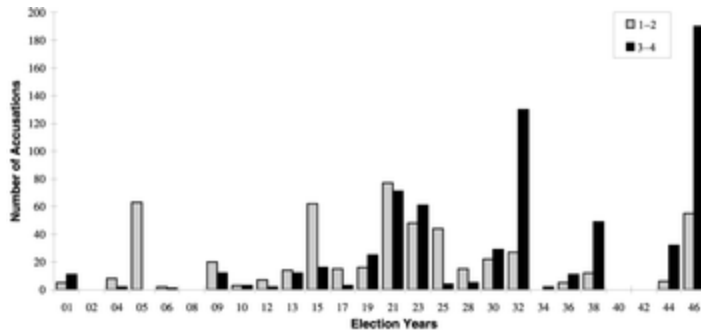
According to Table 7, fewer than fifty votes were at stake in approximately two-thirds of all the petitions that identify the number of questioned votes. Dividing the number of polling stations by the total number of votes between 1913 and 1946 reveals that the average polling station received slightly less than 100 votes. Most accusations of fraud impugned about half of the votes cast at the polling stations in question. If, to compensate for any underestimate of questioned votes, we assume that all of the votes cast in questioned polling stations were fraudulent and that the percentage of fraudulent votes is similar to the percentage of polling stations questioned, the conclusion is that only a handful of elections could have been affected by fraud.

**Table 7**  
**Number of Impugned Votes in the Accusations of Fraud, by Time Period, 1901-1946**

Impugned Votes	Time Period			Total
	1913-1923	1925-1938	1940-1946	
1-9	15	17	1	33
10-49	11	12	26	49
50-99	10	3	10	23
100+	10	3	10	23
Total	46	35	47	128

Source: *La Gaceta* (1901-1946).

Fraud could not have been responsible for most presidential victories because the difference between the votes for winners and losers was greater than 10 percent in eighteen out of twenty-one elections held between 1901 and 1946. One of these elections was completely without accusations of fraud. Another one had accusations, but no polling stations were questioned. In three elections, the percentage of polling stations that came under fire was less than 1 percent of the total; in eight, it hovered between 1 and 3.9 percent; in two, it oscillated between 4 and 4.9 percent of all polling stations; in three, it was between 7 and 9.9 percent. Only three elections saw the share of fraudulent votes reach 10 percent or higher, but only two elections (1905 and 1923) showed a difference in votes that was less than 10 percent. Hence, with only two exceptions, not even our liberal estimate of the magnitude of electoral fraud is sufficient to change the overall result of presidential elections. Moreover, it is important to note that in the 1,197 accusations, 44 percent, or 524, belong in category 1 or 2. A good portion of the polling stations were cited for irregularities not necessarily the product of fraudulent design, especially between 1901 and 1923, when most accusations were from category 1 or 2. Figure 5 shows election year variations in such activity.



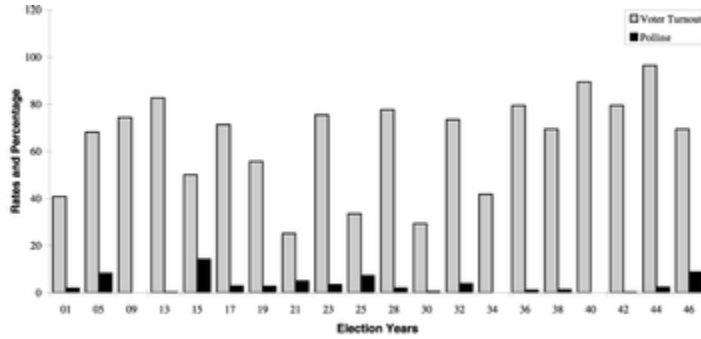
**Figure 5.** Accusations of Electoral Fraud Ranked by Categories (1-4) and Magnitude, 1901-1946. SOURCE: *La Gaceta* (1901-1946).

For all of the ink spilled describing ballot rigging, fraud was not the determining factor of most elections in pre-reform Costa Rica. The discourse of fraud was always larger than its reality. Even with generous assumptions, its impact was slight, varying by time and place. It reached its peak before 1913, when indirect elections allowed presidents the opportunity to identify and jail a relatively small number of electors. After the establishment of direct elections, however, it became virtually impossible to steal a presidential election. As a rule, it was easiest to manipulate the results of a midterm election in the periphery where the turnout was lowest. Winning a few extra deputies here and there, as the 1923 legislative election most clearly demonstrates, could help parties to amass the majorities necessary to pass laws, and, until 1926, when a popular runoff between the two runners-up replaced a Congressional runoff, it could determine who gained control of the presidency. But, in general, the extent of electoral fraud was limited.

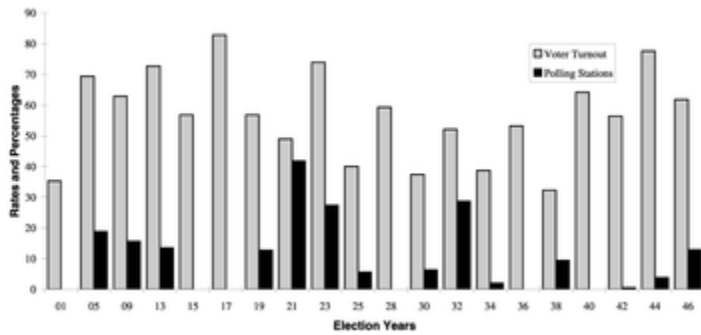
Why all of the fuss about it? For one thing, even as it became more difficult to shape election outcomes, well-organized parties could try, and perhaps even succeed, to win a few extra votes here and there, particularly in local politics, where fraud could be deployed to alter municipal and legislative results. The possibility of gaining advantage through underhanded maneuvers was enough to unsettle most parties and to augment uncertainty in what were typically competitive elections. That parties could blame their defeat at the polls on the fraudulent activities of their rivals furnishes the second reason why denunciations of fraud persisted despite the fact that electoral legislation became fairer. It was a rational strategy to claim that fraud had decisively shaped electoral outcomes, regardless of what parties knew or believed.

The magnitude of fraud was not uniform throughout the national territory. Of the 1,239 accusations of fraud presented between 1901 and 1946, 51 percent, or 627, of the total denounced irregularities were committed in the periphery. In fact, between 1901 and 1938, the largest portion of accusations was concentrated in outlying Guanacaste, Limón, and Puntarenas. Furthermore, when comparing the percentage of questioned polling stations with voter turnout rates, trends in the center and the periphery are different, though not remarkably so. In the center, fraud was more prevalent in midterm elections, when turnout typically reached its lowest point; between 1913 and 1946, turnout in such elections averaged 52 percent. In contrast, during general elections, turnout reached an average high of 80 percent. In the periphery, even though midterm elections saw the highest rates of accusations lodged against polling stations, serious accusations increased during the general elections that took place between 1925 and 1938, when

the average turnout rate was 55 percent--a drop of 8 percentage points from the average midterm election-turnout rate. These trends are displayed by figures 6 and 7.



**Figure 6.** Voter-Turnout Rates and the Percentage of Polling Stations Alleged to Be Fraudulent in the Center, 1901-1946. SOURCE: *La Gaceta* (1901-1946).



**Figure 7.** Voter-Turnout Rates and the Percentage of Polling Stations Alleged to Be Fraudulent in the Periphery, 1901-1946. SOURCE: *La Gaceta* (1901-1946).

As the data in Table 8 show, the percentage of questioned polling stations was usually smaller in the center than in the periphery, and the percentage of category 3 or 4 accusations was always greater in the periphery than in the center between 1901 and 1938. Nevertheless, the two most severe types of fraud occurred less frequently in midterm than in general elections. The percentage of polling stations questioned might have been greater in midterm than in general elections for the entire country, but the most fraudulent electoral practices occurred when presidential and legislative elections were held simultaneously in the periphery.

**Table 8**  
**Voter Turnout Rates (T), Impugned Polling Stations (IPS) and the Severest Categories of Fraud (C3-4), by Provinces and Time Periods, 1901-1946**

Provinces	General Elections											
	1901-1912 <sup>a</sup>			1913-1923			1925-1938			1940-1946		
	T	IPS	c3-4	T	IPS	C3-4	T	IPS	C3-4	T	IPS	C3-4

Provinces	Midterm Elections											
	1901-1912 <sup>a</sup>			1913-1923			1925-1938			1940-1946		
	T	IPS	c3-4	T	IPS	C3-4	T	IPS	C3-4	T	IPS	C3-4
SJ, A, C & H	61.7	3.3	19.0	71.1	2.3	22.6	76.9	2.3	71.4	93.0	1.3	88
G, P & L	56.9	11.7	22.6	71.4	13.9	65.9	54.6	9.2	80.2	71.3	2	76.9
SJ, A, C & H				37.1	9.3	19.8	44.9	2.2	26.2	74.2	4.7	80
G, P & L				52.6	22.2	56.5	36.7	5.9	67.3	59.3	7.1	71.4

<sup>a</sup> Indirect elections. During midterm elections electors chosen during the most recent general elections selected deputies in provincial electoral assemblies.

Note: SJ = San José; A= Alajuela; C = Cartago; H = Heredia; G = Guanacaste; P = Puntarenas; L = Limón.

Source: *La Gaceta* (1901-1946).

These divergences stem from the distinct strategic environments presented by the center and the periphery. As we have seen, higher rates of urbanization and of literacy in the core areas of the country encouraged parties to mobilize voters, monitor polling-station behavior, and stuff the ballot box. Until the 1940s, mobilizing voters and policing the behavior of rivals kept down levels of electoral fraud in the center, especially since this area had the largest share of public offices. Only in midterm elections, when interest in elections declined, did the relative weight of fraudulent activity increase in the center. In the periphery, however, general elections were the more fraudulent because they were the most pivotal. Parties perpetrated acts of fraud there because the citizens, who were more economically disadvantaged and geographically isolated, enjoyed fewer of the safeguards that existed in the core areas of the country.

Far from being a randomly occurring event, electoral fraud followed a logic that was geographically and institutionally based. Because it had a recognizable set of dynamics, it can be studied systematically: Accusations can be classified and counted; numbers of impugned votes can be totalled and spatially located; and rival hypotheses about its development and significance can be evaluated. This article demonstrates that students of pre-reform political systems can, and probably should, identify archival and newspaper sources containing allegations of electoral fraud. The study of electoral fraud is crucial to an understanding of how regimes stay in power, how opposition movements combat them, and how citizens and politicians interact to select their governments.

What is also clear from our analysis is that institutional reform changed political behavior. The often elaborately complex deals struck by presidents and legislators to reform electoral laws were not merely rhetorical performances for newspapers and commentators in the capital. They involved an enormous amount of calculation, persuasion, and expenditure of resources, and they

profoundly shaped the strategies that parties employed to attract the support of an increasingly literate male electorate. In highly competitive races, parties faced powerful incentives to manufacture fraud *and*, interestingly enough, equally compelling ones to exploit every opportunity to denounce it, as is evident from the petitions to nullify electoral results and related legal material.<sup>28</sup>

Yet, the rules governing access to state power were not the only set of constraints shaping the practice of electoral fraud. The multiplicity of ways in which social structure and cultural and political practices interacted to affect human behavior in particular geographical regions had a pronounced impact on the nature and frequency of electoral fraud. The most blatant and coercive types of fraud occurred in the periphery, where large-scale plantation agriculture and cattle ranching was concentrated, even though this area contained only about one-fifth of the electorate. Individuals there were unable to muster the resources to ensure that parties followed the letter of the electoral law. The center of country, however--with its urban areas and important strata of small- and medium-sized coffee producers--was able to sustain a civil society more capable of policing electoral behavior.

Far from being merely the reflection of socially based disputes, however, the attempt to stuff the ballot box was shaped by the nature and logic of the struggle for state power. Indeed, fraud increased, both in general and in the center, during the 1940s when incumbent presidents used the powers of their office to retain their party's grip on the state. Whether such efforts, as the opposition claimed, were responsible for the PRN's continued domination throughout much of the 1940s is far from clear; Picado's victory in 1944 may have been helped, but not necessarily been caused, by officially sponsored acts of fraud. In the context of an effective system of private voting rights, those who were disposed to manufacture fraud in the center clearly could not avoid being detected. The heavy-handed use of state power for partisan advantage enraged the opposition and created a sector dedicated to overthrowing the government through the use of force. The very struggle for retaining control of the presidency fuelled the development of a political crisis that served to shift the locus of fraud from the periphery to the center. Arguments about the sources of ballot rigging must pay attention to their social settings *as well as* to their institutional underpinnings.<sup>29</sup>

Factoring in the importance of institutional arrangements is the only way to make sense of the long-term increase in the accusations of electoral fraud. Paradoxically, parties started spending more time denouncing acts of fraud just when electoral legislation was making such acts more difficult to commit. It would have taken fraud of category 3 or 4 severity to change the results of the ballot box, but this was precisely the type that became easier for parties to document and denounce. Once these kinds of acts became commonplace in the Central Valley, where the vast majority of voters lived in closely linked communities, they became widely perceived as scandalous.

Discussing the "reality" of fraudulent political practice is a tricky business because perpetrators were hardly eager to leave traces of it for posterity. What makes the petitions to nullify electoral results so valuable is that, like most crime statistics, they are not based on the disclosures made by the actual perpetrators of fraudulent acts. Hence, we do not have to worry about underreporting. Shame, however, hardly prevented the parties from denouncing each others'



behavior. Precisely because petitions were written by those who stood to gain if fraud were to be detected, they may well have overestimated its extent. Indeed, highly competitive races provided incentive for parties to exaggerate the deviousness of their adversaries.

Yet, several factors constrained the behavior of petitioners. Unlike newspaper columnists, petitioners had to document their charges. Electoral law required them to identify and describe infractions, as well as submit proof of their occurrence. Furthermore, not every party had the capacity to coordinate teams of election observers and lawyers to prepare the petitions within the time permitted by law. Perhaps the single most telling indication of the petitions' validity is that even a generous evaluation of them indicates that fraud was not responsible for determining the outcome of the vast majority of presidential elections.

Partisan interests are also expressed by what the petitions do not say. It is highly revealing that none of the legal petitions before 1913, when direct elections were established, ever concerned how ordinary males voted for electors. Instead, they focus on the manipulation of second-stage electors, who had to meet literacy tests and stiff property requirements, by an incumbent president. Though newspapers contained scattered reports of abuses during popular elections before 1913, legal complaints concentrate on irregularities at the second stage because in those days, elections were controlled by coercing hundreds of electors, not thousands of voters.

It is equally significant that the petitions never express any reservations about the absence of safeguards for voters before the effective establishment of the secret franchise in 1927. What both lacunae reveal is that parties were more worried about falling behind their competitors than about instituting safeguards for voters. Indeed, the absence of any complaints about the ability of parties to monitor "their" share of the electorate reflects both the interests of parties and the undoubtedly widely held belief that parties should know how "their" voters were behaving at the polls. Finally, it is important to note that the petitions devote little space to the illegal traffic in identification cards before the establishment of the photographic cards in 1946.

For all of the time and effort that parties took to decry it, the effectiveness of fraud was more apparent than real. Although fraud could dramatically alter the outcome of races at the local level, at the aggregate level, it had much less an influence on the results of presidential elections or the overall balance of power in Congress. After the elimination of two-stage elections, fraud was clearly decisive in only the 1923 presidential race. This curious finding suggests that parties found themselves increasingly caught in a collective-action problem. The unilateral use of fraud may have held the promise of helping a party to win an election, but its use by all created a stalemate or even a disadvantage for particular parties; fraud could conceivably have snatched defeat from what might have been victory in a fair election. Moreover, even for victors, the widespread use of fraud, or the mere suspicion of it, might rob them of legitimacy and threaten to destabilize their regimes.

## Notes

1. For two recent efforts that ignore or downplay the role played by institutional arrangements in Central American political development, see Jeffrey Paige, *Coffee and Power: Revolution and the Rise of Democracy in Central America* (Cambridge, Mass., 1997); Deborah J. Yashar, *Demanding Democracy: Reform and Reaction in Costa Rica and Guatemala, 1870s-1950s*

(Stanford, 1997). Two standard works that dismiss pre-reform systems as "oligarchic" are Ruth Berins Collier and David Collier, *Shaping the Political Arena: Critical Junctures, the Labor Movement and Regime Dynamics in Latin America* (Princeton, 1991); Dietrich Rueschemeyer, Evelyne Huber Stephens, and John D. Stephens, *Capitalism and Democracy* (Chicago, 1992). For a recent discussion of this shortcoming for Latin America more generally, see Jonathan Hartlyn and Arturo Valenzuela, "Democracy in Latin America since 1930," in Leslie Bethell (ed.), *Latin America: Politics and Society since 1930* (New York, 1998), 3-66.

2. Lehoucq, "The Institutional Foundations of Democratic Cooperation in Costa Rica," *Journal of Latin American Studies*, XXVI (1996), 329-355; *idem*, *Instituciones democráticas y conflictos políticos en Costa Rica* (San José, 1998).
3. Molina, "'Destacen ustedes dos': Práctica e ideología del fraude electoral en la Costa Rica de 1928," in Margarita Vannini and Francis Kinloch (eds.), *Memoria: Política, cultura y sociedad en Centroamérica, Siglos XVIII-XX* (Managua, 1998), 95-107.
4. The logic of using charges of fraud to justify armed revolt against central state authority is discussed in Lehoucq, "Institutional Foundations," 335-341.
5. Peter H. Argersinger quotes four scholars of United States politics, including W. Dean Burnham, who claim that fraud is an intractable problem to study. See his "New Perspectives on Election Fraud in the Gilded Age," in *idem* (ed.), *Structure, Process and Party: Essays in American Political History* (New York, 1992), 107-108. For a similar statement from a historian of Argentina, see Paula Alonso, "Politics and Elections in Buenos Aires, 1890-1898: The Performance of the Radical Party," *Journal of Latin American Studies*, XXV (1993), 473. For works that refer elliptically to fraud, see Richard Graham, *Patronage and Politics in Nineteenth-Century Brazil* (Stanford, 1990), esp. 133-145; Frank O'Gorman, *Voters, Patrons and Parties: The Unreformed Electoral System of Hanoverian England, 1734-1832* (Oxford, 1989). The revival of interest in electoral politics and the prevalence of fraud in pre-reform Latin America is evidenced by a growing number of works. See, in particular, Eduardo Posada-Carbó, "Limits of Power: Elections under the Conservative Hegemony in Colombia, 1886-1930," *Hispanic American Historical Review*, LXXVII (1997), 245-279; *idem* (ed.), *Elections Before Democracy: The History of Elections in Europe and Latin America* (New York, 1996); *idem*, "Elections and Civil Wars in Nineteenth-Century Colombia: The 1875 Presidential Campaign," *Journal of Latin American Studies*, XXVI (1994), 621-649; Vincent C. Peloso and Barbara A. Tenenbaum (eds.), *Liberals, Politics and Power: State Formation in Nineteenth-Century Latin America* (Athens, 1996); Antonio Annino (ed.), *Historias de las elecciones en Iberoamérica, siglo XIX* (Buenos Aires, 1995); Carlos Malamud (ed.), *Partidos políticos y elecciones en América Latina y la Península Ibérica, 1830-1920* (Madrid, 1995); Hilda Sabato, "Citizenship, Political Participation and the Formation of the Public Sphere in Buenos Aires, 1850s-1880s," *Past & Present*, 136 (1992), 139-163; *idem* and Elías Palti, "¿Quein votaba en Buenos Aires? práctica y teoría del sufragio, 1850-1880," *Desarrollo Económico*, XXX (1990), 395-424; Jorge Bassadre, *Elecciones y centralismo en el Perú: Apuntes para un esquema histórico* (Lima, 1980); Natalio R. Botana, *El orden conservador: la política argentina entre 1880-1916* (Buenos Aires, 1979); Germán O. E. Tjarks, "Las elecciones salteñas de 1876 (en estudio del fraude electoral)," *Anuario de Historia*, I (1963), 417-475.
6. Gary W. Cox and J. Morgan Kousser, "Turnout and Rural Corruption: New York as a Test Case," *American Journal of Political Science*, XXV (1981), 646-663; O'Gorman, *Voters, Patrons and Parties*, 166-168; Loomis Mayfield, "Voting Fraud in Early Twentieth-Century Pittsburgh," *Journal of Interdisciplinary History*, XXIX (1993), 59-84.

7. Argersinger, "New Perspectives."
8. República de Costa Rica, *Decretos relativos a elecciones, instrucciones para practicar las de segundo grado, conforme al sistema de voto proporcional numérico y división territorial electoral* (San José, 1893), 29.
9. *Idem*, "Ley de elecciones (7 August 1913)," *Colección de Leyes y Decretos, 1913* (San José, 1914), 310-311.
10. From the twenty elections between 1901 and 1946, we exclude the deputy and senate elections held during the Tinoco dictatorship (1917-1919).
11. "Demanda de nulidad de las elecciones presidenciales del 13 de Febrero de 1944 (24 Febrero 1944)," *La Gaceta*, 56 (March 8, 1944), 386-387. The petition written after the 1944 election was signed by León Cortés, Manuel Castro Quesada, Ricardo Castro Beeche, Víctor Trejos, Lucas R. Chacón, Emilio Valverde, Roberto Salazar Mata, Benjamín Hernández, Gonzalo Martínez, Alfredo Castro Fernández, Francisco Jiménez Rodríguez, Celio Romo, and Manuel Antonio González Herran. The documentary appendixes were not printed along with this request for nullification.
12. Lehoucq and Molina, "The Size of the Costa Rican Electorate during the Old Republic (1897-1948): Methods and Findings," unpub. paper (San José, 1997).
13. On the Central Valley, see, in particular, Víctor Hugo Acuña and Molina, *Historia económica y social de Costa Rica (1750-1950)* (San José, 1991); Carolyn Hall, *El Café y el desarrollo histórico-geográfico de Costa Rica* (San José, 1976); Lowell Gudmundson, *Costa Rica Before Coffee: Society and Economy on the Eve of the Export Boom* (Baton Rouge, 1987); *idem*, "Peasant, Farmer, Proletarian: Class Formation in a Smallholder Economy, 1850-1950," *Hispanic American Historical Review*, LXIX (1989), 221-257; Molina, *Costa Rica (1800-1850): el legado colonial y la génesis del capitalismo* (San José, 1991); Mario Samper, *Generations of Settlers: Rural Households and Markets on the Costa Rican Frontier, 1850-1935* (Boulder, 1990).
14. Marc Edelman, *The Logic of the Latifundio: The Large Estates of Northwestern Costa Rica since the Late Nineteenth Century* (Stanford, 1992); Ronny Viales, *Después del enclave* (San José, 1998).
15. Acuña, *Los orígenes de la clase obrera en Costa Rica: las huelgas de 1920 por la jornada de ocho horas* (San José, 1986), 61-63; *idem*, "Clases subalternas y movimientos sociales en Centroamérica (1870-1930)," in *idem* (ed.), *Historia General de Centroamérica: La repúblicas agroexportadoras* (Madrid, 1993), 288.
16. See Lehoucq, "The Origins of Democracy in Costa Rica in Comparative Perspective," unpub. Ph.D. diss. (Duke University, 1992), 162-336; *idem*, "Class Conflict, Political Crisis and Democratic Practices: Reassessing the Origins of the 1948 Civil War," *Journal of Latin American Studies*, XXI (1991), 37-60.
17. Carlos Luis Fallas, *Mamita Yunai* (San José; orig. pub. 1941); many editions have since appeared. For a scathing portrait of Costa Rica and its political system, see Mario Sancho, *Costa Rica, Suiza centroamericana* (San José, 1935).
18. Contrary to Cox and Kousser, who suggest that deflating turnout was a rational strategy given the principal-agent problems of monitoring the behavior of voters after the establishment of the secret franchise, we find no reports that parties paid voters to stay home. See Cox and Kousser, "Turnout and Rural Corruption," 655-661. Jaime Cerdas Mora, *La otra vanguardia* (San José, 1993), 42. Cerdas Mora was a leader of the Communist Party. Translation from the Spanish is by Lehoucq, here and in the paragraphs to follow.

19. Our findings echo those of Maurice Agulhon, *Historia vagabunda: ethnología y política en la Francia contemporánea* (Mexico, D.F., 1994), 54-85.
20. Jiménez became president, even though no candidate won an absolute majority of the vote in the popular election. On February 22, 1932, Oreamuno, a pharmacist, called for the nullification of polling station 4, the District of Tucurrique and Las Vueltas in the Canton of, curiously enough, Jiménez in Cartago. See *La Gaceta*, 84 (April 21, 1932), 451.
21. The quoted accusation was made by Miguel Angel Velázquez on December 12, 1921 against a polling station in the District of Estrada, Canton of Matina, Limón. *La Gaceta*, 18 (January 22, 1922), 68.
22. Each province sent a small number of alternates to Congress to replace deputies who had been excused for reasons of health or who were otherwise indisposed. These alternates, however, could not help fill quorums or assume specific roles. For more details on electoral laws during this period, see Lehoucq, "Origins of Democracy," 61-63.
23. For the petition, see *La Gaceta*, 83 (April 16, 1924), 371-374. Accounts that place these events in perspective include Victoria Ramírez, *Jorge Volio y la revolución viviente* (San José, 1989), 112-150 and Mario Samper K., "Fuerzas sociopolíticas y procesos electorales en Costa Rica, 1920-1936," *Revista de Historia* (San José), 19 (January-June 1989), 157-222.
24. This accusation was made on December 10, 1921 by Francisco Conejo Calva. *La Gaceta*, 19 (January 24, 1922), 72. Aguilar had been named temporary president in 1919 when the Tinoco dictatorship came to an end.
25. *La Gaceta*, 96 (April 30, 1930), 618. *Chorro* was slang for a rain of fraudulent votes at a single location. It could, for example, include surreptitiously stuffing a ballot box or amassing voters with illegal identification cards to cast ballots.
26. This charge was made on December 5, 1915. *La Gaceta*, 2 (January 5, 1916), 9.
27. Orlando Salazar Mora, *El apogeo de la república liberal en Costa Rica, 1870-1914* (San José, 1990), 219-220. The petition itself was published in *La Gaceta*, 102 (May 5, 1906), 419-420.
28. Lehoucq, "Institutionalizing Democracy: Constraint and Ambition in the Politics of Electoral Reform," paper presented at the annual meetings of the American Political Science Association, August 28-31, 1997, Washington, D.C.
29. *Idem*, "Origins of Democracy," 187-194.