Portugal has had a parliament since 1820, in various formats and political regimes. The current parliament, the Assembleia da República (AR), was introduced in 1976 following the fall of Salazar's 48 years of authoritarian regime and the introduction of a democratic regime in 1974. The key characteristic of this parliament, even today, is the very strong role played by party as the key unit of representation. The Portuguese political system is a semi-presidential one, where the President of the Republic is directly elected by the people every five years and has veto powers. The government is officially nominated by the President, but in accordance with the views expressed in the elected parliament. The government and PM are politically responsible to parliament, an institution that plays therefore a key role in what has been called a triangular system.

The AR is a unicameral parliament with 230 MPs (Deputies), elected through a proportional representation closed list system; specifically the d'hondt higher average system. Portugal's population is estimated at just over 10 million. MPs are elected through large districts, 22 in total: 18 in continental Portugal, one for each of the two autonomous regions, Azores and Madeira, one for emigrants living outside Europe and one for those in Europe. Despite the division into separate districts, the Portuguese parliamentary mandate is a national one. The division into districts is seen as a purely administrative convenience, although more recently the value of constituency representation has become more important (despite no constitutional
change on this matter, other than the introduction in 1997 of the possibility of having an electoral system that combines proportional representation with uninominal districts).

The **closed list electoral system** is key to understanding how the Portuguese parliament works, as well as an indicator of the power held by parties. The Constitution determines that only parties can present candidate lists for parliament. The lists are determined by party headquarters with varying degrees of consultation with local party structures. As important as the actual names on the list is the order in which candidates are listed, as this determines the likelihood of being elected. Some parties may occasionally have non-party candidates in their lists, but the election is fought entirely on a party ticket. Once elected, most stay within their party's parliamentary group and their activity will be accounted for within the resources of their group. If they wish to speak in the chamber, for example, the time used will be taken from the time allocated to their parliamentary group. If they wish to put questions to the government, this will be from their group's quota, etc. Those who wish to act as truly independent deputies will have much fewer rights and opportunities to intervene.

Together, the **Constitution** and the **Rules of Procedure** provide the main regulatory framework of the AR. And since 1976 the party has been identified as the main unit of organisation. Some rights are ascribed specifically to parties (parliamentary groups) rather than individual deputies (for example the entitlement to put an interpellation to the government). And the vast majority of the resources and rights are allocated according to the group rather than the individual MP, in proportion to the group's number of elected deputies. What's more deputies cannot cross the floor. The Constitution states that deputies need to stay within the list of the parties through which they were elected. The regulatory framework stimulates therefore a considerable focus on the party as the main unit of representation and organisation.

Party representation in the Portuguese parliament has been reasonably stable since the first truly democratic elections in 1975 to elect the Constituent Assembly, which would draft Portugal's Constitution. The **four main parties have been since then**, from left to right, the PCP (Communist party), the PS (socialist/social-democrat party), the PSD (right liberal/conservative party) and the CDS-PP (Christian/conservative right party). Besides these, two other small parties have been represented in parliament for a few years now also, the Left Block (left, urban based, post-materialist) and the Greens (left, very closely associated with the PCP, competing in elections in coalition). The PS and the PSD have been the larger parties, representing together roughly about 80% of the votes; they have been the key players in government. Up to the mid 1980s there was considerable political instability, but the 1987 election inaugurated a more stable period in Portuguese politics, with four parliaments since then completing its four years mandate, and others close to three years.

As parties determine the candidate lists, most changes in membership are dependent on the parties’ own policies. The representation of women can oscillate between 25% and 30% in each Parliament, as women MPs are often elected in the lower ends of lists. There are a number of incompatibility rules, namely between being a Member of Government and MP and so as MPs are substituted upon taking office elsewhere, female representation usually increases as more women gain access to a mandate.

Today's AR is very different from the 1970s institution. At the time parliamentary business was mainly about legislation, as the parliament played an important role in determining the regulatory framework of Portuguese new democracy. Today, **most legislation is determined by the government** or passed in parliament thanks to the majority parliamentary group's support. Party discipline is extremely strong and any adjustments are done prior to a vote. Still, there is considerable difference in the parliament’s ability to modify legislation according to the type of support government has. In cases of minority or coalition governments, there is more leeway for discussion and amendment in parliament. Besides this, the Constitution establishes specific subject areas where government can only legislate through parliament, such as education or the state budget; although in other areas, it can legislate without parliament.

As the new political system became established, parliament’s role shifted to scrutiny and legitimation. From the 1980s onwards, new scrutiny instruments were introduced and/or developed, such as the regular
debate with the PM or the State of the Nation debate, or still new powers for committees. Committees play a key role in today’s parliamentary business. Whereas in the 1970s most of the parliamentary business took place in the Plenary and committees couldn’t meet at the same time as the Plenum, since then the importance of committees has increasingly become reinforced. Today the media has access to committee meetings and these are widely reported on. Committees are set for the period of a parliament and tend to mirror the government’s portfolio of ministries.

The 21st century Portuguese parliament is therefore a very different one to the institution established in the mid 1970s. At the time deputies did not have a working base in parliament (shared offices would only be introduced in the late 1980s) and many took this role only temporarily, in between other jobs. Today parliamentary work is much more professionalised and many Deputies develop their main career in parliament. The only key feature that has not changed since the mid 1970s is the power still held by the parties. The party unit was seen as a vehicle for representative legitimacy and stability in the transition to democracy, following the experience of nearly fifty years of dictatorship and considerable instability at the start of the 20th century. Today the role of the party is still deeply engrained in much of what dictates parliamentary business.

References:

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