

The “Political Testament” of Gaspar Silveira Martins: A Reaction against the Castilhos-Borges Republic

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Abstract

In 1889, the proclamation of the republic in Brazil led to formal changes in the political organization of the country. Republican federalism replaced monarchical centralism, and gave prominence to the groups that held economic power in the States. The policies of the governors and States began to be formulated during the presidency of Campos Sales and strengthened the alliance between the President of the Republic with the power of the State oligarchies, making the governors strong supporters of the Republic. Thus, rather than being a true federalism, with the democratic backing of a plural political system, it became a displaced federalism, – that is a type of “Statism” based on the power of the state oligarchies. As a counterpart to this concept of the Republic, (and this is the central issue of this paper) a number of political voices were raised demanding that the federal government should wield a greater degree of power over the states. Among these, attention should be drawn to the role of the Federalist Party (1892-1928), a political party founded by the liberal Gaspar Silveira Martins from Rio Grande do Sul State, who insisted on backing unitary federalism as a form of reaction to the “undermining” of the central government by the States. This paper seeks to highlight the centralist features embodied in the federalist program. These involve conducting an analysis of the “Political Testament” left as the legacy of the liberal magistrate in 1901, which was an important theoretical critique of the dominant ideology in Rio Grande do Sul of the First Republic – the concept of “Castilhism”, and the model of the republic that prevailed at a national level at that time. We also seek to analyze how the question of federal interventionism, that was put forward by Gaspar Martins in his “Testament”, was a driving-force behind the parliamentary speeches produced in that era, and influenced the activities of the main representatives of the federalist opposition.

Keywords

Republic, Federalism, Centralism.

Preliminary Considerations

The country was still bleeding from the wounds of civil war when in August 1896, a new Congress of the Federalist Party (PF)¹, presided over by Gaspar Silveira Martins (1834-1901) made its entry into history under the banner of "Federalism". In a meeting of the Opposition Party, a new program was drawn up, no longer in the regional sphere as in 1892, but as a plan of action with national ambitions. One indisputable centralizing figure stood out in this venture and his presence provided strong support for what the federalists sought to do in their political program.

The political stance adopted by the Party gave rise to a policy of strengthening the Union to the detriment of the States, by envisaging a regime with centralizing policies. This principle was ratified in the so-called "political testament" of Gaspar Silveira Martins, which was bequeathed to the country in 1901 as a new blueprint for the Party. With regard to this, it should be made clear that this testament was strongly influenced by pressing questions that arose in the State of Rio Grande do Sul during the dictatorships of the State governments of Júlio de Castilhos (1860-1903) and Borges de Medeiros (1863-1961), which Silveira Martins and his adherents strenuously opposed. For example, there was no longer any support for the position adopted by Castilhos during the Constituent Congress of 1891, when he stressed the importance of protecting the States from being absorbed by the central powers.

For this reason, the purpose of this study is not strictly to give an account of the history of the Federalist Opposition but only to give a brief reflection to the issue of political centralization (which was prone to reinforce the prerogatives of the Federal Union as envisaged in its planning stage) and to seek to determine to what extent this principle assisted the party of Silveira Martins in his opposition to the Castilhist scheme.

In view of this, this article is structured in two parts. At the outset, there will be an analysis of the basic features of the republican model installed by the Castilhist Rio Grande do Sul Governor of the First Republic (1889-1930), who was buttressed by the authoritarian constitutional framework of the "*Republican Dictatorship*" of the Positivist doctrine of Auguste Comte. The aim of the second stage will be to examine what was included in the Federalist Party program and to seek to show the significance attached to federal interventionism as a kind of reaction to the authoritarianism of the Castilhist-Borgist dictatorship.

Rio Grande do Sul and the Castilhist-Borgist Dictatorship

In the first place, it should be remembered here that the formation of the Republic in Rio Grande do Sul was characterized by the predominance of the Riograndense Republican Party. This was under the powerful leadership of Júlio de Castilhos, who moulded a State apparatus on the style of a presidential republic, based on an authoritarian and conservative model, which was designed to keep the republicans in government and remove any elements linked to other political groups.³

The party was founded in 1882, when Brazil was still an Empire and its program was not completely different from that of other parties. It resembled other republican associations in so far as it adopted the following principles as its main banner: state autonomy, the end of the parliamentary system of the Empire, the eradication of moderate power and the separation of the Church from the State⁴. On the other hand, it did not cease to retain its own characteristic features. For example, the PRR staunchly upheld the doctrinaire tenets of Positivism – which, although found in other States in Brazil, took on a more sophisticated form in Rio Grande do Sul, since it was officially recognized as the ideology of the party. For this reason, it is worth pointing out that:

The justification of measures taken by governments inspired by Comte and employing a positivist language, was an important factor in the cohesion of the members of the PRR. Moreover, it was an important factor in giving legitimacy to political actions and broadening the political base of support for Castilism and Borgism. (FONSECA, 1983: 88).

The national slogan of the PRR was: "Centralization-Dismemberment; Descentralization-Unity". A greater autonomy for the States of the Federation represented a banner that was as important for the republicans as its propaganda disseminated in the newspaper "*The Federation*"⁵, the name of which made its platform clear and went beyond criticizing the monarchical system in itself. For example, the program recognized that the States had within their competence "all acts concerning their own particular business of any kind" (OSÓRIO, 1930: 41). These acts included the following: a) the adoption of their own civil, criminal and commercial laws; b) the right to draw up external loan contracts, which was extended to the municipalities; c) the right to introduce legislation for elections; and d) the right to separate their taxes from federal taxes, as a source of revenue. Only in exceptional circumstances, such as an invasion from another country or State or to maintain the Federal Republic, would it be possible for the Federal authority to intervene in the affairs of the member-States. (OSÓRIO, 1930: 41-2).

At the same time, the large degree of State autonomy was accompanied by the supreme authority of the executive power which was the banner of the republicans and supported by the ideas of the French philosopher Auguste Comte. The center of power resided in the State President who, in turn, symbolized the republican dictator referred to by Comte⁶. Hélio Trindade (2007: 103-143) makes clear that the power in the republican dictatorship must thus be centralized because the traditional executive responsibilities are not enough to carry out the task that is imposed on him, which is to preserve the public good. It is basically for this reason that in the positivist logic, the dictator must have the ability to introduce legislation and intervene in political, social and economic affairs when the collective interest deems this necessary, and thus the legislative assembly is reduced to simply undertake budgetary responsibilities.

Hence it should be underlined that the Positivism of Rio Grande do Sul became more evident with the promulgation of the State Constitution of 14th July, 18917. As Trindade points out, this began to be "the power base of the party and the way of institutionalizing a particular view of the republic that was being conveyed by Castilism" (TRINDADE, 2005: 21-22). With regard this, it is worth bearing in mind that the main signs of the new judicial order of the State were placed completely outside the system adopted nationally, under the inspiration of the American presidential system:

The unicameral legislature is restricted to budgetary questions (Assembly of Representatives); Executive (President of the State) with a mandate of five years and powers to legislate by decree

on non-financial matters unless the majority of the Municipal Chamber rejects a particular law; the consecutive re-election of the governor so long as he obtains three-quarters of the vote; full and strict separation of spiritual and temporal powers. (LOVE, 1975: 49).

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Although the three powers were recognized, (following the liberal thinking of Montesquieu), it can be said with regard to the items mentioned above, that strictly speaking there was no legislative power: the State president issued the laws as well as sending them to the destined municipalities and even though these could make recommendations, the President himself had the power to accept or overrule any suggested amendments (Art. 31 and 32 of the Constitution). The Assembly of Representatives, in turn, only had budgetary responsibilities and was supposed to be an apolitical body which had to meet for two months in the year. (Art. 37). In addition, the President chose his Vice-President and could be re-elected indefinitely if he obtained three-quarters of the vote⁸

With regard to public consultation at a municipal level, a question must be raised here: the considerable weight attached by the Castilhists to the concept of non-representative democracy as being an appropriate system, is shown by the authoritarian exercise of power in the history of the politics of Rio Grande do Sul for four decades. As the political scientist Ricardo Vélez Rodríguez makes clear, the consultative plebiscite for the municipal centers was "an amenable institution for giving democratic views to the regime without the inconvenience of an assembly which enforced the activities of the executive" (VÉLEZ RODRÍGUEZ, 2010: 139). In addition, it should be taken into account that the reason the "Perripist" [São Paulo Republican Party] government manipulated the elections of the municipal mayors and councillors was to ensure that they largely comprised people acceptable to the government. In other words, it can be inferred that as well as being supported in the undermining of the representative system, as was seen by the way the State Assembly was restricted to voting on budgetary matters (which in practice it never got round to doing), the system was also based on the so-called Castilhist authoritarianism or "hypertrophy" of the executive power, which became the key feature in the system of the republican dictatorship.

For this reason, it should be noted that an automatic correlation between Castilhism and Comtism can be dismissed. Vélez Rodríguez, who was quoted earlier, has shown that Castilhos did not fully apply the guidelines of Comte when setting up the institutions of the republican regime, as, for example, the case of the Legislative Assembly (which for Comte should have a corporate character); this had a hollow appearance as was seen in the State Constitution of 1891. It is not going too far to state that Castilhos seized control of the legislative competence of Parliament, a act which was not necessarily envisaged by Comte. In addition, at some moment, Comte authorized the sponsoring of a State ideology at the expense of free thinking, which is what Castilhos sought to put into effect through a discourse in newspapers and schools. Alfredo Bosi (1992: 282) stated that what in fact distinguished "Gaucho castilhism" from the Positivism of Comte, lay in the tendency of the Castilhists to endow the public authority with the ability to encourage and, within limits, control the course of economic development in the State of Rio Grande do Sul.

In the same way, it should be noted here that there were different kinds and degrees of Postivist expression, both within the social fabric and from a diachronic perspective. Nelson Boeira (1980), for example, classified various types of Postivist expression in Rio Grande do Sul, each of which had its own particular features: religious, political and

socially diverse positivism. In addition, he showed that positivism in these three areas had a period of dissemination, an apogee and a decline, which covered the period of republican propaganda to 1930⁹.

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When Borges de Medeiros, the successor of Júlio de Castilhos, took control of State power in 1897, he undertook his five mandates in the name of an administration of continuity and from 1903 onwards, following the death of Castilhos, he controlled the direction of the Republican Party and the "Gaucho State" until 1928, when power was handed over to Getúlio Vargas. With regard to this, it is worth drawing attention to the fact that:

Borgist authoritarianism literally followed the guidelines set out by the Castilhist constitutional model and only altered it in terms of his political style. Whereas Castilhos was a more combative and charismatic personality, Borges was a prototype of organizational efficiency combined with the sobriety of political conduct (TRINDADE, 1993: 146).

In the light of the above, it can thus be stated that the *scientific dictatorship* of Júlio de Castilhos rested on a formula that combined a significant degree of autonomy for the nation-states, from the standpoint of national politics, with a powerful State executive at the regional level of politics. In other words, the republicans of Rio grande do Sul postulated the idea of a combination of federalism and centralization in seeking to mediate between the inner politics of the State and its relations with the federal power. Sandra Pesavento underlines this stance when she reminds us that "in the face of the Federal Union, they supported a radical federalism and in the regional government adopted a centralism of an authoritarian and Positivist kind" (PESAVENTO, 1983: 77).

Once the essential traits of Castilhism have been established, with regard to issues concerning the autonomy of the States and the relations with the executive power, our aim is to provide a brief reflection of the criticisms levelled at this model of the republic, and apply them to the political thinking that surrounds Gaspar Silveira Martins¹⁰, a vigorous opponent of the authoritarian regime in power. This will be carried out by taking as a benchmark, a document that is of crucial importance in understanding to what extent there was a reaction within the Federalist Party to Castilhist-Borgist authoritarianism: the "political testament" bequeathed by the illustrious statesman. In the same way, this study seeks to analyze in what way the main arguments in this document had repercussions on the parliamentary debates of that time, especially in the climate of the 6th Legislature of 1906 and 1908) of the Federal Chamber, when two of the most combative representatives of the federalist opposition were elected: Pedro Gonçalves Moacyr (1871-1919) and Wenceslau Pereira Escobar (1857-1938).

Gasparist Federalism and the Choice of an Interventionist Policy

To start with, although there is no intention here to undertake a comprehensive survey of the history of the federalist opposition, it is worth remembering that for the most part, it descended from the Liberal Party (PL), which was the dominant force in the "Gaucho" State in the final decades of the Empire. In the wake of the proclamation of the Republic in 1889, most of the old liberals under the uncontested leadership of Gaspar Silveira Martins, joined the opposition and in 1892, gave rise to what would be the main political opposition group in the Congress in the Castilhist system (in the town of Bagé-RS): the Federalist Party (1892-1928).

In what areas did the federalists linked to Silveira Martins diverge from the Castilhist republicans? Although a political analysis requires close attention and care, owing to

the heterogeneous character of the opposition groups¹¹, it can be said that in terms of political planes, the divergence took place in two areas. With regard to regional politics, for example, on the basis of an examination of the first federalist program in March 1892, it proposed the annulling of the State Constitution of 14th July 1891; the shortening of the mandate of the State President from five to four years with a ban on his re-election; the election of the deputies to the Chamber (State Assembly) by districts with an incomplete voting system to ensure the representation of minority groups; and a legislature with powers to propose legislative plans. In view of this, it is evident that all the elements cited above in some way, deviated from the Castilhist Constitution¹².

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With regard to the federal sphere, the main aim of the party entailed introducing a parliamentay system (in contrast with the prevailing presidential system), with the Head of State elected in an indirect way – that is by Parliament and a unitary republic (in contrast with the excessive federalism proclaimed by the Castilhist republicans).

As for the program which was approved between 31st March and 1st April 1892, according to Sérgio da Costa Franco (2007: 136), nothing even reached the point of a pre-electoral vote owing to the return to power in the "Gaucho" State of Júlio de Castilhos, on 17th June and the resulting restoration of the powers of the Constitution on 14th July.

At the same time, in August 1896, the Gasparist Party was drastically reorganized and a new platform was approved. This no longer meant a program of regional action as in 1892¹³, which was mainly concerned with the situation in the State of Rio Grande do Sul, but was rather a plan of action with national ambitions. In this respect, it is worth highlighting that this idea of a national meaning that was present in the federalist program of 1896, was underlined by the federalist deputy Pedro Moacyr (1871-1919) in one of the sessions of the National Congress in 1906. The orator expressed it in these terms:

The opposition of Rio Grande do Sul has more than just a regional role: it has an eminently national objective both in its program and ideas of reform (...) since, as well as the complete remodelling of the State, it advocates reforms in the Constitution and supplementary laws and the general rebuilding of the country or political organization which can be found in the stirring words of the Constitution of 24th February (MOACYR, 1925: 56-7).

At the same time, attention should be drawn to the indisputable centralist meaning that was implicit and embodied in the program adopted by the Congress in 1896, particularly in Items V and VI. Item V, for example, supported:

The nomination by the first magistrate of the Republic of a political delegate in each State, with the responsibility of monitoring the services of the Federal Union and ensuring that they are fulfilled in such a way that on the level of administrative decentralization, there might be a political centralization, which can make the federal government strong and respected. (...) (And Item VI advocates) the voluntary intervention of the federal government regardless of the complaints of the State governors, should there be a civil war.

It can be gathered from this political stance that the very choice of name for the party – the Federalist Party a – stemmed from the spirit that the North-American Alexander Hamilton instilled into his Federalist Party, or in other words, strengthened the competence and powers of the Union to the detriment of the States. Félix C. Rodrigues confirms this identification of the Brazilian party with that of Hamilton. With an initial reference to Silveira Martins, he expressed this as follows:

What is translated in the final wishes of the great Brazilian, (...), is the legacy which he left to his party, and its name – federalist – reproduces the party of Hamilton and recalls the same antagonism with the same political ends in sight. If we untie the knot between the States and increase the rights of the Federal Union, it is the same as what the federalist American envisaged. It is in the interest of the federalists of Rio Grande do Sul who are striving so hard to return to the federal government the powers that were disgracefully conferred on the States (RODRIGUES, 1921: 278).

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It is worth remembering that the “federalists” were called the parties of Bartolomeu Mitre in Argentina, in opposition to the supporters of the Rosist regime of the Confederation, which made the provinces sovereign and not simply autonomous. The historical precedents of the United States and the Argentine Republic, may explain the choice of the name “Federalist Party”. This is a position that is diametrically opposed to that which supported Júlio de Castilhos before the Constituent Congress of 1891, when he said that what was important was to protect the States from being absorbed by the central power and when he insisted on strengthening and consolidating the State franchises.

The other points of the program that were approved in 1896 were as follows:

I – A Parliamentary Republic;

II – The election of the President of the National Congress;

III – A reform of the national flag with the absolute suppression of the emblem of the anti-Christian religion of Augste Comte;

IV – Military forces engaged in political activities would not be able to vote. If they were elected, they would only be able to carry out their political responsibilities following reforms carried out in advance or after being dismissed from their service in the army.

Silveira Martins died suddenly in Montevideo on 23rd July 1901. At this time, a conspiracy led to a new federalist rebellion breaking out in Rio Grande do Sul¹⁴, which involved figures as important as the generals Hipólito Ribeiro and Carlos Telles. Hipólito, an ex-commander of the Castilhist forces in the Civil War, was at the Paso de los Toros railway station to meet Silveira Martins, when he heard the news of the death of the statesman. For several reasons, the lawyer Pedro Moacyr, (a member of the central committee of the Federalist Party), visited Montevideo with the aim of reaching an understanding with the leader about how to define and make clear a program of political reforms for the country. As Pedro Moacyr stated in a speech at the funeral of the leader, he had been with him on the eve of his demise and had had a long conversation about “the national remodelling of the Brazilian Republic” and “about his ideas for revising the Constitution”.

After the interview, the so-called “political testament” of Silveira Martins emerged, and was shown to the country on 03/09/1901, as a blueprint for the Federalist Party, and signed by the main opposition leaders in the national scene such as Pedro Moacyr, Rafael Cabeda, Barros Cassal and Alcides de Mendonça Lima. It was published on the following day by “Jornal do Comércio” in Rio de Janeiro.

It should be pointed out that although this program was not given the support of some key sectors of the opposition party (especially by the councillor Francisco Antunes Maciel the powerful leader of Pelotas-RS), it was only adopted by the Congress in March 1917. With regard to this, it should be stressed that the operational capacity of the Federalist Party was from quite early on, compromised by internal dissensions in the Congress itself of 1896. Some disputes had arisen between the congressionalists Silveira Martins and

Wenceslau Escobar. According to José Júlio Martins, Escobar supported the idea that the party should in the short term, accept the presidentialism of the Federal Charter of 1891, in order to undertake the defence of the parliamentary system later, a measure that the statesman did not want to accept. (FRANCO, 2007: 142).

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As regards the "testament" itself (1901), in the strict sense, criticism can be found in it, but before anything else, it is a reply to the Castilhist Charter of 14th July and made from the standpoint of constitutional Law. Although the testament sets out a model of representative government at a national level, it is easy to find in it the reasons for the feelings of Silveira Martins about the authoritarian regime of Castilhos. It is spelt out in twenty-two items which are as follows:

- 1º Election of the President of the Republic by the National Congress (French system);
- 2º Resulting phasing out of the position of Vice-President of the Republic;
- 3º *Broadening of the powers of federal intervention in the States* (basically, the Argentinian system);
- 4º Ministers will be able to attend the sessions of Congress, take part in debates and reply to interjections in the Chamber through a majority approval of the interjection made by any deputy;
- 5º The ministers will gather together for deliberations in the Cabinet or Council which will have a Chairman under the direction of the President of the Republic, with a supportive role in political matters of the high administration;
- 6º The ministers will be appointed and dismissed at the will of the President of the Republic who will be obliged to dismiss them whenever the Congress, (when it is assembled in a general committee) manifests distrust in them by a two-thirds majority of those present;
- 7º The presidential mandate will be for seven years, the Chamber of Deputies for four years and the Federal Senate for eight years without any partial renewal;
- 8º The Chamber will be reduced to approximately a hundred and fifty deputies with a new and broader electoral quotient for representation;
- 9º There will be no allowance in the extensions and if it can, Congress will function for five months;
- 10º The Constitutions of the States will be reviewed by the Federal Senate, which will give them the uniform political character of the Federal Union;
- 11º Whenever there is a constitutional reform in a State, it will be submitted for approval by the same Senate, without which it will not be able to go ahead;

12º Unity of public law and due process; 688

13º There will always be a voluntary recourse of the final decisions of the magistrates to the Federal Justice system which apart from its existing courts, will have regional courts of judicial review in the South, North and Center of the Republic;

14º In addition to its current powers, the Federal Supreme Court will be entrusted with the trial and judgement of political crimes and the responsibilities of high officials of the Federal Union and the States;

15º The income and taxes of the Union and the States will undergo a new and radical kind of administration which will allow the one endowed with most funds to remain in power;

16º The States will be forbidden from obtaining loans from outside, without the previous permission of the Federal Senate;

17º The States will not be permitted to adopt policies of a military character (that is with arms of the kind employed by the Army and National Guard) and must entrust the service of security to the civil guards who are given exclusive powers by the municipality;

18º Derelict lands will revert to the domain of the Federal Union;

19º Foreign governments will not be able to acquire property in national territory without the express permission of the executive power;

20º There will be only one electoral Law for the whole country (The Federal Union, States and Municipalities);

21º Municipal authority will be maintained although its respective organic laws and budget will be submitted to the State legislature for approval;

22º The State governors will be elected by the direct suffrage of each individual in a threefold list from which the Federal Senator will choose the Governor with the other votes deciding on the 1st and 2nd Vice-Governors.

Two points at once stand out in the "political testament" of Silveira Martins. In the first place, the strengthening of the representative government which the statesman clearly supports within the outlines of the presidentialist Republic, and in the second place, the strengthening of power of the Federal Union over the States which thus delineated a regime of political centralization. It can be stated that these two factors were strongly influenced by the sharp questioning by Rio Grande do Sul during the authoritarian regimes of Júlio de Castilhos and Borges de Medeiros, since they were in direct opposition to the two basic flaws of the "Gaucho" Charter promulgated in 1891: the denial of representative government and its replacement by a dictatorship; or in other words, the subjection of the Federal Union to the authoritarian interests of the Head of State of the south.

Silveira Martins opposed the accumulation of power in the hands of the President with a resulting loss of responsibilities for the Assembly of Representatives and the appearance

of flaws in the "Gaucho" electoral system (anomalies that shaped the attack against the representative government in the Charter of 14th July). He did this by taking the following measures: a) strengthening the role of the National Congress by adopting a parliamentary system, b) carrying out the function of legislating and keeping watch over the political life of the States (particularly with regard to the Constitutions), c) monitoring their economic policies d) regulating the power of the Executive, through the election of the President of the Republic, and e) inspecting the ministerial responsibilities and choice of governors. In addition, the strengthening of representation was undertaken through legal mechanisms which as he himself said, made possible the establishment of a new and broader quotient for this in the Chamber of Deputies, as well as the unity of law and due process and a single electoral law for the whole country.

With regard to the standardization of the electoral law for all the States sought by Gaspar Martins, it should be pointed out that the debate was halted in the context of the 6th Legislature (1906-1908) of the Federal Chamber. The main feature of the discussion with regard to their application in the State, was the rejection by the then President of Rio Grande do Sul, Borges de Medeiros, of the rules laid down by the federal law 1904, better known as the "Rosa and Silva Law" (the name of the Senator from Pernambuco State who conceived it). This Law determined, for example, the inclusion of the judiciary powers in the draft, which ensured a degree of seriousness that until then had been absent from the proceedings and the establishment of the law of representation of the minority groups. The failure to apply the rulings of the Rosa and Silva Law by Borges, who referred to its unconstitutionality and the fact that it offended the autonomy of the States which was presumed to be a basic feature of the federative regime, provoked a furious backlash on the federalist benches in the National Congress. In line with the Gasparist thinking which was adhered to by most of the opposition groups in Rio Grande do Sul, the federal deputy Wenceslau Escobar (1857-1938)¹⁵, asserted the following in an aggressive tone:

These are the deplorable results of this fervent fanaticism on the part of the State autonomies which by steering a course away from the main road, in an attempt to follow short-cuts, very often lead to precipices, which adds a lustre to the truth of the Latin proverb "abyssus abyssus invocat".
["Deep calleth unto deep" – from Psalm 42] (ESCOBAR, 1926: 130).

In his reply to the weakening of the federal union, which expected the Gaucho Constitution to support the Castilhist dictatorship, Silveira Martins in his "Testament" strove to strengthen the federation by extending the examples of federal intervention into the States. With regard to this, it is worth remembering that the federalist-controlled opposition was constantly criticizing the Castilhist Constitution, which ensured the perpetuation of the power of the "Situationist" group through electoral devices. In the view of the federalists, this Charter was not in tune with the constitutional principles of the Union. They argued that there was an urgent need to review the principles of constitutional reform and it reached the point where in May 1906, the opposition representative Wenceslau Escobar, pleaded for a special committee to be set up to carry out this objective.

In the attempt to push through the constitutionality of the State Charter of 14th July Julho, Escobar complained that, since the formulation of the constitutional planning of Rio Grande do Sul, it "had not drawn on the democratic principles enshrined in the truth of the federative regime but rather, on the doctrine of those who [praised] the dictatorship as the best form of government", and ultimately on those who achieved "the apotheosis of the governments of the Francias and Rosas." In his view the Rio Grande do Sul Constitution

was not "completely republican", but rather "a dictatorship in the guise of a democracy" and "really an offshoot of the constitutional mechanism of the Republic", which could not even guarantee "public freedoms". (ESCOBAR, 1926: 4-5). He went on to state that it was inconceivable and unconstitutional for the President to appoint the Vice-President, or for people not from Rio Grande do Sul to be ineligible as the governor of the State, or for the re-election of the president to be possible and the elections to be organized by the Executive power. He also raised questions about the destiny of the country if other parts of the federation adopted the Rio Grande do Sul political model:

If other States follow the example of Rio Grande, and are constituted on the basis of the principles of an elected monarchy, theocracy, oligarchy or aristocratic republic, to what point will the Federative Republic of Brazil be reduced? A hybrid mingling of States without any link that binds them to each other (...) a combination of many States under the same government (ESCOBAR, 1926: 11).

Escobar who had been a militant of the Federalist Party since its foundation in 1892, was the heir of the Gasparist principles with regard to the organization of the State. In his view, "the key feature that needed changing" in the national organic law was "the inflexibility of the presidential regime". What was needed to achieve this was for the "ministers of State [to be] fully responsible for the acts of the executive power, whether political or administrative". As for the plebiscite and consultation at the municipal bases, as envisaged in the Gaucho Charter (which were designed to give publicity to the laws enacted by the President), Escobar also proved to be an energetic opponent since in his view, "to entrust this measure to one of the most uncultured classes of society is really absurd." (ESCOBAR, 1926: 159). Following this line of argument, he supported "the election of the President of the Republic by the Congress", because, in his opinion, "a presidential election by direct suffrage [was] a swindle", since "the excellence of this democratic principle [cannot] yield results for a people so lacking in culture", and only the Congress is a "body that is illustrious and competent enough to understand the citizens by occupying the lofty position of first magistrate of the nation." (ESCOBAR, 1914: 190-6).

The opposition arguments explained by Escobar were also summarized by the federal representative Pedro Moacyr (1871-1919)¹⁶. When a deputy, he was always drawing attention in his speeches to the fact that the Federal Charter caused a lot of trouble to the Rio Grande do Sul Constitution since it seriously violated the founding principles of the federative republican system. The argument of Moacyr aroused the powers of the nation to the extent that it led them to intervene in the State of Rio Grande do Sul, by appealing to Article 6 of the Federal Constitution. It is evident from a plenary session held on 7th June, that Parliament also made it clear in what form this intervention should take place: by means of appointing an *intervener*.

It is recommended that the National Congress expresses the need for a committee comprising Five deputies and Five senators who together with the Commission on Constitution and Justice of the Chamber and Senate, will proceed to a study of the Constitutions of the States and determine whether or not they are in agreement with the constitutional principles of the Union. (Art. 63 of the Federal Constitution).

That, should any infringement of the Federal Constitution be found, the National Congress will immediately give its definitive opinion on the question in the way determined by the Rules of the Chamber and Senate or through special proceedings.

That, following this, the Executive Power appoints an intervener charged with administrating the State, the Constitution of which has wholly or in part been declared unconstitutional and order an urgent election to be held of a constituent assembly which will have the competence to amend or replace the articles considered to be unconstitutional.

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That on the termination of this constitutional work, the responsibilities of the intervener will cease and the government of the State will return to its regulated bodies.

That the Executive Power will enforce the decisions of the National Congress based on a combination of Art. 63, 35, n I, 34 ns. 33 a 34 e 6º, §§ 2º and 5º, of the Federal Constitution.

(The Chamber, 19th June, 1907. Pedro Moacyr.)

It should be pointed out that Article 6º, considered by Campos Salles as "*the heart of the Brazilian Republic*", gave permission for an intervention to be made in the States with the aim of "repelling either a foreign invasion or of one State acting against another" (Paragraph 1º), "maintaining the federative form of the Republic" (Paragraph 2º), "re-establishing order and peace in the States, at the request of the respective governments" (Paragraph 3º) and "ensuring that the laws and federal decisions are put into effect" (Paragraph 4º). The President has the power to issue a decree for intervention in cases of public disturbance or the formation of parallel governments in the States following a declaration of a state of emergency by the Congress. Notwithstanding the various interventions that occurred during the First Republic, Article 6º, following an agreement with the federalist opposition, lacked effective regulatory legislation, a measure which was regarded as essential for clearly defining the powers, prerogatives and responsibilities of the representative powers of the Union.

It is also worth mentioning the influence exerted by the political situation in Argentina on the insistent argument of the Gasparists about the need to extend the degree of interference of the federal power in Brazilian States. In this respect, a certain admiration can be found in the parliamentary speeches for the republican experience in Argentina, where throughout the 19th Century there prevailed a federative model that was more centripetal than the Brazilian system since it was founded on the theories of Juan Baptista Alberdi and consolidated by Júlio Argentino Roca. It should be remembered that the national building of Argentina was from the outset, characterized to a significant degree, by the recurrent use of mechanisms for the state of exception such as federal intervention in the provinces and states of emergency. It is worth recording that from the time when the Constitution came into effect in 1853 until at least 1890, the state of emergency in the Argentine Republic had almost become an annual event and used for various purposes: external attack, provincial rebellions, prevention of conspiracies national revolution and the re-establishment of public order. And it was while referring to the political situation experienced by the neighboring country that had lived through an intermittent state of emergency since 1853, that Pedro Moacyr gave a speech on behalf of the approval of his recommendation:

But if this solution is not acceptable because it entails appointing an intervener, this terrible spectre that until now has not daunted other people who live under the same political system as us, like the Republic of Argentina, then let the Chamber find another solution. (MOACYR, 1925: 199).

In contrast, the republicans linked to the PRR, and headed by the deputy João Luiz Alves, (parliamentary draftsman of the Committee of Constitution and Justice of the Chamber of Deputies), declared that he was "bewildered" by his "notions of public law". The

Perrepists found it impossible to reconcile the idea of dictatorship with a constitutional order in which it was predicted there would be "elected representatives with a mandate that ends within a fixed period of time and with determined responsibilities within the constitutional time frame." (Annals of the Chamber of Deputies, Session of 7th June 1907). The opposition attacks in the plenary sessions were rebutted by the member of parliament Simões Lopes. In his speeches, he constantly alluded to the harmony that had prevailed during the 15 years of the Brazilian institutions in the Gaucho Constitution, in so far as the Congress always recognized the Rio Grande do Sul members of parliament and the President of the Republic had never made any reference to the unconstitutionality of the Charter of 14th July in his annals. (Idem, Session of 16th July, 1906).

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It should be borne in mind that the idea of federal intervention in Rio Grande on behalf of constitutional reform was always strenuously rejected by Júlio de Castilhos and his followers as being detrimental to the interests of the southern State. However as Ricardo Vélez Rodríguez (2010) makes clear, when the federal intervention was used as a device to strengthen the Castilhist regime, this was not permitted on the request of the Head of State to the President of the Republic of that time, Floriano Peixoto. This situation is narrated very well by the Deputy Pedro Moacyr, in the National Plenary Session of 1908:

When these interventions take place at the wishes and convenience of the regions and when they are just used to satisfy the whims and ambitions of a particular moment, they are employed in an irresponsible way; however, when they oppose and really go against the interests of the dominant powers that exist in these times, there are no curses, insults, anathemas, accusations of republicanism being distorted, that do not fall like a torrential downpour on the heads of those who dare to take on the responsibility (both within and outside parliamentary debates) of supporting the interventionist doctrine (MOACYR, 1925: 185-6).

Going back to the analysis of the "political testament", it should be underlined that according to Silveira Martins, the strengthening of the federation encompassed other factors such as those already mentioned. These included the following: the monitoring of the Constitutions of the States by the federal senate, the adoption of the unity of public law and due process, the wider provision of federal funds, and the fact that the States were forbidden from contracting external loans without the approval of the federal senate or to carry out policies of a military character – an allusion by Silveira Martins to the Military Brigade organized by Castilhos.

An interesting point to note is that the federal critics of the Castilhist-Borgist regime, as exemplified by Escobar and Moacyr, formed a new group on the occasion of the Assista Armed Rebellion of 1923 [named after the veteran politician Assis Brazil Borges] (ESCOBAR, 1922; PEREIRA, 1923; VELHO, 1923). In this year the oppositionists repeated the same claim that the republican principles were being flouted in so far as a) there was no independence or even autonomy among the powers, b) the State President could be elected indefinitely and c) together with these factors was the already mentioned prerogative to recommend the Vice-President. Finally, the faint signs of direct democracy that could be discerned in the possibility of a veto by the municipalities caused by the presidential decrees, were dispelled by the allegation of continuous interventions (under the protection of Article 20 of the Castilhist Constitution) of the central State power in the local regions. In addition to the ability to appoint provisional mayors who often prolonged their term in office, in a general way, the federalists constantly referred to Article 62 of the Constitution in their opposition speeches. This allowed the State

President to order the annexation of a recalcitrant municipality to another which was compliant and Article 20, allowed police forces to be deployed against undisciplined municipalities. Thus these opposition elements were present throughout the history of the First Republic in Brazil and pervaded the federalist discourse that stemmed from its historicity. (PEREIRA, 1923: 33).

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Another interesting point that needs highlighting here, concerns the revisionist stance adopted by the federalists in the national scene with regard to the Federal Constitution of 24th February 1891. It should be remembered that one of the issues supported by the Castilhist policies, regarding the question of the federation, concerned the defence of the Brazilian Constitution against amendments that weakened the State authority. This was a "position that was accompanied by a rejection of any federal attempt to give minority groups a proportion of power in the State government of Rio Grande" (LOVE, 1975: 94). Naturally, the "anti-revisionism" attracted other sectors wishing to enjoy power and became "the central feature of the scarce ideological trappings which maintained the cohesion of the main parties involved" (LOVE, 1975: 94). In the same way, among the opposition groups (including the Gaucho federalists and later, other critics of the federal regime), "revisionism became the key objective" (LOVE, 1975: 95).

It should be stressed that the first significant project, regarding the revision of the Federal Charter of 1891, was the "civilist" program of Rui Barbosa in 1910, which depended on the warm support of the followers of the federalist opposition. According to Joseph Love, the "civilist" program which anticipated *unionism*, or in other words, the preservation of the interests of the central power, presumably had a greater appeal to the members of the minority parties and urban electors in general. In other words, it attracted groups who saw a means of weakening the State oligarchies of a "Coronelist" or despotic base, in the amount of power granted to federal power (as in the case of the federalists).

It is worth drawing attention to the fact that the federalism advocated by the parties linked to Gaspar Martins and that expounded by Júlio de Castilhos, (who always argued for the minimum participation in the central power of the federative units) was a kind of *ultra-federalism*. As Américo Freire and Celso Castro (2003: 35-40) point out, in the early stages of the Brazilian Republic there was a third strand in the debate about the relationship between the central power and the States. This third strand represented the mediation of the two previous plans and maintained that the States should retain the larger part of the funds in line with their political autonomy. According to Freire and Castro, this last group ended by setting the tone for the Constitution of 1891, by achieving a *watered down federalism*.

Since it was the opposition and remained on the sidelines of the "*policies of the governors*", it was impossible to participate in both the State and municipal power. In view of this, the federalists thought that the Republic had made a serious error in establishing the excessive independence of the States. This is something that can be found in all the opposition manifestations and programs. They describe themselves as federalists but not confederationists – and state that this was the situation in the First Republic in Brazil:

The founding republicans of the regime thus had a real terror of facing up to this problem, despite really deplorable scenes and dreadful scandals which broke out year after year, month after month, day by day, in each of the States of the Brazilian federation and that seriously put at jeopardy the fate itself of the federation (and its support). It has turned autonomy into sovereignty and ended by disturbing the regime itself which today has been reduced to nothing more than

a grotesque hybrid confederation which is rapidly dissipating all the energies of our nationality.
(MOACYR, 1925: 343).

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On this question, it should be added that although they were decidedly in favor of the republican regime, the federalists did not hide a sneaking sympathy for the Empire, especially because by means of centralization, it had preserved a political and moral unity in Brazil. The order established in 1891 had not only failed to refound the country on a suitable and realistic basis but had helped to change it into an incongruous and ephemeral aggregate of State leanings. On the basis of this diagnosis of the situation, Pedro Moacyr pointed his finger squarely:

And the greatest glory of the Empire, something that distant posterity will never be able to deny to its dignified and honorable States, is to have secured through all the sacrifices, inexperience and troubles that at that time convulsed both Brazil and the whole of America – the ethnic, moral and political union of our race and our nationality. Seventy years of Empire built this vast, colossal, wonderful and beloved Brazil. However, for a republican like myself, it is heartbreaking to confess that the new republican regime has shaken the national conscience and is marring the beautiful sense of unity achieved through the accumulated work of several generations of statesmen. There is a risk that it will perversely undermine our nationality and subject it to a absurd dismemberment, unless an iron hand can opportunely and with as much strength as possible, restore the heritage of our moral culture and ethnic unity and oppose all these violations, abuses and negligence. (MOACYR, 1925: 187).

The references to the monarchy as well as the monarchical parties also characterize the speech of Wenceslau Escobar, quoted earlier. In the work "*30 Years of Dictatorship in Rio Grande do Sul*", a pamphlet that traces the historical origins of the Rio Grande do Sul republicans until 1922, the federalist consecutively stated that this era was an apogee characterized by political righteousness and stability:

The fact that in the past regime there was an alternation of power between the parties, was also a factor of considerable importance in the formation of the national character. The certainty of being governed within a strict period which might be longer or shorter, but never indefinite was an incentive to holding fixed ideas and principles. (...) This mechanism was a civic school that inculcated firmness of character (...) The Republic closed this school down by destroying the political freedoms which had given birth to the parties. (ESCOBAR, 1922: 15-16).

Assis Brasil, the leader of the Gaucho opposition party in the 1920s admitted that the practice of granting excessive independence to the States (from 1889 to 1908), "has convinced me – and not just me but many other federalists that believe in the principle as much as I do – has convinced us, that this beautiful theory is no longer applicable to Brazil." (Assis Brasil, 1908: 110). Gaspar Silveira Martins himself, soon after going into exile where he made his Proclamation, stated that: "Only parliamentary unitarianism can save the country." (RUSSOMANO, 1976: 263).

With regard to the more famous and controversial banner of the federalist opposition – parliamentarianism – the Castilhists accused them of "Sebastianism" because the federalist proposals had turned into the centralizing parliamentarianism of the Empire. As Joaquim Luís Osório states: "Look, the return to the dominion of the parliamentary system would be going back to the old political formulas of the Empire. The result of this would be to overthrow the federation by bringing in a unitary regime." (OSÓRIO, 1930: 93).

Final Considerations

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The dissensions around State autonomy and the choice between parliamentarianism and the presidential system, have their own logic within the regional and federal political sphere since among the Gaucho republicans there was a more substantial Republican plan for the country. On the one hand, it was seen that the dominant Party led by Júlio de Castilhos, openly adopted a kind of ultrafederalism, grounded on the minimum involvement of the central power in the States, as a reply, on a national plane, to the centralism of the Second Reign. To a certain degree, the Empire was confused with "Unitarism" and the moderate power of the Emperor. In the view of the Castilhists, political autonomy was allied to the supreme authority of the Executive Power and in the regional sphere, with the power to legislate over any non-financial matters. In the case of the kind of federalism enthusiastically put forward by the republicans, the federalist opposition replied by stating that there was a greater need to broaden federal power in the States. It might be assumed that the federalist scheme to restrict the interference of State power in the municipalities was only regarded as a means of curbing the powers of Castilhos and Borges de Medeiros. However, as was seen, the centralization of certain powers and the political weight attached to the federal sphere, showed the willingness of the oppositionists linked to Silveira Martins to be involved at this level of decision-making too. Thus unitary federalism, understood as being more democratic and open to the minority groups, meant opposing the Positivist dictatorship at the State level and was a necessary condition for the regional factions that were practically excluded from the national political game, to be included in national decision-making to a significant degree.

In spite of the support that was given to the four eminent figures in the Party, and backed by other leaders, the "political testament" of Silveira Martins was never officially adopted by the party. Apparently, the resistance was based on two key points regarding the way the parliamentary system of government operated and the way of electing the State President. According to Sérgio da Costa Franco (2007), one fact signalled the decline of the Federalist Party in a symbolic way. In August 1920, the inner core of the party decided to bring back the ashes of their founder from Montevideo to Bagé. Among great ceremonial pomp and public demonstrations, the remains of the statesman disembarked from Rio Grande, stopped at Pelotas, Porto Alegre and Santa Maria and were finally laid to rest in Bagé. Nineteen years after his death, the prestige of Silveira Martins remained intact, but the Party which he had founded fell apart as a result of internal disputes, leaving it to be crushed by the indisputable force of its adversary.

At all events, it is important to note that the party left some plans as its legacy and these assisted in improving the democratic process in Brazil after 1930: the secret ballot, enlistment of names and a compulsory voting system, as well as unitary and procedural law. And it remains to ask in the words of the author in question: is it possible that after the disasters of the presidential system, a parliamentary system might still be demanded by the nation?

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Notes

1. Founded in Bagé-RS, on 31st March 1892, on the initiative of Gaspar Silveira Martins, the party represented the main front of the opposition forces that combated the Castilhist political republican order, founded in the Constitutional Charter of 14th July 1891.
2. Despite the party program of 1892, it is worth remembering that it involved returning to the climate that existed in the State of Rio Grande do Sul, without including any national scheme. It operated as follows: the party was formed through a combination of several strands bearing in mind the closeness of the election campaign of the State. On this issue, see: FRANCO, Sérgio da Costa. *O Partido Federalista* [The Federalist Party]. In: GOLIN, Tau; BOEIRA, Nelson (Orgs.). *República velha* [The old republic] (1889-1930). v. 3, t. 1. Passo Fundo: [town in the North of Rio Grande do Sul], 2007, p. 135.
3. On the Castilhist model, look at: VÉLEZ RODRÍGUEZ, Ricardo. *Castilhismo: uma filosofia da República*. [Castilhism: a philosophy of the Republic] Brasília: Senado Federal, Conselho Editorial, 2010.
4. With regard to this, see: OSÓRIO, Joaquim Luís. *Partidos Políticos no Rio Grande do Sul*. [The Political Parties of Rio Grande do Sul] Pelotas: Globo, pp. 17-50, 1930.
5. Daily newspaper of the "Situationist" Party, published in Porto Alegre. Further information in: FRANCO, Sérgio da Costa. *Dicionário Político do Rio Grande do Sul* [Political Dictionary of Rio Grande do Sul] (1821-1937). Porto Alegre: Suliani Letra & Vida, 2010.
6. For a better understanding of the Positivist dictatorship, a good source of reference is the "Historical Testimony" published by Pierre Laffitte, in 1890, in *Revue Occidentale*, in which attention is drawn to "The Report given to the Positivist Society by the committee entrusted with examining the nature and planning of the new government of the French Republic".
7. Although this was a committee made up of three members, Assis Brasil, Ramiro Barcellos and Júlio de Castilhos, who were responsible for drawing up a plan for the State Constitution, the only author of the constitutional plan was in fact, Castilhos.
8. Victor Russomano (1976), although officially committed to the Castilhist government, offers valuable features for an analysis of this kind.
9. Concerning the authors who exposed the contradictions between Castilhism and Comtism, see : PICCOLO, Helga I. Landgraf.

Historiografia gaúcha.[Gaucho historiography] In: Anos 90. Porto Alegre, UFRGS/PPG History, 1995.

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10. Born in Bagé-RS, in August 1834, Gaspar Silveira Martins, studied Law at the Faculty of São Paulo, practised as a lawyer and judge and devoted most of his life to political litigation. He was a great orator who was affiliated to the Liberal Party and was elected provincial deputy (PL) in 1862 and general deputy in 1872. In this Party there was a growing opposition to the presidents of the Gaucho province who were appointed by the Central government until 1878, when the liberals rose to power and dominated both the presidency and the Assembly in Rio Grande do Sul. In this year he was Minister of Agriculture in the liberal cabinet, which he soon broke away from in disagreement and later in 1880, he rose to the Senate. After a new period of opposition to the conservative ministers between 1885 and 1889, Silveira Martins witnessed a new rise of liberals when the last imperial cabinet was formed and he was appointed President of the Province of Rio Grande do Sul. Following the proclamation of the republic, he went into exile and was only able to return after 1892, when took decisive action in the camp of the opposition forces to Castilhism, and formed the Federalist Party. He was one of the rebellious leaders during the Rio-Grandense Revolution of 1893, and following its defeat, went to Europe and later settled in Uruguay. In 1896, he took part in the Federalist Congress of Porto Alegre, where he outlined a model of the parliamentary Constitution which was drawn on in the Charter of 1934. He remained abroad until 1901, when he died in the Eastern Republic. As a councillor of the Empire and gifted with a capacity for powerful and torrential eloquence, Silveira Martins was renowned in the parliaments in which he served and was known as "the Tribune". In the same way, he took decisive measures during the most crucial period of regional and national life which marked the transition from Monarchy to Republic. His political writings can be reduced to interventions in the Senate, interviews with the press and addresses on party platforms, his "political testament", which will be analyzed in the next section, being the most important. (Data obtained from the work "O Tribuno do Império: Gaspar da Silveira Martins sob o prisma da imprensa", [The Tribune of the Empire: Gaspar da Silveira Martins under the spotlight of the press] by Francisco das Neves Alves)

11. There were several opposition parties to the regime established by the dominant party in RS; thus there arose the National Union, the Federal Republican Party and the Federalist Republican Party. These political fronts brought together political groups with different concepts, ideas and objectives. Their only factor that united them was anti-Castilhism.

12. The question of Gaucho oppositionism has been addressed in several studies and the following authors can be highlighted: Joseph Love (1975), Hélio Trindade (1980), Maria Antonieta Antonacci (1981), Pedro Cezar Dutra Fonseca (1983), Sandra Pesavento (1993), Sérgio da Costa Franco (1993) and Gunter Axt (2011).

13. Although the program of 1892 did not include any proposal of a national significance, it should be understood that the word "Federalist", was already being used by liberals in the State of Santa Catarina which had overthrown the President, Lauro Müller in December, 1891, and this had a certain national resonance.

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14. Between the years 1893 and 1895, there was a civil war in Rio Grande do Sul which was triggered by the federalist opposition and was marked by extreme political violence.

15. Wenceslau Pereira Escobar was born in São Borja-RS, in 1857. He graduated in Law at the Academy of São Paulo in 1880. He was linked to the Liberal Party and elected Provincial Deputy in 1881. He adhered to the republican system but from early on inclined to the opposition to Castilhism, and was enlisted by the Federalist Party.

16. Pedro Gonçalves Moacyr was born in 1871, in Porto Alegre-RS. He graduated in Law at the Academy of São Paulo in 1891. He was linked to PRR, and was later an adherent of the Federalist Party where he was one of the most prominent members

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