

The Nature of Franchise and Elections in Goa during the Nineteenth Century

Carmen Sharmila Pais* and N. Shyam Bhat**

Abstract

One of the most endearing reforms conceded to Goa and other overseas colonies of Portugal during the constitutional period as a consequence of the liberal changes in 1820 in Portugal was the system of representation at various levels of administration. A study of elections shows that the electoral system and the nature of franchise had evolved over several decades during the nineteenth century. In fact, the system of election and the representation of people during the nineteenth and twentieth centuries constitute unique features in the administration of colonial Goa. Interestingly, colonial Goa had experienced representative government much before British India. The present paper is an attempt to critically examine the nature of enfranchisement and election that prevailed in Goa against the background of the political system in Portugal and the Portuguese legislations in Goa. A study of the system of election followed in Goa reflects the political trends in Portugal and Europe. It also shows the colonial character of the Portuguese rule in Goa.

Keywords: Assemblies in the Parishes, Census Commission, *Côrtes*, Deputado, Domicile, Franchise, Home Government, Municipality, Plurinominal, Uninominal

Many political theorists look upon elections as the nucleus of democracy because they consider the opinion of the people and allow their participation in the decision making process. This trend of 'Greater Participation' became popular since the seventeenth century, when ideas of liberalism enlarged enfranchisement and permitted more people to participate in the political affairs of the state. However, the nature of franchise followed from the eighteenth to the mid-twentieth centuries in most countries of the world, was largely restricted. This was because critics in the West were divided upon the issue of who should be allowed to vote and represent the community. While some conceded franchise to all adult citizens, others advocated requisites of education, competence and payment of taxes as criteria for franchise. Therefore, it was along these lines of restricted franchise that Goa as a colony

*Research Scholar, Department of History, Goa University, Goa, India

** Professor of History, Department of History, Goa University, Goa, India

of Portugal was bound by the rules of suffrage from 'the mother country' during the nineteenth century.

The system of representative government was introduced in Goa in December 1821 along the lines of Portugal. The political transition brought about by the Constitution of 1822 had constrained the powers of the Portuguese king and allowed a wider participation of the people in the administration of the country. Traditionally, the Portuguese king, who met with the 'Estates of the Realm' in the *Côrtes* or the Parliament at his will, was now dependent upon the elected representatives of the entire Portuguese dominions, to exercise the legislative functions under the constitutional monarchy.

As a colony of Portugal, Goa was also introduced to the system of elections and could send its representatives to the Parliament in Lisbon. In a royal decree sent to the overseas colonies by King John VI in 1822, the importance of the process of elections in choosing representatives to the administrative positions was reinforced (*Gazeta de Goa*, 1822: No.9). As a result, the system of constituting an unicameral legislature with a Chamber of Deputies in the Parliament, as per the Constitution of 1822, was transformed into a bicameral legislature, by the Constitutional Charter of 1826. This system lasted till the establishment of the Republic in Portugal in 1910 (Eduardo de Faria, 1850).

The rules governing elections and enfranchisement in Goa were dictated from Portugal. They were despatched on board the shipping vessels coming to Goa in *malas* or baggage. Most of the instructions were common to Portuguese dominions and the overseas provinces. However, the decrees were sometimes modified to suit the conditions of the colonies (M.V. Abreu, 1862: pp.84-4: Constitution of 1822, Article 30: Constitutional Charter 1826, Article 12). But, it would be very utopian to suggest that Goa enjoyed the same prerogatives as the colonising power. While the constitutional developments in the West accepted that representative government was a necessary sign of liberty, the colonised people in Africa and Asia were often considered 'unsuited' to such a system since they were not politically awakened, not united, and could not cope with the representative institutions.

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Rules Governing Franchise in Goa

The rules of enfranchisement for the Goans to qualify for these elections both as voters and representatives were based upon the guidelines laid down by Portuguese constitutions as well as the electoral decrees and regulations introduced in Portugal at regular intervals during the nineteenth century. In fact, they were also similar to those existing in other parts of Europe, where similar experiments were undertaken in representative democracy. The suffrage was limited to a select body of people and was determined by factors of citizenship, domicile, educational qualifications and income from property. The initial idea that every citizen had the right to vote had followed logically from Rousseau's doctrine of the General Will in the Social Contract (Carole Pateman, 1970: 2). But leaders in Europe were not yet willing to experiment with this theory for several reasons. Firstly, the Western world was not yet ready to commit itself with the power of the masses on account of their illiteracy. Secondly, the vested interests of the traditionally elite class, made them unwilling to let go their coveted positions from the society so easily. Moreover, acclaimed writers as well as theorists of the nineteenth century such as John Stuart Mill, Henry Sidwick and Bluntschli and others had not yet advocated universal franchise (R.N. Gilchrist and C.S. Srinivaschiar, 1964: 284-85). Besides, the concept of modern constitution or the rights of the sovereign, which evolved in the writings of Thomas Hobbes, Jean-Jacques Rousseau, and John Locke had recommended certain limits on the sovereign of the state and its officials, but, most importantly, they recommended only a select group of people for a share in the government (Thomas Hobbes, 1972: 177-186).

The franchise in Goa, as in the other parts of the Portuguese Empire, depended upon qualifications of age, education, taxation and other factors. The educated elite of Goa also shared similar views. To cite an instance, Francisco Luis Gomes, the well-known parliamentarian of Goa, and arguably one among the most vociferous ones, also admitted the wisdom in having limited franchise. In this respect, Gomes was influenced by the ideas of the French writer Alfonse Louise Lamartine, who also believed that the citizen who exercised the right to vote, was required to show that he had all the qualifications which would guarantee the judicious and independent use of his vote (*Selected Works of Francisco Luis Gomes*, 1931: 353). The regulations governing the eligibility of a contestant in the Parliament remained consistent

till the establishment of the Portuguese Republic with some minor changes. They can be understood from constitutional and electoral decrees passed during the nineteenth and the twentieth centuries, which also indicated conditions like citizenship, age, property and educational qualifications.

Citizenship

The criterion of citizenship was of utmost importance for a voter, as well as a representative contesting the election in the parliament, because it was regarded as the best formal indication of loyalty to one's country. This requirement rested upon the conviction that only people loyal to the nation should be permitted to vote in its elections (Austin Ranney, 1971: 268). The criterion of Portuguese citizenship was laid down by all the constitutions of Portugal as well as the electoral laws of the nineteenth century. The subjects of all the dominions of Portugal were citizens. Every constitution of Portugal as well the electoral decrees explained the criteria for citizenship (Constitutions of 1822, 1826, 1838, 1852, Civil Code 1867 *et.al.*)

Domicile

At the beginning of the democratic experiment, the condition of domicile was applicable to a voter as well a candidate seeking to be elected in an administrative office. A voter for example, had to be a resident of the electoral division in which he contested. Similarly, a *deputado* (a parliamentarian) was also required to have been domiciled at least for seven years at the place where he sought to be elected. Under this criteria, Lima Leitão, an European, who did not find favour with the Portuguese community was considered to be unqualified in the Parliamentary election of 1822 (M.V. Abreu, 1962: 88). The *Carta Constitucional* or the Constitution of 1826 (*Direito Constitucional Portuguez* 1879: 83) did away with the criterion of domicile for a deputy. Thus, when elections were held in Goa in 1827 for the second time, domicile of a representative or a voter was not considered. Accordingly, any citizen of the Portuguese Empire was allowed to exercise franchise, and contest elections. A decade later, the Constitution of 1838 partially re-introduced the rule of domicile (Constitution of 1838, Article 76). Sometimes a voter could seek to transfer his domicile to another district, after informing the concerned authorities (the municipality) in advance (*HAG*: 1846: 325). The Instructions of 12 August 1847 as well as the subsequent laws of the nineteenth century abolished the earlier reservations on domicile (Decree No. 2679, 1853: 29: *Carta da Lei*,

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1899: 13). This rule favoured the Europeans to contest elections in Goa. During the nineteenth century, evidence shows that the Portuguese nationals won more elections than the natives themselves. In the election of 1858, Antonio Rodrigues Sampaio contested from the electoral circle of Goa, because he was deliberately kept out from the politics of Portugal for political reasons. Interestingly, he secured 5980 votes, and was the second most voted candidate in this election. From 1822 to 1895, Portuguese India conducted 29 parliamentary elections. During this period around 101 seats were contested by the candidates. The findings show that the Portuguese dominated the electoral scene in Goa, followed by the native Goans and the Luso-descendants.

Taxation and Property Qualifications

According to the authors of *Calculus of Consent: Logical Foundation of Constitutional Democracy*, voting meant sharing of power and decision making (Buchanan, James M. and Gordon Tullock, 2004). However, the voter may have little role to play if the ruler acted as the sole arbitrator and even as a single decision maker. On the other hand, if a person paid the tax to be allowed to be voted, he had every right to expect a profit for himself to the amount of his contribution, to make decisions, share power as a matter of right, 'bargain' as a taxpayer to maximise his profit, since his money was at stake. Thus, the maxim was "What touches all should be approved by all" (Buchanan *et.al.*: 2004). The government could ask for new taxes beyond the customary ones, from certain people, on the condition that they had the right of a say on a project (Yoram Barzel and Edgar Kiser, 2015). Thus, until the nineteenth century, many Western democracies had property qualifications in their electoral laws; for example, only landowners could vote because they had sufficient income to pay taxes to the state exchequer.

Since the beginning of elections in Portuguese India, franchise was based on taxation and property. The amount of tax paid by a voter and a candidate contesting the election differed. A voter had to have an annual income of 100\$000 *reis* in certain approved forms which were explained by the regulations of the nineteenth century. It included income from property, industry, business or other sources. A voter claiming to possess this income had to provide evidence of his claim to the government, based upon certain criteria laid down by the regulations, such as payment of tax of 10\$000 *réis* on his income to the municipality. These conditions remained in force in the elections of Goa, during the greater part of the nineteenth century with some

minor changes. For instance, the income was reduced by the electoral regulations of 1895 and 1899 to 500 *réis* (Electoral Laws of 1895 and 1899).

A person contesting the seat to the Parliament of Portugal was also required to provide a similar testimony of possessing an income of 400\$000 *réis* from property, business, employment, trade and other sources to the Municipality (Constitution of 1822, Article 23 and other laws). The net annual income of a *deputado* contesting the elections had to be 400\$000 *réis* from property, business, employment, trade and other sources (Magalhaes, 1890: p. 256). The deputies from Goa were sometimes falsely accused of not possessing the stipulated income in an astute move to keep them away from the ballot.

Role of the Forty Major Contributors

The Forty Major Contributors were often regarded as the kingmakers of all elections in Portuguese India during the nineteenth century (R. Correia Afonso, 1923: 421). When majority of people in Goa were illiterate and did not possess property, the Forty Major Contributors were a force to be reckoned with in all the elections of Goa. During most elections held in Goa since 1822 these major contributors played an important role in the outcome of the electoral results. A person had to qualify himself to be selected as a major contributor on the basis of the taxes that he paid to the state exchequer and the final selection was vested with the Electoral Commission of the district.

The selection of the group of these contributors took place a few days prior to the Parliamentary elections. They were called by their respective municipalities generally on a Sunday designated by the government, at ten o'clock in the morning where the President of the Municipality, along with the Councillors, the Administrator of the District and the Secretary of the Public Treasury assembled. The Secretary carried the list of taxpayers in the alphabetical order of their names, their designation and the parishes to which they belonged. The list bore the signature of the concerned taxpayer, and also contained details of those tax payers who had contributed the maximum to the exchequer of the district during the financial year preceding the elections (*L.E.* 1852, Article 21: p.34). The final list of voters selected after a thorough scrutiny was then affixed on the door of the municipality for the perusal of the public. Having completed the formalities, these contributors selected for the entire circle of Goa could participate in their respective municipalities in the ensuing elections.

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Ironically, once in power, these Forty Major Contributors had a crucial role in the conduct of elections in Portuguese India. It may not be wrong to conclude that the elections in Goa were controlled by these major tax payers. They had a hand in the appointment of electoral commissions and their presidents. Besides, they held the key to electoral results, and were in a position to manipulate the decisions of the gullible voters many of whom lacked an understanding of the undercurrents of contemporary politics. The newspaper, *O Ultramar* reported in 1889 that during the last twenty years, the decisions of these 'Contributors' was thrust upon all voters, who did not give any thought in the exercise of their franchise while choosing a candidate (*O Ultramar* 1889).

Age and Educational qualifications

In Portugal and its colonies, most legislations of the nineteenth century, allowed a voter as well as a parliamentarian to participate in elections at the age of 25 years (Instructions of August 18, 1821, and other legislations). However, it was relaxed to 21 years under certain exceptional cases to men who were married, or members of the religious orders, military officers or those who had completed the course of lyceum or acquired a degree in education such as a Bachelor's degree from an university or completed a course of polytechnic from the naval or the military academy or a course in medicine from institutes from Lisbon or other parts of the Portuguese empire (*L.E. January 1853: HAG, MR. 220 A, fl .325. : LE -1899*).

All voters could contest the parliamentary elections. After 1850, the new regulations made the requirements of educational qualifications for a deputy more stringent. The Decree of January 12, 1853 incorporated specific instructions for Portuguese India and decreed that a *deputado* could also be one who possessed a degree from the Medical School of Goa (*Escola Medico Cirurgica de Goa*), or a degree in engineering, artillery from the Military and Mathematical School, or a degree in law.

Head of the Family

The electoral regulations which were elaborated by the Instructions of October 1820 and the Law of July 1821 decreed that the Parliamentary elections were direct and franchise was limited to the families represented by the head or on the basis of *pater familias*. This rule was in contrast to the Constitution of

Cadiz of Spain of 1812, which served as a model for reforms in Portugal during the early nineteenth century. Accordingly, the head of the family had voting rights in the elections of Goa. The Commission of Census maintained records of the number of households in all the parishes or localities across Portuguese India. One often comes across the term *fogos* or households in the surveys published in the government bulletins. The Decree of January 12, 1853, which was specially sent to Portuguese India, enforced that the head of the family would not be allowed to vote if he had not paid 6 *tangas* on the tobacco consumption tax (Decree of January 1853). The table cited below is one such example which shows the number of households in the district of Ilhas or Tiswadi in North Goa for the year 1853.

Table 1: Ilhas, 1853

| Electoral Assembly | Fogos/ Households | Areas covered |
|--------------------|----------------------|--|
| Pangim | 2252 | 1a Bairro das Fontainhas e da Tropa-casa d'Audencia do Juiz de Direito |
| | 1298 | 2a. Parte restante de Pangim St. Ignez- Igreja de Pangim. |
| Taleigao | 159 | St Ignez |
| | 635 | St. Cruz |
| Ribandar | 588 | Ribandar |
| | 470 | Merces e St. Barbara |
| Goa Velha | 463 | Goa Velha |
| | 434 | S. Lourenço |
| | 214 | Batim |
| Mandur | 555 | Mandur |
| | 63 | St. Anna |
| | 132 | Curca |
| | 39 | Bambolim |
| | 122 | Siridão |
| | 45 | Arrossim |
| Sé Primacial | 193 | Neurá e S. Simão |
| | 307 | Sé Primacial, S. Pedro, |
| | 351 | Piedade, Priorado, S. José, |
| | 123 | Stª. Luzia |
| | 191 | Corlim e S. Thiago |
| Piedade | 123 | Carambolim |
| | 443 | Narao e Vancim |
| | 237 | Graça Chorão |
| S. Braz | 474 | Piedade |
| | 279 | S. Mathias |
| | 1002 | S. Bartholomeu |
| S. Braz | 279 | S. Braz |
| | 1002 | S. Estevam |

(Boletim do Governo do Estado da India, 1853)

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A person to be considered as head of the family had to essentially live with the household for at least one year. A document to this effect, duly attested by the notary, or a parish priest, or a magistrate and two witnesses had to be submitted to the concerned authorities. The electoral law of May 1878 aimed at extending franchise and therefore, allowed voting rights to all heads of the family irrespective of their educational and property qualifications (J.M. Barbosa de Magalhães, 1890: *EL*. Of 1883: D.S.1883). All legislations and decrees promulgated during the nineteenth century laid down conditions on the basis of which a person was considered ineligible as a voter. Similarly, they also laid down the conditions which made a candidate ineligible to contest the elections.

The System of Elections: Indirect System

A study of the system of elections followed in Portuguese India during the nineteenth century shows that there was no single method followed in the exercise of franchise. From 1822 to 1853, most of the parliamentary elections held in Goa were indirect in nature (A.A. Bruto da Costa, 1986). They were based upon the guidelines laid down by the Instructions of December 1821, the Electoral Decree of August 18, 1821, the directives of the Constitution of 1822 and the Constitutional Charter of 1826. (*Direito Constitucional Portuguez*, 1879). The indirect system of election explained in the laws mentioned above, was similar to the guidelines laid down by the Spanish Constitution. It was similar to a three-tier system where members of the primary assemblies in the parishes (group of villages) chose their representatives, who would in turn elect candidates to represent the provinces. The provincial electors in turn would elect deputies to the Parliament or *Côrtes* in Portugal.

In the historic and the first election held in Goa in January 1822, the electoral proceedings commenced by pronouncements issued by the Provisional Government of Goa, in a hurried manner which called for a census of voters in the parishes. The primary assemblies met on December 26, 1821 to elect the representatives from the parishes. These representatives met in a second round of voting on January 6, 1822, to select a body of voters to represent the provinces. Finally, the elected members representing the provincial assemblies of the four districts of Portuguese India, namely, Ilhas, Salcete, and Bardez and Daman and Diu met on January 14, 1822 to elect deputies to the Parliament in Portugal. The below details provides the names of the first electoral college of the provincial representatives who met in the premises of the Municipality of Ilhas (located in the capital of Portuguese India) on January 14, 1822 (*Gazeta de Goa*, 1822, No.2).

Provincial Divisions of Ilhas

- 1) Fr. Paulo António Dias da Conceição (President of the College): Cavelossim
- 2) Canon Fr. António João d'Athaide: Sirula
- 3) José Maria dos Remedios: Murdá
- 4) Luiz Filiipe do Rosario: Piedade
- 5) João Fransisco Xavier da Costa e Menezes: S. Mathias

Provincial Divisions of Salcete

- 1) Constancio Roque da Costa : Margao
- 2) Benigno Xavier dos Anjos: Chinchinim
- 3) Fr. Cosme Camillo Valeriano: Raia
- 4) Fr. Agostinho D'Avé Maria Lourenço: Margao
- 5) Fr. Pedro Paulo de Carvalho: Chandor
- 6) Fransisco Salvador Gomes: Navelim

Provincial Divisions of Bardez

- 1) Fr. Pedro António Ribeiro: Pilerne
- 2) Vitorino José Maria Lopes: Pilerne
- 3) António José Mariano de Noronha: Nerul
- 4) Fr. Camillo Lourenço Soares: Socorro

Provincial Divisions of Daman and Diu

- 1) António Pereira de Guarda Colião: Damão
- 2) José Caetano da Cunha e Conceição: Diu

The number of deputies allowed for a colony or an electoral circle depended upon its total population or the instructions sent from Portugal. However, the overseas colonies of Portugal were allowed some degree of freedom during the initial period to modify their regulations to suit their local needs and financial conditions (*LE* of 1821: Constitution of 1822). Goa was permitted to elect six deputies to the parliament, but the financial constraints of the colony led some members of the Electoral Commission to recommend only 3 deputies to be voted to power. Accordingly, Bernardo Peres Da Silva, Constâncio Roque Da Costa, and an European António José Lima Leitão, were elected to the Parliament. The indirect system of election remained in force in Goa till 1852.

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The *Plurinominal* System of Voting

In Portugal, the system of election alternated several times between the *plurinominal* (*circulo plurinominal*) and the *uninominal* (*circulo uninominal*) system of voting. In the former, the entire colony or a province was considered as one single unit and was permitted to elect as many deputies as was allowed in proportion to its population (Coelho, 1908). During the first half of the 19th century, the overseas colonies were instructed to follow the *plurinominal* system of voting and Goa too, conducted its elections by this method from 1822 to 1859. Portuguese India with Goa as the capital was considered as a single unit, and was not divided into electoral constituencies, as was found after 1860. Elections were conducted by one electoral board, headed by the president, a vice-president, two secretaries and two scrutinisers, who assembled at the municipality, in the capital of the province. Under this system, a deputy was declared to have won an election if he acquired an absolute majority (more than half of total votes). Therefore, this system often required two or three rounds of voting for a deputy to get the required number of votes. Similarly, the deputies who polled the first, second, third and fourth places were declared winners, and accordingly, the total seats required for the entire province or colony were filled.

Table 2: Results of Election held under the *Plurinominal* System of Voting in 1853 in Goa

| Name | The Old Conquests (<i>Velhas Conquistas</i>) | | | The New Conquests (<i>Novas Conquistas</i>) | | | | Total |
|-----------------------------------|--|--------|---------|---|----------------|----------------|----------------|-------|
| | Ilhas | Bardez | Salcete | 1 ^a | 2 ^a | 3 ^a | 4 ^a | |
| Caetano F. Pereira Garcez | 1293 | 1497 | 304 | 5253 | 2562 | 963 | 1288 | 13160 |
| Feliciano A. Marquis Pereira | 1253 | 1399 | 204 | 5252 | 2569 | 799 | 1192 | 12663 |
| Augusto X. da Silva | 1177 | 627 | 94 | 5903 | 2583 | 993 | 1191 | 12563 |
| Estevam Jeremias Mascarenhas | 2340 | 3227 | 6204 | 50 | 70 | 56 | 142 | 12039 |
| Joaquim Manoel de Mello Mendonça | 2372 | 2664 | 6146 | 99 | 70 | 58 | 149 | 11558 |
| José M. Fação de Carvalho | 2097 | 2471 | 6037 | " | 62 | 3 | 20 | 10690 |
| Luis X. Corrêa de Graça | 28 | 1783 | 30 | 1001 | 50 | 4 | 7 | 2903 |
| José M. de Carvalho | 18 | " | " | " | " | " | " | 18 |
| António Maria Bouyrat | 13 | 118 | 16 | 126 | " | 199 | 35 | 507 |
| Lourenço Lobo | 3 | " | " | " | " | " | " | 3 |
| Joaquim Pereira Garcez | 2 | " | " | " | " | " | " | 2 |
| Custodio Manoel Gomes | 2 | " | " | " | " | " | " | 2 |
| Bispo Eleito de Malaca | 3 | 50 | 31 | 25 | " | 85 | " | 194 |
| Bernado C. de Sousa e Faro Junior | 2 | " | " | " | " | " | " | 2 |
| Caetano Pereira Garcez | 1 | " | " | " | " | " | " | 1 |
| Joaquim José C. Kol | 1 | " | " | " | 4 | " | " | 5 |
| Padre Sebastião S. Baptista Gama | 1 | 7 | 6 | " | " | " | 2 | 16 |

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| | | | | | | | | |
|--|---|---|---|---|---|---|---|---|
| António Sebastião Borges da Costa | 1 | " | " | " | " | " | " | 1 |
| Conego Estevem Jeremias | 1 | " | " | " | " | " | " | 1 |
| D. Francisco Bernado de Noronha | 1 | " | " | " | " | " | " | 1 |
| Manoel de C. Lobo | 1 | " | " | " | " | " | " | 1 |
| Bernado Heitor Silveira Lorena | 1 | " | " | " | " | " | " | 1 |
| Candido José M. Garcez Palha | 1 | " | " | " | " | " | " | 1 |
| Francisco Xavier Lourenço | 1 | " | " | " | " | " | " | 1 |
| Jeremias Mascarenhas | 1 | " | " | " | " | " | " | 1 |
| Raimondo V. Rodrigues | 1 | " | 2 | " | " | " | " | 3 |
| Paulo Telles | 1 | " | " | " | " | " | " | 1 |
| August Xavier de Mello | 3 | " | " | " | " | " | " | 3 |
| August Xavier da Silva | 1 | " | " | " | " | " | " | 1 |
| António Maria Bonyrat | 1 | " | " | " | " | " | " | 1 |
| António Mariano de Bragança | 1 | " | " | " | " | " | " | 1 |
| Alberto P. Garcez | 1 | " | " | " | " | " | " | 1 |
| Balcustom X. Collopo de Mapuça | 1 | " | " | " | " | " | " | 1 |
| Eusebio M.L. de Goes, de Calangute | 1 | " | " | " | " | " | " | 1 |
| Franca Marques | 1 | " | " | " | " | " | " | 1 |
| Joaquim M. F. de Carvalho | 1 | " | " | " | " | " | " | 1 |
| José Julio Rodrigues de Goa | 1 | " | " | " | " | " | " | 1 |
| José F. Pestana, residence em Lisboa | " | " | " | " | 1 | " | " | 3 |
| Padre Jeremias Mascarenhas de Bastora | " | " | " | " | " | " | " | 1 |
| Lourenço C.R Lobo | " | 1 | " | " | " | " | " | 1 |
| António J.Santimano Morador em Margao | " | " | 6 | " | " | " | " | 6 |
| António João Flores-Bacharel existente em Portugal | " | " | 2 | " | " | " | " | 2 |
| Caetano V.S.A.Barboza de Raia | " | " | 1 | " | " | " | " | 1 |
| Dipu Rane, Chefe dos Salteadores | " | " | 1 | " | " | " | " | 1 |
| Caetano Francisco Garcez | " | " | 2 | " | " | " | " | 2 |
| José Maximiano | " | " | " | " | 3 | " | " | 3 |

(Boletim do Governo do Estado da India, 1853).

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Direct System of Elections from 1852

From 1852, the elections ceased to be indirect in Goa. This was because, for a long time, there were debates surging in the Metropolis that indirect elections should be replaced by direct elections, with the Parliament itself being divided into groups, either supporting or opposing this issue. The sessions of 1848 in particular, echoed with such vociferous debates, extended for several sessions. Those who approved of direct elections argued that the European countries had long since replaced indirect elections with direct methods of voting (*DDG*, 1848). Incidentally, the political climate in Portugal favoured a change with the fall of the Portuguese premier António Bernado Costa Cabral from power in April 1851. His successor, the Duke of Saldanha, a supporter of the Regeneration Party of Portugal favoured direct elections.

The Additional Act of the Constitution 1852 in its Article 4 incorporated the principle of direct election (*Acto-Addicional*, 1852). In view of this new constitutional law, and the electoral law of June 24, 1852, the parliamentary elections ceased to be indirect. Her Majesty's Government dispatched the new electoral regulations to the overseas provinces through the Secretary of the Ministry of Navy and the Overseas Provinces (*Secretaria d'Estado dos Negocios da Marinha e Ultramar*) to the Governor General of the State of India, which were then published in the government bulletin in March 1853 (*BDG*, 1853). The qualifications of voters remained the same, but this reform had greatly increased the number of voters directly participating in the elections. The indirect system of voting which was in practice earlier, had limited the number of direct voters to a select body of 'electors' representing the entire province.

Uninominal System of Elections in Goa

Under the uninominal system of voting, the entire colony or a province was divided into several constituencies or districts, depending upon its size. It allowed only one deputy who polled the maximum number of votes (relative majority) to represent each constituency in the parliament. Elections were therefore, carried out in a single round of voting, as a deputy was not required to get an absolute majority. Every constituency was headed by an electoral board and elections were held at the municipality of the district (Coelho, 1908). Goa followed the uninominal system of voting in the polls held in 1860, because the electoral law of November 1859 had recommended a reform in the system of voting. Therefore, the *plurinominal* system which was in operation for several decades was substituted by an uninominal system of voting in the

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overseas provinces (*LE*, 1859). Portuguese India was divided into four districts; three for Goa and one for Daman and Diu. Each circle was allowed to elect one representative. The candidate who polled the maximum number of votes was declared the winner (*BDG*, 1860).

Four Constituencies of Portuguese India under Uninominal System in August 1860

- | | |
|------------------|--|
| 1. Nova Goa | Ilhas, Ponda and Embarbacem, Astragar, Bally Chandravady, Cacora, Bicholim, Sanquelim or Satary. |
| 2. Mapuca | Province of Bardez, Pernem and Tiracol |
| 3. Margao | Province of Salcete, Canacona, Cabo de Rama, Angediva |
| 4. Daman and Diu | Provinces of Daman and Diu |

Election Results

| Name of the Deputy voted to power | Circle/ Constituency |
|-----------------------------------|---------------------------------|
| José Pais de Faria Pereira | European - Ilhas Goa |
| Vincent Ferrer Neto de Paiva | European - Mapuca Circle |
| Fransisco Luis Gomes | Goan - Salcette Circle |
| Ricardo Guimarães | European - Daman and Diu Circle |

The year 1883 witnessed debates in the *Côrtes* to change the electoral law once again. It resulted in the introduction of a new legislation which recommended the system of proportional representation in Portugal and the colonies (*DS*, 1883). This resulted in the passing of the Law of May 21, 1884, which allowed the overseas provinces to follow the uninominal system, while retaining the *plurinominal* system for many circles of Portugal. This practice continued to be in force in Goa till the end of the nineteenth century (*LE*, 1899).

Extension of Franchise

Since the second half of the nineteenth century, there were debates in the Portuguese Parliament on the question of extending franchise. The intense political rivalry among political parties escalated the tension over this issue. However, the legislation of 1878 sprang a surprise upon the electorate by relaxing rules of enfranchisement to some degree. For example, the heads of

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the family who did not know to read and write were also considered for voting (*LE*, 1878).

For a long time, neither deputies nor intellectuals in Goa had expressed their desire in favour of an extended franchise. However, during the third quarter of the nineteenth century, Goa became increasingly embroiled in the politics of parties, modelled along the lines of Portugal. The unity which had sustained the native electorate of Goa during the first four decades was now marred by the politics of caste rivalry and opposing political ideology. The two local parties of Goa, the *Partido Indiano* and the *Partido Ultramarino*, not only spilled venom against one another through the newspapers owned by each of them, but also used the issue of franchise as a platform to defame their rivals. In 1891, the *Partido Indiano* openly supported the extension of franchise in Goa, particularly among the lower section of the society. An article published in its newspaper (*A India Portuguesa*) attributed the backwardness of Portuguese India to the retrograde political mentality followed in the state (directed from Portugal) which still vouchsafed in favour of limited franchise. Further, the article also attempted to snide its rival, the *Partido Ultramarino* for being a supporter of restricted franchise in Goa to retain the feudal set-up for its benefit, and to keep the tenants (the *mundcares*) in servitude towards the landed gentry (the *batcaras*). These conniving and selfish moves worked to the detriment of the larger interests of the territory (*O Ultramar*: 1892). Not wanting to remain silent in the wake of such scathing attacks against its party, the *Partido Ultramarino* employed its mouthpiece, *O Ultramar* to avenge its stand. It made no attempts to deny the allegations levelled by its rival. While acknowledging the advantages of the system of representative governments, it minced no words in admitting that most tenants were illiterate, and did not know to read and write, had no idea of human rights, or the system of administration and were not in a position to contribute to public opinion. It went a step further by declaring that the idea mooted by a *India Portuguesa* and its party was very absurd and was intended to enlarge the electorate for its vested interests in the elections (*O Ultramar*: 1892).

The issue of franchise received a divided opinion from parties and intellectuals of Goa. Therefore, it may be surmised that the rules on franchise and the system of elections, which were congruent to its contemporary times, catered to the interests of the upper middle classes. In other words, the

franchise favoured the propertied and the educated sections of Portuguese India, and was not populist in nature.

In the midst of the civil war raging Portugal between the absolutists and the liberals, which also had cast a shadow of gloom over its overseas colonies, fresh restrictions were imposed on franchise in 1895 and 1896. The heads of the families who were literate and whose net income was 5\$00 *reis*, were only allowed to vote in the elections ((*LE*, 1895). By the end of the 19th century, the number of voters in Goa were nearly 12, 000, in a population of almost four lakhs (*O Ultramar*, 1891). It shows a decline from the earlier statistics of 17,000 voters recorded two decades earlier in 1877.

Conclusion

The above discussion shows that the system of election in Portugal in the 19th century was influenced by the systems which prevailed in the other countries of Europe. It was a period of experimentation in Portugal as well as her overseas colonies including Goa. The 19th century Goa witnessed many changes in the nature of franchise and the system of election. The regulations regarding franchise were changed from time to time keeping the interest of colonial government. The system of election was first indirect, and subsequently direct in nature. Similarly, initially the plurinominal system of election was followed, and later on it was replaced by the uninominal system. The qualifications prescribed for voting, and to be a representative, were such that the system of elections almost remained alien to the people, and only the elite sections of the society had the privilege of participating in the same. Thus, the systems of franchise and election were extremely limited in nature.

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