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Electoral System Change in Europe since 1945



Electoral System Change in Europe since 1945: Portugal

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With thanks to:





Section 1: Overview of Portuguese Electoral System Changes since 1974

The starting point for analysing the Portuguese electoral system is the electoral law promulgated in 1974 after the Carnation Revolution, the military coup that ended the Estado Novo dictatorial regime. However, the country continued to be governed by a military-civilian provisional administration, the National Salvation Junta, until the Portuguese legislative election of 1976.

Under the Estado Novo regime there was a bicameral parliament including a National Assembly, (elected directly every four years but where only one party – National Union – could be elected), and the Corporative Chamber. This regime was based on corporatist principles, which were included in the Portuguese Constitution of 1933 and developed afterwards.

After the Carnation Revolution Portugal introduced a semi-presidential system in which the Assembly of the Republic is elected every four years by proportional representation in each district by the D'Hondt quota. Although small parties are protected due to the fact that there is no minimum percentage of votes they must receive to gain a seat in the assembly, the low average district magnitude of the Portuguese system favours the largest parties.

Since 1974 various amendments to each law have been passed, but none of them have implemented major changes to the 1974 system: most of that changes have been minor such as slight differences in the size of the Chamber of Deputies. In fact, the Constitution excludes the possibility of changing the criterion of proportional representation. Table 1 summarizes these and indicates (in the rightmost column) which changed the electoral system in ways relevant to the present research.

Section 2: Relevant Electoral System changes in Portugal since 1974

Table 1. Summary of Portuguese Electoral Laws and Amendments since 1974

Law	Amendment	Date of enactment	Location	Relevant for the research
Decree-law nr. 621-C/1974		15 November 1974	link	Yes
	Decree-law nr. 93-C/76	29 January 1976	link	
1976 Constitution		02 April 1976	link	



Law nº 14/79	16 May 1979	link
1989 Constitution (2nd amendment)	08 July 1989	
1997 Constitution (2nd amendment)	20 September 1997	

Section 3: Details of previous electoral systems and electoral system changes.

3.1 The 1974 Electoral System

This law (Decree-law nr. 621-C/1974) defines the electoral Framework for the Constitutional Assembly. It was the first Portuguese single-Chamber of Deputies, elected to create the first Constitution of the Portuguese Republic (1976). It was enacted on 15 November 1974.

Assembly size. District magnitude and assembly size are defined in the Decreto-Lei 85-A/75. The Assembly size is fixed at 247 plus three seats for overseas territories and citizens living abroad.

Districts and district magnitude. The electoral districts are the administrative districts. Each district will elect a deputy for every 25,000 votes and another one if the remainder is greater than 12,500. If a district has fewer than 37,500 voters, it will therefore elect only one candidate. In these single-member districts, the candidate is elected by plurality.

Nature of votes that can be cast. Each voter has a single vote to cast for a party list. All the parties are included in the same ballot and the elector has to cross his preference for the party list.

Party threshold. The law does not determine a legal threshold for parties.

Allocation of seats to parties at the lower tier. The seats are converted into mandates according to the proportional D' Hondt formula. (Article 7) It is not allowed for anyone to stand in more than one district or in more than one list. (Article 22).

Allocation of seats to candidates. Seats will be allocated to candidates in the order set in the ballot. (Article 8) Lists will included as many candidates as there are seats to be allocated in the district (Article 6.2)



Table2: Allocation of seats at district level in Elections to the National Assembly in 25 April 1975

Electoral district	District magnitude
Aveiro	14
Beja	6
Braga	15
Bragança	4
Castelo Branco	7
Coimbra	12
Évora	5
Faro	9
Guarda	6
Leiria	11
Lisboa	55
Portalegre	4
Porto	36
Santarém	13
Setúbal	16
Viana do Castelo	6
Vila Real	6
Viseu	10
Açores – Grupo Central	2
Açores – Grupo Ocidental	1
Açores – Grupo Oriental	3
Madeira	6
Macau	1
Moçambique	1
Emigração	1

Source: Comissão Nacional de Eleições, Resultados Eleitorais, <http://eleicoes.cne.pt/vector/index.cfm?dia=25&mes=04&ano=1975&eleicao=ar> accessed 9.vi.12.

3.2 The 1976 Electoral Reform

This law (Decree-law nr. 93-C/76) was the first amendment to the Electoral law of 1974 and was enacted on 29 January 1976.

Assembly size. The total number of seats increased to 263.

Districts and district magnitude. The Portuguese voters who live abroad are gathered in two electoral districts: one for European countries and another for the remaining countries. (Article 1.3) These two districts will elect one candidate if they have fewer than 37,500 voters and two if they exceed that number. (Article 2.2) Otherwise, there were very small increases in the number of seats in many districts.



Nature of votes that can be cast. No change: Deputies are elected by a multi-member list in each electoral constituency, and each voter has a single vote. (Article 5.1)

Allocation of seats to parties at the lower tier. There is no change in the electoral formula. When all the seats are allocated except one, this will be allocated to the list that has fewer votes. (Article 7.4)

No other change

Table 3: Allocation of seats at district level in in Elections to the National Assembly in April, 25th of 1976

Electoral district	District magnitude
Aveiro	15
Beja	6
Braga	15
Bragança	5
Castelo Branco	7
Coimbra	12
Évora	6
Faro	9
Guarda	6
Leiria	11
Lisboa	58
Portalegre	4
Porto	38
Santarém	13
Setúbal	17
Viana do Castelo	7
Vila Real	7
Viseu	11
Açores – Grupo Central	2
Açores – Grupo Ocidental	1
Açores – Grupo Oriental	3
Madeira	6
Europa	2
Fora de Europa	2

Source: Comissão Nacional de Eleições, Resultados Eleitorais, <http://eleicoes.cne.pt/vector/index.cfm?dia=25&mes=04&ano=1975&eleicao=ar>, accessed 9.vi.12.

3.3 1976 Constitution

This was the first democratic Constitution after the end of the authoritarian regime. It was adopted on 2 April 1976.

Assembly size. The Assembly of the Republic consist of a minimum of 240 and a maximum of 250 deputies (Article 151).



Districts and district magnitude. The Constitution considers the possibility of single and multi-member districts. Except in the case where there is a national electoral district, the apportionment of seats shall be done in proportion to the number of voters enrolled in each district (Article 152.2).

Party threshold. The Constitution forbids the use of electoral thresholds both for candidates and for parties (Article 154.2).

Allocation of seats to parties at the lower tier. D'Hondt quota is fixed by the Constitution (Article 155.)

No other change

3.4 The 1979 Electoral Reform

This law (Law nº 14/79) was enacted on 16 May 1979.

Assembly size. The Assembly is composed by 250 deputies. The total number of seats for the national territory (mainland) is 246, the remaining four seats belong to the two districts of Portuguese citizens who live abroad. (Article 2)

Districts and district magnitude. The three Azores districts were merged into one for the election of 1979, since when the structure of districts has not changed. District magnitude is determined by the number of inhabitants prior to each election. Magnitudes at each election from 1979 to 1987 are shown in Table 4.

Table 4: Allocation of seats at district level from 1979 to 1987

Electoral district	District magnitude				
	1979	1980	1983	1985	1987
Aveiro	15	15	15	15	15
Beja	5	5	5	5	5
Braga	15	15	16	16	17
Bragança	4	4	4	4	4
Castelo Branco	6	6	6	6	6
Coimbra	12	12	11	11	11
Évora	5	5	5	5	4
Faro	9	9	9	9	9
Guarda	5	5	5	5	5
Leiria	11	11	11	11	11
Lisboa	56	56	56	56	56
Portalegre	4	4	4	3	3
Porto	38	38	38	39	39
Santarém	12	12	12	12	12
Setúbal	17	17	17	17	17
Viana do Castelo	6	6	6	6	6



Vila Real	6	6	6	6	6
Viseu	10	10	10	10	10
Açores	5	5	5	5	5
Madeira	5	5	5	5	5
Europa	2	2	2	2	2

Source: Comissão Nacional de Eleições, Resultados Eleitorais, <http://eleicoes.cne.pt/vector/index.cfm?dia=25&mes=04&ano=1975&eleicao=ar>, accessed 9.vi.12.

No other change

3.5 The 1989 Constitution Amendment

The second amendment to the Portuguese Constitution was enacted on 8 July 1989. It introduced changes to the maximum number of seats in the Assembly of Deputies.

Assembly size. The Assembly of Deputies must have a size between 230 and 235 deputies. (Article 151) The actual number was reduced from 250 to 230.

Districts and district magnitude. Districts remained as before. Table 5 shows the apportionment of seats at each election since 1991.

Table 5: Allocation of seats at district level from 1991 to 2011

Electoral district	District magnitude						
	1991	1995	1999	2002	2005	2009	2011
Aveiro	14	14	15	15	15	16	16
Beja	4	4	3	3	3	3	3
Braga	16	16	17	18	18	19	19
Bragança	4	4	4	4	4	3	3
Castelo Branco	5	5	5	5	5	4	4
Coimbra	10	10	10	10	10	10	9
Évora	4	4	4	3	3	3	3
Faro	8	8	8	8	8	8	9
Guarda	4	4	4	4	4	4	4
Leiria	10	10	10	10	10	10	10
Lisboa	50	50	49	48	48	47	47
Portalegre	3	3	3	3	2	2	2
Porto	37	37	37	38	38	39	39
Santarém	10	10	10	10	10	10	10
Setúbal	16	17	17	17	17	17	17
Viana do	6	6	6	6	6	6	6



Castelo							
Vila Real	6	5	5	5	5	5	5
Viseu	9	9	9	9	9	9	9
Açores	5	5	5	5	5	5	5
Madeira	5	5	5	5	6	6	6
Europa	2	2	2	2	2	2	2
Fora da Europa	2	2	2	2	2	2	2

Source: Comissão Nacional de Eleições, Resultados Eleitorais, <http://eleicoes.cne.pt/vector/index.cfm?dia=25&mes=04&ano=1975&eleicao=ar>, accessed 9.vi.12. Errors in this source for the elections of 2002 and 2005 have been corrected using information from the Direcção Geral de Administração Interna: http://www.legislativas2009.mj.pt/legislativas2002/D030000/030000_IS.html and <http://www.legislativas2009.mj.pt/legislativas2005/IS/D02/index.html>, accessed 9.vi.12.

No other change

3.6. The 1997 Electoral Reform

This was the fourth amendment of the Portuguese Constitution and was enacted on 20 September 1997.

Assembly size. The Assembly of the Republic (Chamber of Deputies) consists of more than 180 deputies and no more than 230. In fact, however, the number of deputies has remained at 230.

No other change

Table 6: Allocation of seats at district level in the Elections to the National Assembly in October, 10th of 1999

Electoral district	District magnitude
Aveiro	15
Beja	3
Braga	17
Bragança	4
Castelo Branco	5
Coimbra	10
Évora	4
Faro	8
Guarda	4
Leiria	10
Lisboa	49
Portalegre	3
Porto	37



Santarém	10
Setúbal	17
Viana do Castelo	6
Vila Real	5
Viseu	9
Regiao Autonoma dos Açores	5
Regiao Autonoma da Madeira	5
Europa	2
Fora da Europa	2

Source: Comissão Nacional de Eleições, Resultados Eleitorais, <http://eleicoes.cne.pt/vector/index.cfm?dia=25&mes=04&ano=1975&eleicao=ar>, accessed 9.vi.12.

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