

Comparative Study of Electoral Systems Module 3: Macro Report

Country: **Portugal**

Date of Election: **27th September 2009**

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Date of Preparation: **4th August 2010**

NOTES TO COLLABORATORS:

- The information provided in this report contributes to an important part of the CSES project. The information may be filled out by yourself, or by an expert or experts of your choice. Your efforts in providing these data are greatly appreciated! Any supplementary documents that you can provide (e.g., electoral legislation, party manifestos, electoral commission reports, media reports) are also appreciated, and may be made available on the CSES website.
- Answers should be as of the date of the election being studied.
- Where brackets [] appear, collaborators should answer by placing an “X” within the appropriate bracket or brackets. For example: [X]
- If more space is needed to answer any question, please lengthen the document as necessary.

Data Pertinent to the Election at which the Module was Administered

1a. Type of Election

- Parliamentary/Legislative
- Parliamentary/Legislative and Presidential
- Presidential
- Other; please specify: _____

1b. If the type of election in Question 1a included Parliamentary/Legislative, was the election for the Upper House, Lower House, or both?

- Upper House
- Lower House
- Both
- Other; please specify: _____

2a. What was the party of the president *prior* to the most recent election?

2b. What was the party of the Prime Minister *prior* to the most recent election?

The party was PS (Partido Socialista)

2c. Report the number of cabinet ministers of each party or parties in cabinet, *prior* to the most recent election. (If one party holds all cabinet posts, simply write "all".) Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

Name of Political Party

Number of Cabinet Ministers

PS (Partido Socialista)

All

2d. What was the size of the cabinet *prior* to the election (total number of cabinet ministers detailed in 2c)? Please include only full ministers and the prime minister in the count. Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

Including the Prime Minister, the size of the Cabinet prior to the election was 16.

3a. What was the party of the president *after* the most recent election?

3b. What was the party of the Prime Minister *after* the most recent election?

PS (Partido Socialista)

3c. Report the number of cabinet ministers of each party or parties in cabinet, *after* the most recent election. (If one party holds all cabinet posts, simply write "all"). Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

Name of Political Party

Number of Cabinet Ministers

PS (Partido Socialista)

All

3d. What was the size of the cabinet *after* the election (total number of cabinet ministers detailed in 3c)? Please include only full ministers and the prime minister in the count. Ministers are considered those members of government who are members of the Cabinet and who have Cabinet voting rights.

Including the Prime Minister, the size of the cabinet is 17.

4a. How many political parties received votes in the election? In this answer, we want political parties, not merely alliances or coalitions of political parties. Please include all parties that received votes, but do not include independents. Where coalitions are present, please count all member parties separately – for instance, a coalition of three parties would count as three parties in your answer, not as one party.

16 political parties.

PCP-PEV (Partido Comunista Português and Partido Ecologista “Os Verdes”)

BE (Bloco de Esquerda)

MEP (Movimento Esperança Portugal)

MMS (Movimento Mérito e Sociedade)

PND (Partido da Nova Democracia)

PCPT/MRPP (Partido Comunista dos Trabalhadores Portugueses)

MPT (Partido da Terra)

PNR (Partido Nacional Renovador)

POUS (Partido Operário de Unidade Socialista)

CDS-PP (Centro Democrático Social)

PS (Partido Socialista)

PSD (Partido Social Democrata)

PTP (Partido Trabalhista Português)

PPV (Partido pro Vida)

MPT-PH – FEH (Frente Ecologia e Humanismo)

PPM (Partido Popular Monárquico)

4b. Please provide a source of data and link to a website with official, detailed election results (votes and seats) for all parties participating in the election. If the data is not available electronically, please provide the information in paper format if possible.

http://www.cne.pt/dl/resultados_ar2009b.pdf

4c. Please list all parties who received at least 1% of the vote nationally, and the applicable electoral results for each, in the following table. Please indicate the source (even if the same as in Question 4b), and add additional rows to the table as necessary. Please provide party names both in English and in the original language, if applicable.

Source: http://www.cne.pt/dl/resultados_ar2009b.pdf

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Party Name	Number of Votes	% of Vote	Number of Seats	% of Seats
PCP (Partido Comunista Portugues) -PEV and PEV (Partido Ecologista “Os verdes”) in electoral alliance	446279	7.86%	15	6.52%
BE (Bloco de Esquerda)	557306	9.81%	16	6.96%
CDS-PP (Centro Democrático Social)	592778	10.43%	21	9.13%
PSD (Partido Social Democrático)	1653665	29.11%	81	35.22%
PS (Partido Socialista)	2077238	36.56%	97	42.17%
Total 5 parties	5327266	93.77%	230	100%

4d. What was the voter turnout in the election?

59.68%.

4e. Please provide the following six statistics for the country at the time of the election studied, so that we may calculate voter turnout in various ways. Some definitions, where provided, are based on those developed by International IDEA.

- Total Population: 10 637 713 (estimate does not include Portuguese residing outside the territory)

Definition: The total population includes all inhabitants, of all ages, both citizens and non-citizens (including illegal aliens).

- Total Number of Voting Age Citizens: 8 245 055 (estimate does not include Portuguese residing outside the territory)

Definition: This number is meant to approximate the eligible voting population.

- Total Vote: 5 681 258

Definition: The total number of votes cast in the relevant election. Total vote includes valid and invalid votes, as well as blank votes in cases where these are separated from invalid votes.

- Total Number of Invalid and Blank Votes: 175 980

- Voting Age Population: 8 681 075 (estimate does not include Portuguese residing outside the territory)

Definition: Includes all persons above the legal voting age.

- Number of Registered Voters: 9 519 921

Definition: The figure represents the number of names on the voters' register at the time that the registration process closes, as reported by the electoral management body.

5. Ideological family of political parties. For this question, please use the same parties that were used in the CSES Module 3 respondent questionnaire, and label them the same way (A-I).

Party Name	Ideological Family
A. PS Partido Socialista (Socialist Party)	Social Democratic Parties
B. PSD. Partidos Social Democrata (Social Democratic Party)	Liberal ¹
C. CDS/PP Partido Popular (Popular Party)	Conservative Parties
D. BE Bloco de Esquerda (Left Block)	Extreme Left ²
E. CDU Coligação Democrática Unitária – coalition between PCP and PEV ³	Communist-Greens
F. PEV Partido Ecologista “Os verdes”	Ecology Parties
G. PCP Partido Comunista Português (Portuguese Communist Party)	Communist Parties
H.	
I.	

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

¹The assignment of PSD to an ideological family is difficult because, although it belongs to the center-right of the political spectrum, it has both liberal and conservative factions within it. It is assigned to the liberal family

² Left-libertarian on social/moral issues, close to Communist positions on the economy.

³ CDU is an electoral alliance formed by the Portuguese Communist Party (PCP) and the Greens (PEV)

(A) Ecology Parties
(B) Communist Parties
(C) Socialist Parties
(D) Social Democratic Parties
(E) Conservative Parties

(F) Left Liberal Parties
(G) Liberal Parties
(H) Right Liberal Parties
(I) Christian Democratic Parties
(J) National Parties

(K) Independents
(L) Agrarian Parties
(M) Ethnic Parties
(N) Regional Parties
(O) Other Parties

7. In your view, what are the five most salient factors that affected the outcome of the election (e.g. major scandals; economic events; the presence of an independent actor; specific issues)? Rank them according to their salience (1 = most salient).

1. The Portuguese economic situation (rising unemployment, for example), aggravated by the international economic crisis.
2. The decrease of Prime Minister José Sócrates's popularity, at the same time that the popularity of the leader of PSD (Partido Social Democrata), Manuela Ferreira Leite, was also low and her party was affected by internal conflicts.
3. The judicial investigations where the Prime Minister, José Sócrates, was involved.
4. Unpopular governmental measures.
5. The good performance of CDS/PP, and its leader Paulo Portas, in the campaign.

8. Party Leaders and Presidential Candidates:

In the table below, report the leader(s) of each party. Please use the same parties that were used in the CSES Module 3 respondent questionnaire, and label them the same way (A-I). If candidates were endorsed by more than one party, please indicate this.

Party Name	Name of Party Leader	Name of Presidential Candidate, if appropriate
A. PS Partido Socialista	José Socrates	
B. PSD Partido Social Democrata	Manuela Ferreira Leite	
C. BE Bloco de Esquerda	Francisco Louçã	
D. CDU (PCP-PEV) Coligação Democrática Unitária ⁴	Jerónimo de Sousa	
E. CDS/PP (Partido Popular)	Paulo Portas	
F.		
G.		
H.		
I.		

⁴ The Candidate Jerónimo de Sousa was leader of the electoral alliance formed by the Communist Party (PCP – Partido Comunista Português) and the Greens (PEV – Partido Ecologista “Os verdes”).

9a. Fairness of the Election

How impartial was the body that administered the election law?

- Very impartial
- Mostly impartial
- Not very impartial
- Not impartial at all

9b. Was there a formal complaint against the national level results?

- Yes
- No

9c. Were there irregularities reported by international election observers?

- Yes
- No
- No international election observers

9d. On what date was the election originally scheduled to be held?

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9e. On what date was the election actually held? If different from 1d, please explain why.

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10a. Election Violence

To what extent was there violence and voter or candidate intimidation during the election campaign and the election day?

- No violence at all
- Sporadic violence on the part of the government
- Sporadic violence on the part of opposition groups
- Sporadic violence on all sides
- Significant violence on the part of the government
- Significant violence on the part of opposition groups
- Significant violence of all sides

10b. If there was violence, was it geographically concentrated or national?

- Geographically concentrated
- National

10c. Post-Election (and election-related) Violence

To what extent was there violence following the election?

- No violence at all
- Sporadic violence on the part of the government
- Sporadic violence on the part of opposition groups
- Sporadic violence on all sides
- Significant violence on the part of the government
- Significant violence on the part of opposition groups
- Significant violence of all sides

10d. Post-Election (and election-related) Protest

To what extent was there protest following the election?

- No protest at all
- Sporadic protest
- Significant protest

Questions about the Possibilities of Electoral Alliance

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

11. Joint Lists/Candidates

There are multiple types of electoral alliances/coalitions, but we are explicitly interested in those involving joint lists or candidates - i.e. those where parties compete as a unit during the election.

Is this type of electoral coalition legally allowable?

- Yes
 No

Is this type of electoral coalition used in practice, even if not legally allowable?

- Yes
 No

If “Yes” was answered to either of the above questions, then please complete the following table for the election at which the Module was administered. Please mention only alliances that received at least 1% of the vote nationally. Add additional lines to the table as necessary.

Alliance Name	Participating Parties (please indicate dominant members with an “*”)
Alliance 1: CDU (Coligação Democrática Unitária)	PCP* (Partido Comunista Português) e PEV (Partido Ecologista “Os verdes”)
Alliance 2:	
Alliance 3:	
Alliance 4:	
Alliance 5:	

12. If joint lists are possible, are they subject to different regulations than single-party lists? For example, higher thresholds, different numbers of candidates that may appear on the list, etc. (please mark all applicable responses)

- Yes, joint party lists must satisfy higher thresholds
- Yes, joint party lists may present different numbers of candidates
- Yes, joint party lists are subject to other regulations that are different from the regulations governing independent parties; please specify: _____
- No, joint parties are governed by the same rules as the other parties
- Not applicable; no joint party lists are allowed

13a. Is there apparentement or linking of lists?

- Yes
- No

13b. If apparentement is possible, what lists can participate in such agreements:

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

14a. Can candidates run with the endorsement of more than one party?

- Yes
- No

***Only if the parties run in a joint list with a common label – pre electoral coalition – and with several candidates, from the corresponding political parties that integrate the coalition.**

14b. If candidates can run with the endorsement of more than one party, is this reflected on the ballot?

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

Data on Electoral Institutions

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

Constitution

ARTICLE 10

Universal suffrage and political parties

1. The people shall exercise political power through universal, equal, direct, secret and periodic suffrage, through referendum and through other forms laid down in this Constitution.
2. The political parties shall assist in bringing about the organisation and expression of the will of the people and shall respect the principles of national independence, the unity of the State and political democracy.

ARTICLE 113

General principles of electoral law

1. Direct, secret and regular elections are required for the selection of members of the elective organs with supreme authority, of the autonomous regions and of local government.
2. Registration of electors is compulsory and permanent and shall be officially initiated. There shall be a single registration system for all elections that take place by direct universal suffrage, without prejudice to the provisions of Article 15(4) and (5) and Article 121(2).
3. Election campaigns shall be conducted in accordance with the following principles:
 - a. Freedom to canvass;
 - b. Equality of opportunity and treatment for all candidates;
 - c. Impartiality towards candidates on the part of public bodies;
 - d. Transparency and supervision of electoral expenses.
4. Citizens have the duty to co-operate with the election administration as laid down by the law.
5. Votes cast shall be converted into effective elections in accordance with the principle of proportional representation.
6. Action dissolving collegiate organs that are elected by direct suffrage shall set the date for new elections, which shall be held within the following 60 days under the election law in force at the time of the dissolution; otherwise the action has no legal validity.
7. The courts have the power to rule as to the proper conduct of, and the validity of action taken during, the election process.

ARTICLE 114

Political parties and the right of opposition

1. Political parties shall participate in organs that are elected by direct universal suffrage to the extent of their electorally determined representation.
2. The right of democratic opposition of minorities shall be recognised on the conditions set out in this Constitution and under the law.
3. Political parties that are represented in the Assembly of the Republic but not in the Government have the right in particular to be informed regularly and directly by the Government on the progress of the principal matters of public interest; political parties that are represented in

the regional legislative assemblies and any other assemblies formed through direct elections but not in the associated executive organ enjoy the same right with respect to that organ.

SECTION III

Assembly of the Republic

CHAPTER 1

Status and election

ARTICLE 147

Definition

The Assembly of the Republic is the representative assembly of all Portuguese citizens.

ARTICLE 148

Number of Deputies

The Assembly of the Republic shall have not less than one hundred and eighty, and not more than two hundred and thirty, Deputies, as provided in the electoral law.

ARTICLE 149

Constituencies

1. Deputies shall be elected by electoral districts, the boundaries of which shall be laid down by law, which may also provide for the existence of plurinominal and uninominal electoral districts, as well as their respective kind and complementarity, in order to ensure the system of proportional representation and the Hondt highest average method when converting the votes into the number of mandates.

2. Except in the case where there is a national electoral district, the number of Deputies allocated to each plurinominal electoral district, shall be proportionate to the number of voters enrolled in the electoral register for that electoral district.

ARTICLE 150

Qualifications

Portuguese citizens entitled to vote may stand for election, subject to the restrictions arising from local disqualifications or the holding of specified offices, as are prescribed in the electoral law.

ARTICLE 151

Nominations

1. Nominations shall be made, as provided by law, by the political parties either separately or in combination with others; the lists may include citizens who are not members of the nominating parties.

2. No one shall stand for more than one electoral district of the same kind except the national electoral district where such exists, or be named in more than one list.

ARTICLE 152

Political representation

1. The law shall not limit the conversion of votes cast into numbers elected by a requirement for a minimum national percentage of votes.

2. Deputies shall represent the whole country, rather than the electoral district for which they were elected.

Beginning and end of term of office

1. The term of office of Deputies starts with the first meeting of the Assembly of the Republic and ends with first meeting after the next general election, without prejudice to the powers to suspend and remove individual Deputies from office.

2. The filling of Assembly seats that fall vacant and the temporary replacement of Deputies, where there are good reasons, shall be regulated by the electoral law.

Questions 15a through 21d must be repeated for each electoral tier (segment) of each directly elected house of the legislature.

Electoral Tier (Segment) and House

15a. In your answers for questions 15a through 21d, which electoral tier (segment) is being referred to? (Note: Countries with only one tier may skip this question.)

Not applicable.

15b. In your answers for questions 15a through 21d, which house is being referred to (lower or upper)? (Note: Countries with only one tier may skip this question.)

Not applicable.

Questions about Voting

16a. How many votes do voters cast or can cast? In systems where voters rank order the candidates, if there are 10 candidates (for example), the response to this question should be 10.

One.

16b. Do they vote for candidates (not party lists) or party lists? (Note: Collaborators may select multiple answers, if appropriate.)

(Definition: Party bloc voting is used in multi-member districts where voters cast a single party-centered vote for their party of choice; the party with the most votes wins all of the district seats.)

- Candidates
- Party Lists
- Party Bloc Voting
- Other; please explain: _____

16c. How many rounds of voting are there?

For the type of election in study, there is only one round of voting.

16d. If there are lists, are they closed, open, flexible, or is there party bloc voting?

- Closed (order of candidates elected is determined by the party and voters are unable to express preference for a particular candidate)
- Open (voters can indicate their preferred party and their favored candidate within that party)
- Flexible (voters can allocate votes to candidates either within a single party list or across different party lists as they see fit)

17. Are the votes transferable?

(Definition: In systems with preferential voting, a voter can express a list of preferences. E.g., votes can be cast by putting a '1' in the column next to the voter's preferred candidate, a '2' beside their second favorite candidate and so on. Votes are counted according to the first preferences and any candidates who have achieved the predetermined quota are elected. To decide which of the remaining candidates are elected the votes are *transferred* from candidates who have more than the necessary number to achieve the quota and from the candidate with the least number of votes. An example of this is the election in Ireland in 2002.)

- Yes
 No

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

(Definition: Cumulative voting refers to systems in which voters are allowed to cast more than one vote for a single candidate.)

- Yes
 No

Not applicable.

19. Is voting compulsory?

(Definition: Voting is compulsory if the law states that all those who have the right to vote are obliged to exercise that right.)

- Yes; Strictly Enforced Sanctions
 Yes; Weakly Enforced Sanctions
 Yes; Without Sanction for Violation
 No

20. Please list and describe any other features of voting that should be noted.

Questions about Converting Votes into Seats

21a. Are there legally mandated thresholds that a party must exceed before it is eligible to receive seats?

- Yes
 No

21b. If YES in Question 21a, what is the threshold?

21c. If YES in Question 21a, what is the unit for the threshold mentioned in Question 21b?

- Percent of total votes
 Percent of valid votes
 Percent of the total electorate
 Other; please explain: _____

21d. If YES in Question 21a, please specify to what House/ Electoral Tier (Segment) the threshold(s) apply.

Please repeat questions 15a through 21d for each electoral tier (segment) of each directly elected house of the legislature. Countries with only one tier should proceed to Question 22.

References

22. Please provide an official source for district-level election results. English language sources are especially helpful. Include website links or contact information if applicable.

23. Please list any resources that were consulted in the preparation of this report, or that the CSES community may find especially helpful in understanding the political system described. Include website links if applicable.